

DCP 1 – Hurstville LGA Wide

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1.1 Name of This Plan

The name of this Plan is Development Control Plan No. 1 – Hurstville LGA Wide (DCP 1).

1.2 What is a Development Control Plan (DCP)?

A DCP provides guidance and controls for the design and assessment of proposed developments.

This DCP must be considered when carrying out development on any land to which this Plan applies.

1.3 Land to Which This Plan Applies

This Plan applies to all land to which the Hurstville Local Environmental Plan 2012 (Hurstville LEP 2012) applies, excluding land identified as the Hurstville City Centre. This Plan also applies to land to which the Canterbury Planning Scheme Ordinance applies, which is subject to a draft Planning Proposal to include the land in the Hurstville LEP 2012, as shown in Appendix 1.

Note: DCP No. 2 (Hurstville City Centre), applies only to land within the Hurstville City Centre and is subject to the Hurstville LEP 1994.

1.4 Commencement of the Plan

The DCP No. 1 Hurstville LGA Wide was adopted by Council on 28 March 2007 and is effective from 23 April 2007.

There have been the following amendments:

- Amendment No.1 – effective from 7 June 2007
- Amendment No.2 – effective from 22 March 2010
- Amendment No.3 – effective from 24 June 2013
- Amendment No.4 – effective from 12 June 2014

1.5 Relationship to Other Plans

DCP No. 1 LGA Wide has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* and Environmental Planning and Assessment Regulation 2000.

This DCP is to be read in conjunction with the Hurstville LEP 2012 (Hurstville LEP 2012) and Council's Section 94 Contribution Plans (as amended from time to time).

The Hurstville LEP 2012 contains the statutory definitions, aims, land use zones and objectives, principal development standards (e.g. height and floor space controls) and associated controls. This DCP provides detailed guidelines and controls to supplement and support Hurstville LEP 2012. In the event of an inconsistency between the provisions of Hurstville LEP 2012 and this DCP, the provisions of Hurstville LEP 2012 shall prevail.

Note: For all controls and associated maps contained within the Hurstville LEP 2012 please use the following link:

<http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+613+2012+cd+0+N>

This DCP

- repeals the following Development Control Plans
 - DCP No.2 – Car Parking
 - DCP No.4 – Hurstville Town Centre (Volume 1, 2 and 3)
 - DCP No.5 - Radiocommunications & Telecommunications
 - DCP No.6 - Requirements for Child Care Centres
 - DCP No.7 - Light Industrial Areas
 - DCP No.9 - Melvin St South & Edgbaston Rd, Beverly Hills
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 - DCP No.15 - Contaminated Lands
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 - DCP No.20 - 33 The Avenue, Hurstville
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 - DCP No.22 - Energy Efficiency
 - DCP No.23 - Advertising & Signage
 - DCP No.24 - Housing for Seniors or People with a Disability
 - DCP No.25 - Development in Bushfire Sensitive Areas

DCP No.26 - Food Premises

DCP No.27 - Restricted Premises

DCP No.28 - Swimming Pools & Spas

DCP No.29 - Hairdressers, Beauticians & Skin Penetration Premises

DCP No.30 - Subdivision

- Supercedes the following Council Codes and Policies:
 - Interim Residential Development Code (IRDC)
 - Code for Single Dwelling Houses
 - Amusement Centre Code
 - Outbuilding Code
 - Extended Trading Hours Policy
- This plan is also to be read in conjunction with the following codes and policies (copies of which are contained in Appendix 2 of this DCP):-
 - Drainage and On Site Detention Policy
 - Fencing adjacent to Public Roads Policy
 - Balcony Enclosure in Residential Flat Buildings Policy
 - Public Places Local Approvals Policy
 - Satellite Dishes Policy
 - Code for the Erection of Private Tennis Courts
 - Stencilling of Street Driveways Policy

1.6 Savings and Transitional Provisions

This DCP only applies to development applications lodged on or after 23 April 2007.

The amendments contained in Section 4.1 (Single Dwelling Houses) & Section 4.6 (Outbuildings), adopted in Amendment No. 2 to this DCP, only apply to development applications lodged on or after 22 March 2010.

In respect of any development application lodged between the period 7 December 2012 and 21 June 2013, Development Control Plan No. 1 (as adopted in Amendment No. 2) is subject to s74(5) of the Environmental Planning and Assessment Act 1979, to the extent that any provisions of the DCP that are similar to those contained in Hurstville Local Environmental Plan 2012 or are inconsistent or incompatible with the provisions of Hurstville Local Environmental Plan 2012 have no effect.

The amendments made to this Plan by Amendment No. 3, only apply to development applications lodged on or after 24 June 2013.

The amendments made to this Plan by Amendment No. 4, only apply to development applications lodged on or after 2 April 2014.

1.7 Aims of This Plan

The aim of this DCP is to encourage and co-ordinate the orderly and economic use and development of land to cater for a variety of residential, retail, commercial and service needs of the Hurstville community while protecting and enhancing amenity, cultural heritage and ecological sustainability within the Hurstville LGA.

This DCP was created to support and supplement the Hurstville LEP 2012 by providing objectives and guidelines for development which encourage design that responds positively to the environment and the context of the locality and generates high quality urban design outcomes.

Specific aims are contained within each Section of the DCP relevant to each development type, application process, site and locality.

1.8 Structure of the Plan

The DCP provides a layered approach – some sections are relevant to all development, some to specific types of development, and some to specific land.

- **All development** must take into account the controls contained within:
 - Section 1 Introduction;
 - Section 2 Application Process;
 - Section 3 General Planning Considerations; and
- **Certain development** must take into account sections relating to specific development types as follows:
 - Specific controls for residential development (Section 4);
 - Specific controls for non-residential development (Section 5); and
 - Specific controls for sites and localities within Hurstville LGA (Section 6).

For each Section of the DCP there are specific aims and within each sub-section or topic of relevance you may find a combination of **Objectives, Controls, Performance Criteria and Design Solutions**. Refer to Section 1.12 Compliance with the Plan to understand how to comply with these requirements.

1.9 How to Use This Plan

STEP 1 → Verify if this DCP applies to your development:

Check the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and Sections 3.1 Exempt Development and 3.2 Complying Development of Hurstville LEP 2012 and see whether your development can be classified as complying or exempt, or if you need to lodge a development application. The classification of developments is explained in Section 2.1 Types of Development.

If you need to lodge a Development Application (DA), then this DCP applies to your development and you should move to STEP 2.

Note:

It is important that you refer to the Building & Development Section on Council's website www.hurstville.nsw.gov.au to find detailed information on how to prepare a development application, development application checklists and the assessment process. You can also telephone Council's Customer Service Centre on (02)9330 6222 and request assistance from the Duty Planner.

You may also refer to Section 1.10 What Controls Apply to My Proposal and Section 1.12 What Information Do I Need to Provide with a Development Application for general guidance.

STEP 2 → Verify Council's public notification requirements:

Refer to Section 2.2 Neighbour Notification and Advertising of Development Applications to understand when Council will need to notify neighbouring properties and/or advertise your development.

STEP 3 → Verify controls applicable to all development:

Understand and apply controls within Section 3 General Development Controls that apply to all development. This section covers issues such as car parking, subdivision, heritage, access and mobility, energy efficiency and crime prevention through environmental design.

STEP 4 → For residential development:

Understand and apply Section 4 Specific Controls for Residential Development (also refer to Section 6 for specific sites and localities). This section contains controls relating to development types such as single dwelling houses, dual occupancy, multi dwelling housing and residential flat buildings.

STEP 5 → For any development that is not residential development:

Understand and apply Section 5 Specific Controls for Non-Residential Development (also refer to Section 6 for specific sites and localities). This section contains controls relating to development types such as commercial and light industrial development, child care centres and food premises.

STEP 6 → Verify controls applicable to specific sites or localities:

Understand if your development is on any site and/or locality identified in Section 6 Controls for Specific Sites and Localities and apply the correspondent controls. Section 6 includes controls for development in certain areas such as Beverly Hills and Riverwood.

STEP 7 → Verify the definition of any words or terms you are unsure of:

You can find the definitions of terms in the Hurstville LEP 2012 – Dictionary.

1.10 What Controls Apply to My Proposal?

Development type	Section 1 Introduction	Section 2 Application Process	Section 3 General Planning Considerations	Section 4 Residential Development	Section 5 Non-Residential Development	Section 6 Specific Site and Area Controls
Residential Development						
Single dwellings	yes	yes	yes	yes	–	yes *
Small lot housing	yes	yes	yes	yes	–	yes*
Dual occupancy	yes	yes	yes	yes	–	yes *
Multiple dwellings and residential flat buildings	yes	yes	yes	yes	–	yes *
Residential alterations & additions	yes	yes	yes	yes	–	yes *
Outbuildings (residential zones)	yes	yes	yes	yes	–	yes *
Fences (residential zones)	yes	yes	yes	yes	–	yes *
Commercial & Industrial Development						
Commercial development	yes	yes	yes	–	yes	yes *
Industrial development	yes	yes	yes	–	yes	yes *
Other Development Types						
Swimming pools and spas	yes	yes	yes	–	yes	yes *
Advertising & signage	yes	yes	yes	–	yes	yes *
Subdivision	yes	yes	yes	–		yes*
Child care centres	yes	yes	yes	yes	yes	yes *
Brothels	yes	yes	yes	–	yes	yes *
Restricted premises	yes	yes	yes	–	yes	yes *

* will only apply if your development is on any specific site and/or locality identified in Section 6 which includes controls for land in certain areas e.g. Beverly Hills and Riverwood.

1.11 Compliance with this Plan

Within each Section or topic of relevance you will find a combination of the items below:

- **Aims:** Identify the reasons why a particular Section of the DCP was created.
- **Objectives:** For each Section or topic of relevance, objectives will clearly state what Council seeks to achieve once the Controls or the Performance Criteria are met.
- **Controls:** Are specific, prescriptive measures required for achieving the desired objectives.
- **Performance Criteria:** Identify how a development should perform so that the desired outcomes can be achieved.
- **Design Solutions:** Indicate how the development can achieve the desired performance and objectives.
- **Building Envelope:** Indicates an area within which the building footprint should be contained so that your property and neighbouring properties can maintain qualities such as adequate privacy, amenity and solar access.

There may be circumstances when it is appropriate to allow flexibility in the application of the Controls in this DCP where strict compliance with the controls is considered unreasonable or unnecessary and variations to the controls may produce better development outcomes for particular sites. Variation to development controls will only be considered where applicants have provided a written submission for each variation (included within the Statement of Environmental Effects – see Section 1.12 What Information Do I Need to Provide with a Development Application) that must clearly:

- Identify the development control to be varied and the general and/or specific objectives of that control;
- Justify why the specific controls of the DCP do not make appropriate provisions with regard to the subject DA;
- Demonstrate that the variation meets all the objectives of this DCP and does not result in any adverse impacts on surrounding properties or the environment.

Council gives no assurance that it will permit any variations to the development controls as specified in this DCP. Variations will only be approved in exceptional circumstances.

Note:

Because every site is unique, compliance with the Controls, Performance Criteria and Design Solutions does not guarantee approval of an application. The Objectives must be achieved in each case. Each application will be considered on its merits and within the guidelines of this DCP.

1.12 What Information Do I Need to Provide with a Development Application?

The information you need to supply to Council with your development application (DA) will vary considerably, depending on the proposal. It is important that you refer to the detailed information available on the Development Application Section under Building & Development on Council's website www.hurstville.nsw.gov.au to understand the assessment process, how to prepare a development application and to verify on the development application checklists the detailed information requirements according to the type of development proposed. You can also telephone Council's Customer Service Centre on (02)9330 6222 and request assistance from the Duty Planner.

In summary, the following information is required:

Note:

Items marked with ⚡ are required for all types of development application. Other documents, including but not limited to those listed below may also be required depending on the type of development proposed. As each development is unique, to make a proper assessment Council may require further information after the application is lodged. Understanding and complying with all requirements upfront and/or seeking professional advice will help you submit a high quality Development Application with complete information and avoid delays to the processing time.

***Development Application Forms* ⚡**

The DA form is required to be completed and signed by the applicant and all relevant property owners (if more than one property owner).

***Development Application Fees* ⚡**

The lodgement of the DA will only be accepted if the prescribed Development Application fees are in accordance with Council's adopted Fees & Charges.

***Statement of Environmental Effects (SEE)* ⚡**

The SEE is a written report that can be prepared by yourself or by a town planner or other suitably qualified professional acting on your behalf. The statement must:

- Outline the full nature of your proposed development;
- Explain how the proposed development addresses and complies with the relevant environmental planning instruments (such as the Hurstville LEP 2012, SEPPs) and this DCP; and
- Identify the potential impacts of the development and the features that have been incorporated into the design to protect the environment.

If the project is expected to have a significant impact on the environment and is classified as a "designated development", an Environmental Impact Statement (EIS) prepared by a suitably qualified and experienced professional shall be submitted instead.

Site and Context Analysis Plan

The Site Analysis and Context Analysis (drawing and text) must contain information, where appropriate, about the site and its surrounds, including:

- Site:
 - Site dimensions (length and width);
 - Topography (spot levels and/or contours);
 - North point;
 - Natural drainage;
 - Any contaminated soils or filled areas;
 - Services (easements, connections for drainage and utility services);
 - Existing vegetation (location, height, spread of established tree species);
 - Micro-climates (orientation of prevailing winds);
 - Location of: buildings and other structures, heritage features and items, fences, property boundaries, pedestrian and vehicular access;
 - Views to and from the site; and
 - Overshadowing by neighbouring structures;
- Surrounds:
 - Neighbouring buildings (location, height, use);
 - Privacy (adjoining private open spaces, living rooms, and windows overlooking the site, particularly those within 9m of the site; location of any facing doors and/or windows);
 - Walls built to the site's boundary (location, height, materials);
 - Difference in levels between the site and adjacent properties at their boundaries;
 - Views and solar access enjoyed by neighbouring properties;
 - Major trees on adjacent properties, particularly those within 9 metres of the site;
 - Street frontage features (poles, trees, kerb crossovers, bus stops, other services);
 - The built form and character of adjacent development (architectural character, front fencing, garden styles);
 - Heritage features of surrounding locality and landscape;
 - Community facilities and public open space (location, use);
 - Adjoining bushland or environmentally sensitive land;
 - If on bushfire prone land the bushfire hazard (bushland or vegetation that could threaten properties in a bushfire) and
 - Sources of nuisance (flight paths, noisy roads, significant noise sources, polluting operations).

The site analysis must be accompanied by a written statement (that may be supported with additional drawings) explaining how the design of the proposed development has regard to the site analysis, and explaining how the design of the proposed development has regard to the principles set out in the Guidelines and Controls in this DCP.

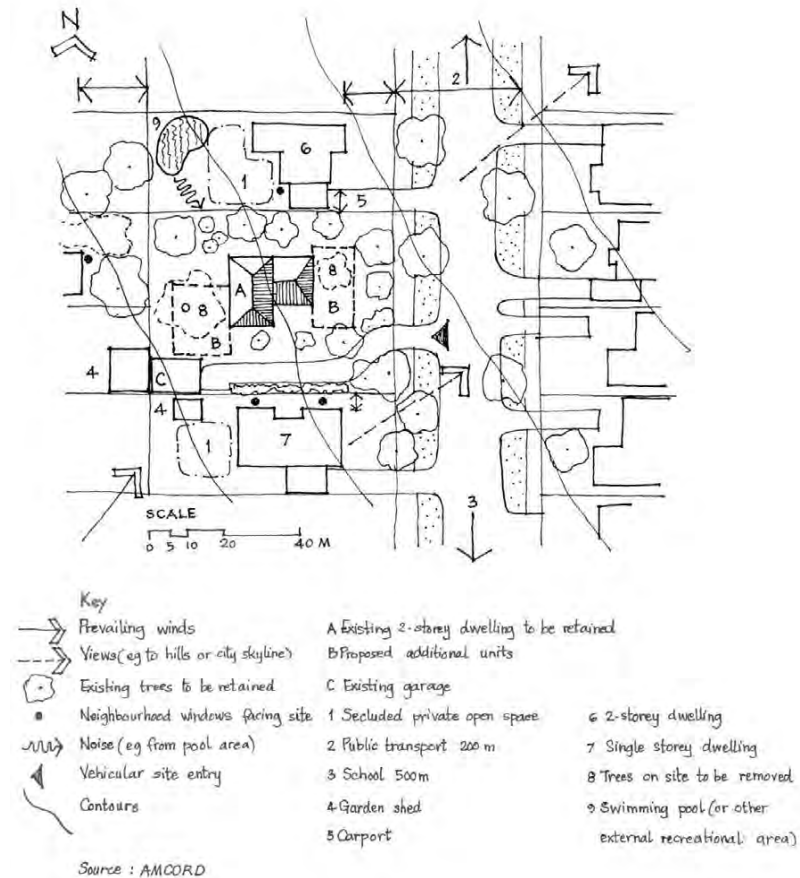


Diagram 1: Example of a Site Analysis Plan

Architectural Plans

Architectural plans must be dimensioned and prepared according to the required scale and print size and include:

- Floor plans showing:
 - Layout plans of all floors, including any basement or rooftop levels.
- Sections
- Elevations
- Site plan, including the following information:
 - The north point;
 - Lot and Deposited Plan number(s);
 - Site dimensions;
 - Location of any easements and/or rights of carriageway;
 - Existing contours and proposed finished contour levels;
 - Location of driveways, vehicle parking and manoeuvring areas, proposed driveway crossings, footpath (existing and proposed);

- Location of trees/vegetation
- Location of existing and proposed drainage pipelines and services;
- Building setback dimensions off each property boundary; and
- Details of proposed cut and fill works.

It is recommended that plans for all forms of residential development and large-scale commercial office, retail or industrial type developments be prepared by a registered architect or designer.

Waste Management Plan

Required for all applications involving any demolition or construction, the plan must outline the proposed method of waste storage and disposal during these phases of the development.

Stormwater Plan

Required for the majority of applications involving new development or alterations and additions to existing development. The plan must detail the method of stormwater drainage from the site and identify the proposed location and approximate volume of any on-site stormwater detention.

Erosion and Sediment Control Plan

Required for all development applications involving site works, the plan should include the location of the property boundaries and adjoining roads and the location and type of all proposed erosion and sediment control measures.

BASIX Certificate

Required for all new residential development, a BASIX certificate can be obtained via an on-line assessment tool that analyses data about the site and proposed design and determines how the development scores against targets for energy and water usage. The certificate will be obtained only if it is considered the home is satisfactorily designed to use less potable water and to be responsible for fewer greenhouse gas emissions.

Shadow Diagrams

Required for the majority of residential and mixed used developments of two or more storeys or any type of development where Council is of the opinion that shadow analysis is required to determine any potential overshadowing impact upon any adjoining land use. As a minimum, shadow diagrams should show shadows generated by the proposed development at 9.00 am, 12 midday and 3.00 pm on 21 June (mid-winter), and 22 December (mid-summer).

Landscape Concept Plan

Required for the majority of developments except for development involving only a single dwelling house in a residential zone. The plan must be prepared by a suitably qualified professional and include all data required for a site plan plus complete detail of proposed vegetation to be used in the development, hard landscape features, surface treatments, surface and sub-surface drainage, irrigation systems, maintenance schedule and measures to minimise crime risk.

Schedule of External Finishes

Required for certain types of development, must show all proposed external colours and building materials.

Traffic and Parking Report

Required when the development may impact traffic and parking arrangements. The report must be prepared by a suitably qualified traffic engineer and include information about the existing traffic conditions on key roads and key intersections in the locality, estimated number of traffic movements generated by the development, the ability of the surrounding road network to accommodate the increased traffic generated by the development, sight distances and any other safety issues, the adequacy of the proposed car parking and access arrangements and recommended upgrading works required to cater for any potential impacts generated by the development.

Heritage Conservation Management Plan

Required when the property is listed as an item of environmental heritage or is within a heritage conservation area and/or is in vicinity of a heritage item. The plan must be prepared by a suitably qualified and experienced heritage consultant and must address the relevant heritage provisions, ensuring that the significance and integrity of heritage items is retained and that the curtilage of such heritage items and their relationship with surrounding developments and the streetscape is also considered.

Arborist Report and Tree Survey Plan

Required when a proposed development may affect certain trees or other vegetation on either the subject site or upon a neighbouring property. May also be required when the applicant requests removal or maintenance of vegetation (e.g. pruning of branches and roots) as part of the development application.

Species Impact Statement (SIS)

Required if the development is likely to have a significant effect upon any threatened flora or fauna species, endangered population or endangered ecological community or their habitats to impact threatened species.

Flood Study

Required where Council records show or there are other reasons indicating that a site can be impacted by overland flows, flooding and tidal waters or where the proposed development could impact on flood or overland flow patterns . Flood studies must be prepared by a suitably qualified and hydraulic engineer.

Acid Sulphate Soils Management Plan

Must include strategies to manage the potential impact development works could have on acid sulphate soils.

Remediation Plan

Must include strategies to manage land that is found to be contaminated.

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2.1 Types of Development

2.1.1 Aim of This Section

The primary aim of this section is to provide supplementary guidance on the different types of development and assessment procedures.

2.1.2 What are the Types of Development?

Development of land includes but is not limited to:

- The use of land (includes changing the use of an existing building);
- The subdivision of land;
- The erection of a building;
- The carrying out of a work (such as residential alterations and additions, commercial fit-outs);
- The demolition of a building or work.

There are three main categories of development:

- Exempt development,
- Complying development, and
- Development where a development application is required.

Exempt Development

Exempt Development is a category for minor development with minimal environmental impact (such as some types of fences, garden sheds, barbeques etc). Exempt development does not require Council approval, provided it meets all the specified restrictions listed on the relevant legislation (such as location, size, materials, etc.) according to the type of development.

The State Environmental Planning Policy – SEPP – (Exempt and Complying Development Codes) 2008 applies across the State, lists development types that are classified as complying development and provides the correspondent requirements. Part 3 Exempt and Complying Development of Hurstville LEP 2012 contains provisions for additional development types within the local government area of Hurstville City Council which are not covered by the Codes SEPP.

Complying Development

Complying development is a category of development that can be addressed by specific pre-determined development standards or requirements. A Complying Development Certificate must be obtained stating that the proposal satisfies the requirements for complying development and in the case of a development involving the erection of a building, identifying the classification of the building in accordance with the Building Code of Australia (BCA). You may apply to either Council or an accredited certifier for a Complying Development Certificate. An application may be made by the owner of the land, or by any other person with the owner's consent.

The State Environmental Planning Policy – SEPP – (Exempt and Complying Development Codes) 2008 applies across the State, lists development types that are classified as complying development and provides the correspondent requirements. Part 3 Exempt and Complying Development of Hurstville LEP 2012 contains provisions for additional development types within the local government area of Hurstville City Council which are not covered by the SEPP.

Complying development on land can only be carried out upon receipt of and in accordance with the Complying Development Certificate, in accordance with any provisions of an environmental planning instrument or other legislation, codes and regulations that apply to the complying development and after appropriate fees and bonds have been paid.

Development Applications

All other development will require a development application to be lodged with Council and will be subject to the provisions of the Hurstville LEP 2012, relevant State Environmental Planning Policies (SEPPs), and this DCP.

Note:

Refer to the Building & Development Section on Council's website www.hurstville.nsw.gov.au to find detailed information on exempt and complying development, how to prepare a development application, development application checklists and the assessment process. You can also telephone Council's Customer Service Centre on (02)9330 6222 and request assistance from the Duty Planner.

2.1.3 Exempt and Complying Development

2.1.3.1 Relevant Legislation

Provisions for exempt and complying development were previously contained on Council's Development Control Plans. In 27 February 2009 the State Environmental Planning Policy – SEPP – (Exempt and Complying Development Codes) 2008 was introduced. This policy and has state-wide application and contains exempt development types and complying development codes such as the General Housing Code, the Housing Internal Alterations Code and the General Commercial and Industrial Code, and the correspondent standards and requirements.

Part 3 Exempt and Complying Development of Hurstville LEP 2012 contains provisions for additional development types within the local government area of Hurstville City Council which are not covered by the SEPP Exempt and Complying Development.

You should refer to the SEPP Exempt and Complying Development and to Hurstville LEP 2012 for detailed information. The Exempt Development and Complying Development Sections under Building & Development on Council's website www.hurstville.nsw.gov.au provide additional information and references to the Hurstville LEP 2012 and the SEPP. You can also telephone Council's Customer Service Centre on (02)9330 6222 and request assistance from the Duty Planner.

2.1.3.2 How to Determine if My Development Is Classified Exempt or Complying?

STEP 1 → Is My Development Exempt Development?

- SEPP Exempt and Complying Development: Check this SEPP first. Your development must comply with the definition of exempt development, all general requirements and requirements specific to the development type listed on the Exempt Development Codes.
- Hurstville LEP 2012: Check the additional exempt development provisions on Hurstville LEP 2012. Your development must comply with all the requirements listed on Section 3.1 Exempt Development and all requirements for the specific development type listed on Schedule 2 Exempt Development of Hurstville LEP 2012.

If your development is not exempt development, move to STEP 2.

Note:

Exempt and Complying development provisions do not apply to all allotments in the Hurstville Local Government Area. For example, sites of heritage significance and bushfire prone land may be excluded. For your development to be classified as either exempt or complying development, it will need to comply with ALL the specified requirements, conditions and standards. If it does not, a development application will need to be submitted for Council's approval. Please refer to the SEPP Exempt and Complying Development and Hurstville LEP 2012 to understand all restrictions that apply to your site or development.

STEP 2 → Is My Development Complying Development?

- SEPP Exempt and Complying Development: Check this SEPP first. Your development must comply with the definition of complying development, all general requirements and requirements specific to the development type listed on the corresponding Development Codes.
- Hurstville LEP 2012: Check any additional complying development provisions on Hurstville LEP 2012. Your development must comply with any requirements listed on Section 3.2 Complying Development and all requirements for the specific development type listed on Schedule 3 Complying Development of HLEP 2012.

If your development is complying development you will need to obtain a Complying Development Certificate either from Hurstville City Council or from an Accredited Certifier. If your development is not complying development, move to STEP 3.

Note:

Exempt and Complying development provisions do not apply to all allotments in the Hurstville Local Government Area. For example, sites of heritage significance and bushfire prone land may be excluded. For your development to be classified as either exempt or complying development, it will need to comply with ALL the specified requirements, conditions and standards. If it does not, a development application will need to be submitted for Council's approval. Please refer to the SEPP Exempt and Complying Development and Hurstville LEP 2012 to understand all restrictions that apply to your site or development.

STEP 3 → You Need to Lodge a Development Application

Refer to the Building & Development Section on Council's website www.hurstville.nsw.gov.au to find detailed information on how to prepare a development application, development application checklists and the assessment process. You can also telephone Council's Customer Service Centre on (02)9330 6222 and request assistance from the Duty Planner.

You may also refer to Section 1.12 What Information Do I Need to Provide with a Development Application for general guidance.

Important:

Should any doubt exist as to whether a particular activity requires approval, consultation should be arranged with Council officers prior to any work commencing.

If your development can be classified as either exempt or complying, you are also advised to:

- Consult a building surveyor (accredited under the Environmental Planning & Assessment Act 1979) to ensure that works will comply with the Building Code of Australia and any relevant Australian Standards.
- Consult a structural engineer (who is a Corporate Member of the Institute of Engineers) where any activity may impact upon the structural stability of any structure.
- Irrespective of this plan, ensure that you comply with all relevant Acts and Regulations.

2.2 Neighbour Notification and Advertising of Development Applications

2.2.1 Aims

The primary aims of this Section are to:

- Enable public participation in the consideration of development applications.
- Provide a process for property owners and residents to make submissions.
- Provide a process when notification is required.
- Set out the matters Council will consider when forming its opinion as to whether or not the enjoyment of adjoining and neighbouring land may be detrimentally affected by a development after its completion.
- Ensure notification of landholders who may be affected by a development application even though they do not own adjoining land.
- Define the circumstances when notification is not required.

2.2.2 Land to Which This Section Applies

This section applies to all land within the City of Hurstville to which the Hurstville Local Environmental Plan 2012 applies, (with certain exceptions as outlined in this Section) for the notification of applications for:

- (a) Development consent (other than designated and state significant development);
- (b) Modification of development consents under section 96 of the Environmental Planning and Assessment Act 1979.
- (c) Review of determination under sections 82A and 96AB of the Environmental Planning and Assessment Act 1979.

2.2.3 Persons to Be Notified & Applications to Be Advertised

2.2.3.1 Notification and Advertising Requirements

The category listings below aim to differentiate between minor and significant development, where Category A & B is minor development and Category C is more significant development. Upon Council receiving an application detailed below, the specific notification requirements will be met.

Category A **Development application involving structures of minor significance, that are unlikely to have major impact on the locality (for example, outbuildings, minor additions and the like)**

- (a) A written notice will be forwarded to the owners and tenants of adjoining land.
- (b) The owners and occupiers of other neighbouring land, may be notified who, in the opinion of Council, may be impacted by the proposal.

Category B Development application involving:

- New dwelling houses
- New dual occupancies (attached or detached)
- New secondary dwellings (granny flats)
- New semi-detached dwelling
- New small lot housing
- New Torrens Title subdivisions (excluding subdivision of approved dual occupancy developments)

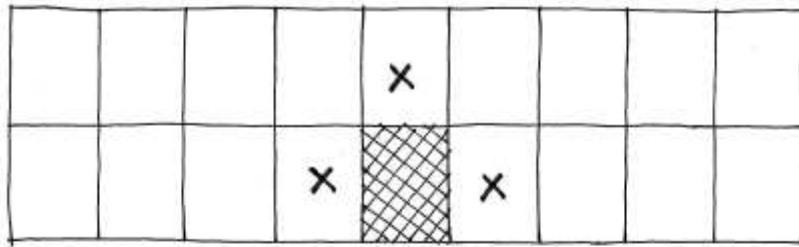
- (a) A written notice will be forwarded to the owners and occupiers of land located two (2) properties on either side of the proposal, the property at the rear and one (1) property on either side of the rear and three (3) properties generally opposite (across any road).
- (b) The owners and occupiers of other neighbouring land and other strata units of the subject site may be notified who, in the opinion of Council, may be impacted by the proposal.

Category C Development application involving

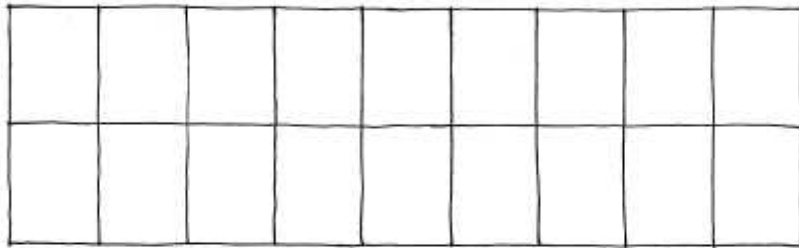
- Group homes
- Hostels
- New attached dwellings
- New multi-unit housing
- New residential flat buildings
- New mixed use premises
- New seniors housing developments
- Tourist & visitor accommodation
- New buildings in a Business or Light Industrial Zone
- New child care centres or
- Demolition and/or alteration of a building or land that is or contains a heritage item listed on Schedule 5 of the Hurstville LEP 2012
- New hospitals or major works to existing hospitals
- New educational establishments or major works to existing educational establishments
- New places of public worship or development applications resulting in intensification of the use of existing places of public worship
- Boarding houses
- Affordable rental housing
- Sex services premises
- Any other development Council considers should be advertised

- (a) A notice will be placed in the local newspaper (The St George and Sutherland Leader) advertising the development application.
- (b) A written notice will be forwarded to the owners and occupiers of land located two (2) properties on either side of the proposal, the property at the rear and one (1) property on either side of the rear and three (3) properties generally opposite (across any road).

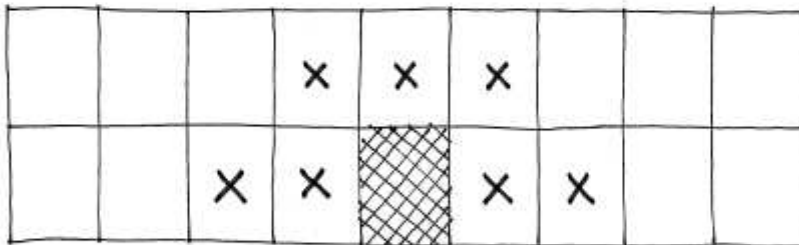
- (c) The owners and occupiers of other neighbouring land and other strata units of the subject site may be notified who, in the opinion of Council, may be impacted by the proposal.
- (d) For alterations and additions to any of the above, notification will be based on the discretion of Manager Development Assessment.



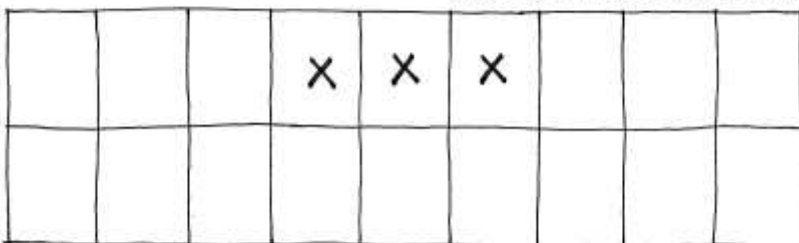
□: SUBJECT PROPERTY
X: PROPERTIES TO BE NOTIFIED



CATEGORY A



□: SUBJECT PROPERTY
X: PROPERTIES TO BE NOTIFIED



CATEGORY B AND C

Other Notification:

A notice may be given to Kogarah, Rockdale and Canterbury Councils in respect of development applications for development on land adjoining these local government areas, asking the adjoining Council to notify their residents/ratepayers.

2.2.3.2 Important Considerations

- (a) Where public concern is raised to any application, Council may consider a wider notification of an application or extension in the time available for comment should the case warrant such action.
- (b) Where Council receives an application under Section 96 of the Environmental Planning and Assessment Act 1979 to modify a development consent where the proposed modification would have an increased impact on any neighbouring property, Council will notify:
 - (i) The owners of land and any other person who has previously lodged a submission to the original or previous application to which the s.96 application relates; and
 - (ii) Any other owners of land, who, in the opinion of Council, may be impacted by the proposal and any amendments or variations to that application.

Note: Where a Section 96 modification application results in a less impact than the originally approved development application no notification is required.

- (c) In the case of Strata Titled properties, a notice will be forwarded to the Owners Corporation, or an Association (under the Community Land Development Act 1989), as well as the owners and occupiers of each strata unit.
- (d) Council will not place an application on public notification and advertising in cases where an application has been submitted and in the opinion of Council is incomplete and/or Council is awaiting further information or clarification from the applicant on outstanding matters prior to the notification process.

2.2.3.3 Applications Which Will Not Be Notified

Council will not publicly notify or advertise development applications where:

- (a) The proposal represents exempt or complying development pursuant to Hurstville Local Environmental Plan 2012 (refer note below);
- (b) Change of use of a building is proposed in a Local or Neighbourhood Business Zone or Light Industrial Zone and the site is not adjacent to a Residential Zone;
- (c) Amendments to an undetermined application which are of a lesser impact to adjoining properties than what was initially proposed;
- (d) Amendments to a development approval under s.96 of the Environmental Planning and Assessment Act 1979 where there is no increased impact as assessed by Council's planning officers;

- (e) Applications to strata subdivide or company title buildings;
- (f) Applications to strata subdivide approved buildings;
- (g) Applications relating to demolition of existing buildings (excluding Heritage Items);
- (h) Applications for new signage in a Local or Neighbourhood Business Zone or Light Industrial Zones;
- (i) Torrens title subdivisions of approved dual occupancy development;
- (j) Applications only for the lopping or removal of trees required under Clause 5.9 Preservation of trees or vegetation of Hurstville LEP 2012 and Section 3.11 of this DCP, which are not associated with any other development occurring on the site.

Note:

Amendments to the Environmental Planning and Assessment Act 1979, on 27 February 2009 introduced two (2) new categories of development known as **exempt and complying development**. Exempt development does not require consent from the Council to be carried out. Complying development is development that can be carried out once it is certified by Council or an accredited certifier.

The Hurstville LEP 2012 and SEPP (Exempt and Complying Development Codes) 2008 enlist exempt and complying development. There is no opportunity to make a submission in relation to exempt or complying development.

2.2.3.4 Issues Affecting Decision to Notify Neighbours

Council will take into consideration the following issues before deciding to notify neighbours:

- (a) The scale, height, external appearance and bulk of the proposal in relation to the neighbouring properties and the streetscape;
- (b) Overshadowing;
- (c) Privacy;
- (d) The views to and across/over the application site;
- (e) Potential view loss;
- (f) Pedestrian and vehicular traffic and provision of parking on the application site;
- (g) Noise;
- (h) The use of the proposed building and the hours of use;
- (i) Heritage and cultural significance;

- (j) The likely effect on the drainage of the adjoining sites;
- (k) The character and quality of the environment within foreshore areas;
- (l) Economic and social impacts;
- (m) Particular circumstances of the application.

2.2.3.5 Display Sign on Site

Where a development is defined as Category B or C, a sign will be erected on the site which displays the following information:

- (a) The address to which the application relates;
- (b) A brief description of the proposal;
- (c) The name of the applicant;
- (d) A site plan; and
- (e) Where and when plans can be inspected.

The display sign must be erected on the front of the site. Where a site has dual street frontage, a display sign must be erected on both frontages.

2.2.3.6 Notification Period for Development Applications

- (a) Development applications may be inspected at Council from Monday to Friday during business hours and submissions can be made by any one during the notification period. A period of 14 calendar days, excluding public holidays, will be allowed for persons to inspect an application and make a submission. The inspection period may be extended by Council if warranted by the circumstances of the case.
- (a) Development applications that have been notified are also available to view on Council's website: www.hurstville.nsw.gov.au
- (b) In the case of nominated integrated development or threatened species development, any period specified by the Regulations.
- (c) To account for the holiday period associated with Christmas and New Year, from 15 December to 15 January the following year, the period to inspect an application and make a submission will be extended to 21 calendar days, excluding public holidays.
- (d) To account for the holiday period associated with Easter, the period to inspect an application and make a submission will be extended to 21 calendar days, excluding public holidays. The holiday period for Easter is defined as the week before and the week after the Easter Long Weekend.
- (e) Council will not determine a development application before the notification period has expired.

2.2.3.7 Form of Submissions

- (a) A submission can:
- Support an application;
 - Object to an application;
 - Object to part of an application;
 - Suggest alternatives to an application or element of an application.
- (b) Submissions must be in writing and received within fourteen (14) days of the date of Council's letter, advertisement or site notice (unless varied by the circumstances of the case), and on or before the close of the notification period
- (c) Submissions can be mailed, emailed or faxed to Council:
- The General Manager
Hurstville City Council
PO Box 205
Hurstville BC NSW 1481
Fax: (02) 9330 6223
Email address: hccmail@hurstville.nsw.gov.au
- (d) Submissions must clearly indicate the:
- Name and address of the person making the submission;
 - Development application number and the address of the application site; and
 - Reason for the submission.
- (e) Any written submissions made are open to public scrutiny in accordance with the *Local Government Act 1993*.
- (f) Special alternative arrangements may be made where any difficulty exists in the provision of written submissions, such as language aides.

2.2.3.8 Who Can Inspect Plans

- (a) Any person, whether or not entitled to be given formal notice under the provisions of this Plan, may at any time during the ordinary office hours of the Council and during the notification period, inspect free of charge, the details or plans of a development application.
- (b) A copy of the notification plan and/or copies of other parts of the application plans (as permitted by copyright laws) can be obtained by any person under the provisions of Government Information (Public Access) Act 2009.

2.2.3.9 Council Must Consider All Submissions

- (a) Council must consider all submissions made within the notification period, before it determines the application.

- (b) Council will not take into account matters extraneous to those prescribed within this DCP, other policies of Council, or the relevant Acts and Regulations. Personal disputes between neighbours will not be considered.
- (c) Council is not bound by any submission and the assessment of the application will involve considering the merits of the application together with all submissions. Those who make a submission do not have a statutory right to prevent the approval of an application nor a statutory right of appeal.

2.2.3.10 Notification of Council Meeting

- (a) If an application is placed on the agenda of the Council for determination, the applicant and any person who has made a written submission will be notified of the time and date of the meeting.
- (b) Not all applications which receive objections need to be referred to Council.

2.2.3.11 Notice of Determination

Each person who made a submission in respect of an application will be notified in writing of the result of Council's decision.

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3.1 Car Parking

3.1.1 Aims of This Section

The primary aims of this Section are to:

- Provide detailed parking requirements for individual land use categories;
- Provide measures to protect the natural environment;
- Ensure parking areas relate to site conditions.

3.1.2 Land to Which This Section Applies

This section does not necessarily apply to all development applications.

If you are occupying a building in which Council has already approved an activity/use/business etc the same as your proposal, the parking requirements will not change.

If you are changing the use of a building then the parking requirements may change. Check the parking requirements from Section 3.1.4 to see whether they have changed.

As a general guide, anyone wishing to develop land or change the use of a building should use this Section to make sure the development has appropriate parking facilities.

3.1.3 General Information

Hurstville is a city with an extensive history of growth and development. The area has transformed from a traditional community with a strong residential focus to become one of the most important retail and commercial centres for southern Sydney.

As a result of intensifying development within the area, the parking and traffic pressures have increased, highlighting the need for appropriate off street parking and better parking facilities. Consequently, development within the Hurstville area requires the provision of sufficient off street or on-site parking suitable for the development proposal.

It is important these parking facilities have a positive influence on the quality of our environment through their positioning, operation and landscaping. A correct and well designed parking facility will improve the appearance, function and value of the property it serves.

Development generating high amounts of traffic, as defined under State Environmental Planning Policy (Infrastructure) or on State and regional roads, may be referred to Council's Traffic Engineer; Council's Traffic Committee or the RMS Regional Traffic Committee for consideration.

3.1.4 Parking Provision

Objective

- To provide sufficient, safe and convenient parking facilities meeting user requirements including pedestrians, cyclists and vehicles.

Performance Criteria

- (a) Parking and service vehicle areas are provided according to projected needs and provide pleasant areas in which to park.
- (b) Parking that is safe, easily accessible, does not obstruct the passage of vehicles or create traffic conflicts, impact pedestrians or cyclists and does not result in detrimental affects to adjoining or nearby properties.

Controls

3.1.4.1 Table of Parking Requirements

- (a) In determining the prescriptive parking requirements for each type of land use, Council has adopted guidelines from the Roads and Traffic Authority **Guide to Traffic Generating Developments**, October 2002. It must be emphasised, however that Council uses this guide on a discretionary basis only, and may be flexible in establishing parking conditions according to expert reports on the existing parking and traffic conditions in the vicinity of the subject site.
- (b) In calculating the number of car spaces required, Council takes into consideration:
 - (i) The type of development (or land use) proposed;
 - (ii) The size and scale of the development;
 - (iii) The intensity of the development;
 - (iv) Street hierarchy and existing traffic situation.
- (c) Where a building alternates between any of the following uses:
 - (i) Within an existing premises where a change of use is proposed from one type of refreshment room/takeaway food outlet to another refreshment room/takeaway food outlet, no additional parking is required;
 - (ii) Within an existing premises where a change of use is proposed from a shop/business premise to a refreshment room/takeaway food outlet, the following parking requirements will apply:
 - Where the public area in the proposed use is <100 sqm no additional parking is required.

- Where the public area in the proposed use is 100-150 sqm the existing parking requirements in this Section will continue to apply.
- Council will consider waiving increased parking requirements, where the gross leasable floor area (GLFA) is not proposed to be increased.

Note: **Gross Leasable Floor Area (GLFA)** means the total floor area contained within the internal face of the external enclosing walls of a building, excluding stairs, lifts, public arcades, public foyers, public toilets, plant rooms, loading areas and car parking areas, and any other areas in communal uses the existing parking provisions in Section 3.1 continue to apply to new development that incorporate a refreshment room/takeaway food outlet;

- (d) The following table provides on-site parking requirements for each specific land use. Where parking calculations produce a fraction, the requirement is rounded up e.g. 3.2 spaces = 4 spaces.

Note:

Parking requirements may also be contained in area specific DCPs.

DEVELOPMENT	PARKING SPACES REQUIRED (on site)
Automotive Uses/Panel beaters	6 spaces per work bay (stacked parking acceptable)
Bowling Alley	3 spaces per lane
Bowling Club	Greater of 30 spaces for first green + 15 spaces per each additional green or 1 space per 18.5 m ² GFA
Bulky Goods Retail Store	1 space per 50m ² GLFA
Business Premises	1 space per 50m ² GLFA
Car Tyre Retail Outlet	Greater of 3 spaces per 100m ² GFA or 3 spaces per work bay
Catering and Reception Centre	1 space per 10m ² dining area + 1 space per 2 employees
Child Care Centres	Refer to the Child Care Centres section of this DCP for car parking requirements.
Clubs (general)	1 space per 18.5m ² GFA
Drive-in Liquor Stores	1 space per 50m ² GLFA + queuing space for 3 vehicles.
Educational Facility	1 space per 2 employees
Entertainment Facilities (includes cinemas, theatres, public assembly areas etc.)	1 space per 10m ² GLFA or 1 space per 6 seats, whichever is greater.

DEVELOPMENT	PARKING SPACES REQUIRED (on site)
Fast Food Restaurants <i>Development with on-site seating:</i>	12 spaces per 100m ² GFA and 1 space per 5 seats (internal & external) or 1 space per 2 seats (internal),
<i>Development with on-site seating & drive through facilities:</i>	Greater of 1 space per 2 seats (internal) or 1 space per 3 seats (internal & external) + queue space for drive through: McDonalds: 10-12 car lengths KFC: 5-8 car lengths Other: Council to determine
<i>Development without seating or drive through facilities</i>	Council to determine
Garden Centre/Nursery	1 space per 100m ² GLA of site area
Gymnasiums	4.5 (min) - 7.5 (ideal) spaces per 100m ² GFA
Health Consulting Rooms	1 space per practitioner + 1 space per consulting room
Home Activity	1 space per employee who is not a resident of the dwelling
Hospitals	1 space per 2 beds
Nursing Homes	1 space per 10 beds plus 1 space per 2 employees
Hostels and Boarding Houses	1 space per 3 beds plus 1 space per 2 employees
Hotels (no accommodation)	1 space per 56m ² of GLFA
Hotel Accommodation	1 space per 5 bedrooms of accommodation, plus the requirements of any associated restaurant/function room etc. Provisions shall be made for off street accommodation of buses and taxis.
Indoor Cricket/Netball/Soccer Centres	8 spaces per court
Light Industry <i>Office Area:</i>	1 space per 40m ² GFA
<i>Manufacturing (factory):</i>	1 space per 100m ² GFA
<i>Warehouse (storage)</i>	1 space per 300m ² GFA
Medical Centre	3 spaces per consulting room
Motel	1 space per unit + 1 space per 2 employees
Motor Showrooms	1 space per 130m ² GLFA 6 spaces per work bay (for vehicle servicing facilities)
Office Premises	1 space per 40m ² GLFA

DEVELOPMENT	PARKING SPACES REQUIRED (on site)
Petrol Stations & Convenience Stores	6 spaces per work bay + 1 space per 25m ² GLFA of convenience store. If the petrol station and convenience store includes a restaurant; add 15 spaces per 100m ² GFA or 1 space per 3 seats (whichever is greater).
Place of Worship (Church, Temple, Mosque etc)	1 space per 10 seats or 1 space per 10m ² GFA (whichever is greater)
Refreshment Rooms (including cafes, restaurants etc)	15 spaces per 100m ² GFA or 1 space per 3 seats (whichever is greater)
Residential: (includes dwelling houses, dual occupancy, townhouses and villas and residential flat buildings)	Refer to the Residential Development section of this DCP or Controls for Specific Sites and Localities section (if applicable) for car parking requirements.
Retail/Shop	Spaces per 100m ² GLFA 6 spaces per 100m ² where GLFA is 0 - 10, 000m ² 5 spaces per 100m ² where GLFA is 10,000 - 20,000m ² 4 spaces per 100m ² where GLFA is >20,000m ²
Serviced Apartments	1 space per 4 units + short term standing area
Squash / Tennis courts	3 spaces per court
Veterinary Hospital	1 space per 40m ² for < 120m ² GFA 1 space per 30m ² for GFA 120m ² - 1000m ² 1 space per 22m ² for > 1000m ² GFA
Video Stores	6 spaces per 100m ² GLFA

- (e) Where a development application is received in respect of a use or purpose which is not defined in one of the above categories, the minimum parking requirement shall be determined by Council in consultation with the applicant.

3.1.4.2 Layout, Circulation, Access and Egress

- (a) Refer to AS 2890.1 2004 and AS2890.2 Part 2 for the design and layout of parking facilities.
- (b) Council does not encourage, but may consider stacked parking for parking spaces in a controlled parking situation which:
- (i) allows no more than two cars in the stacked parking arrangement;
 - (ii) is likely to maintain a very low turnover; or
 - (iii) is able to function easily within the management of the site's future operation.

3.1.4.3 Stencilling of Street Driveways

- (a) All driveways in Hurstville are to be finished in plain concrete.
- (b) In streets which have brick paved surfaces, driveways are constructed to Council's Engineering Specification including a concrete base with matching brick paving surface.

3.1.4.4 Ramps, Transitions & Driveways

Alignment levels for all points of vehicular access must be obtained prior to submission of a development application. These levels will be made available by Council's Engineering Department following the payment of the appropriate fee.

Note:

Ramp grades are to be designed in accordance with AS/NZS 2890.2 2004 Part 2

- (a) Ground Clearance Template:

The AS/NZS 2890.1 2004 Ground Clearance Template is to be used as follows:

- (i) Prepare a longitudinal section of the grade change or irregularity to natural scale, and to the same scale as the template – scale to be 1:20.

3.1.4.5 Underground/Basement Parking Areas

- (a) Underground parking areas are to be concentrated under building footprints so as to maximise deep soil landscaping.
- (b) Driveways to underground car parks are to be designed so as to minimise the visual impact on the street, and to maximise pedestrian safety. Pedestrian access to the development should be separate and clearly defined.
- (c) Access ways to underground car parking areas is to be located away from doors and windows to habitable rooms wherever possible.
- (d) Basement car parking is preferable in commercial and residential flat buildings.
- (e) All underground parking areas are to have security doors. Where mechanical ventilation is proposed the motor room and exhaust shafts are to be shown on the development application plans.

3.1.4.6 Parking for People with a Disability

- (a) This Section requires compliance with AS 1428 Design for access and mobility and AS/NZS 2890.6.
- (b) The provision of parking areas for drivers with a disability is an important consideration in

any development. Council encourages the provision of parking for those with a disability beyond the minimum requirements of the Australian Standards.

3.1.4.7 Section 94

Council may consider accepting a cash contribution in lieu of on-site parking where a Section 94 Plan is in place. This applies to retail and commercial developments. The contribution is payable under Section 94 - developer contributions, of the Environmental Planning and Assessment Act 1979.

Contact Council to see whether the Hurstville Section 94 Contributions Plan 2012 applies to your development and determine any applicable charges. A copy of this plan can be downloaded from www.hurstville.nsw.gov.au.

3.1.4.8 Car Washing Area

- (a) A designated car washing area (which may also be a designated visitor car space) is required for service stations and residential developments of four or more dwellings.
- (b) Car wash bays which collect waste water must be covered and discharge the water to the sewer in accordance with the requirements of Sydney Water.

3.1.5 Environmental Design**Objective**

- To promote pleasant, safe car parking areas and protect the natural environment.

Performance Criteria

- (a) Parking areas are designed to reflect the environmental conditions of the land.
- (b) Parking areas incorporate measures to protect the natural environment.

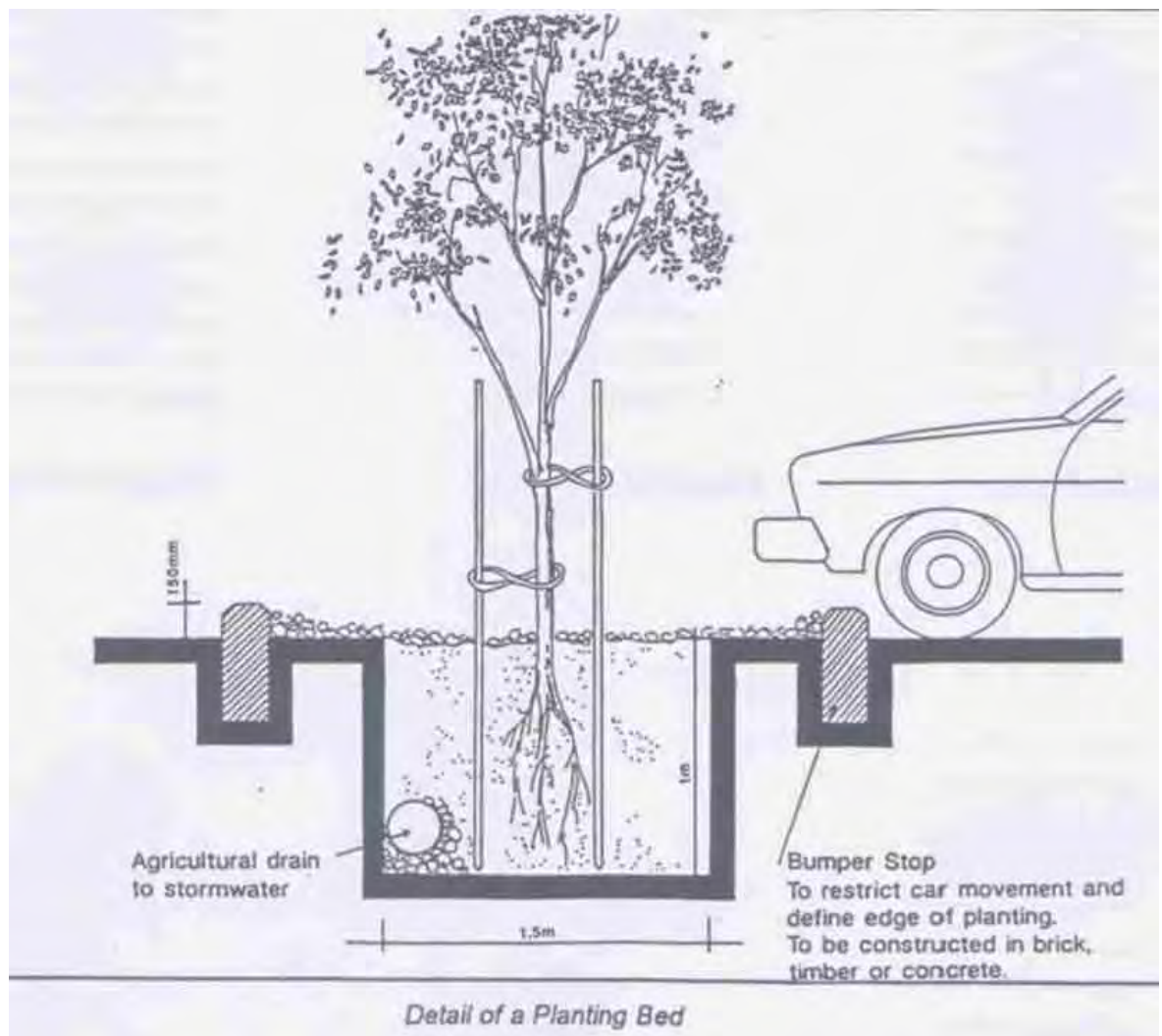
Controls**3.1.5.1 Landscaping**

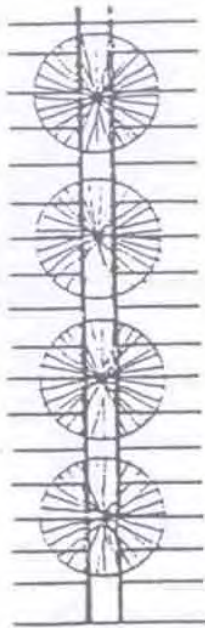
- (a) Proposals for parking areas are to be accompanied by a landscape plan, prepared by a qualified landscape architect or designer, illustrating means to soften the visual impact of parked cars and any associated structures, as per these landscaping controls.
- (b) Significant environmental features within the land such as rock outcrops, benches and trees are to be retained as a landscaped feature of the parking area.
- (c) Council considers that landscaping needs to be included in every car parking design, within and on the perimeters of the car parking area. Accordingly, the following is required:
 - (i) Planting beds fronting a street or public place are to have a minimum width of 1 metre;

- (ii) Shade trees are to be provided in open parking areas at the ratio of 1 shade tree for every 6 spaces; and
- (iii) Plants to avoid are those which have a short life, drop branches, gum or fruit or those which interfere with underground pipes.
- (d) Parking areas are to incorporate a 150mm concrete kerb or edge treatment to reduce the likelihood of vehicles damaging adjoining landscaped areas. The use of bollards should also be considered.
- (e) The following diagrams illustrate the controls:

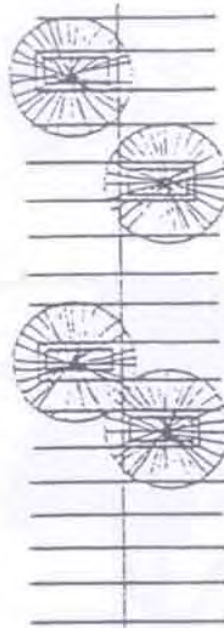
Note:

Refer to Appendix 1: Recommended species for landscaping in Hurstville City.





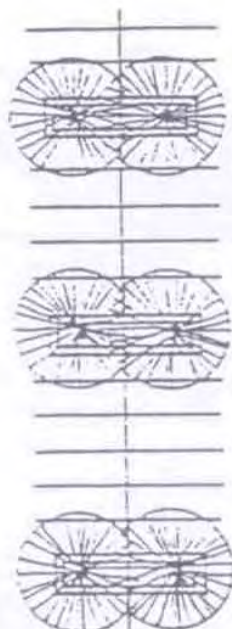
Central row



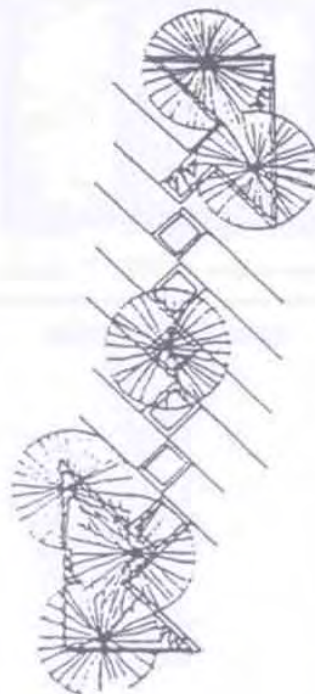
Random planting



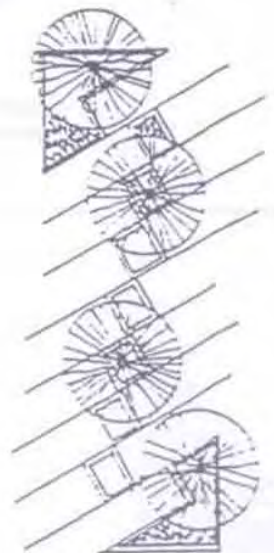
Staggered spacing



Island beds



45° layout



30/60° layout

3.1.5.2 Drainage

- (a) All parking areas are to have adequate drainage for runoff and seepage. Council requires that minimum gradients be provided in car parks.
- (b) A detention tank or pipe with reduced outlet should be offered, preferably integrated with a pollution trap. Parking areas may provide for temporary detention of water to a maximum depth of 150mm to reduce the velocity of stormwater run-off.

Such parking areas are to be designed to provide pollution traps around the perimeter so as to reduce the impact of pollutants on the water quality of downstream watercourses. See Council's Drainage Code for further information.

3.1.5.3 Streetscape

- (a) Proposals for multi-level car parking areas are to provide a facade at the street frontage which is consistent with the streetscape and character of adjacent development.
- (b) If a proposed parking area adjoins a residential property Council requires fencing and/or mounding to be included in the landscaping proposal to protect the privacy of the residential property and reduce noise.

3.1.6 Safer By Design

Objectives

- To prevent crime through environmental design.
- To reduce conflict between vehicles and pedestrians.

Performance Criteria

- (a) Parking areas are designed with features which suggest to both residents and potential offenders that car parking areas are owned, cared for and not amenable to crime.
- (b) Parking areas are designed with features that minimise vehicular and pedestrian conflict.
- (c) Parking areas are illuminated and provide users with a feeling of security and safety.
- (d) Parking areas are designed to allow for drive by surveillance.

Controls

3.1.6.1 Visibility

- (a) On-site parking spaces are to be located in areas visible from nearby habitable windows, entrances, public spaces etc.
- (b) On-site driveways are to provide an unobstructed view of passing pedestrians and vehicles.

3.1.6.2 Safety

Sloping ramps from car parks, garages and other communal areas are to have at least one full car length of level driveway before they intersect pavements and carriageways.

3.1.6.3 Security

- (a) Entry to basement car parks, including pedestrian routes, are to be available only to residents through security access/egress routes via main buildings.
- (b) Visitor parking shall be provided in open unrestricted areas. If visitor parking is provided within a secure parking area (basement or otherwise) suitable access provisions shall be made such as a security intercom.
- (c) Exit points for driveways to basement car parks for block edge development may require pedestal activated boom gates.

3.1.6.4 Lighting

The intensity of lighting in the entranceway to covered or underground car parks is to be graded from the most bright (at the entrance proper), to minimum levels of accepted illumination (away from entrances), to allow for the gradual adjustment of driver/pedestrian "light" vision.

3.1.6.5 Pedestrians and Car Park Layouts

To help minimise the likelihood of conflict when sites have both pedestrian and vehicular access, the following is required:

- (a) Parking areas are to be designed so that through traffic is either excluded or appropriately managed.
- (b) Pedestrian entrances/exits are to be separated from the vehicular entrances/exits (parking spaces must not obstruct required exit doors).
- (c) Developments generating a significant amount of pedestrian movement throughout the car park (such as shopping centres or office parks) are to establish clear and convenient pedestrian routes. These routes should minimise the number of points which cross vehicle paths and be appropriately marked to heighten driver awareness (e.g. painting, use of contrasting materials, lighting and/or signage).

3.2 Subdivision

3.2.1 Aims of This Section

The primary aims of this Section are to:

- (a) Enable the orderly subdivision of land, ensuring that a range of development types are achievable;
- (b) Ensure the creation of new allotments are compatible with the surrounding subdivision pattern as reflected in lot size, orientation and shape;
- (c) Minimise adverse impacts on adjoining land;
- (d) Ensure sufficient building and landscaped area is available on newly created allotments;
- (e) Ensure adequate solar access and vehicular access is available to all allotments and that adequate provision is made for drainage and utility services.


3.2.2 Lot Size and Shape

Objectives

- Ensure the subdivision is consistent with the objectives and minimum subdivision lot size requirements of the Hurstville Local Environmental Plan 2012.
- Ensure subdivision design takes into account inherent site constraints and minimises any potential adverse environmental impacts.
- Provide adequate solar access, vehicular access, building area and landscaped area for allotments.

Controls

Note:

Controls marked with  indicate that it is a statutory definition contained in the *Hurstville Local Environmental Plan 2012* and must be complied with.

- (a) Residential allotment sizes are to conform to the following minimum requirements:

Location	Lot sizes
Lots in the residential zones: - R2 Low Density Residential - R3 Medium Density Residential	450 m ² ⌘
R2 Low Density Residential lots in the FSPA	550m ² ⌘

Note:

FSPA = Foreshore Scenic Protection Area as per Hurstville Local Environmental Plan 2012 Foreshore Scenic Protection Area Map.

- (b) The width or the area of any existing or proposed access handle is to be excluded when determining the area or width of each allotment (Diagram 1).

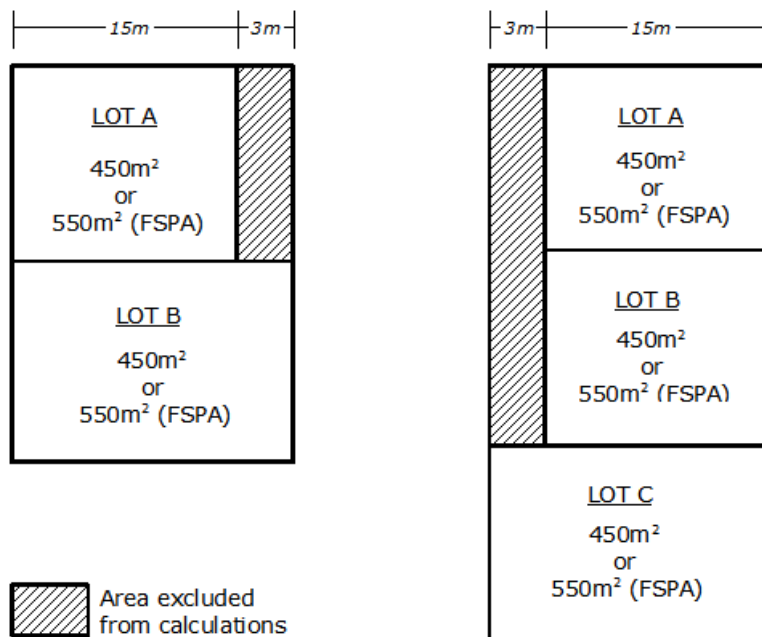


Diagram 1: Example of lot area and width calculations

Note: Clause 4.1 of Hurstville Local Environmental Plan 2012 provides the statutory provisions for minimum allotment sizes

In battleaxe allotments an access handle comprises any access corridor, accessway, right-of-carriageway or the like.

- (c) Allotment sizes for dual occupancy housing are to conform to the following minimum requirements:

Location	Lot sizes
Lots in the residential zones: <ul style="list-style-type: none"> - R2 Low Density Residential - R3 Medium Density Residential 	630 m ² ↗
R2 Low Density Residential lots in the FSPA	1000m ² ↗

- (d) Allotments for multi-dwelling housing are to have a minimum size of 500 m² per dwelling in the FSPA. ↗
- (e) Allotments in the IN2 Light Industrial Zone are to have a minimum size of 650 m².
- (f) New allotments for dwelling houses and attached dual occupancy developments are to have a minimum width of 15m for the entire allotment
- (g) Where the street layout or site feature results in irregularly shaped allotments the lots must have a minimum width of 15m for the whole building footprint and applicants must demonstrate that a development that complies with Council's other controls for development including setback, landscaping and open space can be achieved.
- (h) Battleaxe allotments are to conform to the following minimum requirements:

Location	Max. number of lots per access corridor	Minimum width of access handle
Lots in the residential zones: <ul style="list-style-type: none"> - R2 Low Density Residential - R3 Medium Density Residential 	6	3m, if handle services up to two lots 6m, if handle services more than two lots (unless passing bays are provided at suitable locations).
IN2 Light Industrial Zone	2	6 m

- (i) Where the topography of a site requires separate pedestrian access or is only accessible by the use of an inclinator, an accessway with a minimum width of 2 metres is to be provided.
- (j) Corner allotments may be required to provide a 3 metre x 3 metre splay corner (road to road), or 1.5 metre x 1.5 metre (lane to road). Applicants are advised to consult with Council staff prior to lodgement of any development application to determine specific requirements.
- (k) On newly created allotments an indicative building envelope must be able to demonstrate how solar access, vehicular access, setbacks, landscaped areas, and tree preservation can be achieved.

3.2.3 Roads, Vehicular Access and Car Parking

Objectives

- Ensure road design takes into account connectivity, legibility and permeability and adequately caters for the safety of all road users, including motor vehicles, pedestrians and cyclists.
- Ensure road construction meets minimum standards.
- Ensure adequate vehicular access and car parking is provided to allotments, according to the subdivision type, taking into account inherent site constraints without interfering with the natural topography and landscape.

Controls

- (a) Public roads are to be constructed to Council's Traffic Engineers' satisfaction, in accordance with the relevant Australian Standards and relevant road authority's policy and specifications on road design and road safety guidelines.
- (b) Pedestrian footpaths or shared pathways / cycle ways are to be designed in accordance with AS 1428.1—2001 Design for Access and Mobility.
- (c) Consent should be obtained from the relevant road authority under the Roads Act 1993 for each opening of a public road required for the development.
- (d) Driveways and car parking are to be constructed in accordance with AS 2890.1—2004, Parking facilities—Off-street car parking and with the relevant road authority's policy and specifications on vehicle and driveway crossings.
- (e) Driveways and car parking must satisfy the requirements contained in Section 3.1.2.1—Parking Provision of this DCP and comply with the relevant DCP controls according to the development type.
- (f) A driveway on a battleaxe lot is to conform to the following requirements:
 - (i) is to be capable of carrying a variety of service vehicles, including fire engines;
 - (ii) is to be provided from the carriageway to the building line;
 - (iii) reciprocal right-of-way and easement for services should be shown;
 - (iv) where access is shared by three or more residential allotments:
 - The driveway is to be 6m wide or passing bays are to be provided at suitable locations; and
 - A 12 metre diameter turning circle, or appropriately designed "hammer head" or "T-turn" to Council's Traffic Engineers' satisfaction, full concrete construction, is required at a location which will suit all allotments; and
 - Access is to be constructed prior to the release of the linen plan by Council.

3.2.4 Utilities and Services

Objective

Ensure all allotments are adequately serviced by appropriate utility services.

Controls

- (a) Development consent must not be granted unless Council is satisfied that any public utility infrastructure that is essential for the proposed development (including water and electricity supply, disposal and management of sewage and stormwater) is available or that adequate arrangements have been made to make that infrastructure available when required. See Clause 6.7 of Hurstville Local Environmental Plan 2012. ↗
- (b) Service supply to multiple battleaxe subdivisions is to be provided by underground cable. Confirmation that this has been arranged is required in writing from the relevant authority before approval and release of plans can be finalised.
- (c) Adequate space for the storage of waste and recycling bins is to be provided on the site in an accessible location (see Section 3.9 – Waste Management).

3.2.5 Drainage

Objective

- To ensure subdivisions are fully drained to Council standards according to the subdivision type.

Controls

3.2.5.1 General

- (a) All subdivisions must be fully drained by an appropriately designed piped gravity drainage system. This system shall be designed for a minimum 1 in 20 year ARI storm frequency and discharge to a suitable location approved by Council.
- (b) For inter-allotment drainage of two-lot residential subdivisions where surface water is collected via surface grates etc, any pipelines through adjacent property via a minimum 1 metre wide drainage easement:
 - (i) Shall be a minimum of 150 mm in diameter or larger, laid at 1% minimum grade;
 - (ii) Shall have a minimum inlet pit of 450 mm², including provision for a 150 mm deep silt arrestor;
 - (iii) Shall be of sewer grade PVC.
- (c) Where the site to be subdivided is larger than a two-lot residential subdivision, the pipe size is subject to determination by a qualified hydraulic engineer.

- (d) All subdivisions should include provision for inter-allotment drainage and the overland flow path of any resulting overflow of stormwater generated by a storm of 100 year ARI.

3.2.5.2 Overland Flow Paths

Runoff from storms up to the 100 year ARI that cannot be conveyed within the piped (minor) drainage system (including overflows from roof gutters) must be safely conveyed within formal overland flow paths (major system) to an approved outlet. Any overland flow must be wholly contained within the road corridor or a drainage easement of suitable width. The product of velocity and depth of flow ($V \times d$) shall not exceed $0.4\text{m}^2/\text{s}$ along these flow paths. Where it is not practicable to provide flow paths that meet these requirements for overland flow, the piped drainage system shall be constructed to accept runoff from 100 year ARI storms.

3.2.5.3 Flow of Run-off across Property Boundaries

Runoff that currently enters a site as a sheet flow from upstream properties shall not be obstructed from flowing onto the site and shall not be redirected so as to increase the peak flow rate or volume of surface runoff entering adjoining properties.

3.2.5.4 Control of Seepage

Where increased seepage is anticipated or becomes evident as a result of site works and this is likely to impact on adjoining properties or the public footpath, appropriately designed subsoil cut off drains shall be provided and connected to the piped drainage system.

3.2.5.5 Width of Easements

Ownership	Nominal Pipe Diameter	Easement Width (minimum)
Private	up to 225 mm	1 metre
	300mm to 600mm	1.8 metres
Council or larger private inter-allotment drains	300 mm to 900 mm	2.5 metres
	1.05m to 1.2 metres	3.0 metres
	Pipes and culverts larger than 1.2 metres	Width appropriate to site location

In calculating the width of any drainage easement, consideration shall be given to the width of any overland flow generated by the 100 year ARI storm.

This overland flow shall be wholly contained within any drainage easement created. Council may approve an "Easement over Existing Line of Pipes" or an easement of lesser width than 1 m, subject to the diameter of the pre-existing drainage line and site constraints. A condition must be imposed on any approval for a subdivision application that creates additional lots, requiring the creation of "Easements to Drain Water" sufficient to ensure that every lot so created has a legal right of drainage through to an appropriate public drainage system.

3.2.5.6 Design Requirements

- (a) All designs must be prepared by professionals qualified in drainage design.
- (b) Flows shall be determined using the rational method in accordance with procedures set out in *Australian Rainfall and Run-off* (Institution of Engineers, Australia, 1987 or later) or using an appropriate hydrological/hydraulic computer model.
- (c) Inter-allotment piped stormwater drainage systems shall be designed for a 5 minute duration storm of 20 year ARI or greater.
- (d) All pipe sizing shall be confirmed by hydraulic grade line analysis however a minimum of 375 mm diameter pipe size shall apply to pipelines that become Council's asset.
- (e) The minimum pipe grade shall be 1% and fullpipe velocities at 20 year ARI shall be between 0.6 and 6 m/s.
- (f) Fully detailed hydraulic plans together with tabulated hydrological and hydraulic information must be submitted to Council.

3.2.6 Issues for Consideration

3.2.6.1 Contribution Rates

Section 94 of the Environmental Planning and Assessment Act 1979

Council will require contributions under Section 94 of the Environmental Planning and Assessment Act 1979 in respect to each additional allotment created by land subdivision.

Contributions will be subject to the Hurstville Section 94 Development Contributions Plan 2012. A copy of this plan can be viewed at Council or at www.hurstville.nsw.gov.au

3.3 Access and Mobility

3.3.1 Aims of This Section

The primary aims of this Section are to:

- provide information, awareness and understanding of access and mobility issues;
- create appropriate levels of access and mobility for new developments, alterations and additions to existing buildings, public buildings and open space;
- assist in providing a continuous path of travel throughout the City of Hurstville;
- ensure compliance with the Disability Discrimination Act, 1992 (Commonwealth), as well as the relevant Australian Standards;
- provide controls for adaptable housing which recognise the diverse accommodation needs of the community, particularly older persons and people with a disability.

3.3.2 Land to Which This Section Applies

This Section applies to all land within Hurstville City Council. It affects certain types of residential, industrial, commercial and retail development. However, the main emphasis is on new, larger developments, although changes of use and alterations and additions to existing buildings may need to comply with certain provisions of this Section. The compliance table below explains in further detail what developments are subject to this Section and what requirements need to be satisfied before approval will be considered by Council.

3.3.3 General Information

3.3.3.1 Why is access and mobility important?

Access and mobility provision respond to fundamental human rights and social justice. Traditionally, access and mobility issues have revolved around the inequities faced by people with physical disabilities. However, as our population ages and people with disabilities are becoming less restricted due to advances in medical technology, the need to provide increased physical access to all sections of the community has become even greater.

Put simply, physical access benefits everyone at some stage of their life. Whether someone has a permanent mobility problem, is vision impaired, is a parent of a young child, is aged or is incapacitated for health reasons, many groups in our society rely on, or require, equitable physical access.

This Section aims to widen the focus of accessibility by promoting an acceptance of people as individuals and their right to fair access and the opportunity to fully engage in community life.

3.3.3.2 Legislative framework

Disability Discrimination Act 1992 (DDA)

The DDA is a Commonwealth Act that makes it against the law to discriminate on the grounds of disability in:

- Employment;
- Education;
- Access to premises used by the public;
- Provision of goods, services and facilities;
- Accommodation;
- Buying land;
- Sport; or
- Administration of Commonwealth Government laws and programs.

The DDA also makes it unlawful for public places to be inaccessible to people with a disability. It seeks to ensure that people with a disability have the same rights to equality before the law as the rest of the community.

The DDA covers both new and existing public buildings, as well as public places under construction. Existing places need to be modified and be accessible, except where this would involve 'unjustifiable hardship'.

Places used by the public include:

- Public footpaths and walkways;
- Educational institutions;
- Shops and department stores;
- Banks, credit unions and building societies;
- Parks, public swimming pools, public toilets and pedestrian malls;
- Cafes, restaurants and pubs;
- Theatres and other places of entertainment;
- Lawyers' offices and legal services;
- Libraries;
- Sporting venues;
- Social and sporting clubs;
- Government offices;
- Public transport;
- Dentists' and doctors' surgeries;
- Hospitals;
- Hairdressers and beauty salons;
- Travel agents; and
- Government run services.

The Premises Standards

Under the DDA, the Commonwealth Government developed a nationally applicable set of technical standards called the Commonwealth Disability (Access to Premises – Buildings) Standards (the Premises Standards). The Premises Standards serve to provide greater detail and certainty to builders, developers and building managers, in satisfying the DDA requirements for non-discriminatory access to premises. Schedule 1 of the Premises Standards contains the Access Code for Buildings, which are the technical standards for compliance with the DDA.

The Building Code of Australia (BCA) now reflects the Access Code for Buildings. As such, compliance with the BCA is deemed compliance with the technical requirements of the Premises Standards. The BCA is determined at the construction certificate (CC) stage by meeting deemed-to-satisfy provisions or by adopting an alternative solution that achieves the relevant performance requirements.

When the Premises Standards applies

The Premises Standards apply to:

- Class 1b buildings being:
 - (i) a new building with one or more bedrooms used for rental accommodation; or
 - (ii) an existing building with four or more bedrooms used for rental accommodation; or
 - (iii) a building that comprises four or more single dwellings that are:
 - a. on the same allotment , and
 - b. used for short-term holiday accommodation.
- Class 2 buildings* including:
 - (i) a new building that has accommodation for short-term rent; or
 - (ii) an existing building that has accommodation for short-term rent only where the original building was approved for construction after 1 May 2011.
- Class 3 and 5 – 10 buildings.

When the Premises Standards does not apply

The Premises Standards do not apply to free standing private dwellings (Class 1a), residential flat buildings approved for construction before 1 May 2011 (Class 2)* or a dwelling in a Class 5,6,7,8, or 9 building (Class 4).

Note: * Under the BCA, all Class 2 buildings (residential flat buildings) are captured under the requirements for access for people with a disability, not just those used for short-term rental accommodation.

3.3.4 What is an adaptable dwelling?

Adaptable dwellings are dwellings that are able to respond effectively to changing household needs without requiring costly and energy intensive alterations. Adaptable dwellings incorporate design and construction elements that can be readily modified to cater for an occupant with access and mobility restrictions, such as a person with a disability or an older person.

Typical features of adaptable housing include: wider doorways, non-slip surfaces, reachable power points, easy-use door handles and strengthened sections of bathroom walls onto which handrails may be attached.

Adaptable dwellings must be design in accordance with Australian Standard AS4299.

3.3.5 Assessment Criteria

3.3.5.1 Assessment Table

This section outlines the requirements for various types of development covered under this section. It specifies which developments are subject to the section, what are the adaptable housing and general access standards, and also provides information about accessible parking requirements.

Note: In conjunction with the minimum access requirements specified below in table 1, applicants must also ensure that a development application complies with the access provisions of the BCA when preparing any development application.

Development Types	Adaptable Housing	General Access Requirements	Parking
Places of Shared Accommodation (such as shared hotels, boarding houses, backpackers, bed and breakfasts)	One accessible bedroom per five guests'/tenants' bedrooms or part thereof. All common facilities within the room where an accessible bedroom is located must also be accessible.	Access for all persons through the principal entrance and access to any common laundry, kitchen, sanitary or other common facilities in accordance with relevant Australian Standards.	1 parking space per 10 bedrooms or part thereof shall be provided in accordance with AS 2890.

3. General Planning Considerations

3.3 Access and Mobility

Development Types	Adaptable Housing	General Access Requirements	Parking
Residential Flat Buildings including conversion of industrial buildings and shop top residential developments. (Mainly Class 2 of the BCA, with mixtures of Classes for those including commercial components)	In developments containing five or more dwellings, a minimum of one adaptable dwelling, designed in accordance with relevant Australian Standards must be provided for every ten dwellings or part thereof.	Access for all persons through the principal entrance and access to any common laundry, kitchen, sanitary or other common facilities in accordance with relevant Australian Standards.	One accessible parking space for every adaptable dwelling designed in accordance with Australian Standards.
Multi dwelling housing	In developments containing 5 or more dwellings, a minimum of 1 adaptable dwelling, designed in accordance with AS 4299, shall be provided. Adaptable housing dwellings shall be provided thereafter at the rate of 1 per 5 dwellings or part thereof.	Access to required adaptable dwellings and relevant parking spaces Appropriate access for all persons through the principal entrance of the building and access to any common facilities shall be provided	One accessible parking space for every adaptable dwelling designed in accordance with Australian Standards.

3. General Planning Considerations

3.3 Access and Mobility

Development Types	Adaptable Housing	General Access Requirements	Parking
<p>Commercial / Business Premises developments (including commercial premises, shops, remodelling / refurbishment of shops / shopfronts, refreshment rooms) and industrial developments (including warehouses)</p> <p>Classes 5 to 8 of the BCA</p> <p>This also includes changes of use or alterations and additions where a Development Application is required.</p>	Nil.	<p>Access is required to a principal entrance and to public areas in existing buildings or developments if it is proposed to carry out a substantial intensification of use or substantial alterations. In no case shall alterations result in a decrease in a decrease in access.</p> <p>General access for all persons to appropriate sanitary facilities and other common facilities including kitchens, lunch room, shower facilities, indoor and outdoor recreational facilities.</p>	<p>One space per 20 spaces or part thereof, where parking areas have more than 20 spaces but less than 50 spaces. 2% of parking spaces where 50 or more parking spaces provided in accordance with AS 2890.</p>

3. General Planning Considerations

3.3 Access and Mobility

Development Type	Adaptable Housing	General Access Requirements	Parking
Places of Assembly (including cinemas, churches), Public Buildings (including Council and Government Offices), Health Care Buildings, Educational Establishments, Child-Care Centres. (Class 9 of the BCA)	Nil	Access for all persons through the principal entrance and access to appropriate sanitary facilities in accordance with the BCA and relevant Australian Standards.	One space per 20 spaces or part thereof, where parking areas have more than 20 spaces but less than 50 spaces. 2 % of all parking spaces are to be set aside for accessible parking where 50 or more parking spaces are provided, to be designed in accordance with AS 2890.
Ancillary Non-Habitable Buildings associated with Class 2 to 9 buildings (such as private garages, sheds, laundries, shower and sanitary facilities) where the main building is required to be accessible and / or adaptable. (Class 10a of the BCA).	Nil.	Access in accordance with AS 1428.	Provide parking in accordance with the development type associated with the Class 10a buildings.

3. General Planning Considerations

3.3 Access & Mobility

Development Type	Adaptable Housing	General Access Requirements	Parking
Aquatic Centres and Public Swimming Pools (Class 10b of the BCA for swimming pools not located within and enclosure or building). (Class 9b of the BCA for swimming pools located within and enclosure or building).	Nil.	Access for all persons through the principal entrance and access to appropriate sanitary facilities in accordance with the BCA and relevant Australian Standards.	One space per 20 spaces or part thereof, where parking areas have more than 20 spaces but less than 50 spaces. 2 % of all parking spaces are to be set aside for accessible parking where 50 or more parking spaces are provided, to be designed in accordance with AS 2890.
Public Open Space and Facilities (including new footpaths, road works, toilets, pavilions, board walks and the like) where a Development Application is required.	Nil.	Access in accordance with AS 1428.2 where appropriate and reasonable.	One space per 20 spaces or part thereof, where parking areas have more than 20 spaces but less than 50 spaces. 2 % of all parking spaces are to be set aside for accessible parking where 50 or more parking spaces are provided, to be designed in accordance with AS 2890.

3.4 Crime Prevention through Environmental Design

3.4.1 Aims of this Section

Crime Prevention Through Environmental Design (CPTED) seeks to encourage the design and management of the built environment to reduce the opportunity for crime. This section seeks to ensure that safety and crime prevention are considered in the design of multi dwelling housing, residential flat buildings, commercial premises and car parks, specifically by:

- Enhancing safety by reducing opportunities for crime to occur.
- Improving observation of public and private spaces.
- Optimising the use of public spaces and facilities by the community; and
- Promoting the design of safe, accessible and well maintained buildings and spaces.

The following key principles should be applied to the design and management of land uses to reduce opportunities for crime:

- (a) Surveillance – encourages opportunities for casual surveillance.
- (b) Accessibility and target hardening – restrict access and maximise use of appropriate security measures.
- (c) Reinforce territory/space management – encourages ownership of communal areas and sense of community and formally supervise and care for urban areas; and
- (d) Defensible space – appearance that space is cared and protected.

This section of the DCP sets out the Aims, Performance Criteria and Design Solutions to be considered in relation to crime prevention through environmental design for multi dwelling housing, residential flat buildings, commercial premises and car parks.

The Performance Criteria have been grouped according to six key features relating to design and crime prevention:

- Site and Building Layout.
- Lighting.
- Landscaping and Fencing.
- Security.
- Building Identification and Ownership; and
- Building Materials and Maintenance.

Development applications **must** address all the Performance Criteria. The accompanying Design Solutions are one way of meeting these Criteria. Where the Design Solutions are relevant to all types of development (i.e. multi dwelling housing, residential flat buildings, commercial premises and car parks) it will be noted as 'all development types' and where they apply to one particular type of development, that development will be noted (eg commercial premises).

Note: Many of the principles are also relevant for single dwellings and dual occupancy housing and may be considered in the design of these housing types.

3.4.2 General Information

This section applies to residential flat buildings, mixed use developments, commercial developments, light industrial developments, public buildings and multi dwelling housing. Many principles are also relevant to single dwelling houses and dual occupancy developments to residential flat buildings but relevant to single dwelling houses, etc.

3.4.3 Site and Building Layout

Objectives

- To ensure that the way in which the site, and the buildings within the site, are laid out enhance security and feelings of safety.
- To ensure that private and public spaces are clearly delineated.

Performance Criteria

- (a) Ensure that the design of the development allows for natural surveillance to and from the street and between individual dwellings or commercial units within the site.
- (b) Provide entries that are clearly visible and avoid confusion.
- (c) Avoid blind corners in pathways, stairwells, hallways and car parks.
- (d) Provide natural surveillance for communal and public areas.
- (e) Ensure that design for natural surveillance also provides for a suitable streetscape appearance.
- (f) Where permitted, provide appropriate mixed uses within buildings to increase opportunities for natural surveillance, while protecting amenity.
- (g) Locate public services (ATMs, telephones, help points, bicycle storage etc) in areas of high activity.
- (h) Design car parks to allow for natural surveillance and ensure clear sight lines, ease of access and safety at the entrance and within the car park.

Design Solutions

All Development Types

- Avoid blank walls fronting the street.
- Offset windows, doorways and balconies to allow for natural observation while protecting privacy.
- Access to dwellings or other uses above commercial/retail development should not be from rear lanes.
- Entrances should be located in prominent positions, be easily recognisable through design features and directional signage and should allow users to see into the building before entering.
- Pathways within and to the development should be direct and all barriers along the pathways should be permeable including landscaping and fencing.
- Consider the installation of mirrors, glass or stainless steel panels to allow users to see ahead and around corners in corridors and stairwells.
- Locate active uses or habitable rooms with windows adjacent to the main communal/public areas e.g. playgrounds, swimming pools, gardens, car parks etc.
- Communal areas and utilities e.g. garbage bays should be easily seen and lit.
- Where elevators or stairwells are provided, open style or transparent materials are encouraged on doors and/or walls of elevators/stairwells.
- Waiting areas and entries to elevators/stairwells should be close to areas of active uses, and should be visible from the building entry.
- Seating should be located in areas of active uses.

Multi Dwelling Housing and Residential Flat Buildings

- Ensure that the multi dwelling housing or residential flat buildings address the street, or both streets if located on a corner.
- Dwelling entries should generally not be setback more than 10m from the street frontage.
- Position habitable rooms with windows at the front of the dwelling.
- Garages and carports should not dominate the front façade of the building.

Commercial Premises

- Locate shops and businesses on lower floors and residences on upper floors. In this way, residents can observe the businesses after hours while the residences can be observed by the businesses during business hours.
- Incorporate car wash services, taxi ranks and shop kiosks etc within car parks.
- Locate public facilities in highly visible locations that are well lit and, where possible, near activities with extended trading hours e.g. restaurants, convenience stores and avoiding locating near possible hiding places eg. fire stairs.
- Design ATMs to incorporate mirrors or reflective materials so that users can observe people behind.
- Provide directional signs to key services and landmarks e.g. railway station, taxi ranks, library etc.
- Ensure surveillance between the shopfront and the street by retaining clear sight lines and limiting promotional material on windows.
- Avoid displaying merchandise on the footpath.
- Supermarkets and other stores that provide shopping trolleys should provide an incentive scheme for their return or a retrieval service.
- If staff entrances must be separated from the main entrance, they should maximise opportunities for natural surveillance from the street.
- In industrial developments, administration/offices should be located at the front of the building.

Car Parks

- Avoid large expanses of car parks. Where large expanses of car parks are proposed, surveillance such as security cameras should be provided.
- Where possible, locate entry/exit points in close proximity and close to the car park operator or shops, cafes etc.
- Minimise the number of entry and exit points to car parks.
- Access to lifts, stairwells and pedestrian pathways should be clearly visible within the car parks.
- Car park design should avoid hidden recesses.
- Locate car parks in areas that can be observed by adjoining uses.
- Pedestrian corridors/routes should be clearly identified in car parks servicing large developments.

- Locate disabled parking spaces in highly visible and convenient areas.
- Where staff car parking is provided it should be separate and secured from the public car park.

Open Space

- Open spaces should be clearly designated and situated at locations easily observed by people. Parks and playgrounds should be located in front of buildings, shopping centres etc and should face the street rather than back lanes.
- Seating, play equipment, BBQ areas etc should be provided to encourage the use of open spaces.
- Seating should be conveniently located and easily seen.
- Facilities e.g. toilets and telephones, should be located close to areas of active uses and access to facilities should be direct and free of obstruction.
- Pathways should be direct, follow pedestrian desire lines and avoid blind corners.

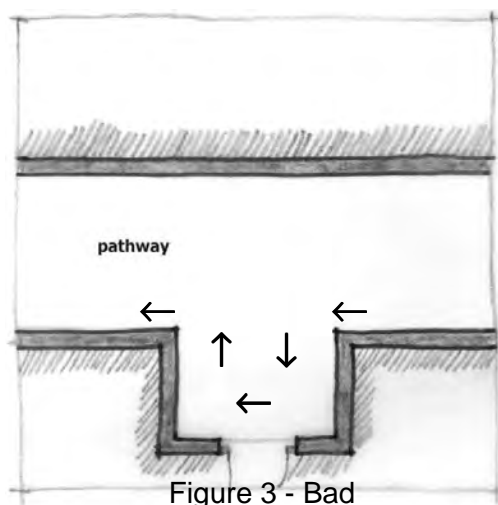


Figure 3 - Bad

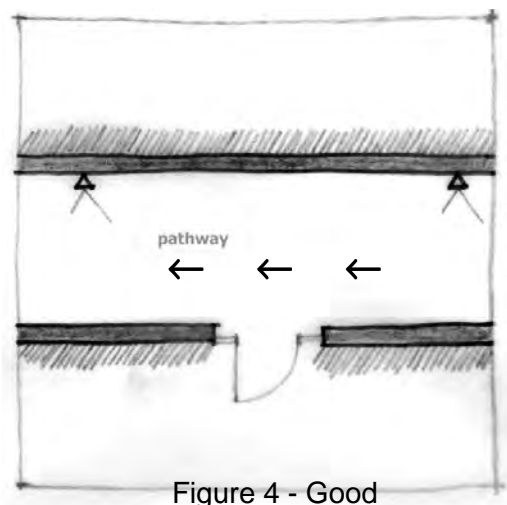


Figure 4 - Good

3.4.4 Lighting

Objectives

- To ensure lighting enhances the amenity and safety of a site after dark by increasing opportunities for casual surveillance, deterring unauthorised access and reducing feelings of fear and vulnerability of legitimate site users.

Performance Criteria

- (a) Lighting is to be provided to enable natural surveillance, particularly in entrances/exits, service areas, pathways and car parks.
- (b) All entrance and exits must be clearly identifiable after dark by appropriate lighting.
- (c) Service areas such as garbage areas and loading bays must be well lit.
- (d) Lighting should be designed so it doesn't produce areas of glare and shadow.

Design Solutions

All Development Types

- Dwelling and commercial unit main entries should be well lit at night.
- Use diffused lights and/or movement sensitive lights.
- All lighting must be vandal resistant and easy to maintain.
- Direct lights towards access/egress routes and possible hiding places to illuminate potential offenders, rather than towards buildings or resident observation points.
- Illuminate possible places for intruders to hide.
- Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed, thereby avoiding dark shadows.
- Generally areas should be lit to enable users to identify a face 15 metres away.
- Avoid light spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.
- Use energy efficient lamps/fittings/switches to save energy.

Commercial Premises

- Leave some lights on at night or use sensor lights.
- Locate additional lighting below awnings to provide adequate illumination to the footpath areas.

Car Parks

- Illuminate all external edges and access points to car parks during its opening hours.
- Ensure that the intensity of lighting to covered or underground car parks is graded to allow for the adjustment of driver and pedestrian vision. Brighter light should be used at entrance and pedestrian access ways and dimmer light should be used elsewhere.

- Lighting should be sufficiently bright to enable a car park user to see into the rear seat of a parked car before they enter the car.

Open Space

- Illuminate access points to areas of open space and pathways.
- Locate brighter lights in highly used areas.
- Ensure lighting does not produce dark shadows close to pathways and entries/exits.
- Lighting should be increased where parks are used by pedestrians as a thoroughfare or shortcut. As a guide, areas should be lit to enable users to identify a face 15 metres away.

Note: Details of all lighting (location, type and intensity) for public areas must be submitted with a development application for multi dwelling housing, residential flat buildings, commercial premises and car parks.

3.4.5 Landscaping and Fencing

3.4.5.1 Landscaping

Objectives

- To ensure that landscaping does not reduce the security of a site.
- To ensure that fencing, which is used to delineate private space, is used in a way which enhances safety.

Performance Criteria

- (a) Avoid landscaping which obstructs casual surveillance and allows intruders to hide.
- (b) Use vegetation as barriers to deter unauthorised access.
- (c) Avoid large trees/shrubs and buildings works that could enable an intruder to gain access

Design Solutions

All Development Types

- Avoid medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs, creepers, ground covers and high canopied vegetation are good for natural surveillance (Figure 2).
- Trees with dense low growth foliage should be spaced or crown raised to avoid a continuous barrier.
- Use low ground cover or high canopied trees, clean

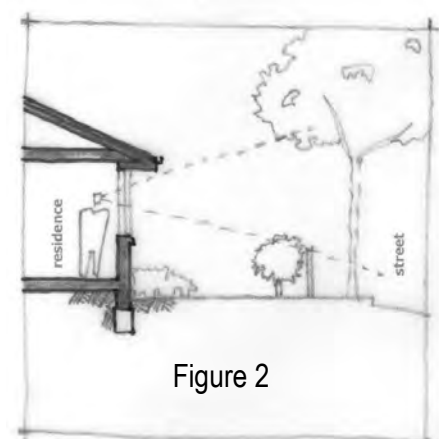


Figure 2

trunks, to a height of 2m around children's play areas, car parks and along pedestrian pathways.

- Avoid vegetation, which conceals the building entrance from the street.
- Select planting species having regard to their type and location to minimise possible places for intruders to hide.
- When planting is provided within 5m of a pedestrian pathway, it should be lower than 1 metre or thin trunked with high canopy.
- Planting should not prevent informal surveillance by adjacent residents.
- Prickly plants can be used as effective barriers. Species include bougainvilleas, roses, succulents, and berberis species.
- Avoid large trees, carports, skillion extensions, fences, and downpipes next to second storey windows or balconies that could provide a means of illegal access to the building.
- Ensure vegetation is maintained regularly.

3.4.5.2 Fencing

Objectives

To ensure that the height, location and design of fencing does not restrict casual surveillance between the site and the street.

Performance Criteria

- (a) Front fencing should be designed to maximise opportunities for casual surveillance between the site and the street and minimise opportunities for concealment.

Design Solutions

All Development Types

- Front fences should be predominantly open in design to allow sight through the fences eg picket fences, wrought iron.
- Front fences should preferably be no higher than 1 metre. Where a higher fence is proposed, it should be constructed of open materials eg. spaced pickets, wrought iron etc.
- If noise insulation is required, install double-glazing at the front of the building rather than a high solid fence (greater than 1 metre).
- Fences should not inhibit surveillance of the communal areas, pathways, and footpath by occupants of the building. Both the height of the fence in relation to the building as well as the nature of the construction materials need to be considered.

3.4.6 Security and Operational Management

Objectives

- To ensure an appropriate level of security is achieved.

Performance Criteria

- (a) Provide an appropriate level of security for individual buildings and communal areas to reduce opportunity for unauthorised access.
- (b) Ensure individual dwellings are equipped with appropriate security devices.
- (c) Ensure an appropriate level of security is achieved in communal areas.
- (d) The use of security hardware and/or personnel to reduce opportunities for unauthorised access may be required for commercial buildings.
- (e) Provide adequate security to commercial premises with extended hours of operation.

Design Solutions

All Development Types

- Locks should be fitted on all doors and windows to the Australian Standard.
- Security devices such as grilles on door and window openings should be 'permeable' to allow casual surveillance. Solid shutters are not permitted on the window and door openings, which have frontage to the street or are adjacent to open space.
- Install viewers on entry doors to allow building occupants to see who is at the door before it is opened.
- Install intercom, code or card locks or similar for main entries to residential flat buildings and commercial premises including car parks.
- Entry doors should be self closing and signs displayed requesting building occupants not to leave doors wedged open.
- Consider installing user/sensor electronic security gates at car park entrances, garbage areas and laundry areas etc, or provide alternative access controls.
- Pedestrian entry to basement parking should be through secured access via the main building.
- External storage areas should be well secured and well lit.
- If security grilles are used on windows they should be operable from inside in case of emergencies.
- Ensure skylights and/or roof tiles cannot be readily removed or opened from outside.

- Provide lockable gates on side and rear access.

Commercial Premises

- Consider security infrastructure such as monitored alarm systems, building supervisors or security guards.
- Where a commercial premises has extended hours of operation, allocate security guards to patrol the surrounding area and instruct patrons when they leave the building to be mindful of residential uses in close proximity and to keep noise levels down.

Car Parks

- Use security devices, such as an intercom or remote lock facility in multi level car parks where appropriate.
- Locate a help point on each parking level and/or allocate security staff for larger developments.
- Use only a limited area of a multi level car park outside peak hours.
- Consider the installation of boom gates or similar devices at entrances and exists of the car park.

Note: Details of all security measures should be submitted with an application for multi dwelling housing, residential flat buildings, commercial premises and car parks.

3.4.7 Building Identification and Ownership

Objectives

- To ensure buildings and areas within the site are clearly identifiable at all times to prevent unintended access and assist persons trying to locate the premises, especially in times of emergency.
- To ensure that building design promotes ownership and connection with both private and public spaces.

3.4.7.1 Building Identification

Performance Criteria

- (a) Ensure buildings are clearly identified by street number to prevent unintended access and to assist persons trying to find the address.
- (b) Ensure that parking areas are clearly identified by signage to prevent unintended access and to assist persons trying to find their car.
- (c) Ensure that signage is clearly visible, easy to read and simple to understand.

Design Solutions

All Development Types

- Each individual dwelling or commercial unit should be clearly numbered and unit numbers and directions should be provided on each level of the development.
- Each building entry should clearly state the dwelling or unit numbers accessed from that entry.
- Street numbers should be at least 7cm high, and positioned between 1m and 1.5m above ground level on the street frontage.
- Street numbers should be made of durable materials preferably reflective or luminous, and should be unobstructed (e.g. by foliage).
- Location maps and directional signage should be provided for larger developments.
- Both directional and behavioural signage should be provided at entrances to open space areas and parks.

Car Parks

- Building identification and directional signage in car parks should be clearly visible, easy to read and simple to understand and utilise strong colours, standard symbols and simple graphics.
- Both pedestrians and drivers should be provided with a clear understanding of the direction to stairs, lifts and exits.
- In multi-level car parks, creative signage should be used to distinguish between floors to enable users to easily locate their cars.
- Signage should advise car parks users of the security measures that are in place and where to find them eg. intercom systems.
- Signage should be provided in car parks to advise users to lock their cars and not display valuables.
- Where exits are closed after hours, ensure this information is indicated at the car park entrance.

3.4.7.2 Building Ownership

Performance Criteria

- (a) Design dwellings, commercial premises and communal areas to promote a sense of site ownership and to encourage responsibility in making sure the site is well looked after and cared for.
- (b) Encourage design that promotes pride and sense of place and ownership and reduce illegitimate use/entry.

Design Solutions

All Development Types

- Use psychological barriers such as fences, gardens, lawn strips, varied textured surfaces to define different spaces within a development.
- To distinguish dwellings or groups of dwellings use design features e.g. colouring, vegetation, paving, artworks, fencing, furniture etc.
- Ensure the speedy repair or cleaning of damaged or vandalised property and the swift removal of graffiti.
- Provide information advising where to go for help and how to report maintenance or vandalism problems.

Open Space

- Provide features that reflect the community's needs and that will consequently be well utilised (e.g. play equipment, seating areas etc).
- Consider using cultural themes applicable to the area and encourage community involvement in design.
- Encourage volunteer management and maintenance of public areas.

3.4.8 Building Materials and Maintenance

Objectives

- To ensure that materials used minimise opportunities for criminal damage and can be easily maintained.

3.4.8.1 Building Materials

Performance Criteria

- (a) Use building materials, which reduce the opportunity for intruder access.
- (b) Materials should minimise opportunities for vandalism.
- (c) Ensure regular maintenance of material and swift removal of graffiti to enhance 'cared for' image.
- (d) Use materials that enhance natural surveillance within the car park.

Design Solutions

All Development Types

- Use toughened or laminated glass at ground floor public areas.
- Roller shutters for commercial premises or car parks should be in the form of an opaque or clear security grille rather than a solid material.

Car Parks

- Encourage the use of transparent materials for walls and doors of car parks.
- Paint the ceilings and walls of the car park in light colours to enhance brightness.
- Reflective film can be used on windows overlooking car parks. Potential intruders will not know if they are being observed during daylight hours.
- Consider the installation of open style security grilles to individual parking spaces rather than separate garaging.
- Where feasible include security grilles from underground car parks to the street to provide some surveillance.

3.4.8.2 Building Maintenance

Performance Criteria

- (a) Create the impression that the site is well looked after and well “cared for”.
- (b) Use materials that reduce the opportunity for vandalism.

Design Solutions

All Development Types

- Ensure the speedy repair or cleaning of damaged or vandalised property and the swift removal of graffiti.
- Provide information advising where to go for help and how to report maintenance or vandalism problems.
- Strong, wear resistant laminate, impervious glazed ceramics, treated masonry products, stainless steel materials, anti-graffiti paints and clear over sprays will reduce the opportunity for vandalism. Flat or porous finishes should be avoided in areas where graffiti is likely to be a problem.
- Where large walls are unavoidable, consider the use of vegetation or anti-graffiti paint. Alternatively, modulate the wall, or use dark colours to discourage graffiti on vulnerable walls.

- External lighting should be vandal resistant. High mounted and/or protected lights are less susceptible to vandalism.
- Communal/street furniture should be made of hardwearing vandal resistant materials and secured by sturdy anchor points or removed after hours.

3.5 Energy Efficiency

3.5.1 Introduction

This section applies to all land within Hurstville City Council and applies to all residential alterations and additions (including heritage buildings) that are not the subject of BASIX. Please refer to BASIX website www.basix.nsw.gov.au for information on BASIX requirements.

3.5.1.1 Aims

The primary aims of this Section are to:

- make our homes more comfortable;
- improve the housing stock of Hurstville;
- save money by using less water and energy; and
- give greater protection to our natural environment by reducing the amount of greenhouse gas emissions through the development process.

3.5.1.2 Why have we prepared this Section?

The Greenhouse Effect is commonly acknowledged as one of the major environmental and policy issues of our time. The effects of global warming through the over use of fossil fuels have been well documented and various policy initiatives by all levels of government have been implemented to try and mitigate against the impacts caused by global warming.

Global warming can create extreme and complicated changes in weather conditions such as severe droughts, floods and higher rainfall, and is contributing to higher sea levels.

The main greenhouse gases generated by human activity are carbon dioxide, methane and nitrous oxide. A major proportion of these gases are produced through the burning of fossil fuels (such as coal and gas) to create electricity. Other sources include motor vehicle exhaust, industrial emissions and methane production through waste land-fills.

By improving the energy efficiency of residential design, and thereby reducing energy consumption, local government is ideally placed to be part of the solution to this global problem through new and innovative development control mechanisms.

This Chapter shows how energy efficiency can be achieved in alterations and additions to existing dwellings. It includes design alternatives – such as passive solar design and solar water heating – that will dramatically reduce the need for non-renewable energy, reducing both costs and air pollution, and increase comfort levels in the average Australian home.

3.5.1.3 BASIX

BASIX is an initiative of the State Government and is a web-based planning tool designed to assess the potential performance of residential developments against a range of sustainability indices. BASIX has been introduced to ensure that all new residential development satisfies sustainability targets, such as water and energy efficiency, prescribed by the NSW Government.

BASIX currently overrides local government planning controls for all new residential development in relation to energy and water efficiency.

3.5.1.4 What does 'Energy Smart' mean?

Energy efficient homes are those that, through their design, construction and choice of appliances, maximise use of renewable energy sources (such as sunshine), and use less energy more efficiently. They are 'smart' because they simultaneously help preserve scarce resources, reduce the level of greenhouse gas emissions, and provide significant savings.

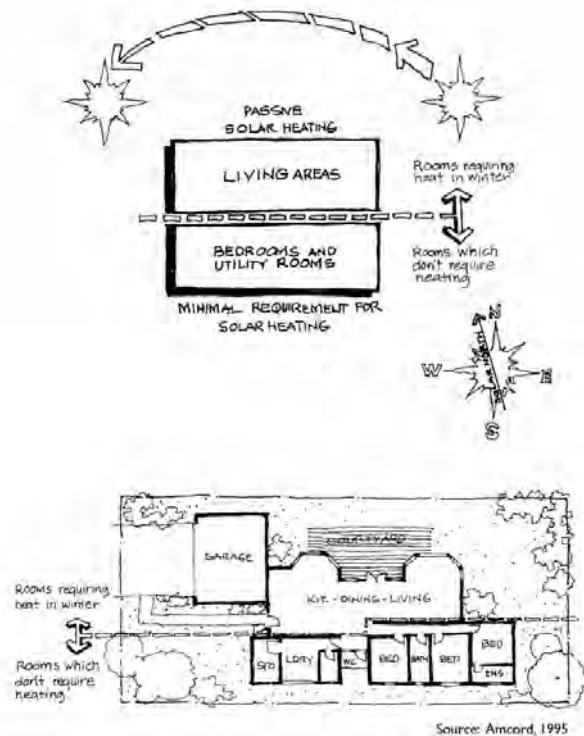
3.5.2 Design Guidelines

This section provides detailed design guidelines and advice that will ensure your proposal has maximum energy efficiency.

3.5.2.1 Building Siting and Orientation

The sun's rays are hottest in summer when it is in the north but almost directly overhead. In winter, the sun sits lower in the sky and therefore strikes the northerly side of a building higher up the wall or window than the summer sun.

If your building allotment permits, it is more solar efficient for the long side or the side with the most living areas to face the north. You will then make the best use of winter sun while being able to shade it in the summer through eaves or other shading devices.



Building siting and orientation of living zones within a dwelling for maximum solar access

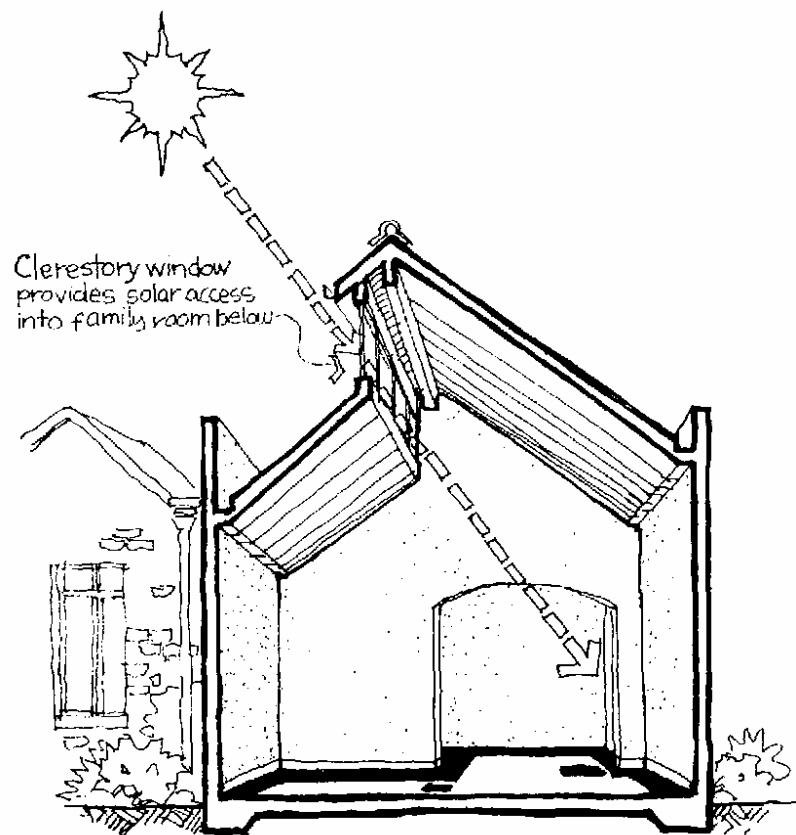
3.5.2.1(1) Solar Access

Solar access is the term applied to the ability of a solar collector that is part of or situated on a dwelling or lot (including open space and clothes drying area) to capture sunlight and take advantage of that energy.

Design for solar access can begin with the design of a subdivision, but it may also relate to a rooftop solar hot water system panel or might involve preserving sunlight for the northern windows of a dwelling. If dwelling lots (low, medium and high density) are designed to maximise solar access, energy efficiency is much easier to achieve in the design of dwellings.

Shadow diagrams (for June 21 at 9am, 12pm and 3pm) will be required to be submitted for all developments that have the potential to impact on the solar access of an adjoining property. Design should allow at least 3 hours of sunlight to adjoining dwellings principal area of ground level private open space.

Private yards in new developments (including courtyards) must receive sunlight between 9am and



3pm during midwinter (June 21).

Daylight for dwellings with poor solar access

3.5.2.1 (2) Water Saving Devices

Saving water is one of the most effective ways to make the best use of existing water resources and to help protect the environment. Water saving devices slow the rate of water coming through the tap while still providing the benefits that water fittings with a higher flow rate provide, such as good water pressure and wide spray coverage. Saving water will save you money on your energy bills because you will use less water for the same benefit as using a less efficient device.

AAA rated water saving devices should be installed in your developments on showerheads, bathroom hand-basins and kitchen sinks. These are water saving devices that have been rated to AAA according to Australian Standards and have a maximum flow rate of 9 litres per minute or less.

3.5.2.1 (3) Lighting

Energy efficient lighting can save hundreds of dollars over the course of a year by using less energy to light the same area as a light which is not so energy efficient.

Designing to maximise natural light will minimise the need for artificial light to be used during the day time.

Consideration should be given in the design process as to how your building can maximise the use of natural light during the day. Natural lighting can be achieved through the use of skylights or clerestory windows. Also, consider using energy efficient lighting at night such as compact fluorescence which use much energy than incandescent lights.

3.5.2.1 (4) Insulation

Insulation is a vital component of energy efficient dwelling design, helping to eliminate or drastically reduce the need for mechanical heating and cooling systems, as well as enhancing the efficiency of such systems. Insulation systems are made up of a number of components – floors, walls, roof, ceilings, windows and seals.

Floors

Floors in contact with the ground are thermally most efficient. Nonetheless, slabs lose heat around the edges and benefit from slab edge insulation. Suspended floors, particularly of timber or sheet materials will often benefit from underfloor insulation (concrete slab floors on ground only require under slab insulation in cold climates or where the slab is used to centrally heat the building).

Walls

Walls represent a significant proportion of the external area of the building envelope and should be insulated. Bulk, yet lightweight insulating materials (eg batts) are the most common choice for framed or veneer external walls.

Vapour barriers are sometimes recommended on the warm side of the insulation layer to keep moisture from condensing within the insulation. In some climatic or air conditioned situations, condensation within the insulation can dramatically reduce the effectiveness of insulation and the life of both insulation and the surrounding structure.

Roof

The roof is a major heat path in all weather, and the most appropriate insulation levels and type depends on climate. Where reflective sarking is used, an effective R value of R1.0 can be attributed and the bulk insulation level reduced accordingly.

Ceiling

The ceiling is also a major heat path in all weather and should be of primary importance when thinking of insulating a home. Where a metal deck is specified under manufacturer's recommendations, it is often best to specify an insulation blanket below the decking. Unfortunately, when installed under sheeting like this, bulk insulation compresses and loses some of its efficiency.

Windows

Windows can be best insulated internally by providing close fitting, opaque curtains preferably with pelmets.

Seals

Sealing windows and doors can be an effective way to stop the 'leaking' of heat within a home. Exhaust fans vented to the exterior are used where moisture is present, such as kitchens, bathrooms etc. Fans should have built in shutters to prevent draughts. Fireplaces and chimneys should have covers or dampers for the same reasons.

3.5.2.1 (5) Shading Devices

Inadequate shading, particularly on northern and western windows can lead to overheating of your dwelling in summer. Shade devices can keep you cool in summer while allowing sun to penetrate living areas in winter.

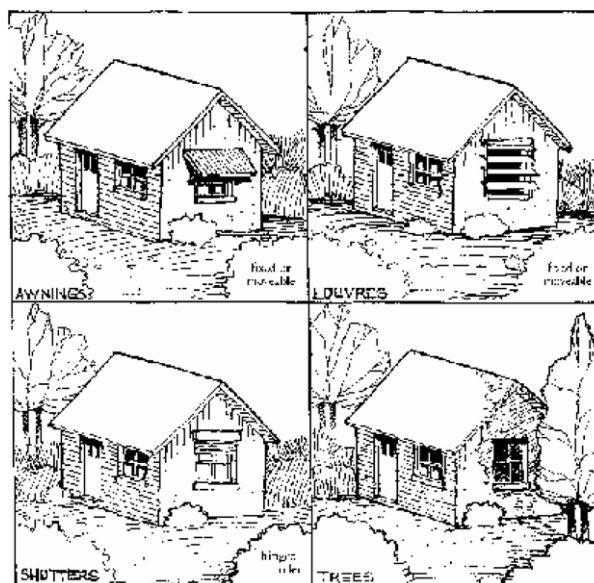


Figure: Examples of shading devices using awnings, louvres and vegetation.

The most simple way of providing adequate shading is through the incorporation of eave overhangs or fixed awnings designed to meet a 70 degree (from the horizontal) line drawn from the bottom of the window to the eave.

Pergolas, verandahs and eaves to the western and eastern aspects should also be designed to maximise summer shade and where possible minimise winter shade through the vegetation on pergolas or operable louvres.

3.5.2.1 (6) Windows and Cross Ventilation

Windows are a primary source of energy loss and gain. If correctly designed and positioned with the most appropriate materials, windows and shade devices can be used effectively to heat and cool a room. North facing windows can quickly warm a building in the winter, while being able to be shaded in the summer and opened to allow the through flow of evening breezes. Natural cross ventilation is induced by wind motion and used most effectively during cool conditions in summer.

Cross ventilation occurs more efficiently through a room with openings in opposite walls than through a room with openings in adjacent walls. To maintain energy efficiency, winds and draughts in both summer and winter need to be minimised by the application of seals around all door and window openings.

It is best to locate windows on the northern face of your building than on the other sides, so that there are more windows gaining heat than there are losing heat in the winter months. However, it is still important to have windows on the other side of the building so they can be opened to allow for cross ventilation. Curtains can be used to maintain heat, particularly on southern windows at night.

Double glazed windows are also beneficial in making your home more energy efficient. They reduce the heat loss of a single pane of glass while still allowing natural light and views. Double glazed windows consist of two panes of glass separated by a sealed air space typically between 6mm and 20mm wide. A minimum air space width of 9mm is recommended for optimum performance.

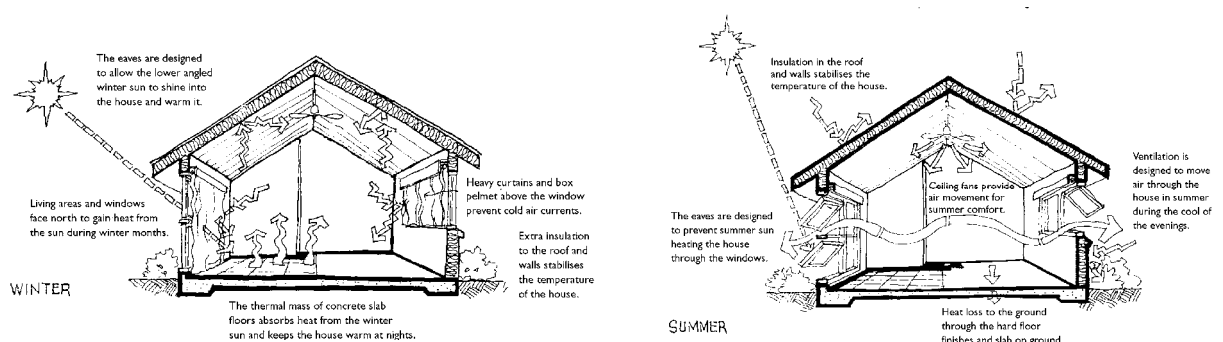


Figure: Ventilation and sealing - typical paths for draughts or heat escape

3.6 Rainwater Tanks

3.6.1 Aims of This Section

The primary aims of this Section are to:

- (a) minimise waste of water by promoting retention of rainwater on site for further use while reducing the impact of stormwater on infrastructure, urban streams and beaches, and helping to prevent flooding;
- (b) ensure rainwater tanks are appropriately selected, located and installed taking into account the characteristics of the site and buildings, optimal capacity, visual and amenity impact on the site and on neighbouring properties, potential health and safety issues.

3.6.2 General Information

Water is one of the most precious natural resources on our planet. This should be recognised especially in Australia which is the driest continent in the world. The average Australian uses 360 litres of water per day in the home and outdoor water usage can amount to as much as 50% of domestic consumption.

Collecting rainwater from roofs in a water tank and using it for other uses such as in the garden or laundry helps prevent the waste of valuable rainwater that would otherwise go directly into the stormwater system.

Council encourages the installation of rainwater tanks. If a tank has a capacity of 10,000 litres or less, it can be installed without making a formal application to Council, providing it meets the provisions in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and it is not installed on land in a foreshore area (*see Note 1*). If the tank does not meet these criteria, a development application will need to be lodged, and this will be assessed against the controls detailed below.

Note 1: The Foreshore Scenic Protection Area is defined on Hurstville Local Environmental Plan 2012 Foreshore Scenic Protection Area Map.

Note 2: Installation of rainwater tanks is also exempt development when their capacity is up to 25,000 litres for educational establishments and 20,000 tonnes for each business classified as Port, wharf or boating facilities.

What Type of Tank?

Rainwater tanks are available in a variety of shapes, materials and colours. A traditional round tank can be installed, or a slimline or rectangular tank that is shaped to fit into under-utilised spaces such as those between buildings and fences. For example a 3000 litre tank has a size of about 1 metre by 1.5 metres by 2 metres but the dimensions vary with individual tank shapes. The appropriate size of tank will depend on the size of the roof catchment area of a house.

The amount of water collected from a roof can be calculated by finding out the area of the roof. One square metre of roof catching 1 mm of rain will produce 1 litre of water. A good capacity tank is one that can contain a 1 in 3 month rainfall.

3.6.3 Development Controls

Objectives

- Rainwater tanks are selected, constructed and installed according to all applicable standards.
 - Construction and installation of rainwater tanks adequately address all potential health and safety issues associated with the operation of water collection and reuse systems.
 - Selection, location and operation of rainwater tanks take into consideration visual and amenity impact on the site and on neighbouring properties.
-
- (a) Controls Tanks must have a certificate of compliance with the Australian Standards AS/NZS 2179-1994 and AS2180-1986. All drainage connections are to be in accordance with the Drainage & Plumbing Code, Australian Standard 3500.
 - (b) The tank must be installed in compliance with the Building Code of Australia and any other relevant codes and standards. Installation and plumbing must be carried out by a person licensed by the NSW Department of Fair Trading.
 - (c) Tanks are to be made of a structurally sound, non-reflective and non-corrosive material with a leach resistant capacity, being easy to maintain.
 - (d) The tank should be fitted with a gutter flush bypass to prevent build-up of foreign materials in the tank. A first-flush rainwater diverter can be installed to drain away the first 50 litres of water (approximately) which can contain pollutants washed off the roof when rain starts.
 - (e) Construction and installation must prevent access by animals and birds and the tank must be made mosquito proof to prevent mosquitoes breeding (this can be achieved by installing a strainer with mosquito net in all openings including inlet and outlet pipes). The tank must be covered or enclosed entirely and any lid must be designed to prevent children from wilfully or accidentally entering, climbing or falling into the tank.
 - (f) The tank should be fitted with an overflow which connects back into the existing stormwater system serving the building. Overflow must not be directed into a sewer pipe or to an adjoining property, or cause nuisance to adjoining owners. The discharge control device and outlet plumbing must be permanently constructed and not easily tampered with.
 - (g) Due to the potential for rainwater tanks to already be full when rain occurs, no allowance can be made for tanks to be used for on-site detention requirements.

- (h) No tank is to be permitted to have a cross connection with the potable (drinking and cooking) water supply. The tank can be directly connected with a hose to an outdoor sprinkler (a wide bore hose is recommended, e.g. 19mm), a basin or washing machine, as long as the tank water pipe is not connected with any other pipe that brings water in from the mains system or drains to the sewage system. Tank water supply taps must have a sign affixed to it stating the water in it is rainwater.
- (i) The base or support structure for any water tank must be in accordance with the manufacturers or engineers details. No tank is to be fixed to the wall of a building unless certified by a practicing structural engineer. Polyethylene tanks can stand on level ground, e.g. a bed of 50 mm of sand. Make sure that this base cannot be washed out by ground or surface water. Metal tanks should be installed on a tank stand or concrete slab to prevent corrosion.
- (j) If the installation of a pump is required, it should not cause noise disturbance to the neighbours and any pump should be located away from the adjoining property or should be encased in sound insulation material.
- (k) The rainwater tank, its associated drainage, plumbing and supporting structure, should be of a suitable appearance and should be compatible with the surrounding housing style and open space.
- (l) The tank should be designed and placed so as to be unobtrusive and in harmony with the immediate environment. Installation should not adversely affect neighbouring properties. Compatible materials, colours and shapes should be selected that blend in with, or complement the existing building, adjoining properties and streetscape. Shrubs or climbing plants can be used to screen tanks if required.

3.7 Drainage and On-Site Detention (OSD) Requirements

Please refer to Council's Drainage and On-Site Detention Policy (Appendix 2).

3.8 Fences Adjacent to Public Roads

Please refer to Council's Fences Adjacent to Public Roads Code (Appendix 2).

3.9 Waste Management

3.9.1 General Information

3.9.1.1 Name

For the purpose and objectives of this section “waste” refers to:-

- (a) putrescible and other non-hazardous household waste;
- (b) dry recyclable materials;
- (c) green and organic waste;
- (d) materials approved to be collected as part of Councils regular ‘Clean Ups’;
- (e) commercial and industrial waste; and,
- (f) construction and demolition waste.

3.9.1.2 Land to Which This Section Applies

This section applies to all land within the City of Hurstville and applies to the following development categories:

- Subdivision;
- Single Dwellings and Dual Occupancies;
- Alterations and additions to existing residential, commercial and industrial developments;
- Attached Dwellings and Multi Dwelling Housing;
- Residential flat buildings (under 8 storeys in height);
- Residential flat buildings (8 storeys or greater in height);
- Commercial and Industrial Buildings; and,
- Mixed use development that includes a residential component.

3.9.1.3 Purpose

The purpose of this plan is to:-

- (a) assist in the achievement of effective and efficient waste management and minimization practices across all developments in the Hurstville Local Government Area (LGA); and,

- (b) ensure that where practical all land use activities within the LGA comply with the relative provisions of any applicable acts, regulations, and other statutes in relation to waste management and waste minimisation initiatives.

In entering the new millennium minimising waste has become a priority. All levels of Australian government – federal, state and local are committed to reducing waste.

Sydney has an ever-increasing waste problem and in the year 2000, over six (6) million tonnes of waste were sent to landfill. This practice is not sustainable and the NSW Waste Avoidance and Resource Recovery (WARR) Act 2001 and the WARR Strategy 2003 aimed to address this issue by promoting waste avoidance, reuse and recycling by specifically encouraging the use of renewable and recoverable materials, in preference to those materials which are not recovered or not made from renewable resources.

Local Government, in particular is faced with ever increasing responsibilities in relation to the issues of environmental protection and waste management. As the level of government closest to the community, local Council's need to respond to the challenge of defining how better to manage the sustainability of our resources, and the blending of our economic, social, and environmental goals, into the everyday activities of the community.

All stakeholders need to have a clear understanding of what Council's are trying to achieve through better resource management. Accordingly, waste minimisation strategies need to be directed at all levels and activities of society. This not only includes government and the community, but also in the areas of commercial and industrial wastes management, as well as the construction and demolition sectors.

Hurstville City Council is confident that in adopting this DCP and adhering to its principles and objectives, the outcomes will result in positive and tangible benefits to our community and the environment in which we live, as well as providing a solid foundation on which will be built sustainability for the future.

3.9.1.4 Objectives

The objectives of this section are to:

- (a) promote the use of recyclable materials in the design, construction and operation of buildings and land use activities;
- (b) maximise waste reduction, material separation and resource recovery in all stages of development (demolition, design, construction) and operations of developments in the LGA;
- (c) encourage building designs and constructions that maximise waste minimisation and management;
- (d) provide advice on waste reduction and handling strategies, and minimise the environmental impacts of waste during construction, demolition and end use stages of developments;
- (e) encourage the design and construction of waste and recycling storage facilities that are:

- of an adequate size;
 - appropriately designed for the intended use;
 - hygienic, safe to access;
 - in compliance with any occupational health and safety requirements; and,
 - visually compatible with their surroundings;
 - minimise noise transfer.
- (f) minimise the environmental impact of poorly designed waste and recycling storage facilities or from the poor management of those facilities;
- (g) provide on-going control for waste handling and minimisation in all premises within the Hurstville LGA;
- (h) Encourage source separation of recyclables and green waste, minimising waste generation and maximising recycling from each dwelling;
- (i) Ensure efficient waste management practices from each dwelling;
- (j) Ensure the appropriate on-site storage of garbage, recycling and green waste bins for each dwelling whether bins are stored within individual dwellings or within a common storage area;
- (k) Ensure that the storage of garbage, recycling and green waste bins for each dwelling does not impact negatively on the visual amenity of the area; and
- (l) Ensure that the storage of garbage, recycling and green waste bins for each dwelling does not impact negatively on the neighbouring properties.

3.9.1.5 Waste Management Planning

The provisions of this section require applicants to consider the design, structure, and location of waste management facilities prior to the submission of a DA. Additionally, a Waste Management Plan (WMP) may be required to be submitted with a DA for the development categories described in Section 1.2 of this Plan.

Applicants will need to contact Council prior to the lodgement of a DA to determine whether or not a WMP will be required in respect of their application.

A Waste Management Plan (WMP) is a plan for the on-site management of all waste that is generated or derived from any, or all of the following activities:-

- (a) demolition of buildings or structures;
- (b) excavation works and activities;

- (c) construction of buildings;
- (d) landscaping and site remediation works; and,
- (e) occupation, use of, or the conducting of any activities on any land or premises.

A model Waste Management Plan (WMP) is included in Appendix 1.

A WMP also defines the volume and type of waste that will be generated, how waste is to be managed, treated and stored on site, how all waste types are to be disposed of, facilities for source separation, the reuse, and recycling of materials, as well as the provision of appropriate Waste Storage Facilities.

3.9.1.6 When is a Waste Management Plan to be Submitted?

A WMP shall be submitted in accordance with the following Table.

Landuse or Activity	Is a WMP Required?	Additional Information
Subdivision of land	Yes	Only required where the removal of vegetation and excavation activities are carried out.
Demolition of dwelling or outbuilding	No	A WMP will be required for the demolition of dwellings and outbuildings that front a reserve or are larger than 120sqm in area.
Demolition of buildings (other than dwellings and outbuildings)	Yes	
Single dwellings and dual occupancies	No	A WMP will be required for all dwellings and dual occupancies that front a Reserve or are larger than 120sqm in area.
Multiple dwellings (including attached dwellings, multi dwelling housing and residential flat buildings)	Yes	
Commercial buildings (excluding change of use)	Yes	A WMP will not be required for developments that are not subject to any major building activity.

Change of use (where no building works will be carried out)	No	
Industrial buildings (excluding change of use)	Yes	
Mixed use buildings, schools, public and private institutional buildings	Yes	
Special events (festivals, circuses, sporting, cultural or musical events)	Yes	

3.9.2 Demolition and Construction

3.9.2.1 Requirement for Submissions

Where applicable, prior to the commencement of any works, the following information must be submitted with the development application:

- (a) Section 1 of the model Waste Management Plan (refer to Appendix 1) must be completed
- (b) Plans submitted must clearly show:
 - (i) the location and size of all Waste Storage Facilities;
 - (ii) the location of on-site sorting areas for the reuse and recycling of materials;
 - (iii) the location of on-site storage space for the reuse and recycling of materials; and,
 - (iv) vehicle access points for the removal of recyclables and waste materials from the site.

Should the developer intend to use a 'Waste Skip Bin' of any size, design or type and application to locate and store the Bin shall be made to Council prior to the commencement of any work. The location of the Bin and method of collecting and transporting the waste contained therein shall be in accordance with Council's 'Waste Skip Bin Policy'. (see Appendix 1)

3.9.2.2 Development Requirements

Objectives may be achieved where:

- Section 1 of the Waste Management Plan has been satisfactorily completed and submitted with the development application.

- Details of on-site sorting and storage facilities are provided on any plans that are submitted.
- Evidence is provided of where the waste/recycling materials were disposed of to, eg landfill and/or recycling dockets. This is to ensure compliance with the submitted waste management plan.
- All demolition and construction activities comply with any conditions of consent of the development application, relevant environmental planning instruments and development controls, and applicable Australian Standards (eg, AS2601 – The Demolition of Structures); and,
- All activities are carried out in accordance with the relative environmental planning instruments and development controls.

3.9.2.3 Minimising Waste Generation & Maximising Recycling & Reuse

Replacing virgin materials with recycled or reused product generally creates less pollution and energy use rather than using waste to make energy. The impacts of our consumption and waste generation can also affect our environment and health over time.

There are many opportunities for the minimisation of the volume of waste generated and maximising resource recovery from building sites land use activities. The following principles of the Waste Avoidance Hierarchy should be adopted to achieve these objectives:-

- **Avoidance** - avoid generating excess waste or producing unwanted materials on site. Try to avoid excessive packaging by purchasing materials carefully;
- **Reducing** – attempt to reduce waste generation by using materials that can be delivered in returnable packaging, eg return timber pallets for reuse;
- **Reuse** – the reuse of building materials should be encouraged but only in accordance with the relative standards (eg, BCA requirements); and,
- **Recycling** – this may involve separating materials

Council has copies of 'The Construction and Demolition Recycling Directory' that will assist applicants in terms of recycling as it provides a comprehensive list of companies and operators which recycle and reuse waste materials generated through demolition and construction activities.

The first issue developers and applicants must consider is whether it is possible to re-use existing materials for the proposed use. The potential to incorporate existing trees and shrubs into landscape planning should be given a high priority. Design that reduces excessive excavation should be encouraged. With careful on-site sorting and storage, it is possible to reuse many materials, either on or off site.

It is not acceptable to dispose of all material to landfill. An ordered program of retrieval is to be specified in the WMP and used to reduce the need for waste disposal.

The Department of Environment and Climate Change has published a 'Waste Planning Guide for Development Applications' copies of which are available from Council.

3.9.2.4 Recycling Potential of materials

To assist in the preparation of your WMP, some examples of avoidance and recycling potential of resources and materials are provided in the following Table.

MATERIALS ON SITE	WASTE AVOIDANCE	REUSE & RECYCLING
Significant trees and shrubs	Design into new development	Reallocated on-site or sold for use off-site
Overburden	Avoid excessive excavation	Power screened for topsoil
Vegetation and Excavation	Incorporate into new development, landscaping, etc	Mulching, composting, for reuse as fertilizer and landscaping
Concrete	Retain existing driveways, paths, footings, slabs, etc	Filling, leveling materials, road base, absorption – stormwater pits and trenches
Bricks	Retain and incorporate into development where appropriate	Cleaned and rendered over for reuse on or off-site, crushed for roadbase, stormwater trenches
Roof tiles	Retain and incorporate into development where appropriate	Crushed as landscaping, and driveways, on or off-site
Hardwood beams	Retain and incorporate into development where appropriate	Fencing, furniture for reuse on or off-site
Timber	Retain and incorporate into development where appropriate	Formwork, bridging, blocking and propping
Doors, windows, fittings	Design as an architectural feature of the new development	Second hand building materials
Glass	Design as an architectural feature of the new development	Sandblasting, aggregate for concrete production
Steel		Metal recyclers

Site contractors should also ensure that separate receptacles are provided and arranged for collection for foods scraps, beverage containers, and other waste generated by site workers.

It is also important to note that waste diversion may offer cost savings on the usual costs of disposing of mixed waste at landfills, and that cost savings may also be achieved at the construction stage by purchasing reusable and recycled content materials or reusing materials salvaged from the demolition stage.

3.9.3 Waste Management Facilities

For all development categories, the on-going management of waste must be considered. This is not only a waste reduction initiative, but also a design measure ensuring that the management and collection of waste and recyclables is user friendly for all stakeholders (ie, building occupants, neighbours, waste contractors, and other service providers).

The provision of these Waste Management Facilities aims to facilitate and enhance the quality of the development as well as addressing every activity and function associated with on-site waste management.

Please refer to Council's Website www.hurstville.nsw.gov.au, specifically the Waste and Recycling Section for waste bin requirements.

3.9.3.1 Single Dwellings & Dual Occupancies

3.9.3.1 (1) Applicability

Section 3.9.3.1 of this DCP applies to:

- Development applications for new single dwellings.
- Development applications for new dual occupancies.
- Development applications for alterations or additions to existing single dwellings and, or dual occupancies where waste management practices may be impacted upon or waste may be generated; and,
- Where applicable, existing dwellings and dual occupancies.

3.9.3.1 (2) Requirements for Submissions

Plans submitted with the development application must clearly show:

- (a) The location of on-site waste and recycling storage areas for each dwelling and must provide sufficient space for the storage of Council's garbage, recycling and green waste bins (refer to Appendix 1 for bin dimensions).
- (b) The location of any indoor garbage, recycling or food garbage collection cupboards or rooms for each dwelling, if applicable; and,
- (c) The location of the proposed garbage, recycling and green waste bin collection point, this is usually the front kerb of the property.

3.9.3.1 (3) Development Requirements

For single dwellings and dual occupancy buildings:

- (a) Each dwelling must be provided with sufficient on-site space to store Council's garbage, recycling and green waste bins (refer to Appendix 1 for bin dimensions). All single dwellings and dual occupancies are provided with the following bins:
- (i) 120 litre Mobile Garbage Bin (MGB) red-lid garbage bin, collected weekly.
 - (ii) 240 litre MGB yellow-lid recycling bin, collected fortnightly.
 - (iii) 240 litre MGB green-lid green waste bin, collected fortnightly.
- (b) The location of the on-site bin storage areas should be located so as not to impact negatively on the visual amenity of the area and should preferably be located in the rear yard of the premises. The area should also be designed to minimise the impact upon neighbouring properties, for example impacts from odour or vermin.
- (c) Each dwelling is required to have a clearly identified collection point, usually the kerb adjacent to the site, for the collection and emptying of Council's garbage, recycling and green waste bins.
- (d) Residents are responsible for ensuring that their bins are presented to the kerb each week for collection by Council's contractor on the evening prior to collection day. All dwellings will be provided with a collection calendar from Council upon request. Bins are to be removed from the kerb as soon as possible on the day of collection.

3.9.3.1 (4) End Use Requirements

All bins (MGB's) shall be placed out for collection by the residents of each individual dwelling or dual occupancy unit, on the night prior to collection. Each bin shall be placed at the kerbside, to allow easy access for it to be emptied.

When placing bins out for collection, residents are requested not to place bins in a manner that will impede pedestrian or vehicular access; such as on the road, in driveways, in the vicinity of street trees or near any parked cars.

Bins are required to be returned to on-site storage areas as soon as practicable, after they have been emptied.

3.9.3.2 Attached Dwellings and Multi Dwelling Housing

3.9.3.2 (1) Applicability

Section 3.9.3.2 of this DCP applies to:

- Development applications for new attached dwellings or multi dwelling housing developments,
- Development applications for alterations or additions to existing attached dwellings or multi dwelling housing where waste management practices may be impacted upon or waste may be generated.

It is Council's aim to provide the residents of these developments with a waste collection service sufficient to their needs, taking into consideration the following criteria:

- (a) The size, shape, and design of the overall development.
- (b) The size, shape, and design of the private open space of each dwelling.
- (c) The availability, size and design of existing on-site waste storage facilities; and,
- (d) The specific needs of the occupiers of each individual sole occupancy unit.

Where the size, shape and, or design of the overall development is such that it may be impractical or unfeasible to adequately store the required number of bins on the premises, alternative measures will need to be provided. In some cases a reduced number of bins may be the only alternative, and as such residents may be required to share bins.

Council is prepared to negotiate with residents as to the type and number of bins that will be provided. It should be noted, however that Council has an obligation to achieve specific waste minimisation targets, and these requirements will be strictly observed where possible.

3.9.3.2 (2) Requirements for Submissions

Prior to the commencement of any works, the following information must be submitted with the development application:

- (a) Section 2 of the model Waste Management Plan (refer to Appendix 1) must be completed
- (b) Plans submitted with the development application must clearly show:
 - The location of on-site waste and recycling storage areas for each dwelling and must provide sufficient space for the storage of Council's garbage, recycling and green waste bins (refer to Appendix 1 for bin dimensions). Bins may be stored within individual dwellings or in a common bin storage area.
 - The location of any indoor garbage/recycling or food garbage collection cupboards or rooms for each dwelling, if applicable.
 - The location of the proposed garbage, recycling and green waste bin collection point, this is usually the front kerb of the property.
 - The path of travel from a common bin storage area, if applicable, to the designated collection point.

3.9.3.2 (3) Development Requirements

For attached dwelling or multi dwelling housing developments:

- (a) Each dwelling must be provided with sufficient on-site space to store Council's garbage, recycling and green waste bins (refer to Appendix 1 for bin dimensions). All dwellings within

attached dwellings and multi dwelling housing developments are provided with the following bins:

- (i) 120L red-lid garbage bin, collected weekly.
 - (ii) 240L yellow-lid recycling bin, collected fortnightly; and,
 - (iii) 240L green-lid green waste bin, collected fortnightly.
- (b) In general, residents are required to store their bins within the confines of their own private open space. If common bin storage areas are to be used residents will share 240L bins for garbage. Common bin storage areas must comply with the provisions of the Section on Residential Flat Buildings over page.
- (c) On-site bin storage areas should be located so as not to impact negatively on the visual amenity of the area and should preferably be situated in the rear yard of each dwellings private open space. The area should also be designed to minimise the impact upon neighbouring properties, for example impacts from odour or vermin.

3.9.3.2 (4) End Use Requirements

All bins (MGB's) shall be placed out for collection by the residents of each sole occupancy unit or dwelling, on the night prior to collection at a designated collection point for all premises within the development. Each bin shall be placed at the kerbside, to allow easy access for it to be emptied.

When placing bins out for collection, residents are requested not to place bins in a manner that will impede pedestrian or vehicular access; such as on the road, in driveways, in the vicinity of street trees or near any parked cars.

Bins are required to be returned to on-site storage areas as soon as practicable, after they have been emptied.

3.9.2.3.(5) Specific Needs Policy

If for any reason, the occupants of individual sole occupancy units or dwellings, or the Owners Corporation as a whole, do not want or cannot cater for a specific type of bin, or want a reduction in the number of bins, Council will consider each proposal on its merit. When considering specific needs proposals, Council will assess those needs in conjunction with the objectives of Council's waste minimisation initiatives.

3.9.3.3 Residential Flat Buildings (RFB's)

3.9.3.3 (1) Applicability

This Section of this DCP applies to:

- Development applications for residential flat buildings (RFB's).
- Development applications for alterations or additions to existing RFB's where waste management practices may be impacted upon or waste may be generated.

This category refers to RFB's of all heights, also commonly referred to as low-rise and high-rise multi-unit dwellings.

It is Council's aim to provide residents with a waste collection service sufficient to their needs. Where the size, shape and, or design of the overall development is such that it may be impractical or unfeasible to adequately store the required number of bins on the premises, alternative measures will need to be provided.

Council is prepared to consult with residents as to the type and number of bins that will be provided. It should be noted, however that Council has an obligation to achieve specific waste minimisation targets, and these requirements will be strictly observed where possible.

3.9.3.3 (2) Requirements for Submissions

Residential and mixed use developments of 8 storeys in height and above often require the provision of waste management facilities of a unique and specific nature due to the size and design of the development. To assist in the provision of effective and efficient waste management facilities, Council is prepared to adopt a flexible approach and encourage applicants to develop a proposal sufficient to the needs of the building and its occupants. This will require the submission of a comprehensive WMP in all cases.

Prior to the commencement of any works, the following information must be submitted with the development application:

- (a) Section 2 of the model Waste Management Plan (refer to Appendix 1) must be completed.
- (b) Plans submitted with the development application must clearly show:
 - The location of on-site communal waste and recycling storage areas/rooms which provide sufficient space for the storage of Council's garbage and recycling bins (refer to Appendix 1 for bin dimensions). All dwellings will share 240L garbage and recycling bins. Some very large high-rise developments 8 storeys and above may share 1100L bulk bins for garbage.
 - The location of any indoor garbage and, or recycling or food garbage collection cupboards or rooms for each dwelling, if applicable.
 - The path of travel from a common bin storage area/room to the designated collection point, and
 - For RFB's 8 storeys in height and above the following additional information may be required:
 - The location of any garbage chutes.
 - The design and location of any garbage compaction equipment, including details of manufacturing specifications.

3.9.3.3 (3) Development Requirements

For all large scale and high home unit developments:

- (a) Each dwelling must be provided with sufficient on-site space to store Council's garbage and recycling bins (refer to Appendix 1 for bin dimensions). Each individual unit shall receive the following entitlement:
 - (i) 120L garbage space per week.
 - (ii) 80L recycling space per week.
 - (iii) Each MUD complex is provided with the following bins:
 - ONE 240L red-lid garbage bin shared between FOUR units, collected twice weekly.
 - ONE 240L yellow-lid recycling bin shared between THREE units, collected weekly.
 - (iv) Some very large high-rise developments 8 storeys in height and above may share 1100L bulk bins for garbage. Some very large high-rise developments may have their garbage bins serviced three (3) times weekly and their recycling bins twice (2) weekly to minimise the number of bins required to be stored and presented for collection.
- (b) Generally, all bin storage areas are to be located at or near the front boundary of the property, level with and adjacent to driveways.
- (c) Provided bin storage areas are in an accessible location and within fifteen (15) metres of the front boundary, all bins are taken to the kerb by Council's Waste Contractor and are returned to the bin area following collection.
- (d) The location of the on-site bin storage areas/rooms should be situated so as not to impact negatively on the visual amenity of the area and should preferably be located in the front yard of the development.
- (e) If a bin storage area or room is located in the basement of a building or other inaccessible location or in excess of fifteen (15) metres from the front boundary, it will be the responsibility of the Owners Corporation to present the bins to the kerb for collection.
- (f) The bin storage area or room should also be designed to minimise the impact upon neighbouring properties, for example impacts from odour or vermin.
- (g) Each dwelling is required to have a clearly identified collection point, usually the kerb adjacent to the site, for the collection and emptying of Council's garbage and recycling bins.

- (h) The Owners Corporation is responsible for on-site waste management and are to ensure that bin storage areas/rooms remain clean and tidy at all time (ie no rubbish is to be placed outside of a mobile garbage bin). If Council's waste contractor cannot access the bin storage area/room, the bins will not be collected.
- (i) For Residential Flat Buildings 8 storeys and above the provisions of a recycling facility or room on each floor is encouraged.
- (j) The owners corporation and/or residents are responsible for on-site waste management and are to ensure that bin storage areas/rooms remain clean and tidy at all times (i.e. no rubbish is to be placed outside of a mobile garbage bin). If Council's waste contractor cannot access the bin storage area/room, the bins will not be collected.

3.9.3.4 Commercial & Industrial Developments

3.9.3.4 (1) Applicability

This Section of this DCP applies to:

- Development applications for commercial and industrial premises.
- Development applications for alterations or additions to existing commercial and industrial premises.

The provision of waste and recycling services to commercial and industrial buildings is determined by the market-place, unlike the provision of domestic waste services which local Councils are legally bound to provide. As such the proprietors of commercial and industrial premises within the Hurstville LGA, may choose to have their wastes and recyclables serviced by any waste service provider licensed to do so.

These requirements have been specifically been designed to cater for the provision of on-site waste storage facilities, and the collection of bins from premises defined as commercial and industrial developments.

It is Council's aim to provide occupants of these categories of development with a waste collection service sufficient to their needs. Where the size, shape and, or design of the overall development is such that it may be impractical or unfeasible to adequately store the required number of bins on the premises, alternative measures will need to be provided.

Council is prepared to consult with applicants and, or occupants as to the type and number of bins that will be provided. It should be noted, however that Council has an obligation to achieve specific waste minimisation targets, and these requirements will be strictly observed where possible.

3.9.3.4 (2) Requirements for Submissions

Developments of this category often require the provision of waste management facilities of a unique and specific nature due to the size and design of the development.

To assist in the provision of effective and efficient waste management facilities, Council is prepared to adopt a flexible approach and encourage applicants to develop a proposal sufficient to the needs of the building and its occupants.

Prior to the commencement of any works, the following information must be submitted with the development application:

- (a) Section 2 of the model Waste Management Plan (refer to Appendix 1) must be completed.
- (b) Plans submitted with the development application must clearly show:
 - The location of on-site waste and recycling storage areas and, or rooms which provide sufficient space for the storage of Council's garbage and recycling bins (refer to Appendix 1 for bin dimensions). All dwellings will share 240L garbage and recycling bins. Some very large high-rise developments may share 1100L bulk bins for garbage.
 - The location of any indoor garbage and, or recycling or food garbage collection cupboards or rooms for each dwelling, if applicable.
 - The location of any garbage chutes.
 - The design and location of any garbage compaction equipment, including details of manufacturing specifications; and,
 - The path of travel from a common bin storage area/room to the designated collection point.

3.9.3.4 (3) Development Requirements

For commercial and industrial developments:

- (a) Each development must be provided with sufficient on-site space to store garbage and recycling bins of a sufficient type, size and number in accordance with the waste generation rates described in Appendix 1 'Waste and Recycling Generation Rates'.
- (b) The location of the on-site bin storage areas and, or rooms should be situated so as not to impact negatively on the visual amenity of the area and should preferably be located in the front yard of the development.
- (c) The bin storage area or room should also be designed to minimise the impact upon neighbouring properties, for example impacts from odour or vermin.
- (d) The Owners Corporation is responsible for on-site waste management and is to ensure that bin storage areas and or rooms remain clean and tidy at all time (ie no rubbish is to be placed outside of a mobile garbage bin). If Council's waste contractor cannot access the bin storage area/room, the bins will not be collected.

3.9.3.5 Mixed Use Developments – Commercial & Residential**3.9.3.5 (1) Applicability**

This Section of this DCP applies to:

- Development applications for developments of a mixed use, such as a combination of residential and commercial uses.
- Development applications for alterations or additions to existing buildings that comprise of a mixed use nature, such as a combination of residential and commercial uses.

The provision of waste and recycling services to mixed use developments may require separate service providers. Councils Waste Contractor will service the residential portion of the development, the provision of waste and recycling services to commercial and industrial buildings is determined by the market-place. As such the proprietors of the commercial and industrial components of these developments may choose to have their wastes and recyclables serviced by any waste service provider licensed to do so.

Notwithstanding, these requirements have been specifically designed to cater for the provision of on-site waste storage facilities, and the collection of bins from premises defined as commercial and industrial developments.

It is Council's aim to provide occupants of these categories of development with a waste collection service sufficient to their needs. Where the size, shape and, or design of the overall development is such that it may be impractical or unfeasible to adequately store the required number of bins on the premises, alternative measures will need to be provided.

Council is prepared to consult with applicants and, or occupants as to the type and number of bins that will be provided. It should be noted, however that Council has an obligation to achieve specific waste minimization targets, and these requirements will be strictly observed where possible.

3.9.3.5 (2) Requirements for Submissions

Developments of this category often require the provision of waste management facilities of a unique and specific nature due to the size and design of the development, and accordingly Council is prepared to adopt a flexible approach and encourage applicants to develop a proposal sufficient to the needs of the building and its occupants.

Prior to the commencement of any works, the following information must be submitted with the development application:

- (a) Section 2 of the model Waste Management Plan (refer to Appendix 1) must be completed.
- (b) Plans submitted with the development application must clearly show:
 - The location of on-site waste and recycling storage areas and, or rooms which provide sufficient space for the storage of Council's garbage and recycling bins (refer to Appendix 1 for bin dimensions). All dwellings will share 240L garbage and

recycling bins. Some very large high-rise developments may share 1100L bulk bins for garbage.

- The location of any indoor garbage and, or recycling or food garbage collection cupboards or rooms for each dwelling, if applicable.
- The location of any garbage chutes.
- The design and location of any garbage compaction equipment, including details of manufacturing specifications; and,
- The path of travel from a common bin storage area/room to the designated collection point.

3.9.3.5 (3) Development Requirements

For developments of a mixed use category the following requirements apply:

(1) For the residential component of the development:

- (a) For developments described and categorized as Residential Flat Buildings the provisions of Section 4.3 of this DCP shall apply.


(2) For the commercial component of the development:

- (a) Each development must be provided with sufficient on-site space to store garbage and recycling bins of a sufficient type, size and number in accordance with the waste generation rates described in Appendix 1 – 'Waste and Recycling Generation Rates'.
- (b) The location of the on-site bin storage areas and, or rooms should be situated so as not to impact negatively on the visual amenity of the area and should preferably be located in the front yard of the development.
- (c) The bin storage area or room should also be designed to minimise the impact upon neighbouring properties, for example impacts from odour or vermin.
- (d) The bin storage area or room should be designed in accordance with the recommendations outlined in Appendix 1.
- (e) The Owners Corporation is responsible for on-site waste management and is to ensure that bin storage areas and or rooms remain clean and tidy at all times (ie no rubbish is to be placed outside of a mobile garbage bin). If Council's waste contractor cannot access the bin storage area/room, the bins will not be collected.

3.10 Development of a Heritage item or in the Vicinity of a Heritage item

Clause 5.10 of the Hurstville LEP 2012 lists certain requirements in relation to Heritage Conservation for Heritage Items and development within the vicinity of a heritage item within the Hurstville Local Government Area as listed under Schedule 5 of the LEP. All applicants are required to confirm whether these controls are relevant to the subject site. These heritage controls take precedence if there is any inconsistency with other controls within the Plan.

3.10.1 General Information

- (a) If your property is a Heritage Item or is next to and in the vicinity of a Heritage Item you will need to consider the impact your development will have on the heritage significance of the heritage item and its setting. 
- (b) New buildings are not expected to replicate traditional building styles; however, the design is to be sympathetic in scale, form, proportion, setbacks, and materials.
- (c) Refer to the Hurstville LEP 2012 for statutory requirements and a list of heritage properties. Applications adjoining a heritage listed property must include a heritage statement prepared by a qualified heritage consultant.

3.11 Preservation of Trees and Vegetation

3.11.1 Aims of this Section

The primary aims of this Section are to:

- (a) Ensure vegetation management is consistent with clause 5.9 (Preservation of trees and vegetation) of the Hurstville LEP 2012.
- (b) Encourage the planting and preservation/conservation of suitable trees and other vegetation which will contribute positively to the City's visual amenity, environmental heritage, habitat connectivity and ecological sustainability.
- (c) Establish procedures for the proper management of trees in order to minimise the unnecessary loss of significant vegetation resources.
- (d) Facilitate the removal of undesirable exotics, noxious weeds, dangerous trees and other inappropriate plantings.
- (e) Ensure that site planning, design, development, construction and operation of any new development takes into account and maximises the protection of existing vegetation.

3.11.2 General Information


3.11.2.1 Why is the preservation of vegetation important?

Trees and other vegetation are an integral component of the urban environment and are increasingly recognised as contributing significantly to the community's general health and sense of well being. Plants not only provide habitat, food source, shelter and protection for a wide variety of birdlife and other fauna, but also significantly improve streetscape amenity, reduce stormwater run-off and improve air quality.

Council is committed to protecting and enhancing its environmental biodiversity and arboricultural amenity, special landscape characteristics, unique coastal vegetation and ecological values.

3.11.2.2 Hurstville LEP 2012

This Section of the DCP should be read in conjunction with Clause 5.9 (Preservation of trees and vegetation) and Clause 5.9AA.

Note: Controls marked with  indicate that it is a statutory definition contained in the *Hurstville Local Environmental Plan 2012* and must be complied with.

3.11.3 Tree and Vegetation Management Process

Clause 5.9 of the Hurstville LEP 2012 states that

a person must not ringbark, cut down, top, lop, remove, injure or willfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:

- (a) *development consent, or*
- (b) *a permit granted by the Council.*

The process for the removal of trees or vegetation (tree management works) under this Section of the DCP is detailed below in Figure 1 – Tree Management Process and further described in the following subsections.

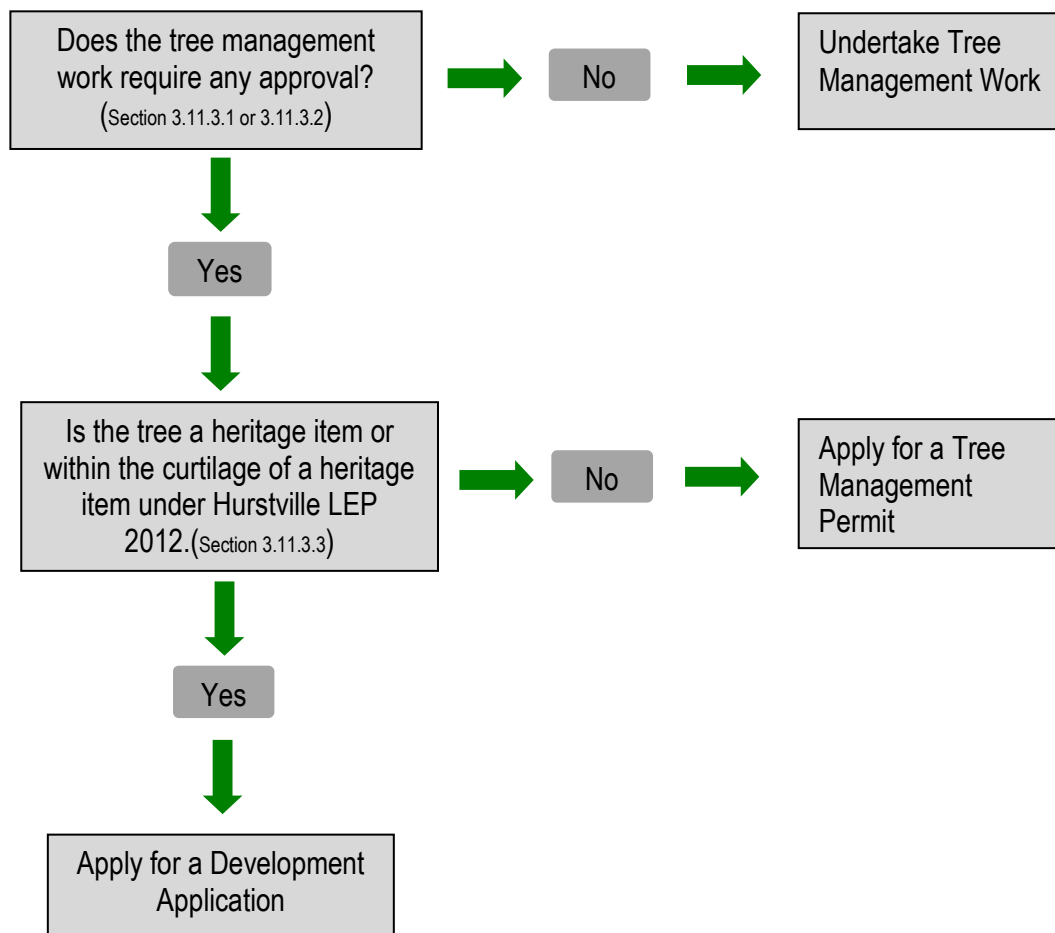


Figure 1 – Tree Management Process

3.11.3.1 Tree Management Approval Required

In accordance with Clause 5.9 of the Hurstville LEP 2012 a Tree Management Permit or a Development Consent is required to allow any removal or pruning of a tree or other vegetation in private or public land that:

- (a) Is listed below, irrespective of size:

Botanical Name	Common Name
<i>Acmena smithii</i>	Lilli Pilli
<i>Angophora costata</i>	Sydney Red Gum
<i>Angophora floribunda</i>	Rough-Barked Apple
<i>Angophora bakeri</i>	Narrow-Leaved Apple
<i>Allocasuarina torulosa</i>	Forest Oak
<i>Banksia serrata</i>	Old Man Banksia
<i>Ceratopetalum apetalum</i>	Coachwood
<i>Ceratopetalum gummiferum</i>	NSW Christmas Bush
<i>Corymbia gummifera</i>	Red Bloodwood
<i>Corymbia maculate</i>	Spotted Gum
<i>Eucalyptus capitellata</i>	Brown Stringybark
<i>Eucalyptus fibrosa</i>	Broad-leaved Ironbark
<i>Eucalyptus globoidea</i>	White Stringybark
<i>Eucalyptus haemastoma</i>	Scribbly Gum
<i>Eucalyptus longifolia</i>	Woollybutt
<i>Eucalyptus paniculata</i>	Grey Ironbark
<i>Eucalyptus pilularis</i>	Blackbutt
<i>Eucalyptus piperita</i>	Sydney Peppermint
<i>Eucalyptus resinifera</i>	Red Mahogany
<i>Eucalyptus tereticornis</i>	Forest Red Gum
<i>Glochidion ferdinandi</i>	Cheese Tree
<i>Syncarpia glomulifera</i>	Turpentine

or

- (b) Is 3 metres or more in height, or
- (c) Has a circumference of 300mm or more, measured at a height of 450mm from the ground, or
- (d) Has a branch spread of three 3 metres or more.

3.11.3.2 Exemptions to Tree Management Approval

This section of the DCP does not apply to:

- (a) The removal, transplanting or pruning of any undesirable species listed below, so long as the work is done in accordance with the relevant Australian Standards:

3. General Planning Considerations


3.11 Preservation of Trees and Vegetation

Botanical Name	Common Name
<i>Bambusa spp.</i>	Bamboo
<i>Syagrus romanzoffianum</i>	Cocos Palm
<i>Erythrina x sykesii</i>	Coral Tree
<i>Ficus elastic</i>	Rubber Tree
<i>Grevillea robusta</i>	Silky Oak
<i>Nerium oleander</i>	Oleander
<i>Populus nigra 'Italica'</i>	Lombardy Poplar
<i>Salix babylonica</i>	Common Willow
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Ligustrum spp.</i>	Privet
<i>Ailanthus altissima</i>	Tree of Heaven

- (b) Any commercial or domestic tree grown for the purpose of fruit or fodder production, or is harbouring fruit fly, except Australian species such as Macadamia (*Macadamia integrifolia*), Lilly Pilly (*Acmena spp*, *Syzygium spp.*), Blueberry Ash (*Elaeocarpus spp.*).
- (c) Work undertaken by persons authorised by Council where it can be demonstrated that the tree is dying, dead or has become dangerous to properties or persons and is undertaken in accordance with relevant Australian Standards.
- (d) Work undertaken in response to an emergency by the State Emergency Service, Rural Fire Service or another Authority.

3.11.3.3 Tree Management Works Approval Process

A Tree Management Permit is required from Council for the pruning or removal of any tree, including any dead or dying tree **unless** the following situations apply:

- (a) Any tree and/or other vegetation identified as an item of heritage significance or located on land identified as containing an item of heritage significance, in Schedule 5 Environmental Heritage of Hurstville Local Environmental Plan 2012; 
- (b) When determined by any other relevant legislation

In the situations listed above, development consent is required for tree management works.

Tree Management Permit

Each Tree Management Permit Application is limited to a maximum of 5 trees per application;

A maximum of 2 Tree Management Permit Applications may be lodged with Council at any one time;

Application for a permit to deal with a tree must be made in writing on the application form available from Council and be accompanied by the administration fee determined from time to time by the Council. The administration fee is to cover the cost of administration, site visit, assessment and determination of the application. It is non-refundable.

In the case where a Tree Management Permit Application and a Development Application for any other development, are lodged concurrently, the Tree Management Permit Application will not be determined until such time as the Development Application for the particular development is determined since the Development Application determination may influence the decision as to whether the existing tree should be retained.

3.11.3.4 Issues for Consideration in Assessment of Tree Management Works

Before granting a permit or development consent for the removal of trees or vegetation, Council must make an assessment of the importance of the tree or trees concerned in relation to:

- (a) Soil stability and prevention of land degradation.
- (b) Scenic or environmental amenity.
- (c) Vegetation systems and natural wildlife habitats.
- (d) Significance due to its height, size, position or age.
- (e) Visual screening.
- (f) Is part of remnant or riparian vegetation.
- (g) Alternative management strategies were considered before requesting removal such as pruning of branches, roots and removal of deadwood or other appropriate remedial treatment as recommended by an arborist.

Documented evidence, such as that by a qualified arborist, shall accompany any application for removal or partial removal of a tree and shall be justified as:

- The tree was dead.
- Causing or potentially causing structural damage and supporting documentation is provided such as structural engineer's report.
- Having sustained severe damage from vehicle impact or natural hazards such as lightning, wind or flood and no other course of action will rectify the problem.
- Being diseased or has structural defects and remedial pruning (see AS 4373/2007) will improve the health of the tree; or
- A potential hazard to the amenity of the development due to tree form or structural integrity, species characteristics or history, the size of any tree part that is likely to fail or other reasons where the tree may be injurious to health.

Where a tree is located on public land and is causing view loss or loss of solar access to the occupier of neighbouring private land, application may be made to Council to prune the tree. Subject tree/s will be assessed accordingly. All work will be completed in accordance with AS 4373-2007 "Pruning of Amenity Trees".

Tree removal will not be permitted to facilitate views (including advertising signs), off-street parking, and installation of solar panels or to reduce the extent of leaf / flower / fruit drop, or to reduce the impact from any bird / bat / other animal waste or noise.

Pruning of branches overhanging from a neighbouring property shall be approved by Council prior to any works being carried out and will be assessed at Council's discretion. This work shall also be discussed with the owner of the tree prior to commencement.

Council discourages the ringbarking, lopping, topping, injuring or destruction of any tree.

Where an existing tree limits the size of an addition or new residential dwelling, Council shall give consideration to its removal or pruning. Council shall give consideration to the level of pruning proposed, suitable tree replacement, retain trees and extent of the development. Development proposals shall endeavour to retain trees on their site and any trees to be removed shall be clearly shown on plans.

3.11.3.5 Tree Management Permit and Development Consent Conditions

In granting a permit or development consent, the Council may impose conditions including, but not limited to, the following:

- (a) Requiring a copy of the permit or development consent to be displayed on the land where the work covered by the permit or development consent is to be carried out for a specified period before and after the carrying out of the work.
- (b) Requiring the permit or development consent to be available for inspection by an officer of the Council during the carrying out of the work covered by the permit.
- (c) Where the permit or development consent allows for the destruction or removal of a tree or trees, requiring the planting of a replacement tree or trees.
- (d) Where replanting is made a condition of the permit or development consent, requiring the protection and care of the new tree or trees for a specific period so that the tree or trees remain in good health and are likely to reach natural size and maturity.
- (e) Specify the period during which the permit or development consent will remain in force being not more than one (1) year from the date it is granted; and
- (f) Providing that the permit will cease to have effect if a development application is lodged where the proposed development includes work covered by the permit.

3.11.3.6 Enforcement and Penalties

Any persons who damages or removes trees or vegetation to which this section applies shall be guilty of an offence under the Environmental Planning and Assessment Act 1979 and severe penalties apply.

3.11.3.7 Other Relevant Legislation

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

Applies to 41 local government areas in the Sydney region and Lake Macquarie, as listed in Schedule 1 of the policy. It does not apply to areas administered by the National Parks and Wildlife Service or State Forests of NSW. Within those listed local government areas, the policy specifically applies to those areas of land zoned or reserved for public open space and which satisfy the definition of urban bushland in the policy. All records of these specific areas are kept by individual councils, and where appropriate, shown in local environmental plans. Additionally SEPP 19 requires the listed councils, when preparing draft local environmental plans, to give priority to preserving bushland and to have regard to the general and specific aims of the policy. Such areas would be recorded in councils' local environmental plans.

Native Vegetation Act 2003

The lodgement of a Development Application with Council and consent from the relevant Catchment Management Authority for the clearing or removal of native trees and other native vegetation upon land to which the Native Vegetation Act 2003 applies.

Fisheries Management Act 1994

The lodgement of an Integrated Development Application under Section 91 of the Environmental Planning and Assessment Act 1979 is necessary if the formal concurrence from the NSW Department of Primary Industries is required pursuant to the section 205 of the Fisheries Management Act 1994 for a permit to cut, remove, damage or destroy marine vegetation on public water land or an aquaculture lease, or on the foreshore of any such land or lease.

National Parks and Wildlife Act 1974

The lodgement of an Integrated Development Application under Section 91 of the Environmental Planning and Assessment Act 1979 may be required for any proposed development in, upon or adjacent to any watercourse, lake or estuary where a development may potentially destroy or deface a site containing Aboriginal artefacts or may adversely affect a site of Aboriginal cultural heritage significance and hence, the formal concurrence from the NSW Department of Environment and Climate Change is required pursuant to Section 90 of the National Parks and Wildlife Act 1974.

Threatened Species Conservation Act 1995

Any action such as clearing or removal of trees or other vegetation has the potential to directly or indirectly affect a threatened species, population, ecological community or their habitat. Therefore, an assessment may be required pursuant to Part 5A of the Environmental Planning and Assessment Act 1979 or Part 6 of the Threatened Species Conservation Act 1995. The clearing or removal of any threatened flora species, endangered population, endangered ecological community or critical habitat under the Threatened Species Conservation Act 1995 requires separate approval from the Director – General of the NSW Department of Environment and Climate Change.

Environment Protection and Biodiversity Conservation Act 1999

The clearing or removal of remnant trees or other native vegetation which is listed as a “matter of national significance” under the Environment Protection and Biodiversity Conservation Act 1999 requires the separate approval from the Commonwealth Minister for the environment.

Trees (Disputes Between Neighbours) Act 2006

The *Trees (Disputes Between Neighbours) Act 2006* provides a mechanism for neighbours to be able to resolve neighbourhood disputes regarding trees.

3.12 Building Heights and Indicative Storeys

The table below provides an indicative conversion of building height in metres to a maximum number of storeys for Residential, Business and Industrial zones in the Hurstville LEP 2012 and should be read in conjunction with the Clause 4.3, the Height of Buildings Maps and the definition of Building Height in the Dictionary of the Hurstville LEP 2012.

Hurstville LEP 2012 (Maximum building height in metres)		Maximum number of storeys
B1 Neighbourhood Centre		
9 metres		2 storeys
B2 Local Centre		
No height in metres	- Narwee Local Centre - Mortdale Local Centre	No height control in storeys
9 metres		2 storeys
12 metres	- Beverly Hills near Egbaston Street	3 storeys
13 metres	- Riverwood fronting railway	4 storeys
15 metres	- Beverly Hills Local Centre south of railway - Penshurst-Penshurst Street - Kingsgrove Mashman	5 storeys
18 metres	- Riverwood Belmore Road	6 storeys
19 metres	- Penshurst fronting railway	6 storeys
28 metres	- Riverwood Thurlow Street	8 storeys
E1 National Parks and Nature Reserves		
No height control in metres		No height control in storeys
IN2 Light Industrial		
10 metres		2-3 storeys (Depending on site context)
R2 Low Density Residential		
9 metres		2 storeys
R3 Medium Density Residential		
12 metres		3 storeys
RE1 Public Recreation		
No height control in metres		No height control in storeys
RE2 Private Recreation		
No height control in metres		No height control in storeys
SP2 Infrastructure		
No height control in metres		No height control in storeys
W2 Recreational Waterways		
No height control in metres		No height control in storeys

3. General Planning Considerations

3.12 Building Heights and Indicative Storeys

Note: Number of storeys based on land use and floor to floor/ceiling height –

Land Use	Floor to Floor Height in metres	Floor to Ceiling Height in metres
Residential	3.0m	2.7m
Commercial	3.6m	3.3m
Retail	4.5m	3.6m

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4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

4.1.1 General Information

4.1.1.1 About The Section

This section contains controls for the planning and design of single dwelling houses within the City of Hurstville (excluding Small Lot Housing). This includes the construction of new dwellings as well as alterations and additions to existing dwellings and ancillary structures to dwellings.

Council's requirements for the submission of development applications including checklists can be found on Council's website www.hurstville.nsw.gov.au.

4.1.1.2 Land to Which This Section Applies

This section applies to all single dwelling houses in the Hurstville Local Government Area.

4.1.1.3 Aims of This Section

The aims of the Single Dwelling House Controls are to:

Context and compatibility

- Provide detailed development controls for low density housing,
- Ensure that new development and /or additions and alterations to existing development respond to their context,
- Ensure development that is compatible with the existing character, and
- Ensure that development makes a positive contribution to the streetscape and when viewed from other open spaces and waterways.

Urban Design and Neighbourhood Amenity

- Promote high design standards which also respect the character of existing neighbourhoods and minimise loss of amenity to adjacent residents,
- Limit the overall bulk and scale of dwellings, and
- Enhance the quality and safety of the physical environment of properties.

Environmental Integrity

- Require sustainable and environmentally responsive design, and
- Require development that is sensitive to the local environment and responsive to social needs.

Clear and Consistent Controls

- Provide clear and consistent controls for single dwelling houses supported by unambiguous objectives.

4.1.1.4 Relationship with Other Plans and Sections in this DCP

This section of the DCP is to be read in conjunction with Hurstville LEP 2012 which establishes the objectives of the Residential Zones (R2 Low Density Residential and R3 Medium Density Residential) and any restrictions applying to it. This DCP contains detailed provisions and controls for single dwellings that supplement the provisions of the LEP. Other sections of Hurstville DCP No. 1 – LGA Wide or Hurstville DCP No. 2 – City Centre may also be relevant to a proposal.

In case of any inconsistency between this section of the DCP and the LEP, the LEP will prevail.

4.1.1.5 How to Use This Section

This section of the DCP is organised into six parts, as follows:

- 4.1.1: General Information
- 4.1.2: Design in Context
- 4.1.3: General controls for single dwelling houses
- 4.1.4: Alterations and additions to a single dwelling house
- 4.1.5: Ancillary structures & outbuildings
- 4.1.6: Summary of key controls

Applicants and designers need to read all parts of the section relevant to their development in order to make sure that they have met all the requirements. Where applicable, references to relevant provisions of Hurstville LEP 2012 have also been included.

Any applicant must demonstrate that the proposed development has fulfilled the relevant objectives for planning controls in order to gain Council approval.

4.1.2 Design in Context

4.1.2.1 Good Site Analysis and Planning

The initial step in any development is good site analysis and planning, which essentially means understanding the development context of the site. This would include a study of:

- The character of the neighbourhood and the streetscape (e.g. Building Scale, Style, Architectural Character and the like).
- Development opportunities and constraints, for example but not limited to:
 - Lot size
 - Trees
 - Slope
 - Pedestrian access
 - Vehicular access
 - Orientation
 - Easements
 - Sewer pipes
 - Bushfire prone areas
 - Flooding
 - Acid sulphate soils
 - Significant views
 - Significant vegetation natural rock outcrops
- Special qualities of the site.

Good site planning involves the identification of site constraints and a sensitive response to these issues. Council requires all development applications to demonstrate through the Site Analysis Plan and the Statement of Environment Effects that these elements have been considered in the design process. Refer to Diagram 1 for an example of a Site Analysis Plan.

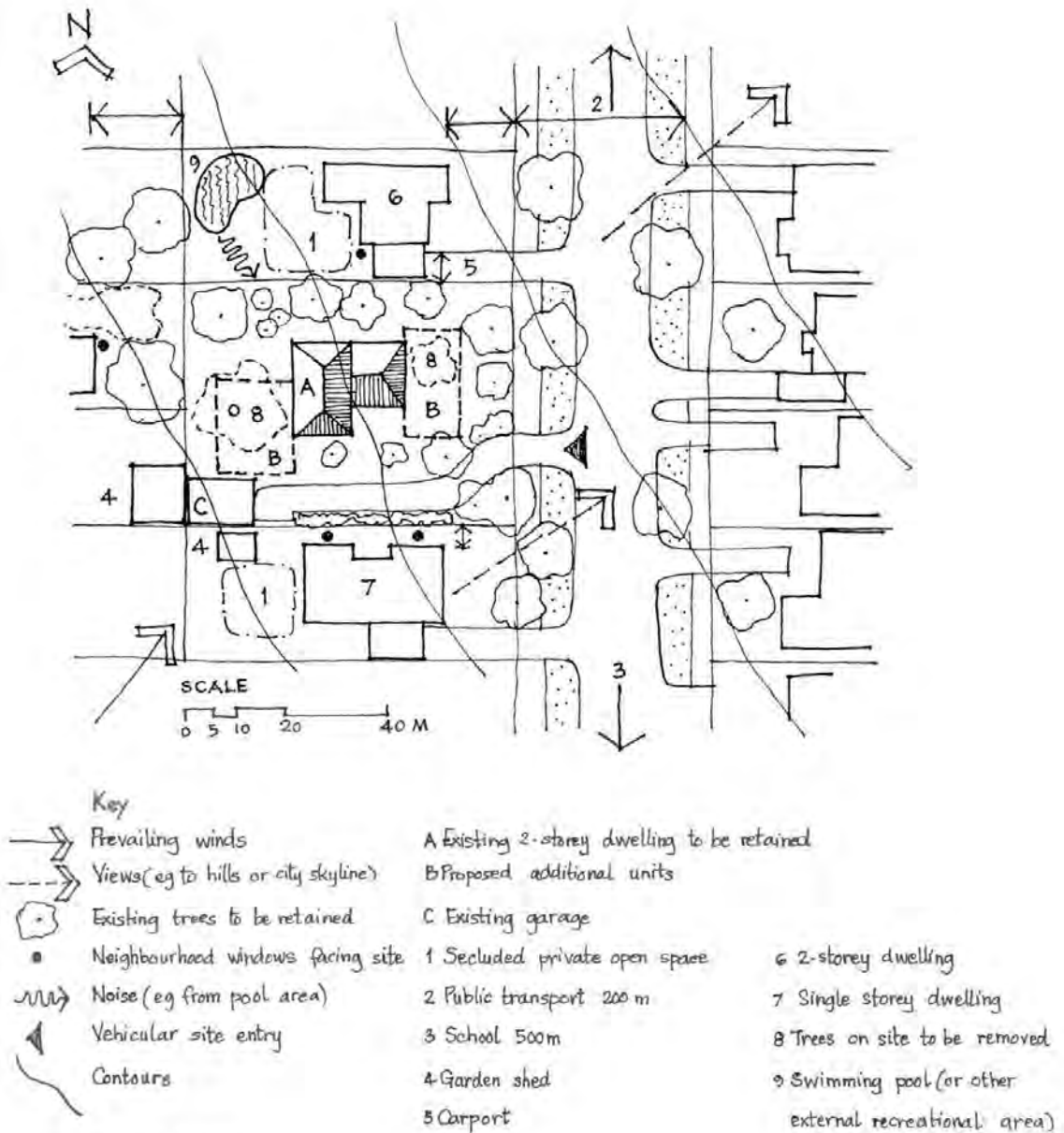


Diagram 1: Example of a Site Analysis Plan

4.1.2.2 Streetscape Character

Before building a new structure or before undertaking any additions / alterations to the building, you must analyse the streetscape character. Streetscape refers to the way a street presents itself. Streetscape character is the collective appearance of various elements in a street. The elements of a streetscape include:

- Building Frontage/Façade,
- Landscaping (trees, yards, bushes, plantings and the like),

- Driveways,
- Footpaths,
- Street Paving,
- Street Furniture (benches, kiosks, bins, fountains and the like),
- Retaining walls and fences forward of the building line,
- Awnings and the like.

The City of Hurstville displays a wide variety of streetscape characters due to differences in topography, street pattern, architectural character, block size, location and heritage significance. The construction of single dwelling houses, ancillary structures and outbuildings must not diminish the quality of the streetscape.

4.1.2.3 Foreshore Scenic Protection Area

Hurstville covers about 20 kilometres of foreshore area. There are four peninsulas within this foreshore which surround the waterways of Edith Bay, Boggywell Creek, Lime Kiln Bay, Jew Fish Bay and Gungah Bay.

Hurstville LEP 2012 identifies a Foreshore Scenic Protection Area (FSPA). Generally speaking, this area has a higher amount of natural vegetation cover and views toward the waterways.

The FSPA is regulated by Clause 6.4 and the associated Foreshore Scenic Protection Area Maps under the Hurstville LEP 2012. To find out whether your property falls in the FSPA, please refer to the FSPA Maps in the Hurstville LEP 2012.

Before granting consent to the carrying out of any development on land within the Foreshore Scenic Protection Area, Council must consider the provisions of the Hurstville LEP 2012 as they relate to the FSPA.

4.1.3 General Controls for Single Dwelling Houses

4.1.3.1 Maximum Floor Area

The Maximum Floor Area control aims to facilitate an acceptable bulk and scale of a development that maintains a consistent relationship with adjoining development and the wider street character. The Floor Space Ratio (FSR) is the maximum permissible **gross floor area**, expressed as a ratio of the total site area. It provides a guide for developers, Council and the community as to the allowable building scale for an area.

Objectives

- To limit the impacts of buildings upon the amenity of neighbouring land.
- To ensure that the building mass is in scale with allotment size and provides opportunities for modulation and articulation.
- To ensure that building bulk and scale of a development is consistent with the surrounding and desired built form.
- To limit the cumulative visual bulk and amenity impacts of all structures on the site.
- To encourage development which, through its bulk, form and scale, will maintain and provide view corridors between houses, especially from public places to water and district views.

Controls

- The maximum gross floor area of dwellings in residential zones is contained within Clause 6.5 of the Hurstville LEP 2012.

4.1.3.2 Landscaped Areas and Private Open Space Areas

The extent of landscaped area is a major determinant of the building footprint.

Landscaping plays an important role in integration of new development into a neighbourhood and is a useful mechanism in implementing energy efficiency objectives at the local level. It also helps in improving the level of amenity and quality of life for residents.

Landscaped area is defined within the Hurstville LEP 2012.

Objectives

The landscaping controls for single dwelling houses aim:

- To develop a building setting that encourages visual privacy between properties.

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

- To provide sufficient and usable private open space in the rear or side yard for the recreational needs of residents and landscape amenity to dwellings.
- To require new development to integrate and blend into the existing streetscape and neighbourhood character.
- To ensure that new development does not result in excessive excavation and protects any natural rock formations, cliffs, canopy vegetation, or any other significant vegetation on the subject land or adjoining land.
- To ensure that new development provides areas for deep soil landscaping catering for indigenous native plants and animals.
- To contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management to reduce stormwater runoff.

Controls

Landscaped area

- A minimum 20% of total site area must be landscaped area for properties outside the Foreshore Scenic Protection Area (FSPA).
- If your property is located in the FSPA, a minimum 25% of total site area must be landscaped area.
- The landscaped area must be a minimum width of 2m in any direction to be included in the calculations.
- A minimum of 15m² of the required landscaped area must be provided in the front yard.
- An area of **Principal Private Open Space** must also be provided. This area may form part of the landscaped area and must have a minimum dimension of 4m x 5m.
- Principal Private Open Space must be located at ground level and behind the front wall of the dwelling.

Note: Principal private open space means the main area of private open space provided for each dwelling and which has direct access to the main living areas of the dwelling and is sufficiently fenced or screened so as to provide a high level of privacy.

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

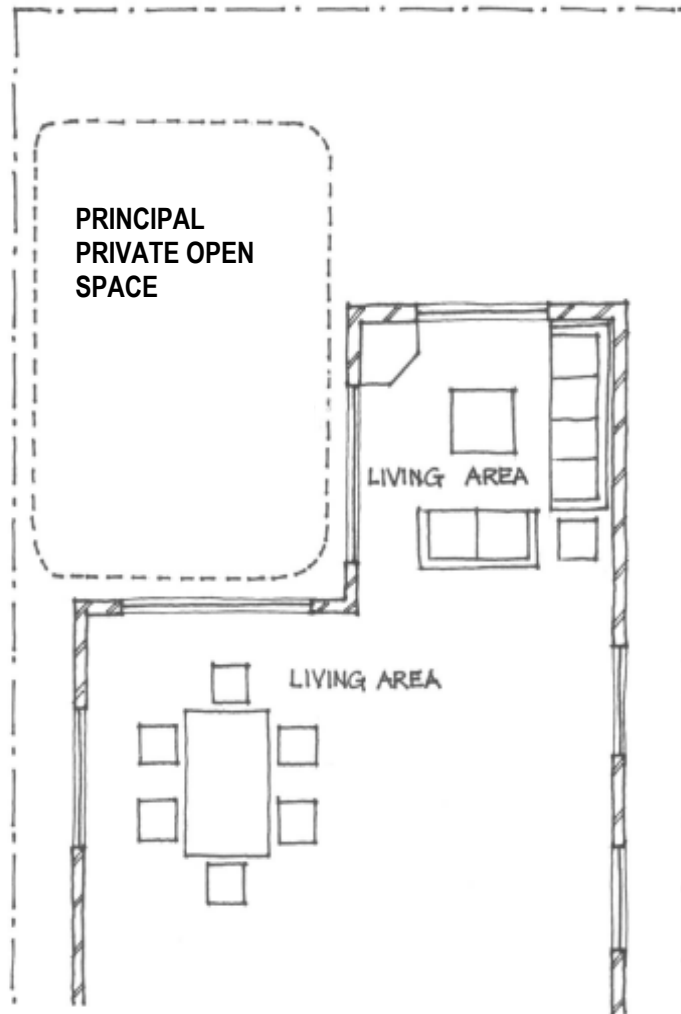


Diagram 2: Principal Private Open Space

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

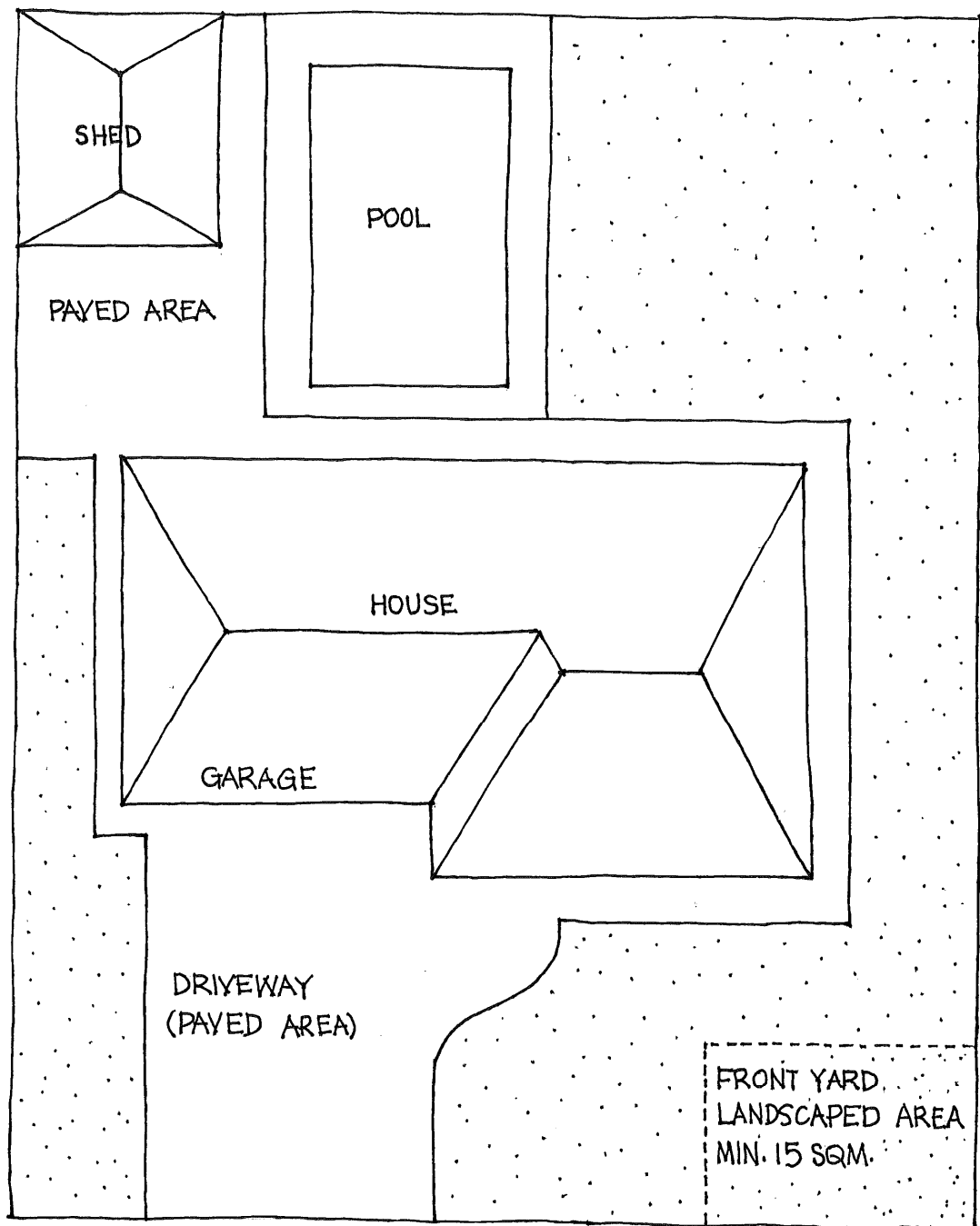


Diagram 3: Landscaped Area

4.1.3.3 Building Height

Height is an important control as it has a major impact on the physical and visual amenity of an area. The distribution of building height and bulk is important to ensure adequate access to sunlight is maintained and principles of view sharing are met.

Objectives

- To limit the height of buildings by providing a consistent maximum height.
- To limit the impacts of buildings upon the amenity of neighbouring land.
- To ensure building heights respond to scale and character of the locality.
- To ensure that building heights are sympathetic to the natural landform and topographical features of the site with minimal cut and fill.
- To ensure additions to dwellings do not detract from the individual character and appearance of the existing dwelling.
- To ensure that the building height minimises view loss for neighbouring properties without unduly restricting the development potential of the site.
- To consider the impact of development on water and district views enjoyed by existing residents and promote where possible the practice of view sharing.

Controls

- The maximum ceiling height of the building, as measured at the intersection of the upper most ceiling with the internal face of any external wall, must not exceed 7.2m above the existing **ground level** vertically below that point.
- The maximum height to ridge of the building must not exceed 9.0m above the existing **ground level** vertically below that point.
- For flat roofed dwellings the maximum height to the top of the parapet of the building, must not exceed:
 - A maximum of 7.8m above the existing **ground level** vertically below that point, and
 - If a parapet is within 2m of the boundary, the maximum parapet height is 600mm above the upper most ceiling.

Note: The maximum ceiling height remains 7.2m for flat roof buildings.

- Where steep or sloping sites exist, the building must not protrude from the landscape but must be designed to be staggered or stepped into the natural slope of the land.

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

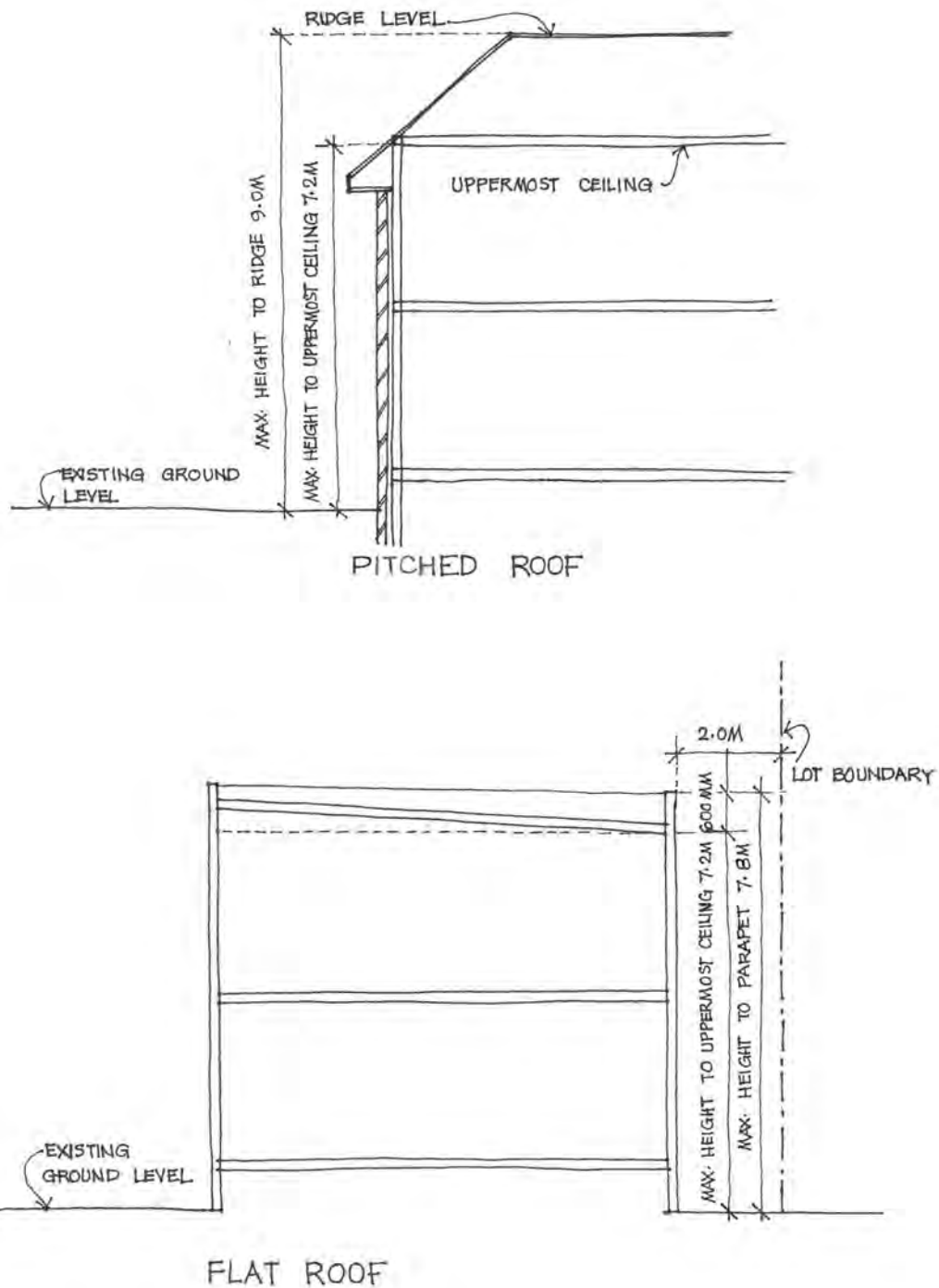


Diagram 4: Building height (Raked Roof and Flat Roof)

4.1.3.4 Setback Controls

Setback controls define the overall footprint of a building and its relationship to the front, side and rear boundaries. They contribute to the public domain by enhancing streetscape character. Setbacks can be used to integrate new dwellings and alterations and additions to dwellings into the locality by providing for landscaped areas.

Objectives

In relation to **all setbacks**:

- To ensure that new development limits the impact of buildings and maintains a level of amenity for neighbours by provision of access to sunlight, ventilation and views.
- To ensure building setbacks provide separation between buildings and promote articulation.
- To maintain and provide view corridors between houses, especially views from public places to water and district views.
- To integrate new dwellings and alterations and additions to existing development within the established setback character of the street.
- To preserve significant vegetation.

In relation to **front setbacks** (Building Line):

- To preserve significant vegetation, which contributes to the landscape character of the street.
- To reduce the bulk and visual impact of the dwelling houses from the street.
- To ensure safe access and egress to the property by pedestrians and vehicles.
- To ensure that front setbacks respect the existing neighbourhood character.
- To provide additional offstreet parking in peak demand periods.

In relation to **rear setbacks**:

- To integrate new dwellings and alterations and additions to the existing development within the established rear boundary setbacks.
- To provide an area for landscaping and useable open space at the rear of the building.

Note: **Foreshore Building Line** - A greater setback may be required if your site is affected by a foreshore building line, refer to Clause 6.3 and the associated Foreshore Building Line Maps of the Hurstville LEP 2012 for further information.

Controls

Note: Refer to Diagram 5 for illustration of setback controls. Diagram 6 illustrates the rear setback control and Diagram 7 illustrates the Setback Controls for an irregular shaped site.

Front Setbacks (Building Line)

- A minimum front setback (building line) of 4.5m to front wall of the dwelling.
- A minimum front setback (building line) of 5.5m to front wall of garage, carport roof or onsite parking space.

Secondary Setback on Corner Sites (Secondary Building Line to side streets)

- For properties more than 15m wide, the minimum secondary setback must be 2.0m to the wall of the dwelling, otherwise the side boundary setback requirements below apply.

Note: The primary frontage of corner sites is used to identify the front and rear boundary setbacks.

Side Boundary Setbacks

- A minimum side setback of 900mm to any basement and ground level wall must be provided.
- A minimum side setback of 1200mm to walls of first floor level must be provided.
- If your property is in the FSPA, a minimum side setback of 1500mm to walls of first floor level must be provided.

Battleaxe Block Setback

- The side setbacks above apply to all boundary setbacks on internal allotments.

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

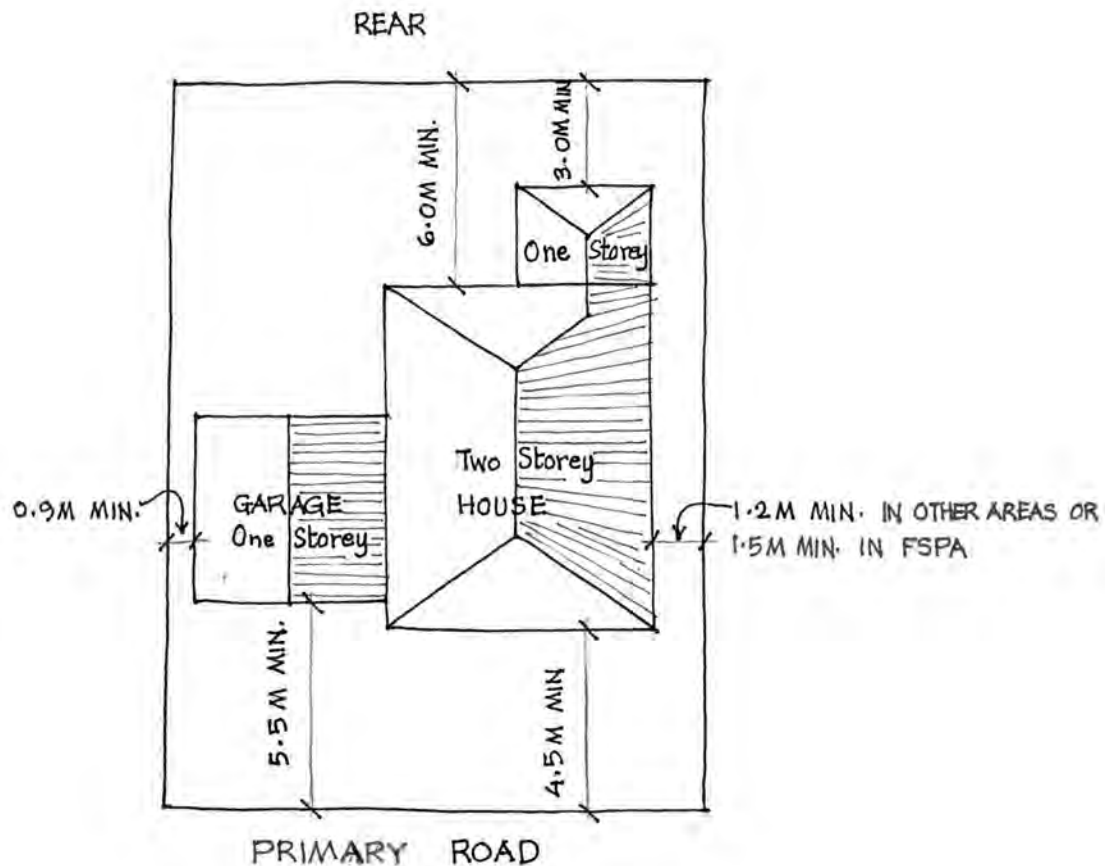


Diagram 5: Illustration of Setback Controls

Rear Setbacks

- A minimum rear setback of 3m for any basement and ground floor level solid wall must be provided.
- A minimum rear setback of 6m for first floor level solid wall must be provided.
- Where a first floor balcony is proposed at the rear, it must be setback a minimum of 6m from the balustrade to the rear property boundary.

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

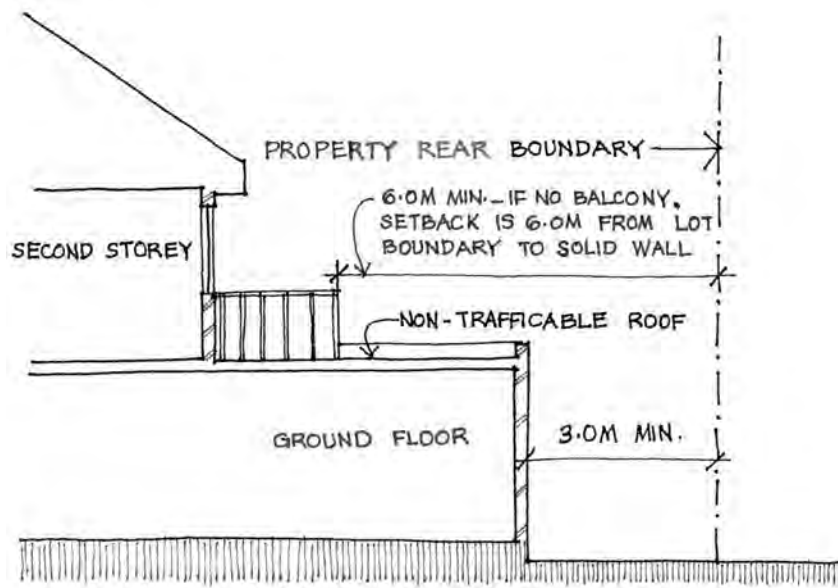


Diagram 6: Rear Setbacks - one and two storey development

- Council may permit a variation to the rear/side setbacks for irregular shaped lots if it can be demonstrated that this will result in the retention of principal private open space or significant trees or site features, there are no adverse amenity impacts on neighbouring properties and the variation is not contrary to the objectives for setbacks.

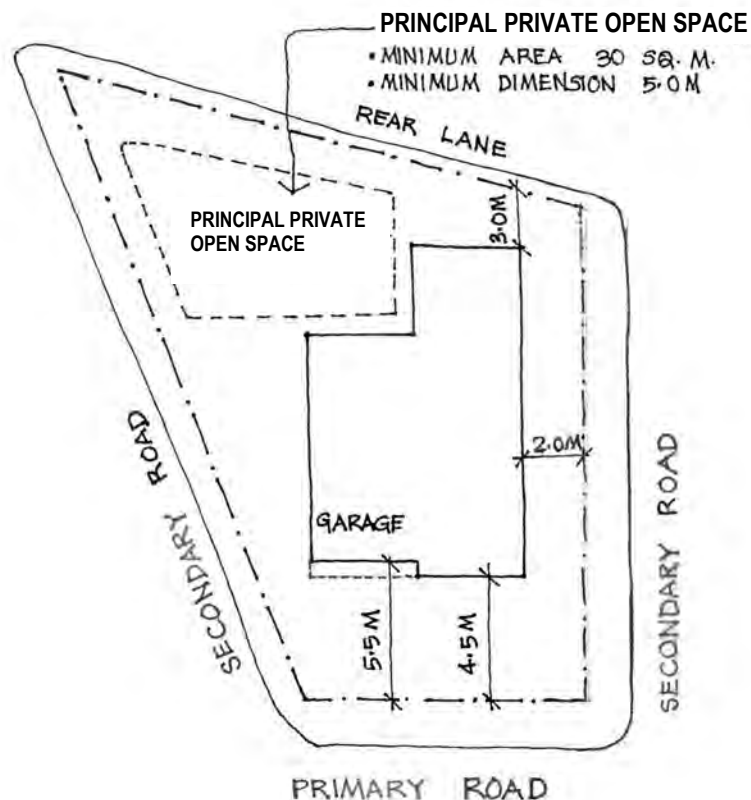


Diagram 7: Illustration of Setback Controls - irregular shaped site

4.1.3.5 Basements and Attics

Basements

Basement means the space of the building where the floor level of that space is predominantly below the existing ground level and where the floor level of the storey immediately above is less than 1 metre above **ground level**.

Objectives

- To minimise the extent of excavation and maximise deep soil within the site for landscaping.
- To prohibit habitable rooms within basements to protect the internal amenity of occupants.
- To promote development that is sympathetic to the natural landform including natural rock outcrops and topographical features of the site, with minimal cut and fill.
- To ensure that appropriate precautions are taken to prevent vibration damage and mitigate temporary adverse impacts during excavation, to adjoining buildings.
- To mitigate the impacts of flooding inundation risks.
- To consider the effect of Contamination and Acid Sulphate Soils on development.

Controls

- Basements, including permanent piling, piercing, shoring, retaining or like building work required to maintain support to the site being developed or adjoining land, must be wholly under and within the ground floor level footprint of the single dwelling house.
- Basements must not protrude more than 1m above existing ground level at any point.
- Basement garage access is restricted to a 3m wide driveway. All other access to the basement must be through internal stairs or lifts within the single dwelling house. External access stairs are not permitted.
- The floor area of a basement is included within the definition of gross floor area subject to those exclusions in Hurstville LEP 2012.

Basement design

- The minimum internal floor to ceiling height must be 2.1m in accordance with BCA requirements.
- The maximum internal floor to ceiling height is 2.7m.
- Only one driveway access is permitted.
- Driveway ramps providing access to basement garages must be perpendicular to the property boundary at the street frontage and have a maximum width of 3.0 m.

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

- Basement garage façade with view of the street must have a maximum width of 3.5m and basement vehicle entries must have a maximum width of 3m.
- Light and ventilation must be provided in accordance with BCA requirements
- Where basement excavation will exceed 1.5m in depth below existing ground level the applicant must submit a Geotechnical Report for Council's consideration. The Geotechnical Report must be prepared by a Professional Engineer as defined by the Building Code of Australia with specific expertise and experience as a Geotechnical Engineer. The report must set out design criteria and performance criteria in relation to the method of excavation, shoring and retaining of excavation and design of the building to ensure the objectives and controls of this development control are achieved.

Attics

Attics are defined within the Dictionary of the Hurstville LEP 2012. Attics can be used for various purposes like bedrooms, study room, office space, storage area and the like.

Objectives

- To ensure that any attic space is integrated with and is complimentary to the dwelling house design.
- To ensure that design of attics takes into account the streetscape and overall environmental impact.

Controls

- Where an attic is proposed the roof must have a pitch between 30 degrees and 40 degrees and the attic space:
 - Must be wholly within the roof space.
 - Must be designed to comply fully with the maximum building height.
 - Must only project beyond the roof plane in the form of a traditional or non-traditional dormer, depending on the streetscape and are not to incorporate balconies.

4.1.3.6 Balconies & Terraces

Balconies, terraces and decks in any dwelling are a potential source of visual and acoustic privacy issues if not designed carefully. Encouraging views from dwellings while maintaining visual and acoustic privacy should be the primary aim of well-designed dwellings.

Objectives

- To prevent the overlooking of principal private open space.
- To prevent direct views to habitable rooms of adjoining buildings.
- To ensure general amenity and acoustic and visual privacy of adjoining neighbours.
- To discourage roof top terraces.

Controls

Access

- The access must be direct access at same floor level to the balcony/terrace/deck from a habitable room (includes living room, bedrooms, kitchens and the like). A level difference of one step may be considered for the purpose of rain water protection.

Privacy

- Overlooking impacts on neighbouring properties can be minimised on second storey balconies / terraces with the use of privacy screens and planter boxes. The fixed planter boxes must be at least 1m wide and the privacy screens must be between 1.5m and 1.8 m high (Refer Diagram 8).
- Proposed terraces and balconies must provide sight line diagrams and address privacy issues to neighbouring properties.

Visibility

- Terraces must be designed so that they are not visible from the street.

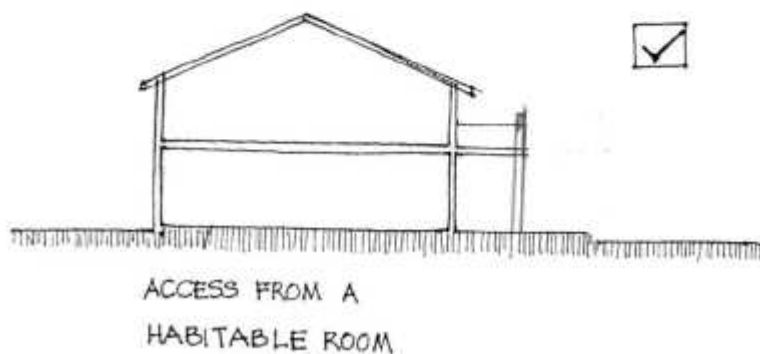
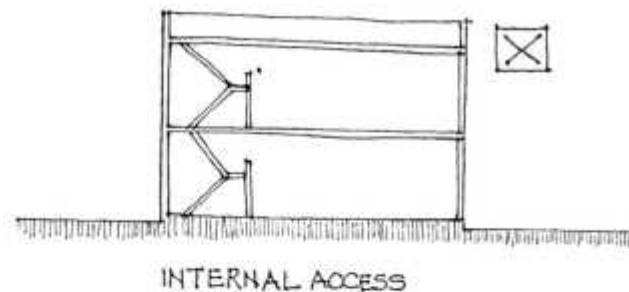
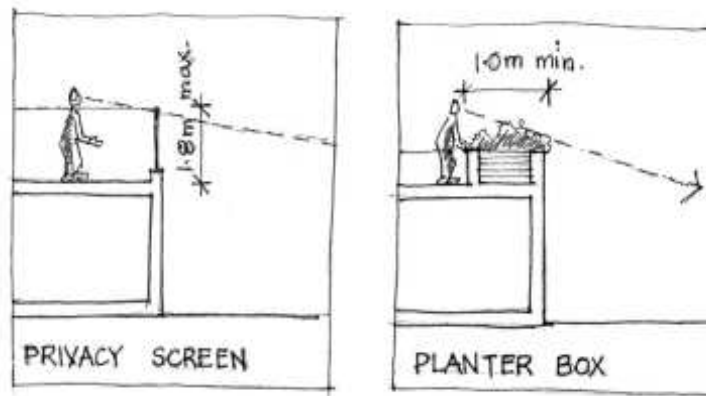


Diagram 8: Balconies & Terraces – Visual Privacy, Access and Visibility

4.1.3.7 Facade Articulation

Hurstville is a long established area and development is generally infill development and / or alterations and additions. A high quality design environment considers specific requirements of façade articulation.

Objectives

- To encourage building articulation and avoid blank walls and flat surfaces.
- To mitigate the visual impact of garages, carports and onsite parking upon the streetscape.
- To ensure that all development is of high visual and design quality.
- To provide passive surveillance of the neighbourhood, the front garden and entry to the house.

Controls

Carports and Garages

- Carports and garages must be setback a minimum of 5.5m from the front boundary.
- For sites greater than 12m wide, garage doors facing the street must not occupy more than 40% of the width of the site at the street frontage.

Building Appearance

- A dwelling house must have a front door or window to a habitable room facing the primary street frontage.
- A dwelling house must also incorporate at least two of the building elements specified in the following list facing any street frontage:
 - Entry feature or portico
 - Awnings or other features over windows
 - Eaves and sun shading
 - Window Planter box treatment
 - Bay windows or similar features
 - Wall offsets, balconies, verandas, pergolas or the like.

4.1.3.8 Car Parking and Vehicular Access

This section provides specific design considerations for vehicle access, parking, manoeuvring and ingress/egress for new development.

Objectives

- To ensure that vehicles can safely enter and leave the site whilst maintaining sight of pedestrians.
- To ensure that driveway grades comply with driveway crossing grades approved by Council under the Roads Act.
- To provide sufficient, convenient and safe on-site parking for residents.

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

- To ensure streets, access ways and pedestrian ways provide safe and convenient vehicle access to dwellings.
- To minimise the impact of vehicles on the amenity of the development, streetscape and neighbourhood.
- To ensure driveway design and parking areas do not visually dominate the development or the streetscape, are attractively landscaped and minimise stormwater runoff.

Controls

Parking and Access

- A minimum of 2 car parking spaces must be provided for dwellings with 3 or more bedrooms.

Note: This requirement is not applicable to alterations and additions to existing dwellings without such car parking behind the building line.

- A minimum of 1 car parking space must be provided for 1 and 2 bedroom dwellings.
- For all new dwellings at least 1 car space must be located behind the front building line.
- Garages must not extend further towards the front boundary than the front wall of the dwelling.
- Carports forward of the front building line may be considered, only where no vehicular access behind the front building alignment is available.
- For sites having less than 12m street frontage driveways, access lanes and car parking spaces must not occupy more than 40% of the frontage.
- Any required hard stand car spaces within the front setback must not have a slope / grade greater than 1:10.
- Vehicular crossing width at the front property boundary must be between 2.7 and 4.5m.
- Fences must be splayed where a driveway is taken off the secondary setback.
- Driveways which provide access from a State or Regional road and in other street locations where Council considers it necessary must be designed with an internal manoeuvring area so that vehicles can enter and exit the site in a forward direction.
- All driveway gradients must be constructed in accordance with Australian Standard 2890.1(2004).

4.1.3.9 Visual and Acoustic Privacy

While recognising that it is neither possible or desirable to achieve total privacy in an urban environment, and a degree of visual and social interaction between neighbours contributes to a safe and healthy community, good design of dwellings can minimise the intrusion of noise and extent of overlooking in adjoining dwellings, and into the private and rear open spaces of neighbouring dwellings.

Objectives

- To ensure the siting and design of buildings provides a high level of visual and acoustic privacy for residents and neighbours in dwellings and all private open space.
- To contain noise and vibration in dwellings or in communal areas without unreasonable transmission to adjoining buildings.
- To ensure that the siting and design of buildings and spaces contributes to the personal and property safety of residents and visitors, and decreases the opportunities for committing crime in an area.
- To ensure appropriate noise mitigation measures are incorporated into residential developments.

Controls

Visual Privacy

- Windows of proposed dwelling must be offset from neighbouring windows by 1m, especially windows of high-use rooms.
- Windows for primary living rooms such as living, kitchen, dining, etc must be designed such that they maintain privacy of adjoining **principal private open space**.
- Survey plans or site analysis plan (to AHD) of the proposed dwelling must include location of adjoining property windows to enable appropriate assessment. These plans must also include floors levels, window sill levels and ridge and gutter line levels.

Acoustic Privacy

- Noise generators such as pool pumps, pools, spas and air conditioning units must not be visible from any public place.
- All plant and machinery including air conditioning units must be screened to reduce noise and / or be acoustically enclosed.
- For additional provisions relating to noise and vibration where the site is in close proximity to a busy road or railway line, refer to State Environmental Planning Policy (Infrastructure) 2007 and the "Development Near Rail Corridors and Busy Roads - Interim Guideline".

4.1.3.10 Solar Design and Energy Efficiency

Energy efficient homes are homes that maximise the use of renewable energy sources like sunlight and rainwater, through their design, construction and choice of appliances.

The careful manipulation of sunlight improves amenity and enhances energy efficiency of a building. Optimising the use of sunlight will result in private open space areas that can be used comfortably for most parts of the year.

Objectives

- To design and orientate dwellings so that:
 - Solar access is provided to habitable rooms and **principal private open space** on the subject premises and reliance on artificial light is minimised where possible.
 - Habitable rooms optimise the northern aspect and sun in mid-winter where possible.
 - Properties minimise overshadowing of neighbouring dwellings and **principal private open space**.
- To ensure dwelling houses are designed and use materials that reduce the need for heating and cooling.
- To ensure dwelling houses capture breezes and receive adequate natural light to habitable rooms and private yards.
- To ensure the protection of solar rights of adjoining properties for the purposes of hot water heating, energy generation using photo-voltaic panels and the like.

Controls

- Dwellings must be sited and designed to maximise direct solar access to north-facing living areas and outdoor recreation areas.
- **Principal private open space** of both the subject lot and adjoining lot must receive a minimum of 3hrs direct solar access between 9am and 3pm in mid winter (June). Where less than 3 hours of sunlight is currently available in mid winter, it must not be further reduced. (Direct solar access does not encompass ambient light access).
- Both plan and elevation shadow diagrams must be provided showing current and expected shadows on June and March/September Equinox for all dwellings more than single storey.
- Exemptions will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation.

4.1.3.11 Stormwater

Management of stormwater drainage is an essential component of the design and assessment of development in Hurstville LGA. All development applications need to demonstrate appropriate consideration has been given the effective management of stormwater drainage on the site, within the local neighbourhood and sub-catchment area.

Objectives

- Ensure rainwater run-off and overland flows from development of stormwater and that developments do not increase the hazard to persons or property.
- Ensure rainwater run-off and overland flows from development are directed into approved stormwater drainage system.
- Reduce and control rainwater run-off in order to minimise overland flows, soil erosion and siltation in streams and water ways.
- Encourage a more environmental sustainable regime of stormwater management which recognises the need to collect and re-use rainwater, while maintaining acceptable environmental flows in streams and allows for on-site surface infiltration.

Design Principles

- The acceptable standard for managing stormwater is drainage by gravity into approved an stormwater drainage system.
- Changes in site levels to achieve drainage by gravity to the street are not to exceed 600mm restricted to an area within the building platform in accordance with Exempt and Complying provisions for on-site cut and fill, and must not cause ponding/backwater effects on upstream properties.
- Original or existing stormwater flow patterns are formalised and are not to be significantly altered in terms of direction and fall
- Diversion of flows from one drainage sub-catchment to another is not permitted.
- Development is not to concentrate overland flow of stormwater onto an adjoining property.
- Measures are required to be implemented during construction to reduce soil erosion from development sites.

Design Solutions and Controls

Acceptable Solutions:

1. Drainage by gravity to the adjacent road kerb and Council's drainage system or easement over adjoining properties to Council's drainage system.
2. On-site retention of roof run-off using rainwater tanks or detention tanks/basin for storage and re-use.
3. All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

Alternative Solutions:

Council may consider the following alternatives depending upon site considerations:-

1. Easements

a. An easement:

- Over an adjoining property and/or
- Across the site to allow drainage from another lot

to direct stormwater run-off to Council's drainage system; and

- b. On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.
- c. All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

2. Charged- Systems

- a. A charged stormwater drainage system which drains all the roof run-off up to the front of the site and thence discharges the storm waters by gravity or charged system from the site to the road kerb directly in front of the development site; and
- b. All other impervious surface water runoff such as driveways and footpaths to drain to an on-site infiltration system which demonstrates sufficient infiltration performance without creating issues for downstream properties
- c. On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.

3. On-site Detention and Infiltration

- a. An on-site detention system which demonstrates sufficient storage and management of any overflow from roof areas.
- b. On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.
- c. All other impervious surface water runoff such as driveways and footpaths to drain to an on-site infiltration system which demonstrates sufficient infiltration performance without creating issues for downstream properties

Development Application Requirements

- Buildings are not to be constructed over easements.
- Drainage diagrams are to be submitted with the Development Application, showing how surface and roof waters are to be discharged to the street or easement. The size of all pipes is to be shown on development application plans.
- Rainwater tanks are encouraged to collect roof water for reuse on gardens. Details are to be submitted with the Development Application.
- Design calculations to support any of the alternative solutions satisfactory to Council.

4.1.3.12 Development on Land Identified on the Bushfire Prone Land Map

For requirements related to development on bushfire prone land, please refer to the NSW Rural Fire Service website, www.rfs.nsw.gov.au. The Bushfire Prone Land Map can be found on Council's website www.hurstville.nsw.gov.au

4.1.3.13 Contaminated Lands

For requirements related to Contaminated Lands, please refer to *State Environmental Planning Policy No.55 – Remediation of Land* (SEPP 55).

4.1.3.14 Development in the Foreshore

If your property is affected by the Foreshore Building Line there may be further requirements to be considered when undertaking development. For requirements related to Development in the Foreshore Area, please refer to Section 6.5 of this DCP and the Hurstville LEP 2012.

4.1.3.15 Development on Land Identified on the Acid Sulphate Soils Planning Map

For requirements related to development on land identified on the Acid Sulphate Soils Planning Map, please refer to Clause 6.1 and the associated Acid Sulphate Soils Maps of the Hurstville LEP 2012

4.1.3.16 Advisory Note: Accessibility and Adaptable Housing

Council encourages visitor access to single dwellings. Visitor Access mean access to a building from a road that allows people with a disability to access the main room of the building through the front door as well as the provision of a toilet that is easily accessible to a wheelchair user and which complies with the BCA and AS 1428.1.

It is also encouraged that further consideration be given to designing an adaptable dwelling which is designed in such a way that it can be modified easily in the future to become accessible to both occupants and visitors with a disability or progressive frailties and which complies with the BCA and AS 4299 to Class A requirements.

Typical features that may be incorporated into the building design and available on construction of the house include: level and wide doorways; non-slip surfaces; reachable power points; and easy-use door handles.

4.1.4 Alterations and Additions to a Single Dwelling House

Alterations and additions to a dwelling house contribute to the streetscape and character of the neighbourhood and the amenity of the adjoining properties. The following controls aim to minimise the impacts of alterations and additions and to manage their design and construction so that the amenity of adjoining properties and streetscape is protected.

Note: This section of the DCP must be read in conjunction with Section 4.1.3 – General Controls for Single Dwelling Houses

Objective

- To ensure alterations and additions to a dwelling house are complimentary and integrated into the existing dwelling and neighbourhood.

Controls

- All alterations and additions must comply with the relevant requirements of this DCP in relation for floor space ratios, building heights, setbacks, car parking and landscaping.
- Alterations and additions to a dwelling house must be integrated with the existing dwelling. The scale and size of the alterations and additions must be compatible with the existing dwelling or neighbouring dwellings (refer diagram 10).
- The roof of the dwelling addition must be integrated to compliment the existing dwelling's roof form where possible and is to incorporate design elements consistent with the existing dwelling.



Diagram 9: Alterations and Additions – Preferred / Undesirable Options

4. Specific Controls for Residential Development

4.1 Single Dwelling Houses

- The materials used for alterations and additions to a dwelling house must compliment the materials used for the existing dwelling house.
- A First Floor addition to an existing dwelling house must be set back a minimum of 900mm from side boundary.
- A First Floor addition to an existing single dwelling house may be permitted to have the same setback as the existing single storey dwelling where:
 - (a) It is done to improve the existing residential neighbourhood in which they are to be built.
 - (b) It is done to provide suitable anchorage points on the external load bearing walls for the addition.
 - (c) It will not have any adverse amenity impacts on neighbouring development.

4.2 Dual Occupancy Housing

4.2.1 Land to which this section applies

This section applies to all areas within Hurstville City Council within the zones R2 Low Density Residential and R3 Medium Density Residential under the Hurstville LEP 2012.

4.2.2 Aims and Objectives of this section

The aim of this Section of the DCP is to identify Council's objectives for dual occupancy development in the LGA and identify controls to ensure the objectives are achieved.

Council's overarching objectives for dual occupancy development are:

Objectives

- Encourage a high standard of aesthetically pleasing and functional developments that respect the local context and are compatible with adjoining and nearby developments.
- Ensure that development will not detrimentally affect the environment of any adjoining lands and ensure that satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development.
- Encourage innovative and imaginative urban design with particular emphasis on the integration of building, streetscape and landscaped areas that add to and improve neighbourhood amenity.
- Provide high levels of amenity for future residents of any development which reflect implementation of the principles of Ecologically Sustainable Development.
- Facilitate the implementation of the aims and objectives of residential development as set out in the Hurstville Local Environmental Plan 2012.

Performance Criteria

- Promote a variety of building forms that are appropriate for dual occupancy housing ie. Detached, attached and rear loaded housing;
- Contribute to a creating a coherent street character integrating building and landscaped areas which makes a positive contribution to the streetscape and when viewed from other open spaces and waterways;

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- The design of new development and /or additions and alterations to existing development responds to context and compatibility with existing development in terms of:
 - Bulk and Scale.
 - Appropriately proportioned facades that emphasise vertical and horizontal elements.
 - Sufficient natural light, solar access, private open space, car parking and access, ventilation and privacy.
 - Adoption of sustainable and environmentally responsive design measures, and which minimises any impact on neighbours.

4.2.3 Development Controls

4.2.3.1 Building Envelope and Site Requirements

All new development is required to fit within a three dimensional building envelope defined by building setbacks from boundaries, building heights for walls and roof tops and site area controls, where applicable. The building envelopes defined in this Section need to be applied using the following design principles and controls.

The building envelopes defined in this Section need to be applied using the following design principles and controls.

Objectives

To ensure a more certain building bulk and scale outcome while creating:

- A coherent and attractive streetscape.
- Off-street parking and vegetation corridors at the rear of sites.
- Better opportunities for natural light, ventilation and privacy.

Design Principles

- Dwellings are private and allow adequate natural light into living areas.
- Windows are provided in all rooms and allow for cross ventilation.
- Dwellings minimise overlooking to adjoining dwellings, and orientate the main living areas to the front and rear, rather than the side boundary.
- Designs include attractive open space that is private, receives sunlight and allows for rainwater infiltration.
- Designs allow for areas of landscaping and retain significant trees.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Dwellings provide off-street parking for two cars (one garage and one driveway space) and other site services without compromising the above criteria.
- Designs highlight corner sites and relate to both street frontages.

Design Solutions and Controls

New development should take the form of one of the six options set out in the Dual Occupancy Building Envelopes Summary Table, detailed and illustrated in Clause 4.2.13. Council will, however, consider a variation to the envelope only where an applicant can demonstrate that such a variation better satisfies the relevant design principles.

4.2.3.2 Allotment Size

Objectives

- To ensure the allotment size is adequate to accommodate a dual occupancy development while also providing sufficient private open space landscaped area on site.
- To limit the impacts of buildings upon the amenity of neighbouring land,

Controls

- A minimum allotment size of 630m² for dual occupancies apply to sites outside of the Foreshore Scenic Protection Area (FSPA)
- A minimum allotment size of 1,000m² for dual occupancies applies to sites within the FSPA.

Note: The Foreshore Scenic Protection Area (FSPA) is regulated by Clause 6.4 and the associated FSPA Maps under the Hurstville LEP 2012. To find out whether your property falls in the FSPA, please refer to the FSPA Map in the Hurstville LEP 2012.

Clause 4.1A of Hurstville LEP 2012 provides the minimum lot sizes for dual occupancy development.

For a detached dual occupancy on a battle axe lot the area required for the access handle and any right of carriageway to the rear dwelling is not included in calculating the lot size (Clause 4.1A(4)).

4.2.3.3 Site Frontage

Objectives

- To ensure sites for dual occupancy developments are of adequate width to accommodate good building design.
- To limit the impacts of buildings upon the amenity of neighbouring land.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- To provide a variety of frontage controls for dual occupancy that respond to their impact on streetscape.

Controls

A dual occupancy can only be built on land that has a minimum width (measured along the entire length of the allotment, including the street frontage) of no less than:

- 15m for attached dual occupancy.
- 15m for a detached dual occupancy on allotments with rear lane or dual street access.
- 15m street frontage for corner sites is required to the street that has the address of the existing house. This is known as the primary street.
- 18m for a detached 'front and back' dual occupancy with a dwelling at the rear with access to the street via an access handle or right of carriageway.
- 20m for a detached dual occupancy in a 'side-by-side' configuration where both dwellings have direct street frontage.

Summary table

Dual Occupancy Type	Frontage Required	Access Arrangement
Attached	15m	Direct to street
	15m	Corner site, separate access
Detached Side by Side	20m	Direct to street, separate access
Detached	15m	Rear Lane – Dual Street, Corner site
Detached Front and Back	18m	Direct to street via right of carriageway

Note: Council may allow a site variation where the site may not meet the above requirements for the entire width, but meets the width requirement at the 5.5m front building setback and for the length of the building.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

4.2.2.4 Building Height and Number of Storeys

Objectives

- To ensure building heights respond to scale and character of the locality, and are sympathetic to the natural landform and topographical features of the site with minimal cut and fill,
- To ensure that the building height minimises view loss for neighbouring properties without unduly restricting the development potential of the site,
- To consider the impact of development on water and district views enjoyed by existing residents and promote where possible the practice of view sharing, and
- Distribute building height and bulk on the site so as to ensure that there is no significant loss of amenity to adjacent sites, private open space and public streets.

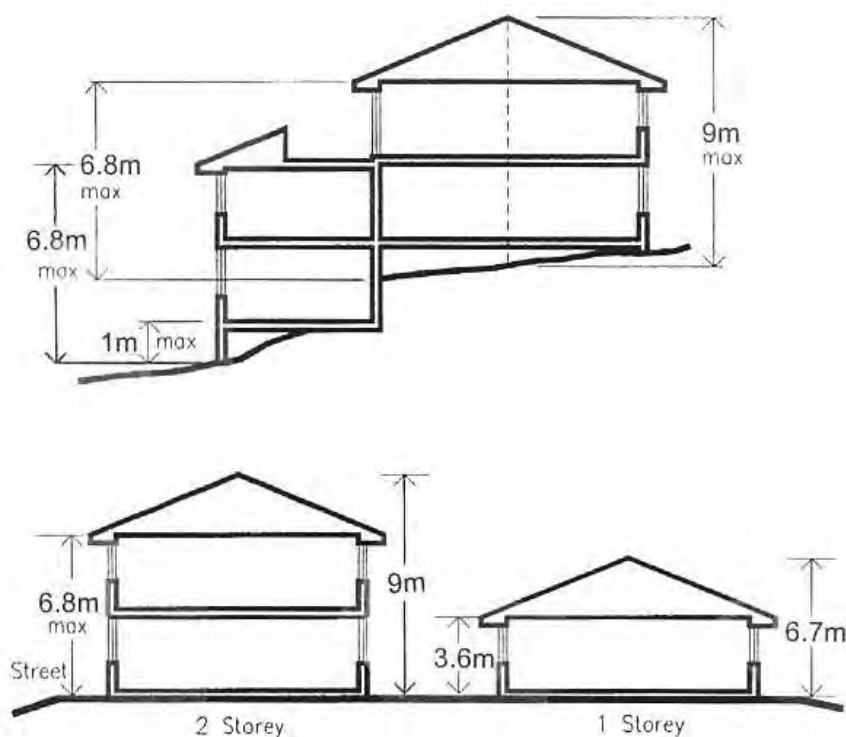
Controls

- The maximum height of a dual occupancy is indicated on the relevant 'Building Envelope Graphic' detailed in Clause 4.2.13.
- Existing ground level is not to be excavated more than 600mm in accordance with Exempt and Complying provisions for on-site cut and fill for the finished ground floor level, in order for a building to conform to the building envelope. See Section 4.2.7 for additional information regarding cut and fill.
- The maximum wall height of a 2 storey dual occupancy is not to exceed 6.8m measured from any point on the ceiling of the uppermost floor of the building, to the ground level immediately below that point.
- The minimum floor to ceiling height for a dual occupancy is 2.7m and the maximum floor to ceiling height is 3.6m (not including habitable roof space).
- A dual occupancy is to contain a maximum of two (2) storeys at any point.
- A detached dual occupancy at the rear of an allotment in a battleaxe lot configuration is to contain a maximum of one (1) storey at any point, not exceeding 6.7m building height.
- For flat roofs, the maximum height of the parapet is 450mm, measured from the uppermost ceiling to the highest point on the parapet.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

Indicative diagram



4.2.3.5 Setback Controls

Setback controls define the overall footprint of a building and its relationship to the front, side and rear boundaries. They contribute to the public domain by enhancing streetscape character. Setbacks can be used to integrate new dwellings and alterations and additions to dwellings into the locality by providing for landscaped areas.

Objectives

In relation to all setbacks:

- To ensure that new development limits the impact of buildings and maintains a level of amenity for neighbours by provision of access to sunlight, ventilation and views.
- To ensure building setbacks provide separation between buildings and promote articulation.
- To maintain and provide view corridors between houses, especially views from public places to water and district views.
- To support solar controls in clause 4.2.9 of this DCP.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- To integrate new dwellings and alterations and additions to existing development within the established setback character of the street.
- To preserve significant vegetation.

In relation to **front setbacks** (Building Line):

- To preserve significant vegetation, which contributes to the landscape character of the street.
- To reduce the bulk and visual impact of the dual occupancy development from the street.
- To ensure safe access and egress to the property by pedestrians and vehicles.
- To ensure that front setbacks respect the existing neighbourhood character.
- To provide additional off street parking in peak demand periods.

In relation to **rear setbacks**:

- To integrate new dwellings and alterations and additions to the existing development within the established rear boundary setbacks.
- Provide an area at the rear of dwellings for outdoor living and deep soil areas for substantial tree planting and on-site water infiltration.

Note: **Foreshore Building Line** : A greater setback may be required if your site is affected by a foreshore building line, refer to Clause 6.3 of the Hurstville LEP 2012 for further information.

Controls

Front Setbacks (Building Line)

- A minimum front setback (building line) of 5.5m to front wall of the dwelling.
- Where the first floor at the front of a dual occupancy has been setback to incorporate a balcony, this construction is to provide for a 300mm eave to overhang the ground floor.
- Buildings on State or Regional Roads need to be setback further in order to enable vehicles to enter and exit the site in a forward direction. (Refer to Appendix 1 for a list of State and Regional roads).
- A minimum front setback (building line) of 4.5m to front wall of the dwelling is required for a dual occupancy located on a corner site, except where dual occupancies on State or Regional roads need to be setback further in order to enable vehicles to enter and exit the site in a forward direction.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

Corner Site Setbacks

- A minimum setback of 2m is required from the wall of each dwelling to the secondary street.
- A minimum setback of 1.2m is required from the side wall of the dwelling fronting the secondary street to the boundary of the adjoining dwelling fronting that street.
- A minimum setback of 4m is required from the rear wall of the dwelling fronting the primary street to the proposed internal allotment boundary.

Side Boundary Setbacks

- A minimum side setback of 900mm is required for a single storey dual occupancy, except for those located on a corner site.
- A minimum side setback of 1200mm is required for a 1½ and 2 storey dual occupancy, except for those located on a corner site, unless otherwise specified on the 'Building Envelope Graphic' in Section 4.2.13.
- If your property is in the FSPA, a minimum side setback of 1500mm to walls of first floor level must be provided.
- A minimum side boundary setback of 750mm is required to the eaves and gutters of the dual occupancy.

Note: The following elements may protrude into the side setback:

- (i) Eaves with non-combustible roof cladding and non-combustible linings, pipes, cooling or heating appliances or other services (up to 450mm).
- (ii) Rainwater tank of maximum height 1800mm.
- (iii) Non-combustible fascias, gutters, down pipes and the like or up to 450mm if combustible.
- (iv) Light fittings, electricity or gas meters, aerials or antennas.

Battleaxe Block Setback

- A setback of 1200m applies to all boundary setbacks for a dwelling located on internal allotments for areas outside the FSPA, except for the rear setback.
- A setback of 1500m applies to all boundary setbacks for a dwelling located on internal allotments for areas within the FSPA, except for the rear setback.
- A minimum rear setback of 4m is required for a dwelling located on an internal allotment to the rear property boundary.
- A minimum rear setback of 4m is required from the rear wall of the front dwelling, to the newly created boundary of the internal allotment.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

Note: Applicants must demonstrate through Site Analysis and Statement of Environmental Effects that the dwelling has been designed with setbacks that will mitigate amenity impacts upon neighbours.

Rear Setbacks

- For a dual occupancy on a site with dual street or rear lane access, a minimum rear setback of 7m is required from the rear wall of each dwelling to the newly created property boundary.
- A minimum rear setback of 7m to the ground floor level solid wall must be provided.
- A minimum rear setback of 9m to the first floor level solid wall must be provided.

4.2.3.6 Irregular Allotments

Objective

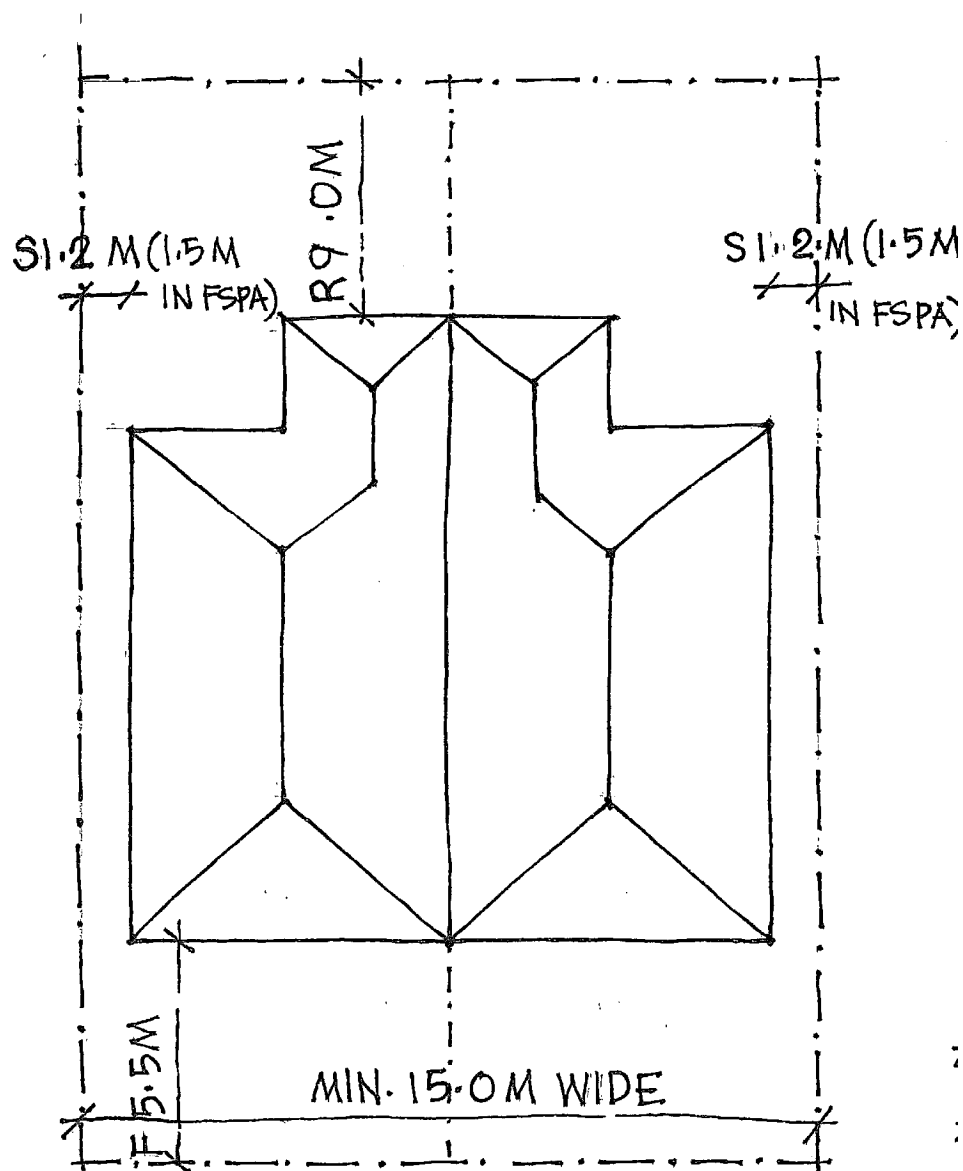
- To account for sites where a dual occupancy may be an acceptable and suitable form of development, but where some controls are not met due to the irregular shape of the allotment.

Controls

- Council may consider variations to the controls for irregular allotments as long as the minimum width and area requirements can be met.
- Setbacks for irregular shaped allotments will be considered on a merit basis, taking into consideration the impacts of the proposed dual occupancy on the adjoining properties in terms of privacy, solar access and overshadowing.
- Applications for a dual occupancy on an irregular allotment must include documentation justifying any non conforming setbacks or lot frontage requirements.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

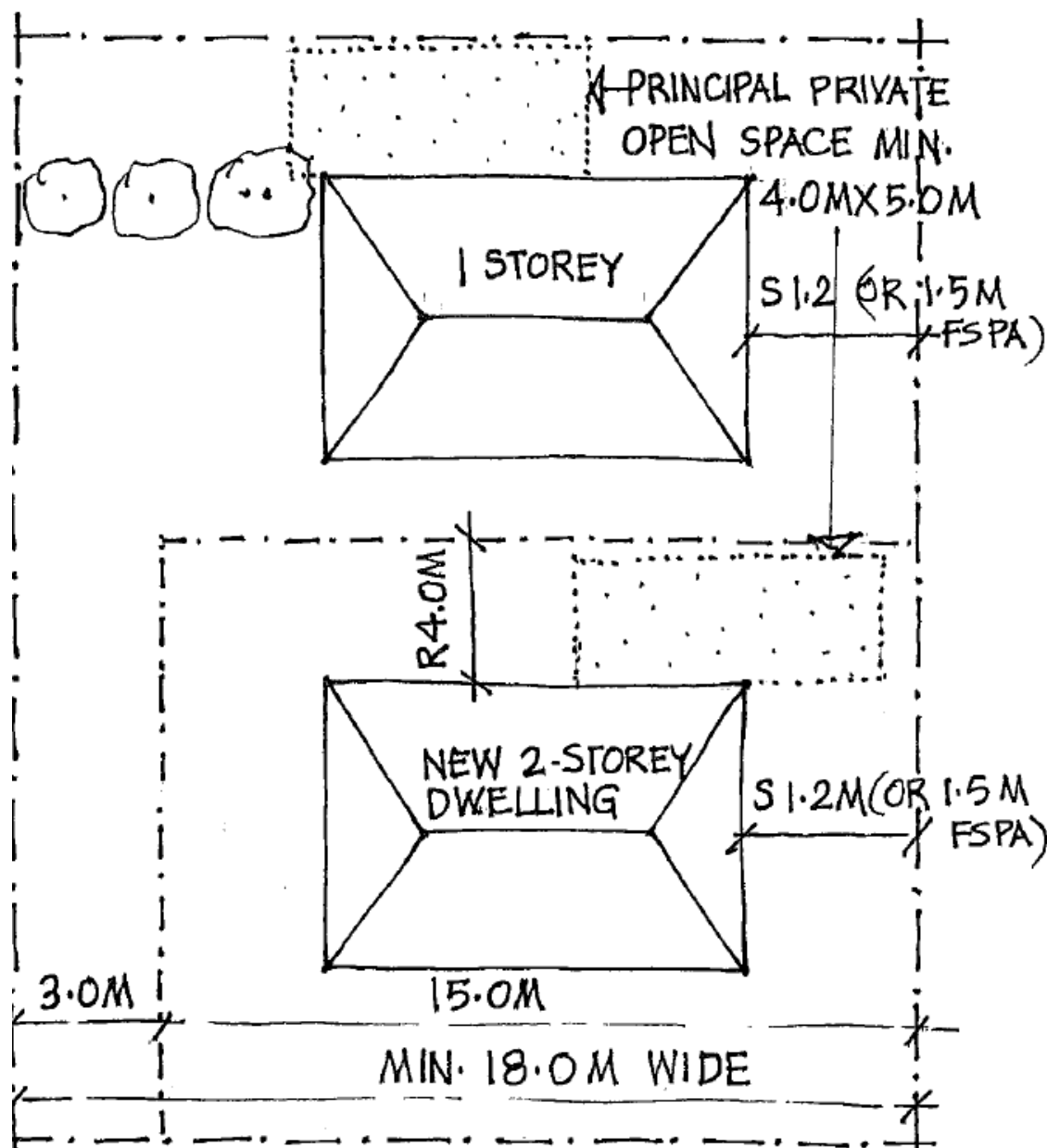


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Setbacks - Attached 2 storey dual occupancy

4. Specific Controls for Residential Development

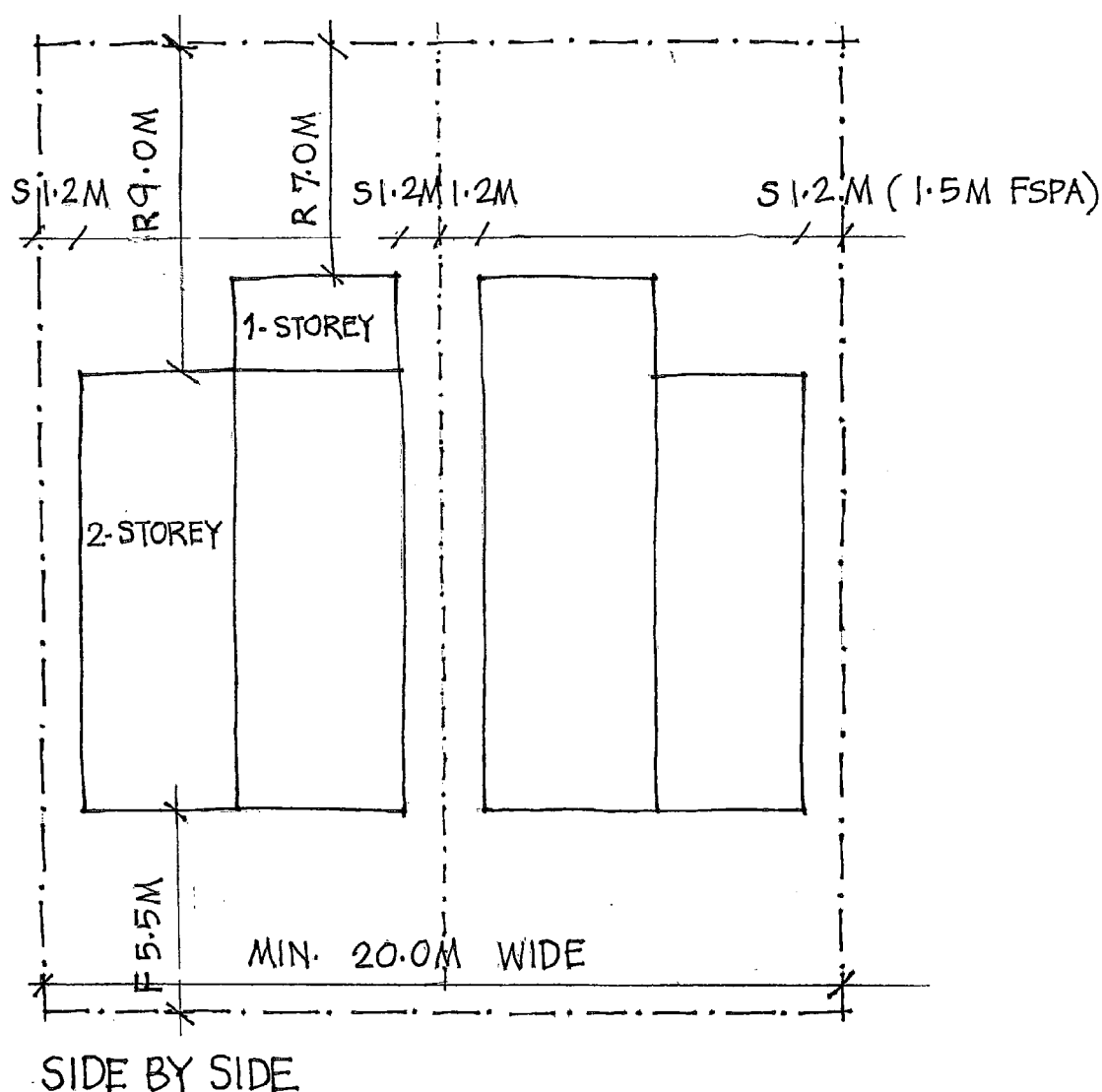
4.2 Dual Occupancy Housing



Setbacks - Detached 'front and back' dual occupancy

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing



Setbacks - Detached 'side-by-side' dual occupancy

4.2.4 Floor Space Ratio

The purpose of floor space ratio controls is to limit the bulk of buildings, in order to ensure that new dual occupancies are compatible with surrounding residential development and do not dominate a streetscape.

Refer to clause 4.5 of Hurstville LEP 2012 for the calculation of floor space ration and site area.

Objective

- Control the intensity of development by ensuring that the dual occupancy is of a height and scale that is generally compatible with the existing streetscape.

Design Principle

- Development density is in keeping with the bulk, scale and character of the locality.

Controls

- Refer to the Floor Space Ratio Maps in Hurstville LEP 2012 for the maximum floor space ratio for dual occupancy development.

4.2.5 Streetscape and Building Design

Good streetscapes are achieved through well-designed buildings which are proportioned and include common design elements. Good streetscapes benefit all dwellings, and contribute to neighbourhood amenity.

Objectives

- Ensure buildings are in proportion to the site and allow for a variety of building designs and balcony details.
- Ensure street facing facades incorporate appropriate decorative elements to provide interest to the development and address the street frontage.
- Encourage materials used in new or altered dual occupancy developments to be compatible with an existing dwelling if applicable, adjoining dwelling houses and the streetscape in terms of type, form and colour.
- Provide high quality dual occupancy housing for residents.

Design Principles

- The front of the dual occupancy development improves the appearance of the street by incorporating articulated design and massing.
- Dual occupancy developments are designed and proportioned so that they do not appear bulky or overbearing.
- Garages do not protrude towards the street.
- Dual occupancy design responds to sunlight, breeze, privacy, noise and views.
- Living areas are linked to the private yard areas.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

Controls

4.2.5.1 Presentation to the Street

- Dual occupancies are to address the primary street frontage.
- Dual occupancies are to have windows in the street elevation.
- Each dwelling in a dual occupancy development must not be the mirror image of the other.
- The design of the front of the dual occupancy development is to incorporate at least two of the following design features:
 - Entry feature
 - Awnings, louvers, shutters or other features over windows
 - Balcony or window box treatment to any first floor element
 - Recessed or projection of prominent architectural elements to visibly break up the facade and avoid blank wall appearance
 - Open verandahs
 - Use of bay windows or similar features along the facade
 - Verandahs, pergolas or similar features above garage doors
- Walls facing streets should be varied in design. Variation can be achieved by bay windows, verandahs, balconies or wall offsets.
- Each dwelling entrance must be clearly identifiable from the street.
- A street number for each dwelling is to be clearly identifiable from the street.
- Garages are to be located a minimum 5.5m from the front property alignment and must be recessed a minimum 300mm into the facade.
- The maximum recommended roof pitch is 35 degrees.
- Dormer windows are allowed within habitable roof space and are limited to a maximum width of 1.5m, and the ridgeline of the dormer must be lower than the ridgeline of the main roof form.
- A more traditional terrace style roof can be used for sites that are orientated to the north or south and all overshadowing requirements can be met. This is illustrated in Option 3A in Section 4.2.13.
- Flat roofs may be more suitable where significant views from adjoining properties can be retained.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

4.2.5.2 Subdivision

Objectives

- To ensure adequate structural separation is provided between dwellings.
- To enable easy and safe vehicle access to all dual occupancy dwellings.

Controls

- Where Torrens Title subdivision of an attached dual occupancy dwellings is proposed, the dividing wall between dwellings must be of masonry construction and at least 200mm thick.
- For a battleaxe lot an access handle or right of carriageway to the street with a minimum 3m width must be provided for the rear lot.
- For a battleaxe allotment, all vehicles must be able to enter and exit the site in a forward direction.

4.2.5.3 Balconies

Objective

- To ensure general amenity and acoustic and visual privacy of adjoining neighbours.

Controls

- The maximum depth for a rear balcony on the first floor is 2m, and must incorporate fin walls or privacy screens to minimise overlooking into rear yards.
- Where privacy screens are used, they must not be higher than 1.8m.
- Partly recessed balconies are preferred at the rear to ensure the privacy of surrounding properties is maintained.

4.2.5.4 Materials and Finishes

Objectives

- To provide guidance on the selection of materials and finishes which are complementary to the surrounding character.
- To enhance and add interest to the streetscape while complying with relevant regulations.

Controls

- Materials and finishes should be selected that generally complement the existing character of the locality, whilst providing diversity and interest in new development.
- The use of high contrasting colour schemes is to be minimised.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- A variety of complementing materials should be used.
- The fire rating provisions of the Building Code of Australia must be complied with.

4.2.5.5 Views

- Window Design
 - Windows should be designed to allow views of private open space and the approaches to the dwelling.
- Protection
 - New dual occupancy dwellings should be designed to minimise view loss to adjoining or adjacent properties, while still providing views from the development itself.
 - Flat roofs may be more suitable where significant views from adjoining properties can be retained

4.2.5.6 Development Next to and in the Vicinity of a Heritage Item

Objectives

- To facilitate the conservation and protection of heritage items and their settings, and
- To ensure that new development does not diminish the significance of a heritage item.

Controls

- If your property is next to and in the vicinity of a Heritage item, consideration must be given to the impact of the development on the heritage significance of the heritage item and its setting.
- New buildings are not expected to replicate traditional building styles, however, the design is to be sympathetic in scale, form, proportion, setbacks, and materials.
- Refer to Hurstville LEP 2012 for statutory requirements and a list of heritage properties (Schedule 5). Applications for a dual occupancy adjoining a heritage listed property must include a heritage impact statement prepared by a qualified heritage consultant.

4.2.6 Landscaped Area and Private Open Space

Objectives

- Preserve and improve existing landscaped areas and street planting.
- Provide attractive landscaped areas and private open space for the planting of substantial trees and shrubs and for outdoor living.
- Assist onsite water infiltration.

Design Principles

- Private open space receives sunlight and its location minimises noise and overlooking to neighbours.
- Species relate to site conditions, the intended use of the landscaped area, and do not intrude on neighbouring properties or affect site services.
- Significant trees are retained and new trees planted.
- Gardens and lawns catch as much rainwater as possible.

Controls

- Impervious surfaces at the front of the dwelling are limited to the provision of a driveway and pathway to the dwelling entrance. The remaining area of the front yard must be provided as landscaped area.

Note: Landscaped area means a part of the site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

- For areas outside of the FSPA a minimum of 20% of the total site area is to be landscaped area in accordance with the above definition.
- For areas within the FSPA a minimum of 25% of the total site area is to be landscaped area in accordance with the above definition.

Note: Landscaped areas must be a minimum of 2m in width.

- A landscape plan must be submitted as part of the Development Application. The landscape plan must include any trees that are to be retained and planted prior to occupation as well as the location of services on the site to ensure there is no conflict.
- Principal private open space is to:
 - Be provided at ground level.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

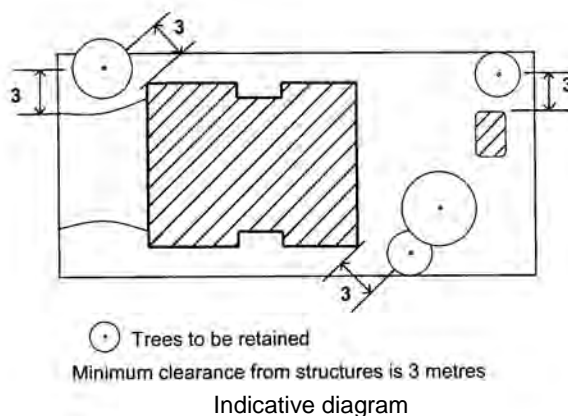
- Have minimum dimensions of 4m x 5m.
 - Be conveniently accessible from main living room of the dwelling.
 - Be designed to ensure visual privacy and acoustic amenity of occupants and neighbours.
 - Maximise solar access.
- Natural features should be retained where appropriate such as mature trees, especially those located in the front and rear of the property to preserve the existing character of the locality.

If a front fence is proposed, the fence is to:

- Be no higher than 1m.
- Highlight building entrances and allow street surveillance.
- Relate to the design and style of the dwelling.
- Generally be co-ordinated with other fences in the street.
- Address both street frontages on corner sites.

Note: Higher front fences will be considered where the dwelling is on a state road or where it can be demonstrated that a solid wall or fence along the street boundary is required to mitigate traffic noise. Such walls and fences are to have architectural treatment such as planter boxes and design banding brickwork to break up the appearance of the solid wall.

- Fences on a side or rear property boundary are to be no higher than 1.8m.
- Galvanised or aluminium sheeting or profiled fibro are not permitted as front fencing materials.
- Landscape work and turf must be finished prior to occupation.
- The removal or lopping of trees requires Council approval under Clause 5.9 Preservation of trees or vegetation of the Hurstville LEP 2012.
- The siting of all new buildings and structures (including driveways and other paved areas) must take into consideration and minimise the impact on the root zone of existing trees. Development must be designed around the existing significant trees. Generally a minimum 3m setback from structures is required for trees to be retained.



- If existing footpaths are damaged during construction they must be replaced according to Council's specifications.

4.2.7 Vehicular Access & Car Parking

Objectives

- Provide sufficient, safe and convenient off-street car parking facilities.
- Soften the appearance of garages and driveways and integrate them with the building design.
- Allow cars to park in the driveway in front of each home.
- Minimise the size, width and number of driveway crossings to ensure there is more room for on-street parking.
- To ensure that vehicles can safely enter and leave the site whilst maintaining sight of pedestrians.

Design Principles

- Garages and driveways are attractive and are integrated with the design of the dwelling.
- Garages do not appear to dominate the front of the dwelling.
- Driveway widths are minimised and driveways shared wherever possible.
- Driveways are integrated with the overall landscaping on the site and reduce the amount of hard surfaced areas.

Controls

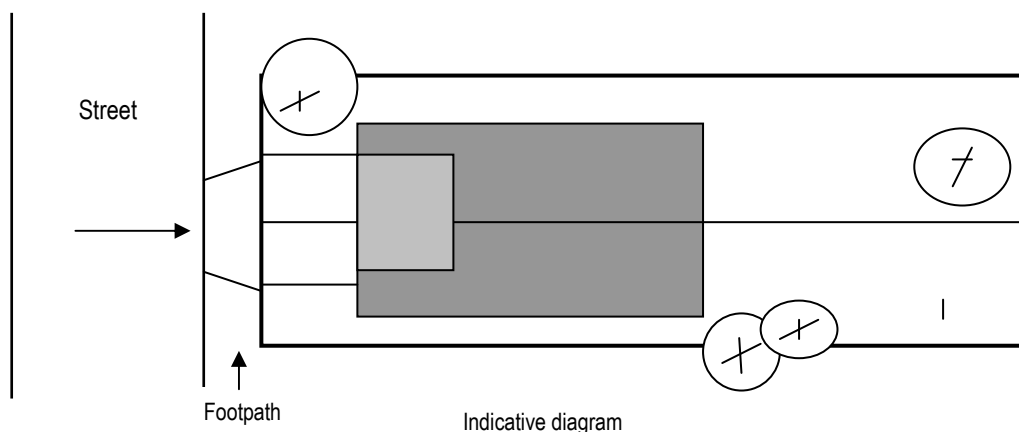
Tip: Get your access levels before you begin designing.

- Each dwelling is to provide one (1) garage and one (1) driveway space (unless otherwise provided for in the building envelope).
- Garages are to be setback a minimum 5.5m from the front property alignment and recessed a minimum 300mm into the facade of the building.
- Dual occupancies located on State or Regional Roads (see Appendix 1) must be designed so that vehicles can enter and exit the site in a forward direction.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Where possible, bay windows or French balconies are to be placed over garages to soften the appearance of the building.
- Driveways must be a minimum width of 3m wide.
- Driveways must be a minimum distance of 1.5m from side boundaries, with the exception of access handles providing a right of carriageway to the rear dwelling of a detached dual occupancy on a battleaxe lot.
- Any required hard stand car spaces within the front setback must not have a slope / grade greater than 1:10.
- Attached dual occupancy dwellings are strongly encouraged to share the same gutter crossing to limit the number of vehicular crossings on the street.
- For a battleaxe allotment, all vehicles must be able to enter and exit the site in a forward direction.



- Vehicular access to the dwelling across Council's footpath is to be in accordance with the size, location and access levels issued by Council's Engineer (subject to separate application and fee).
- The construction of the driveway crossing may be undertaken by Council (subject to separate application and fee) or a licensed contractor approved by Council, subject to Council's engineers specifications and inspection.
- Internal driveway grades should be in accordance with Australian Standard 2890.1-1993. Where it is proposed to seek a variation to AS2890.1-1993 a long section of the driveway must be submitted with the application.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Fencing or other structures that exceed 1m in height are not to be erected within a splay area 1m x 1m either side of any driveway at the boundary of the property, so as to provide a clear vision of pedestrians crossing the driveway, by drivers leaving the property. A splay is not required where fencing is provided at the property boundary.
- For corner allotments, the location of the driveway layback is to be a minimum distance of 6 metres from the tangent point between the kerb line and the start of the curved kerb line clear of the intersection of the two roads.
- If using Stencilcrete, pattern coloured paving or similar materials for the driveway, the surface material cannot extend beyond the property boundary.
- Gutter crossings are to preserve existing street trees, where practicable.
- Consideration should be given to internal access from the garage to the house, for the movement of furniture and the like, particularly when entry corridors are narrow.

4.2.8 Cut and Fill

Objective

- Minimise cut and fill with natural ground levels maintained.

Design Principle

- Reduce cut and fill to maintain existing ground level as far as is practical.

Controls

- Cut and fill is to be avoided where possible.
- Cut and fill is limited to a maximum depth of 600mm, in accordance with Exempt and Complying provisions for on-site cut and fill.
- Where fill is required to support raised floor levels on sloping sites, fill is not to be placed external to the walls of the building. This requirement can be met by:
 - Dropped edge beams in accordance with AS 2870-1996 Figure 6.1, Option 3; or
 - Integrated foundation wall retaining walls designed by an accredited engineer.
- The excavation of rock escarpments and rock outcrops is generally not permitted and requires consultation and prior approval from Council.
- If retaining walls are used for landscaping purposes they must be staggered and stepped at maximum 600mm intervals (to provide terrace retaining).

4.2.9 Visual Privacy and Acoustic Amenity

Objectives

- Protect residents from excessive overlooking and noise.
- Provide dwellings which orientate towards the front and rear of a site rather than towards the neighbours.
- To ensure appropriate noise mitigation measures are incorporated into residential developments.

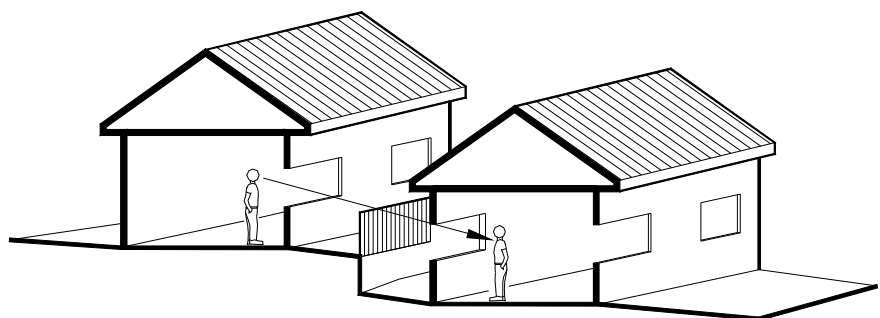
Design Principles

- New dwellings do not result in unacceptable overlooking of adjoining sites.
- Window location, internal room layout and landscaping elements prevent overlooking and help reduce noise flow between dwellings.

Controls

Visual Privacy

- The main windows and balconies of a dual occupancy dwelling should be directed toward the front and rear of a site to avoid:
 - Overlooking of adjoining private open space areas.
 - Having windows facing directly opposite each other.



Avoid locating windows directly opposite.
Stagger windows or provide screening.

Indicative diagram

- Visual privacy is to be protected by providing adequate distance between opposite windows of neighbouring dwellings where direct view is not restricted by screening or planting. This can be achieved by:

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Ensuring windows and balconies of habitable rooms do not directly overlook windows, balconies and open space of adjacent dwellings;
 - Splaying the location of windows to minimise direct views;
 - Staggering windows so that windows of the new dwelling or alterations and additions are not directly opposite windows to adjacent dwellings;
 - Using level changes to minimise direct views;
 - Using increased window sill heights or the use of translucent glazing such as opaque glass or glass blocks;
 - Avoiding the use of elevated decks or balconies that overlook adjoining properties;
 - Using lattice screening or screen planting;
 - Increasing building setbacks from the side boundary; and
 - Using planter boxes.
- Habitable room windows with a direct outlook within 9 metres of the habitable room window of an adjacent dwelling must be:
 - Offset by a minimum 1m from the edge of the opposite window; or
 - Screened, louvered or orientated to ensure visual privacy; or
 - Have a sill height of 1.5m above the existing ground level; or
 - Have fixed opaque (frosted) glazing in any part below 1.5m.
 - First floor balconies located at the rear of dwellings must incorporate fin walls or privacy screens on the side to prevent over-looking.
 - Where privacy screens are used, they must not be higher than 1.8m, measured from the floor of the balcony to the top of the screen.

Acoustic Amenity

- Dwellings should be designed to minimise noise transmission between dwellings within the development and from the development to adjoining dwelling houses.
- Sources of noise, such as driveways, parking areas and air conditioning plants should be sited away from adjoining properties where practicable, and where necessary, be screened by walls or high trees or otherwise appropriately treated.

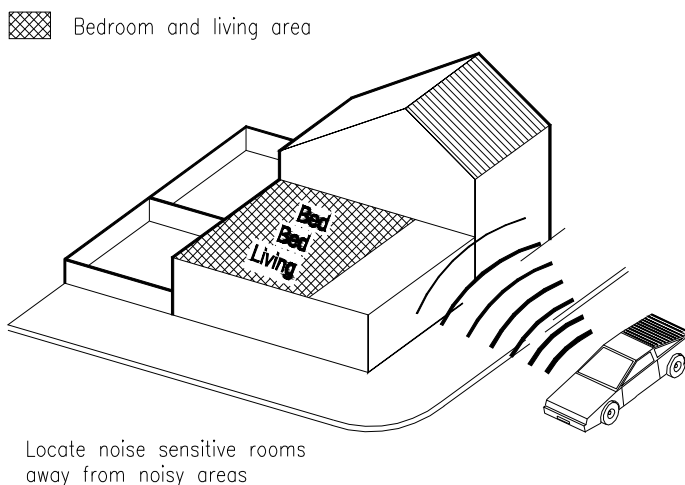
4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Dwellings must be designed so that internal noise levels from external sources do not exceed the parameters set out in the Office of Environment and Heritage (NSW) website on www.environment.nsw.gov.au. Council may require an applicant to provide a report by a qualified acoustic engineer where external noise is likely to be problematic, such as sites that:
 - Adjoin a railway line.
 - Front arterial or state roads (See Appendix 1).
 - Are under a flight path.
 - Near major industrial or noise generating plant or equipment.
- The internal arrangement of rooms for a dwelling should ensure an adequate level of privacy for both the dwelling itself and any adjoining dwellings. Bedrooms should be located away from heavily trafficked roads.
- Acoustic amenity can be achieved by:
 - Locating sources of noise, such as driveways, parking areas and air conditioning plants away from adjoining properties where practicable, and where necessary, using walls or high trees for screening.
 - Using balconies and verandahs to create further separation from noise sources.
 - Specific construction techniques. Refer to the Building Code of Australia for requirements relating to sound insulation against transmission of internal noise, for all common walls and floors.
 - Noise resistant techniques to reduce external noise.
 - Materials including insulation selected from external walls and roof, thicker glass or double glazing for windows, and limiting the proportion of openings to solid walls.
- If located on a state road (see Appendix 1), solid front garden walls and fences up to a maximum height of 1.8m will be considered where it can be demonstrated that a solid wall or fence along the street boundary is required to mitigate traffic noise. Such walls and fences are to have architectural treatment such as planter boxes and design banding brickwork to break up the appearance of the solid wall.
- For additional provisions relating to noise and vibration where the site is in close proximity to a busy road or railway line, refer to State Environmental Planning Policy (Infrastructure) 2007 and the “Development Near Rail Corridors and Busy Roads - Interim Guideline”.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing



Indicative
diagram

4.2.10 Solar Design, Water & Energy Efficiency

Objectives

- Reduce energy costs.
- Create energy efficient homes that are light and breezy.
- Ensure adequate sunlight for internal rooms and landscaped private open space.

Design Principles

- Dual occupancy dwellings reduce the need for heating and cooling through their design and use of materials.
- Dual occupancy dwellings capture breezes and receive adequate natural light to habitable rooms and private yards.
- Northern walls of the dwelling receive as much sun as possible in winter and are able to be shaded in summer.
- Neighbouring properties maintain adequate sunlight.

Controls

- Dual occupancy developments must comply in full with the State Government requirements of BASIX.
- All new dual occupancy dwellings must provide for cross ventilation and all rooms must have a window.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Subject to privacy considerations, living areas are to receive northern sunlight.
- Living areas and private yards must receive at least 3 hours of sunlight between 9am and 3pm mid winter (21 June).
- For two storey dwellings, shadow diagrams must be prepared and submitted showing the impact of a proposal on adjoining sites. Shadow diagrams need to illustrate the shadows cast at 9am, 12 noon and 3pm on 21 June at plan and elevation, with particular emphasis on the impact on adjoining habitable rooms. Such diagrams must be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development.
- New dual occupancy dwellings must not unreasonably obscure sunlight to the windows of habitable rooms, solar collectors or rear yards of adjoining properties. Design should allow at least three hours of sunlight between 9am and 3pm midwinter (21 June) to adjoining private open space.
- Shading devices (louvers, screens, shutters etc) or deciduous trees should protect windows, doors or balconies that receive excessive afternoon summer sun.
- The hot water system must achieve a minimum 3.5 Sustainable Energy Development Authority Greenhouse Score.
- The potential to use solar energy collectors by incorporating pitched roofs facing north is encouraged.
- Ceiling insulation must be provided with a minimum rating of R2.0 and walls R1.00 for full brick and R1.5 for brick veneer walls.
- Water consumption should be minimised by the use of AAA rated shower heads and water efficient taps, dual flush toilets and water reuse.

Note: AAA rated showerheads means shower heads rated as AAA in accordance with the Australian Standard AS/NZ 3662 (1996) and must have good spray pattern and temperature characteristics, and a flow rate of 9 litres per minute or less.

- AAA rated water efficient taps means the current Australian standard for AAA rated tap outlets is 9 litres or less per minute.
- All hot water pipes are to be insulated with appropriate insulation.
- The use of natural gas is encouraged.
- Where adjoining dwellings rely on solar access for heating or cooling systems, that access is to be preserved.
- Dual occupancy developments must comply in full with the State Government requirements of BASIX (Building Sustainability Index). It is a web-based planning tool designed to assess the potential performance of new homes against a range of sustainability indices: Landscape, Stormwater, Water, Thermal Comfort and Energy.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- A BASIX certificate must be submitted with the Development Application. Further details regarding BASIX can be viewed at the website: www.basix.nsw.gov.au.

4.2.11 Site Facilities

Site facilities include utility services, garbage areas, mail boxes, clothes drying areas and the like, and their design should be integrated with that of the house and site.

Objectives

- Ensure adequate provision of site facilities that relate to the design of new dual occupancy dwellings.
- Ensure service location does not compromise landscaping opportunities on the site.

Design Principles

- Site services and facilities are accessible, visually unobtrusive and require low maintenance.
- New dual occupancy dwellings are provided with individual services to facilitate a safe, efficient and comfortable living environment.

Controls

4.2.11.1 Utility Services

- The design, location and construction of utility services must meet the requirements of Council and the relevant servicing authority.
- Electricity and telephone lines must be underground, except where direct connection is available from a pole in the street to the facade of the dwelling.
- Prior to the submission of the Construction Certificate, the developer must present written details of the development to the energy provider and obtain that authority's requirements.

4.2.11.2 General Facilities

- Garbage - Each dual occupancy dwelling must provide adequate space for the storage of garbage and recycling bins. A space at least 3m x 1m must be provided. Bins should not be visible from the street or result in odours to adjoining sites. Such an area should be located away from windows that open to habitable rooms to avoid amenity issues associated with smell.
- Storage - Each dual occupancy dwelling must provide a space of 6 cubic metres set aside exclusively for general storage. This space may be provided as an extension of a carport or garage, or in the form of an internal cupboard or attic.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Mail - A mail box must be provided for each dual occupancy dwelling in accordance with AS/NZ4353 and Australia Post's requirements.
- Clothes - Drying Outdoor clothes drying facilities must be provided for each dual occupancy dwelling. These must be screened from the street and located in an area that will receive sunlight and breeze.

4.2.12 Stormwater Drainage

Management of stormwater drainage is an essential component of the design and assessment of development in Hurstville LGA. All development applications need to demonstrate appropriate consideration has been given the effective management of stormwater drainage on the site, within the local neighbourhood and sub-catchment area.

Objectives

- Ensure rainwater run-off and overland flows from development of stormwater and that developments do not increase the hazard to persons or property;
- Ensure rainwater run-off and overland flows from development are directed into approved stormwater drainage system;
- Reduce and control rainwater run-off in order to minimise overland flows, soil erosion and siltation in streams and water ways; and
- Encourage a more environmental sustainable regime of stormwater management which recognises the need to collect and re-use rainwater, while maintaining acceptable environmental flows in streams and allows for on-site surface infiltration.

Design Principles

- The acceptable standard for managing stormwater is drainage by gravity into approved an stormwater drainage system;
- Changes in site levels to achieve drainage by gravity to the street are not to exceed 600mm restricted to an area within the building platform in accordance with Exempt and Complying provisions for on-site cut and fill, and must not cause ponding/backwater effects on upstream properties;
- Original or existing stormwater flow patterns are formalised and are not to be significantly altered in terms of direction and fall;
- Diversion of flows from one drainage sub-catchment to another is not permitted;
- Development is not to concentrate overland flow of stormwater onto an adjoining property; and

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

- Measures are required to be implemented during construction to reduce soil erosion from development sites.

Design Solutions and Controls

Acceptable Solutions:

1. Drainage by gravity to the adjacent road kerb and Council's drainage system or easement over adjoining properties to Council's drainage system.
2. On-site retention of roof run-off using rainwater tanks or detention tanks/basin for storage and re-use.
3. All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

Alternative Solutions:

Council may consider the following alternatives depending upon site considerations:-

1. Easements

- a. An easement:
 - Over an adjoining property and/or
 - Across the site to allow drainage from another lotto direct stormwater run-off to Council's drainage system; and
- b. On-site detention of roof run-off using rainwater tanks or detention tanks for storage and re-use.
- c. All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

2. Charged Systems

- a. An on-site charged stormwater drainage system for all roofwaters which discharges by gravity from the site to the road kerb directly in front of the development site;
- b. All other impervious surface water runoff such as driveways and footpaths to drain by gravity to the road kerb directly in front of the development site; and
- c. On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

3. On-site Detention and Infiltration

- a. An on-site detention system which demonstrates sufficient storage and management of any overflow; and
- b. On-site infiltration system which demonstrates sufficient infiltration performance without creating issues for downstream properties.

Development Application Requirements

- Buildings are not to be constructed over easements.
- Drainage diagrams are to be submitted with the Development Application, showing how surface and roof waters are to be discharged to the street. The size of all pipes is to be shown on development application plans.
- Rainwater tanks are encouraged to collect roof water for reuse on gardens. Details are to be submitted with the Development Application.
- Design calculations to support any of the alternative solutions satisfactory to Council.

4.2.13 Alterations & Additions to Dwellings Approved as Dual Occupancy

Objectives

- To permit alterations and additions to dwellings approved as dual occupancies that are consistent with the building envelope controls for dual occupancies as set out in this Plan.

Design Principles

- Alterations and additions to dual occupancies complement existing development and do not adversely impact adjoining properties.

Control

- Alterations and additions to dwellings approved as dual occupancy will be subject to the controls in section 4.2 of this DCP.

4. Specific Controls for Residential Development


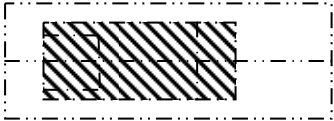
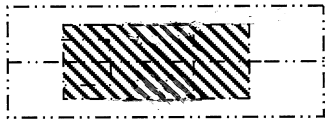

4.2 Dual Occupancy Housing

4.2.14 Building Envelope Graphics

The building envelopes for eight dual occupancy development options are illustrated on the following pages.

This section should be read in conjunction with:

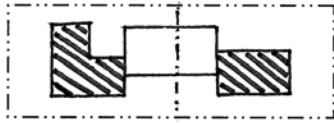



- The Design Solutions and Controls of Section 4.3.2 to 4.3.12, that contain design principles and specific controls; and
- The Architectural Design Solutions of Section 4.2.15, for illustrations of indicative building types.

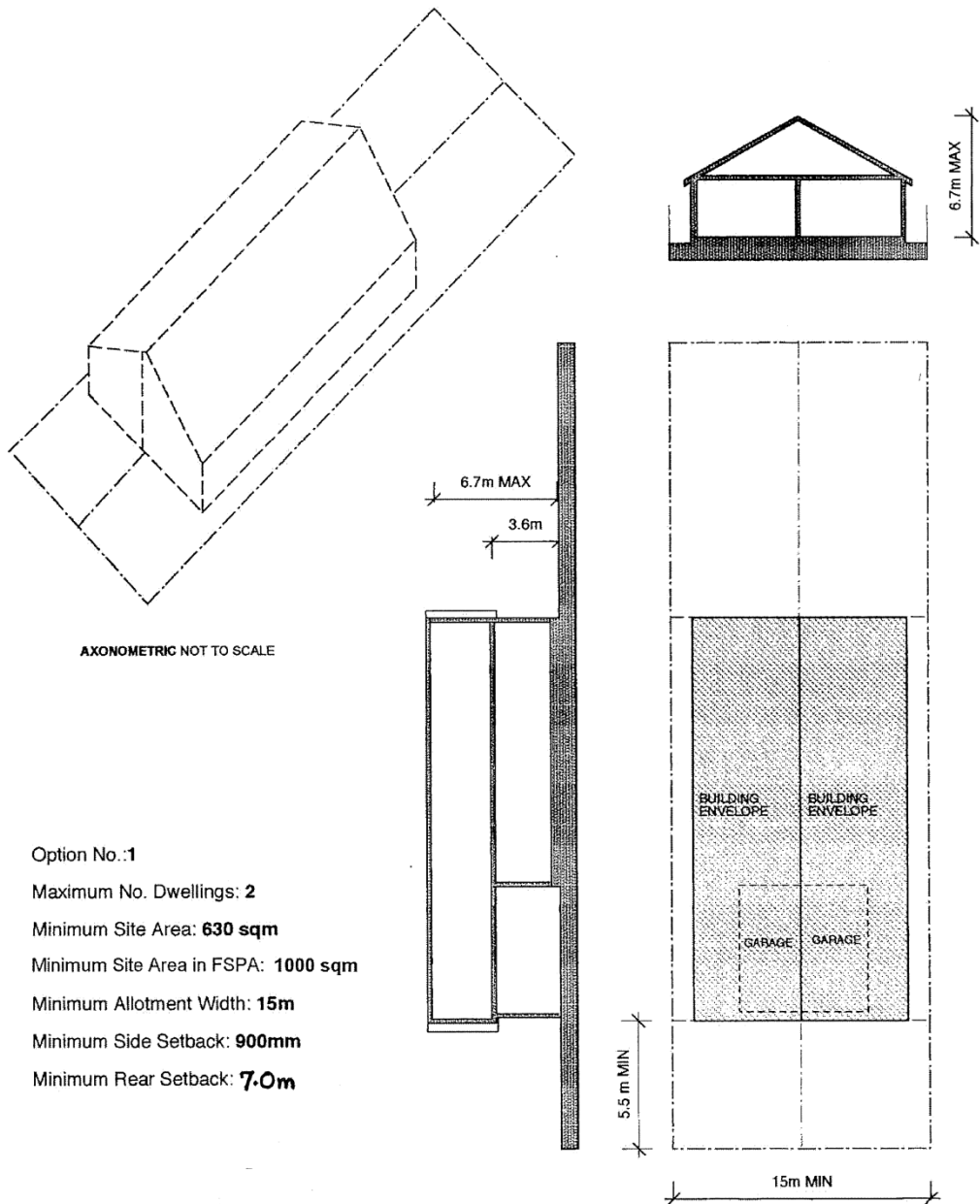
Building Envelopes - Summary Table (See Section 4.2 For Full Details)											
Option	Footprint (indicative only – not to scale)	Housing type	Site Frontage (min)	Front setback (min)	Rear setback (min)	Side setback (min)	Max FSR	Max external wall height	Max ridge height	Max rec. roof pitch	Parking
1 All sites		1 storey Attached	15m	5.5m	7m	900mm	0.6:1	3.6m	6.7m	35°	Garage + driveway space
2 All sites		1 storey + habitable roof space Attached	15m	5.5m	7m	1.2m and 1.5m in FSPA	0.6:1	5.5m	7.5m	35°	Garage + driveway space
3 All sites		2 storey Attached	15m	5.5m	7m (ground level) and 9m (second level)	1.2m and 1.5m in FSPA	0.6:1	6.8m	9m	35°	Garage + driveway space
4 All sites		2 storey Duplex	15m	5.5m	7m (ground level) and 9m (second level)	1.2m and 1.5m in FSPA	0.6:1	6.8m	9m	35°	Garage + driveway space

4. Specific Controls for Residential Development

4.2 Dual Occupancy Housing

Building Envelopes - Summary Table (See Section 4.2 For Full Details)

Option	Footprint (indicative only – not to scale)	Housing type	Site Frontage (min)	Front setback (min)	Rear setback (min)	Side setback (min)	Max FSR	Max external wall height	Max ridge height	Max rec. roof pitch	Parking
5 Corner site only		1 or 2 + 1 or 1.5 storey Detached Corner site only	15m	4.5m	N/A	2m from street & 1.2m or 1.5m in the FSPA from other boundary	0.6:1	6.8m front 5.5m for rear dwelling	9m front, 7.5m rear dwelling	35°	Garage + driveway space
6 Dual street & rear lane access sites only		1 or 2 storey Detached Dual street + rear lane access only	15m	5.5m from street & lane	7m from new rear neighbour's property boundary	900mm for 1 storey & 1.2m or 1.5m in the FSPA for 2 storey	0.6:1	6.8m	9m	35°	Garage + driveway space
7 Detached side-by- side		1 or 2 storey Detached Side-by-side	20m	5.5m	7m (ground level) and 9m (second level)	1.2m and 1.5m in FSPA	0.6:1	6.8m	9m	35°	Garage + driveway space
8 Detached front- and-back		1 or 2 storey Detached Front and back	18m	5.5m	Front dwelling: 4m to new boundary with rear lot Back Dwelling: 4m to rear property boundary	1.2m and 1.5m in FSPA	0.6:1	6.8m front, 3.6m rear	9m front, 6.7m rear	35°	Garage + driveway space



Option No.:1

Maximum No. Dwellings: 2

Minimum Site Area: **630 sqm**

Minimum Site Area in FSPA: **1000 sqm**

Minimum Allotment Width: **15m**

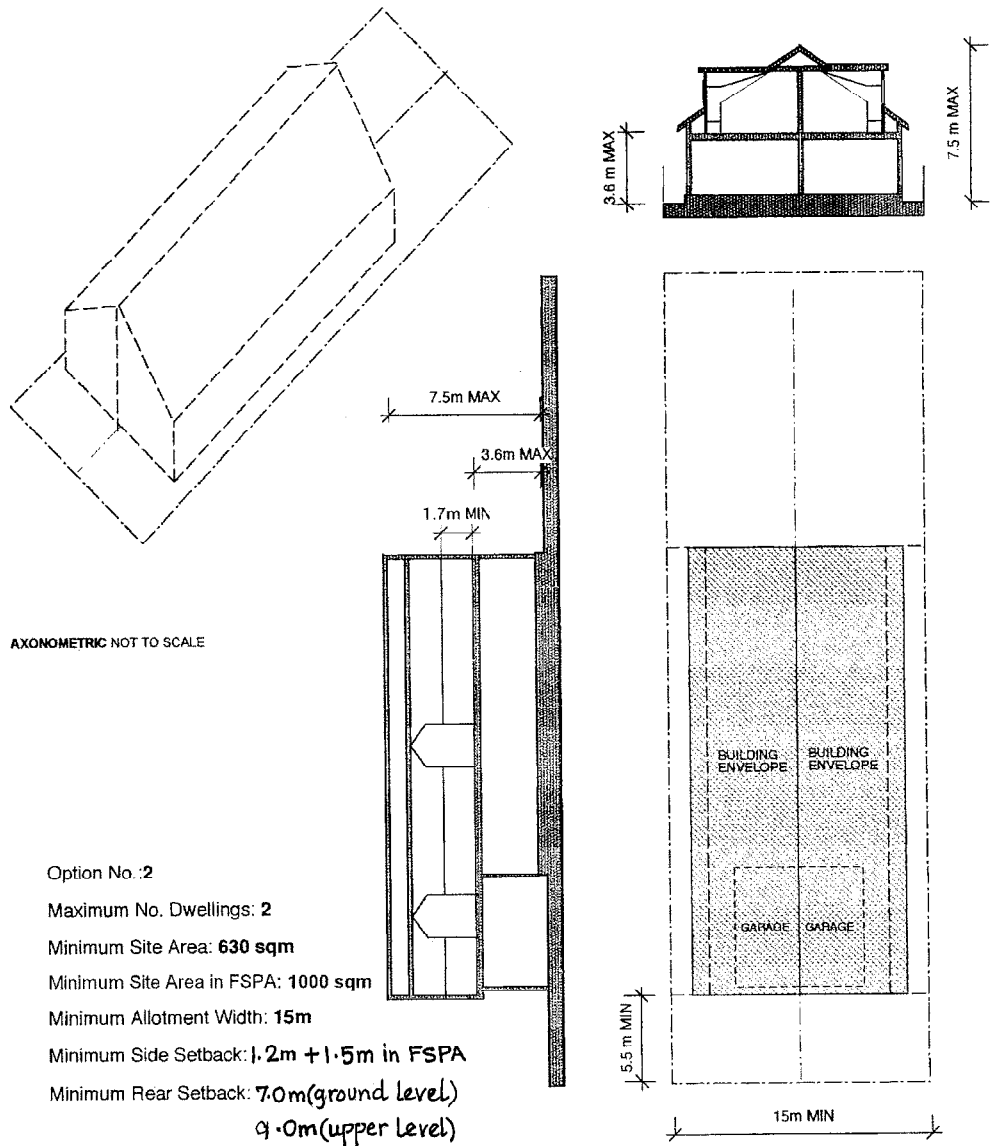
Minimum Side Setback: **900mm**

Minimum Rear Setback: **7.0m**

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DUAL OCCUPANCY DCP
1 STOREY ATTACHED

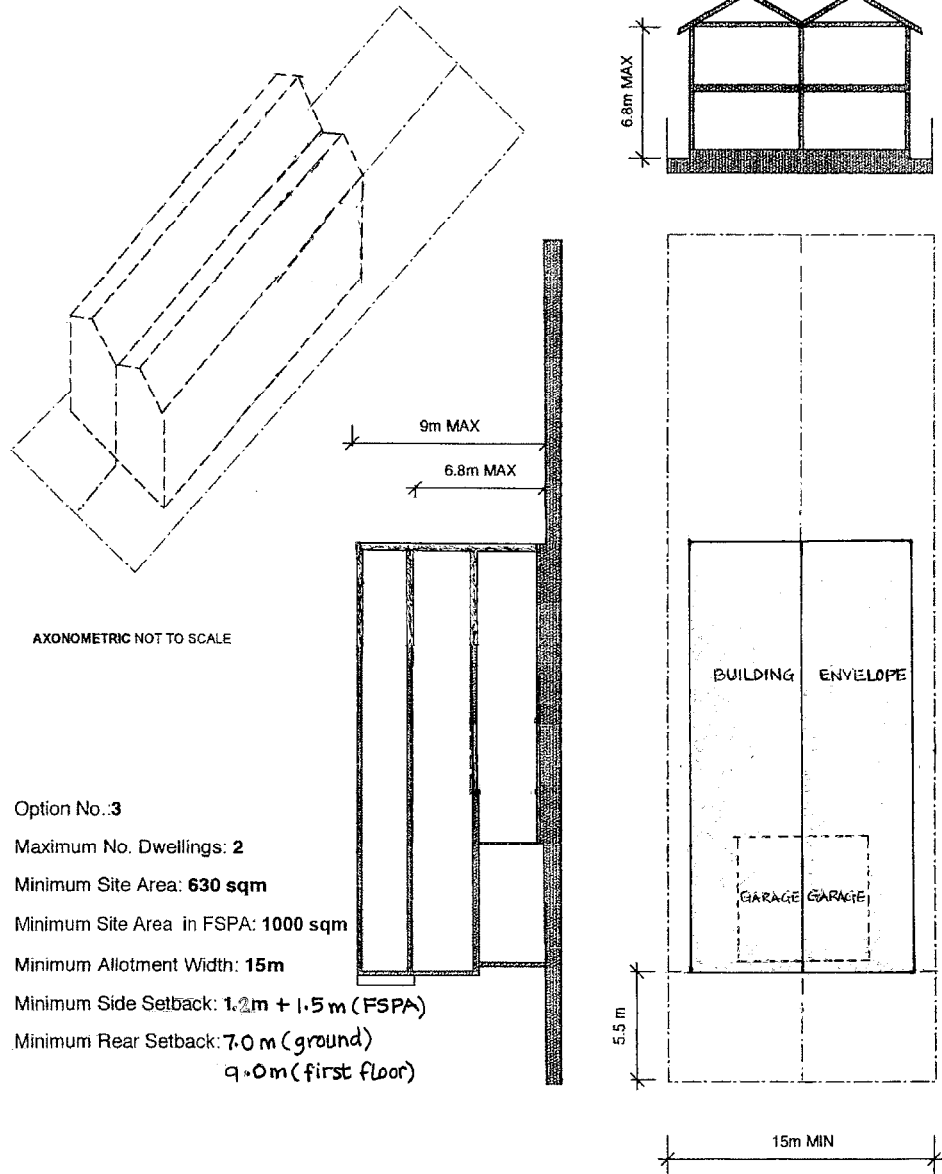
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DUAL OCCUPANCY DCP
 1 STOREY, ATTACHED
 HABITABLE ROOF SPACE

2



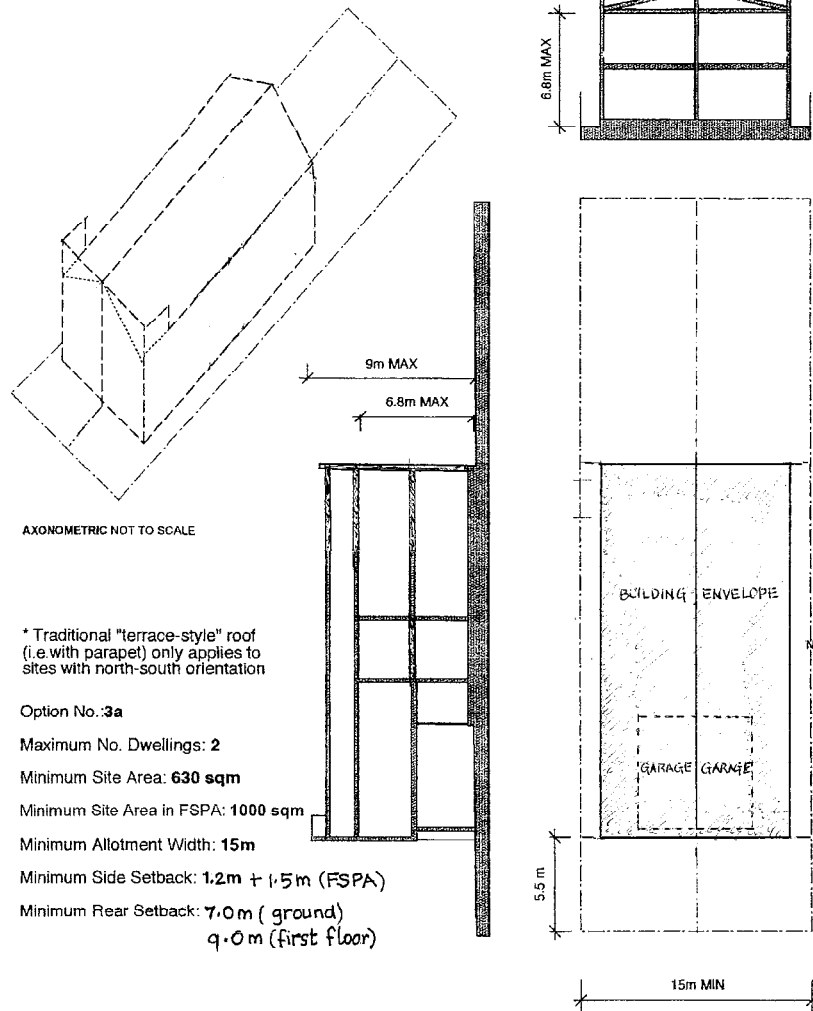
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DUAL OCCUPANCY DCP

2 STOREY, ATTACHED

3

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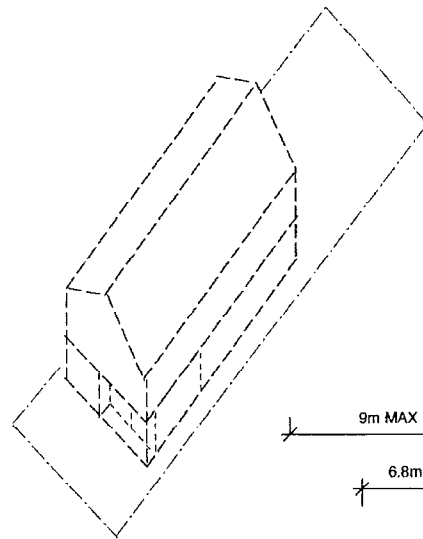


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DUAL OCCUPANCY DCP

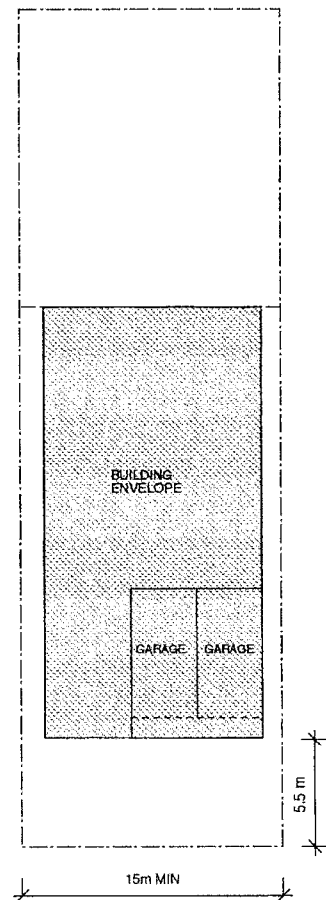
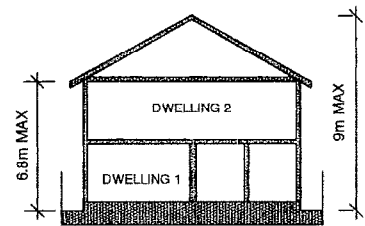
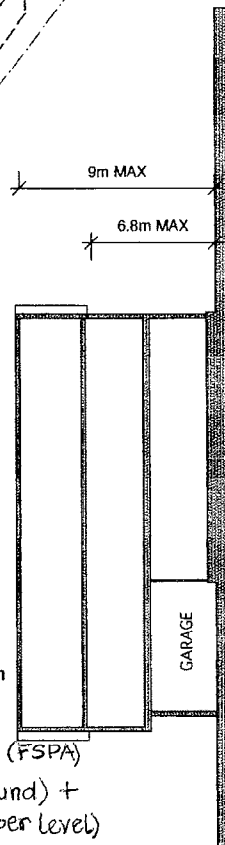
2 STOREY, ATTACHED

3a



AXONOMETRIC NOT TO SCALE

- Option No. 4
- Maximum No. Dwellings: 2
- Minimum Site Area: 630 sqm
- Minimum Site Area in FSPA: 1000 sqm
- Minimum Allotment Width: 15m
- Minimum Side Setback: 1.2m + 1.5m (FSPA)
- Minimum Rear Setback: 7.0m (ground) + 9.0m (upper level)

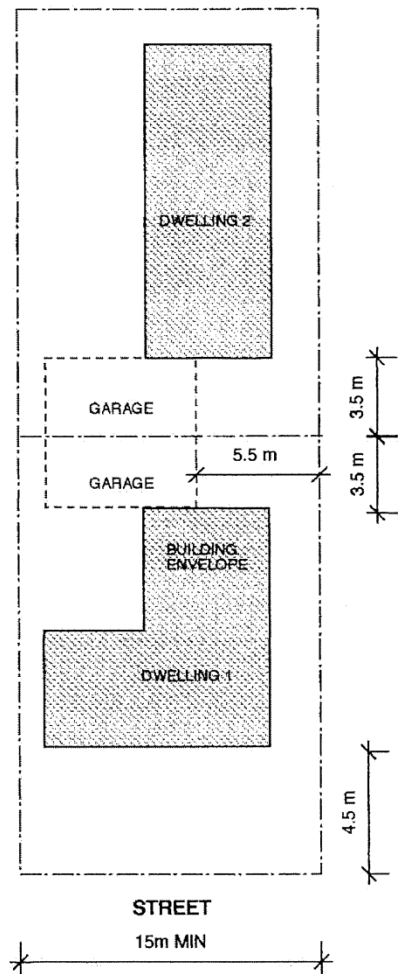
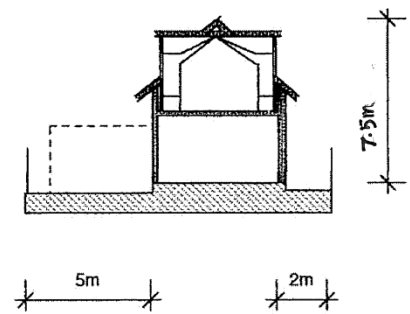
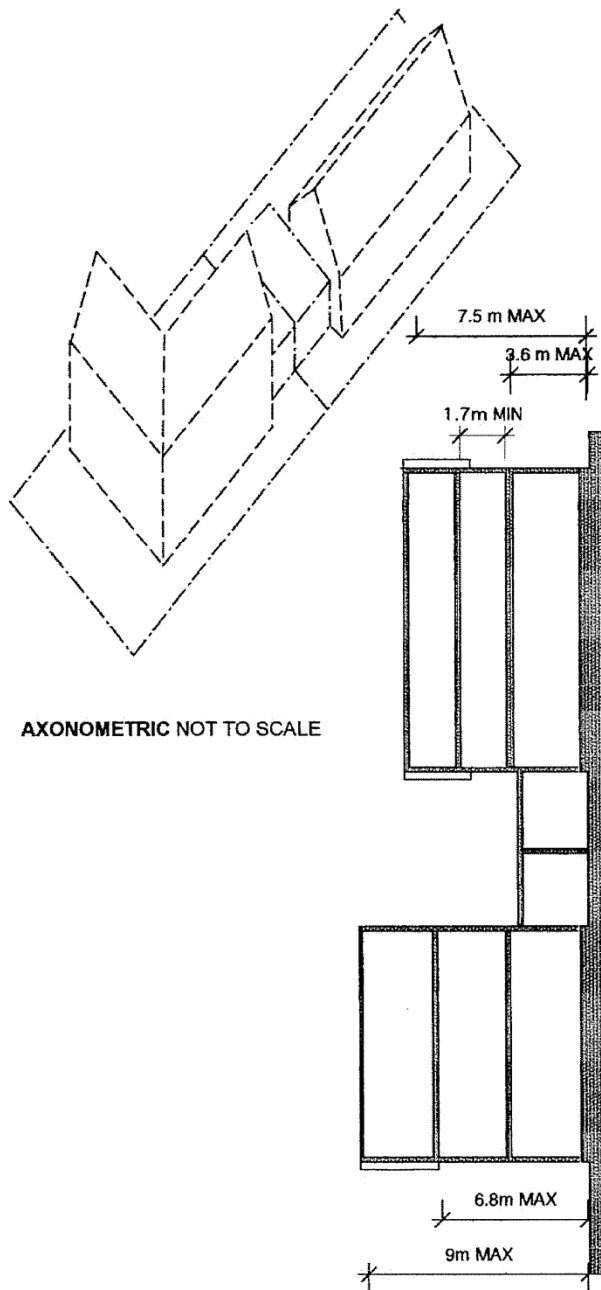


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DUAL OCCUPANCY DCP

2 STOREY, ATTACHED

4



Option No.: 5

Maximum No. Dwellings: 2

Minimum Site Area: **630 sqm**

Minimum Site Area in FSPA: **1000 sqm**

Minimum Allotment Width: **15m**

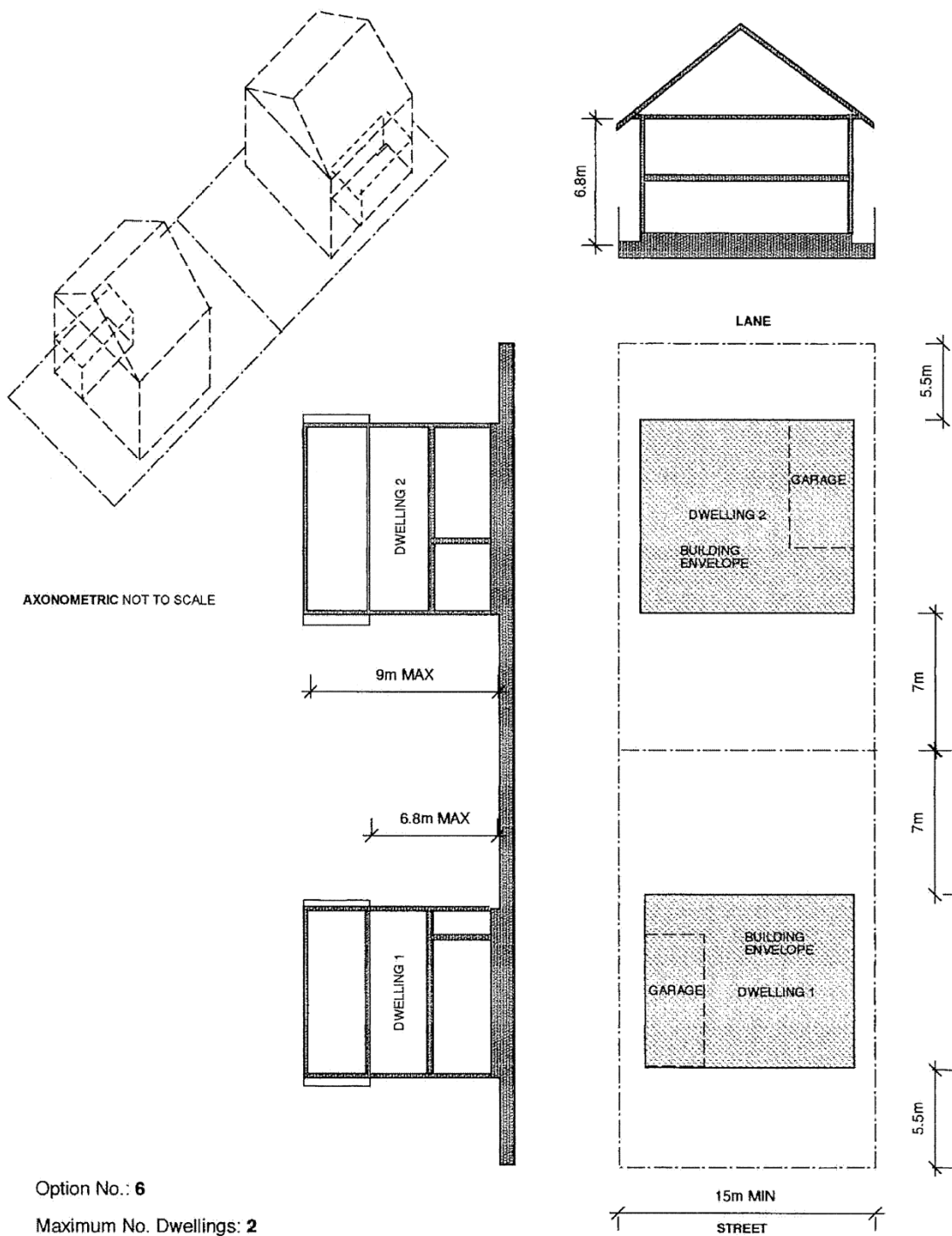
Minimum Side Setback: **1.2m + 1.5m(FSPA)**

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DUAL OCCUPANCY DCP

2 STOREY - CORNER SITE

5



Option No.: 6

Maximum No. Dwellings: 2

Minimum Site Area: 630 sqm

Minimum Site Area in FSPA: 1000 sqm

Minimum Street Frontage: 15m

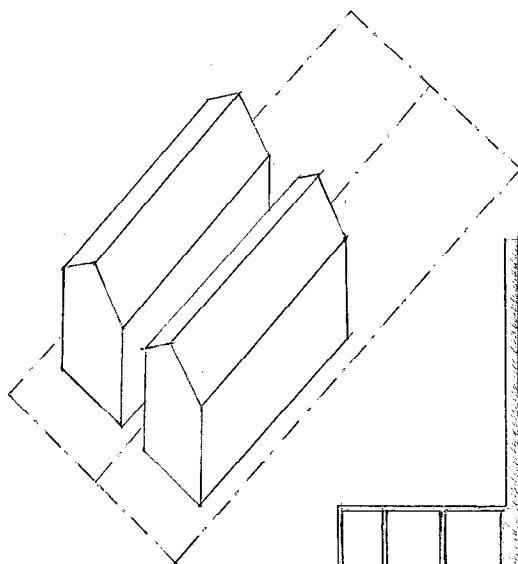
Minimum Side Setback: 1.2m + 1.5m(FSPA)

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DUAL OCCUPANCY DCP

2 STOREY DUAL STREET FRONTAGE

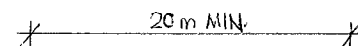
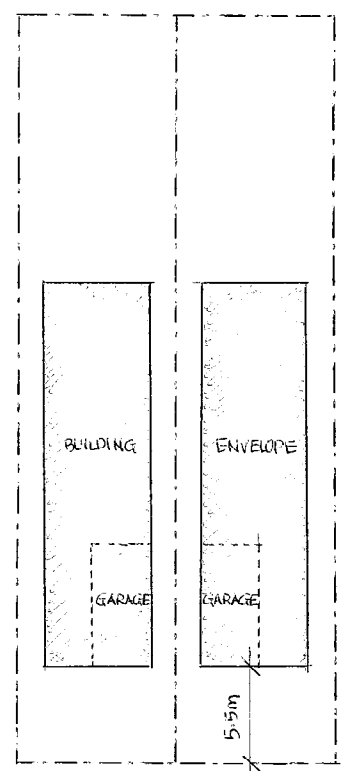
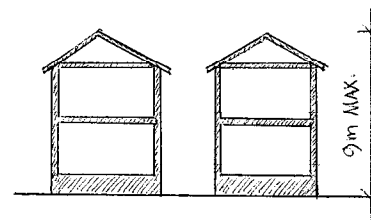
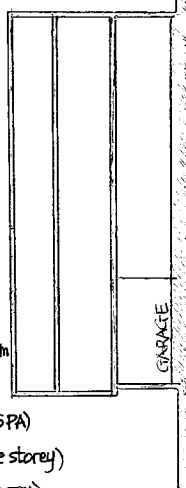
6



AXONOMETRIC NOT TO SCALE

OPTION No. 7

- Maximum No Dwellings : 2
- Minimum Site Area; 630 sqm
- Minimum Site Area in FSPA; 1000 sqm
- Minimum Allotment Width; 20m
- Minimum Side Setback; 1.2m + 1.5m (FSPA)
- Minimum Rear Setback; 7.0 m (Single storey)
9.0m (2 storey)

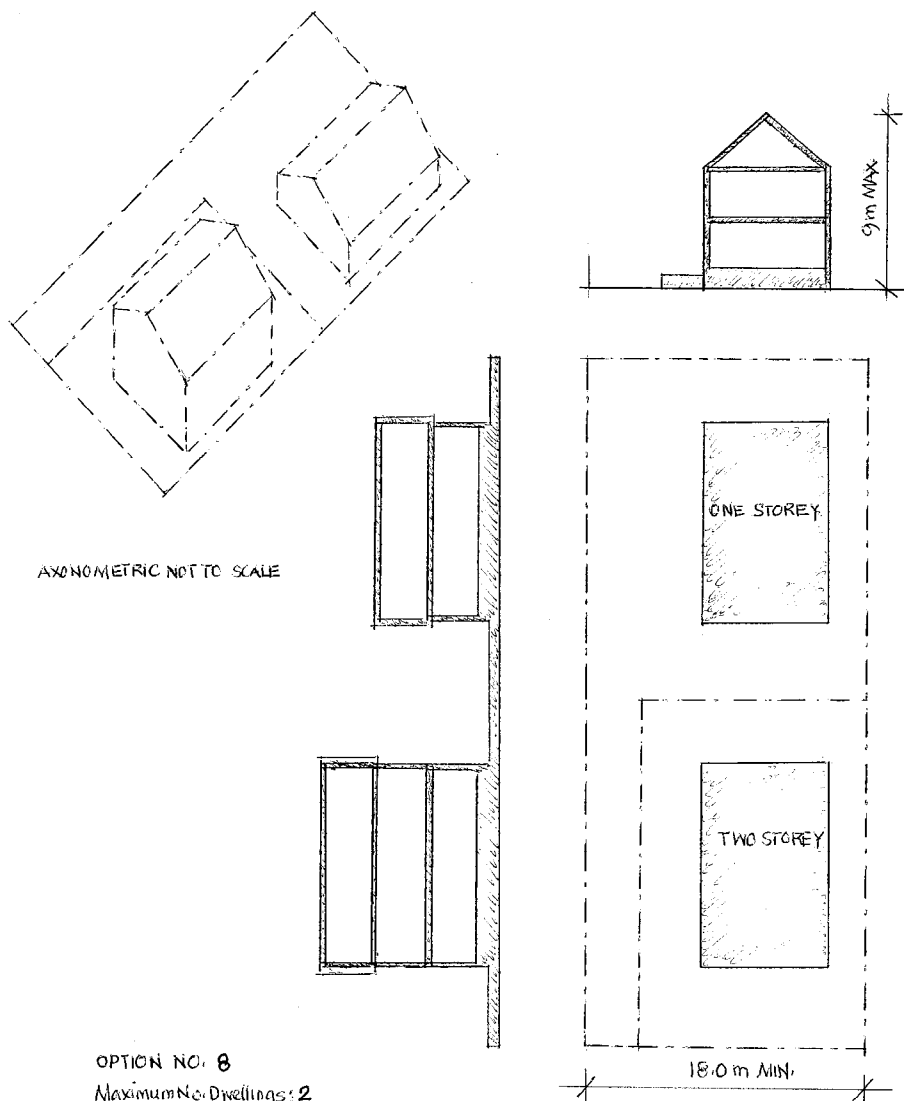


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DUAL OCCUPANCY DCP

2 STOREY DETACHED SIDE BY SIDE

7



OPTION NO. 8

Maximum No. Dwellings: 2

Minimum Site Area: 630 sqm.

Minimum Site Area in FSPA: 1000 sqm

Minimum Allotment Width: 18m

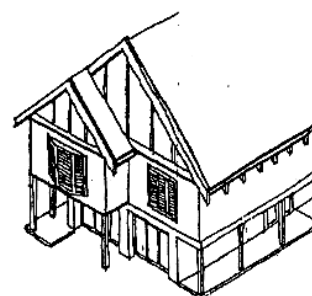
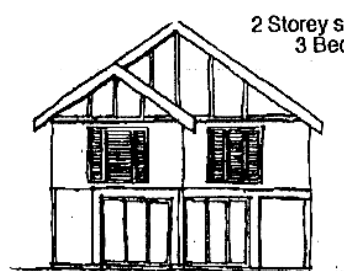
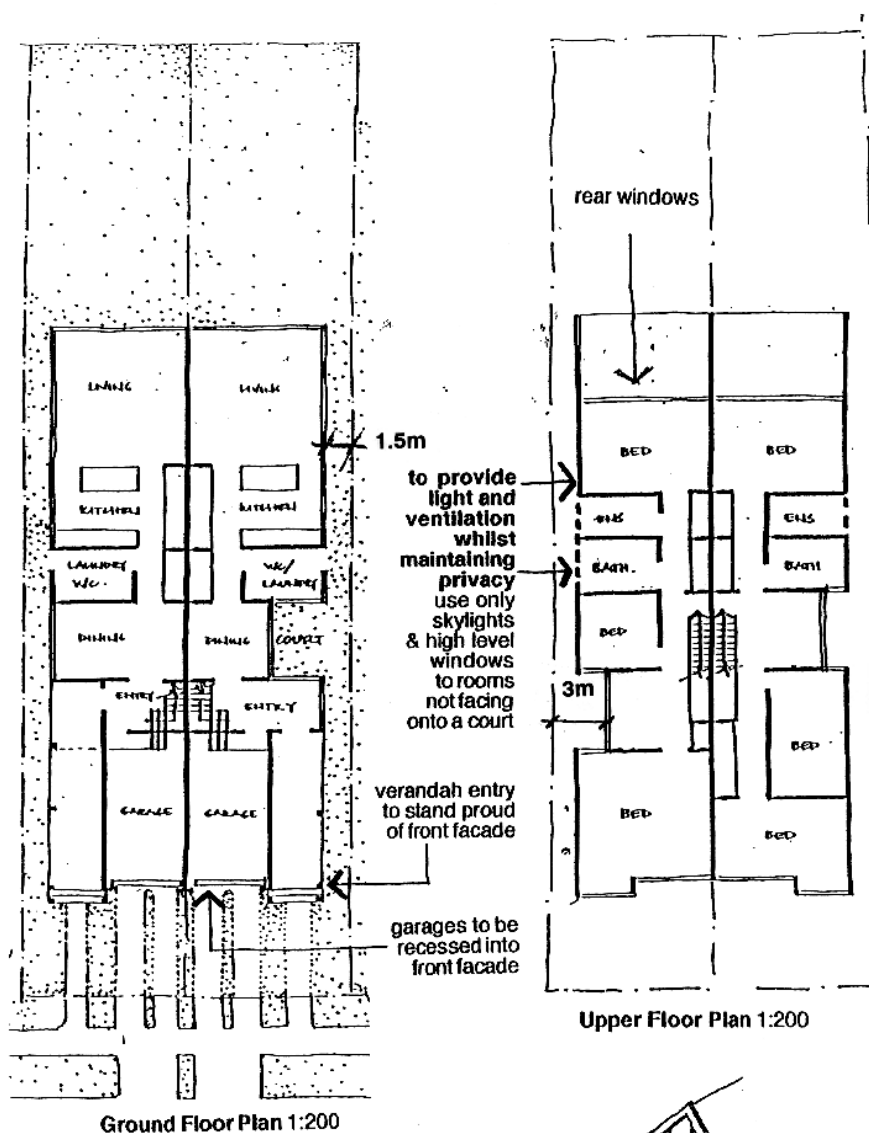
Minimum Side Setback: 1.2m + 1.5m (FSPA) 1 & 2 STOREY FRONT AND BACK

HURSTVILLE CITY COUNCIL
DUAL OCCUPANCY DCP

8

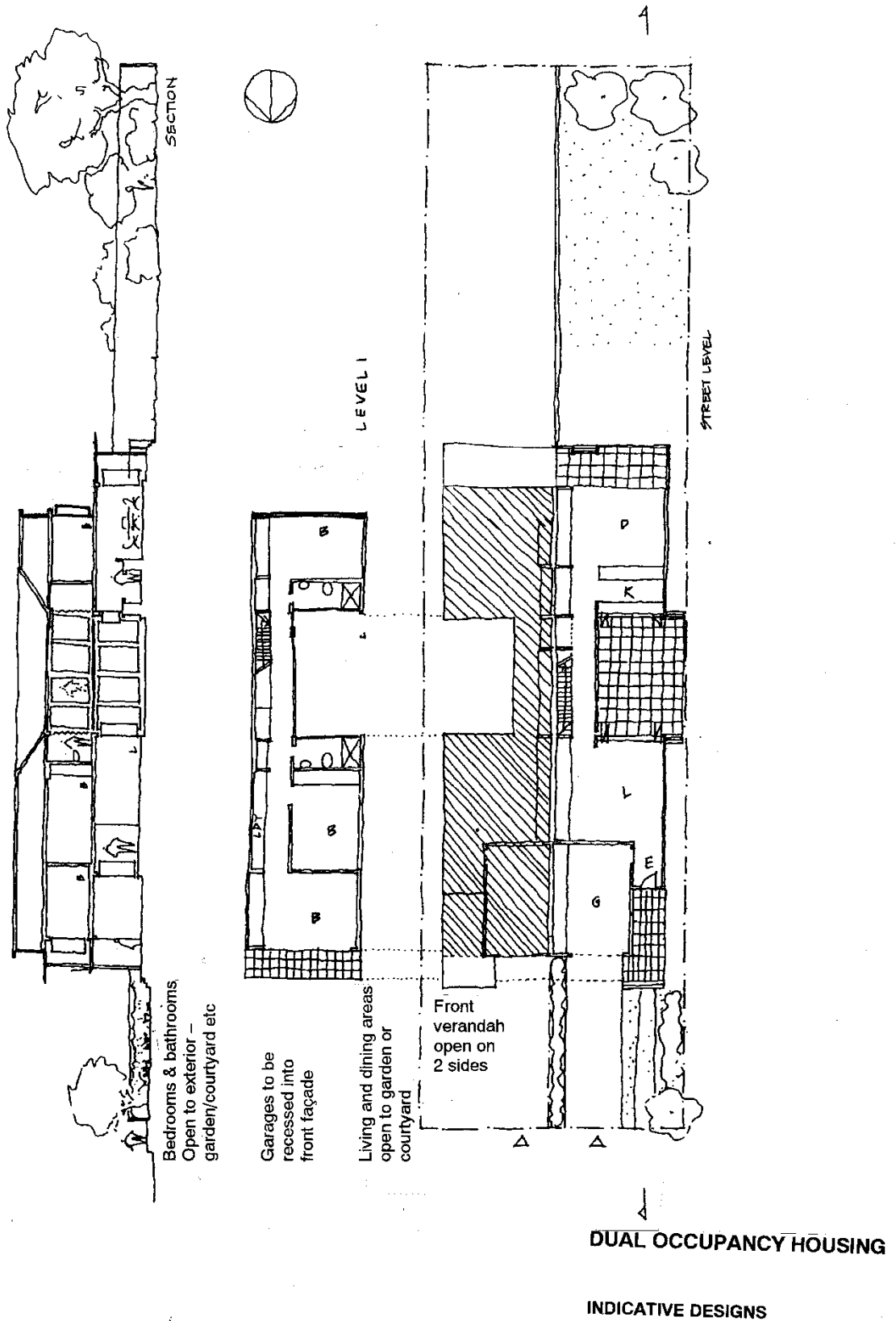
4.2.15 Architectural Design Solutions

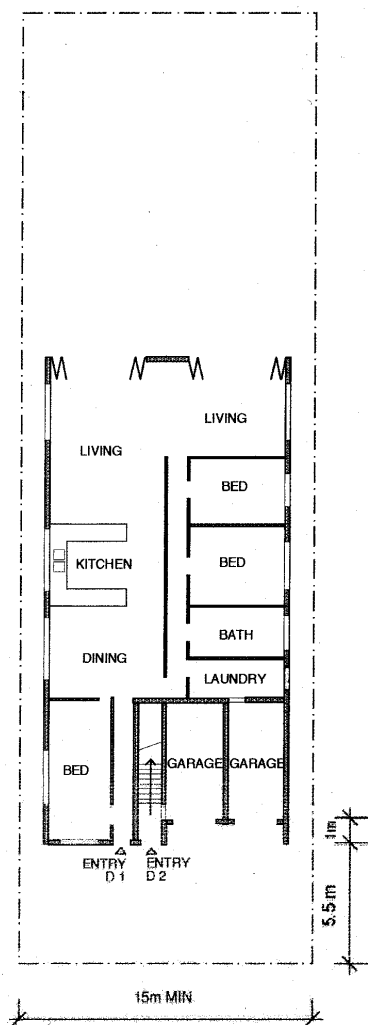
The following illustrations indicate appropriate architectural possibilities for dual occupancy housing in various circumstances. They may not be the only or necessarily the best solution for a particular site. Site responsive and innovative design is encouraged.



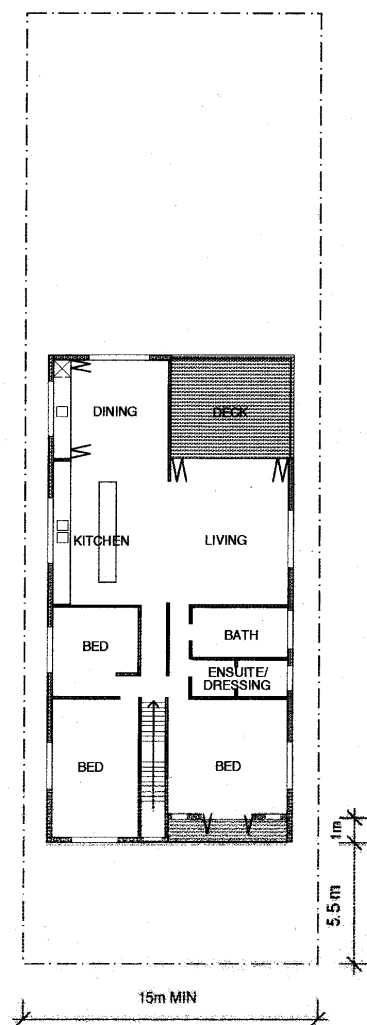
DUAL OCCUPANCY HOUSING

INDICATIVE DESIGNS





DWELLING 1
GROUND FLOOR PLAN

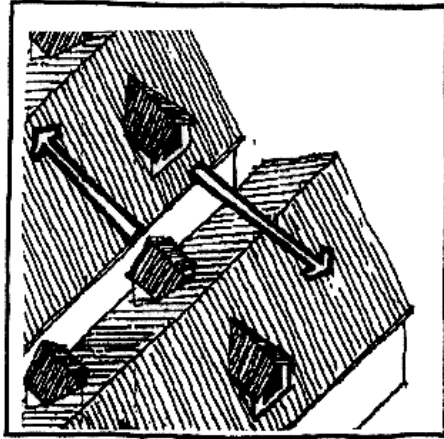


DWELLING 2
FIRST FLOOR PLAN

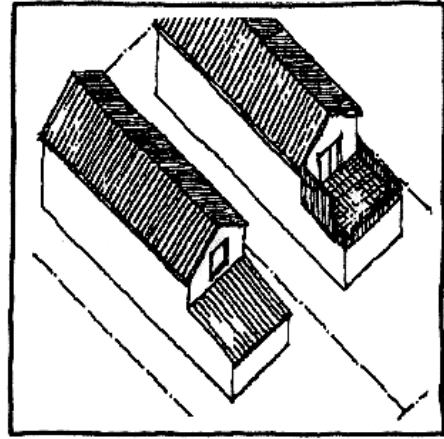
HURSTVILLE CITY COUNCIL

DUAL OCCUPANCY DCP
2 STOREY, DUPLEX
INDICATIVE FLOOR PLANS

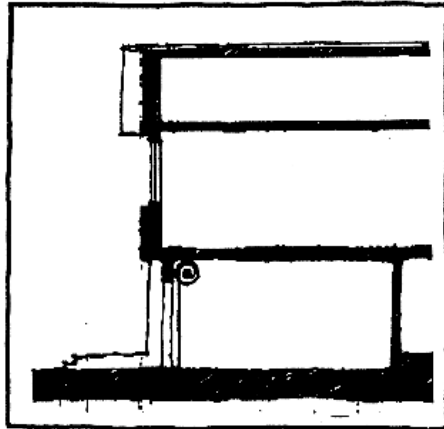
4



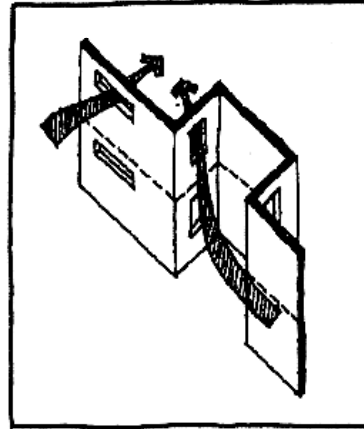
OFFSET DORMER WINDOWS FROM NEIGHBOURING WINDOWS TO AVOID OVERLOOKING.



SET THE SECOND STOREY BACK FROM THE REAR OF THE BUILDING TO MINIMISE OVERSHADOWING.



RECESS GARAGES INTO THE FRONT FACADE. SET PORCHES 300mm PROUD OF THE FRONT FACADE.

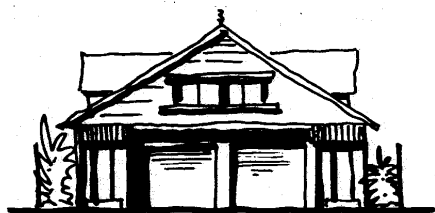


CREATE COURTYARDS TO PROVIDE LIGHT AND VENTILATION WHILST MAINTAINING PRIVACY, OR USE HIGH LEVEL WINDOWS TO ROOMS NOT FACING ONTO A COURT.

DUAL OCCUPANCY HOUSING DESIGN GUIDELINES



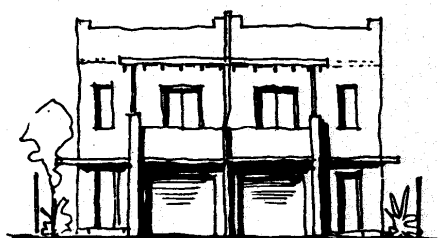
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HURSTVILLE CITY COUNCIL

DUAL OCCUPANCY DCP
TYPICAL ELEVATIONS

4.3 Multiple Dwellings & Residential Flat Buildings

This section applies to:

- **'Multiple Dwellings'** which includes *'attached dwellings'* and *'multi dwelling housing'*.
- **'residential flat buildings;'**

as defined under Hurstville LEP 2012.

Please refer to section 4.2 for all requirements relating to dual occupancy.

4.3.1 Introduction

4.3.1.1 How to Use Section

This Section applies to all Residential zoned land within the City of Hurstville.

The Section has three parts:

- Introduction
- General Development Controls
- Site Specific Building Envelopes

Refer to Council's website for information required to be lodged with the development application.

4.3.1.2 Purposes of This Section

The Section applies to attached dwellings, multi dwelling housing and residential flat buildings. This plan aims to:

- Encourage the provision of a variety of dwelling types and residential environments in response to the growing number of smaller and more diverse households.
- To promote high design standards which respect the character of existing neighbourhoods and minimise loss of amenity to adjacent residents.
- To maximise the yield of multi-dwelling development in a way which is sensitive to the surroundings.
- To clarify the requirements relating to development and provide more certain outcomes for both applicants and community.
- To complement housing development with other Council initiatives such as the Street Tree Strategy and Local Area Traffic Management.
- To protect environmental integrity.

- To encourage solar design of residential developments.
- To require and maintain high quality landscaped areas.

4.3.1.3 Metropolitan Location



Hurstville is a Local Government area located to the South of Sydney covers an area of 23 square kilometres.

The Local Government area includes the suburbs of Beverly Hills, Hurstville, Kingsgrove, Lugarno, Mortdale, Narwee, Oatley, Peakhurst, Peakhurst Heights, Penhurst and Riverwood; these are shown on the map above.

The Local Government area has a variety of housing characters. The landscape consists of gentle slopes with an urban character except near the Georges River foreshore where the terrain changes to steep slopes with a high degree of vegetation cover. The landscape therefore comprises areas with a very urban nature and areas of high natural environmental sensitivity.

The area contains the regional centre of Hurstville which is its largest commercial centre. The area in general has a high degree of access to public transport because of the East Hills and Illawarra railway lines and an extensive network of bus routes.

4.3.1.4 A Brief Historical Perspective

Settlement Patterns

The Hurstville area was first settled in the early 1800s but it was not until the mid to late 1800s that there was a significant increase in population following construction of Forest Road.



Long Streetscape

Hurstville has a diverse character of housing with a range of dwelling styles constructed over the years. The dominant styles reflect the periods of major expansion especially from the late 1800s to early this century.

Residential Characteristics

The characteristics of the existing housing play an important role in creating the unique character of Hurstville. It is important that they be taken into account when planning a new development as they are reflected in the standards for this plan.

(i) Street Pattern and Streetscape

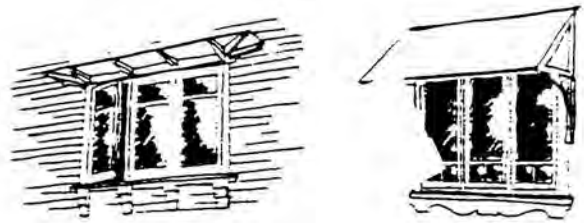
The general street pattern is based on a grid pattern of rectangles or diagonals in the older areas like Hurstville, Mortdale, Penshurst, Kingsgrove and Riverwood. Newer areas like Lugarno have a different character with a curved pattern of streets and cul-de-sac.

Streetscapes therefore vary from long straight roads on gentle slopes creating long views of free standing gabled cottages to the curved, highly vegetated and, at times, steeply sloping streetscapes in the areas of Lugarno and Oatley.

(ii) Height and Style

The dominant residential style is the single storey detached cottage dating from the expansion of the late 1800s and early 1900s. Newer housing is much larger and often has a two storey height such as is found in Lugarno.

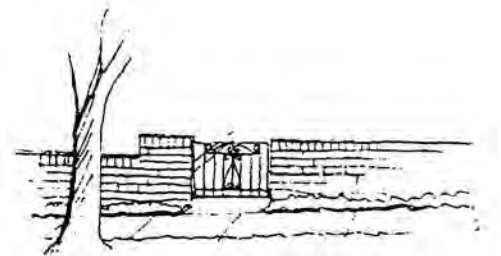
Areas close to the Illawarra railway line are dominated by blocks of flats constructed over the last 20-30 years. These are generally between 2-4 levels in height.



Window Hoods

(iii) Roofs

The typical roof form in the older areas has a pitch of 30° with Terracotta tile being the main form of roofing material. The main characteristic is the use of at least one and usually two gables fronting the street. These gables are used in most of the styles whether they be Victorian, Edwardian or Federation.



Fences

Houses since the 1960s have tended to have a roof form with hips and a much lower pitch of around 20°.

(iv) Windows

Windows in the older areas generally have a vertical proportion of about 3:1 for individual panes and are usually of the sash type.

Use of hoods over windows is quite common and provides good sun protection in situations where they are no overhanging eaves.

More recent houses have tended to use aluminium sliding windows with horizontal orientation.



Gables Fronting the Street

(v) Fences

The main fencing form in the older areas is a low brick wall which clearly shows the property boundary while still allowing views into gardens and a relationship with the street.

4.3.2 General Development Controls

4.3.2.1 Site Planning

Site Planning is a critical part of residential design. To conform to the requirements of The Plan, a satisfactory site plan must be prepared. Consultation with the Council is encouraged once a site plan has been prepared in order to clarify requirements and to save both time and expense with preparing applications.

Objective

Site planning aims to maximise the attributes of a site while establishing a good relationship between buildings on a site and with neighbouring property and buildings

Planning Controls

i) Minimum Size of Allotments and Site Amalgamations

Attached Dwellings and Multi-unit Dwellings are not permitted on any land having a street frontage and general width of less than 15 metres.

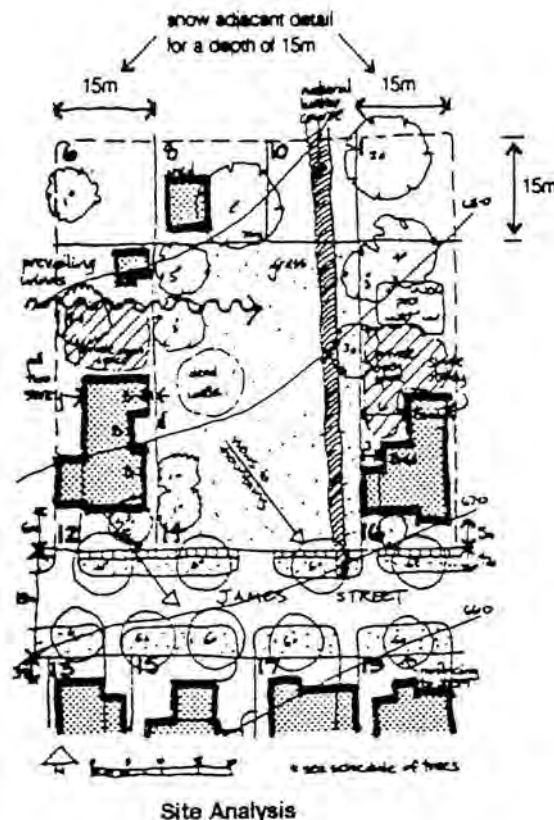
The minimum street frontage and general width for Residential Flat Buildings is 24 metres.

Minimum street frontage and general width may be reduced in circumstances where there is an 'isolated site' as defined by this DCP.

Consent for residential flat buildings must not be granted if a proposed development will result in the isolation of an adjoining site by preventing the adjoining site from being development in accordance with Council's controls.

i)(a) Residential Densities

Residential density controls apply to land zoned R2 Low Density Residential under Hurstville LEP 2012. Land zoned R2 Low



Density Residential is shown on the Land Zoning Map of Hurstville LEP 2012. The density control is expressed as the amount of site area required for each dwelling regardless of its size or the number of bedrooms provided.

For land zoned R2 Low Density Residential under Hurstville LEP 2012, 315 square metres of site area is required per dwelling.

ii) Relationships with Open Space

Good site planning must emphasise the relationship of the dwelling with open space which is provided either on site or close to the site. This will achieve not only better usage of external space, but also an improved environment of spaciousness, especially for dwellings at higher densities.

iii) Existing Landscape

The site planning must take into account existing trees, vegetation and topography, and, where appropriate, provide for their retention. Certain parts of Hurstville have a very significant extent of tree cover and a very vegetated aspect. Site planning must take this character into consideration and ensure its retention.

iv) Solar Access

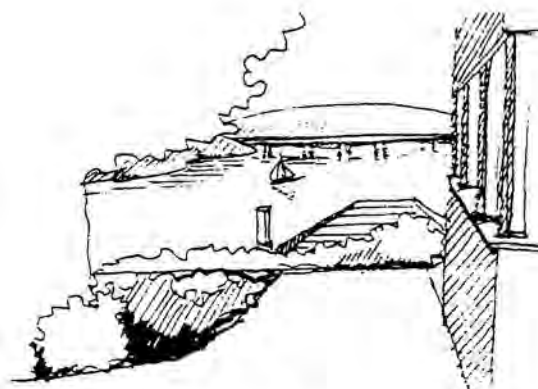
Site planning should ensure sunlight penetration into a building by providing an unshaded northern elevation and a protected western elevation. Adjoining properties must be capable of receiving not less than three hours of sunshine during midwinter. When planning the location of a new dwelling or addition, the amount of overshadowing from buildings on adjacent sites must be taken into consideration and kept to a minimum.

v) Privacy and Views

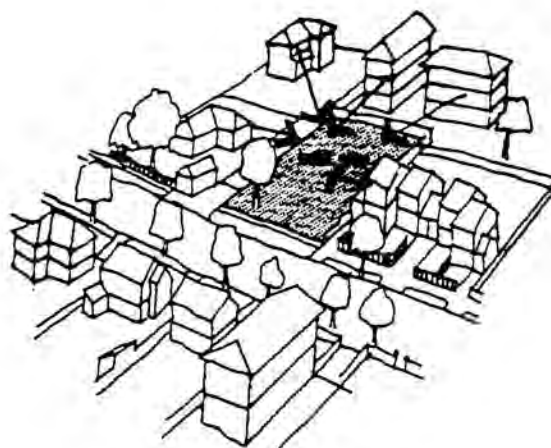
Site planning must take into account any adverse privacy and overlooking impacts of a development on neighbouring properties and

Note:

This density control does not apply to a lot identified as 'K' in the Lot Size Map under the Hurstville LEP 2012. In accordance with Clause 4.1A(3) of Hurstville LEP 2012 an area of at least 500 square metres is required for each dwelling within a multi dwelling housing development on a lot identified as 'K'.



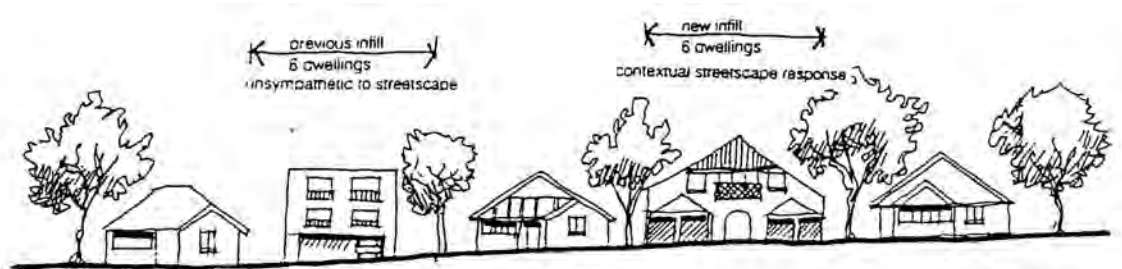
Water Glimpses



Privacy and Views

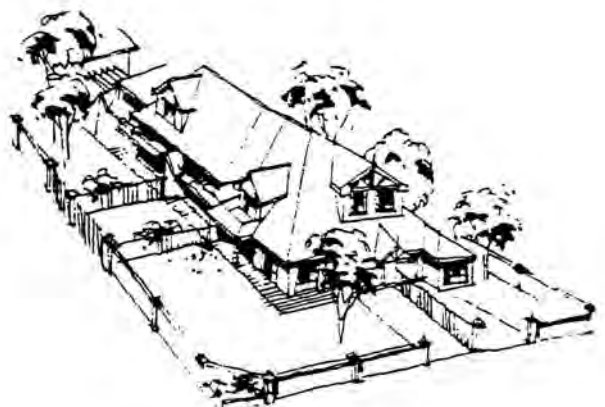
these should be avoided by employing suitable design measures.

Good views out of a site can increase the feeling of spaciousness, particularly in areas of high density dwellings. These should be used to advantage.



vi) Corner Sites

Where development occurs on corner sites, an opportunity exists to use the development to 'turn the corner' and provide a frontage to both streets. This can reduce the scale of the development and provide a better relationship with the street as a blank wall will not be presented to one of the streets. In other situations a corner site may be used to make a statement of entry into the street by an increased scale. Applicants should consult with the Council regarding appropriate treatment of the streets.



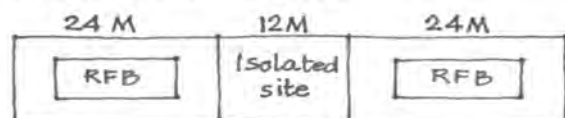
Corner Sites

vii) Isolated Sites

Isolated sites are those that have been physically built out and cannot comply with the frontage requirements for redevelopment because the adjoining sites have already been developed at or near the maximum potential allowed in the zone. Sites are not 'isolated sites' if they have the future potential to amalgamate with an adjoining property to create a lot of sufficient size to allow redevelopment. A rejected offer to the neighbour to purchase or jointly develop sites will not result in an isolated site.

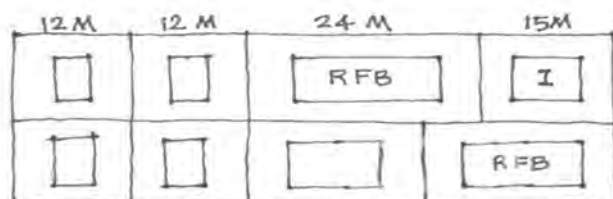
EXAMPLES OF ISOLATED SITES

ISOLATED SITES



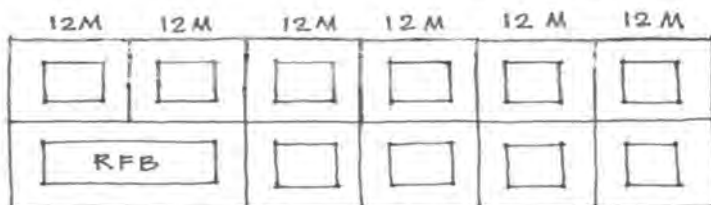
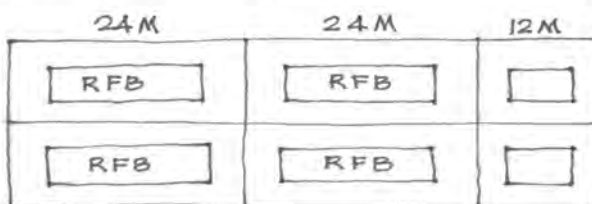
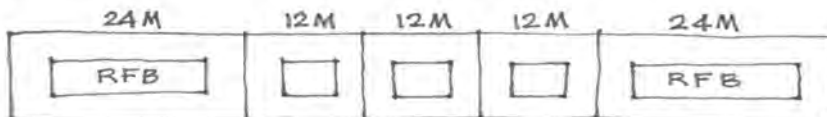
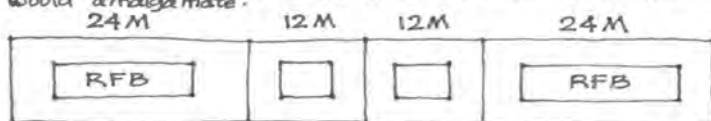
ISOLATED CORNER SITES

Proposed RFB can orientate to the side street frontage provided it complies with new objectives & controls for isolated sites & demonstrates that it is designed to meet objectives related to privacy/overshadowing, landscaped areas, etc.



NOT ISOLATED SITES

2 sites can combine to create a complying site to build a RFB provided reasonable efforts have been made to amalgamate with the potentially isolated site (as per Council principles). One site cannot claim to develop as an isolated site because it will leave a complying site as there is future potential that all said sites would amalgamate.



NOTE

RFB : Residential Flat Building
I : Isolated Site

4.3.2.2 Streetscape

Objective

The objective is to create attractive streetscapes which reinforce the functions of a street, enhance the amenity of buildings, and complement the surrounding built form, landscaping and environmental conditions of the locality.

i) Local Character, Height and Scale

The style of new buildings should reflect the buildings around them. This would include the size and spacing of neighbouring buildings and the way in which they relate to the street. The type of landscaping and use of sympathetic materials, colours and proportions of features such as roof forms and windows is also important.

Building height must be compatible with existing buildings on neighbouring properties, including at the public street frontage.

ii) Streetscape

Buildings, fences, roof forms, materials and detailing should relate to existing buildings in the locality.

4.3.2.3 Building Form and Style

Objective

The objective is to create attractive streetscapes which reinforce the functions of a street, enhance the amenity of buildings, and complement the surrounding built form, landscaping and environmental conditions of the locality.

DESIGN IN CONTEXT



Key characteristics of existing buildings can be interpreted and incorporated into the new building

i) Building Envelope

The controls outlined in Section 4.3.2 of The Plan provide a maximum building envelope for development sites in all areas.

The purpose of the building envelopes is to ensure adequate boundary setbacks and to minimise building heights so that objectives related to privacy, overshadowing, landscaping and streetscape can be achieved.

ii) Roofs

Roofs should be constructed with a pitch of between 22° and 35°. A roof form provided a varied shape with hips, gables or other forms is encouraged. Where appropriate, the use of dormer windows, verandahs, balconies or other architectural elements may be used. Dormer windows should have an internal width of no greater than 2m. The roof form should also mark the entrance to a building by the use of a porch, portico or similar element. Where attics are proposed, the maximum roof pitch may be increased to 45°.

iii) Materials and Colours

Materials can play a large part in determining whether a new building blends in or stands out from its surroundings. The predominant colours and forms must therefore be taken into consideration.

iv) Walls

Walls facing streets should be varied in keeping with the character of the location. Variation can be achieved by the use of bay windows, verandahs, balconies or wall offsets. Buildings must have a maximum straight length of 6m to the street frontage.

v) Storeys

In the R2 Low Density Residential zone, the maximum number of storeys is limited to 2 at the street frontage and 1 at the rear of sites.

In the R3 Medium Density Residential zone, the maximum number of habitable storeys is 3.

vi) Rear of Site

The rear of the site is defined as the portion of the site containing the rear most dwelling in a multiple dwelling development.

vii) Battleaxe Allotments

Medium density housing proposals which are accommodated on battleaxe allotments are affected by the same building envelope as that which applies to the rear portion of the site as defined in the clause above of this section. The maximum height of a building is therefore, not to exceed 6 metres with a maximum perpendicular height on all boundaries to be 1.5 metres. The objective of applying this building envelope to battleaxe allotments is to reduce the overlooking and overshadowing of adjoining residential properties.

4.3.2.4 Building Height and Form

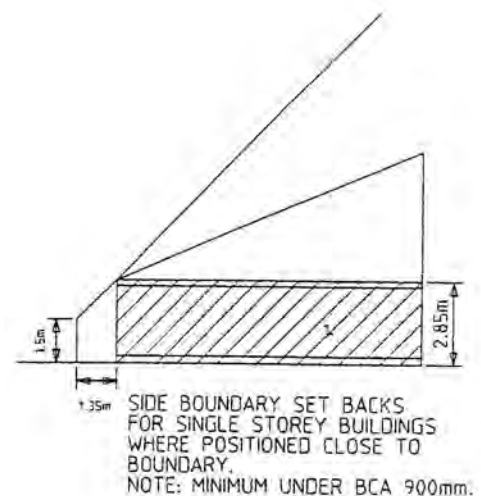
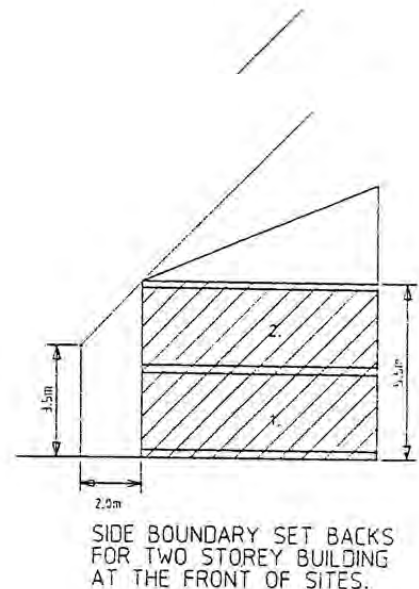
Objective

To ensure new development is compatible with the existing in bulk and scale, the control of dwelling height and form will be achieved by the use of a building envelope which controls the building height, side and rear setbacks.

Planning Controls

Attached Dwellings and Multiple Dwelling Housing

A building envelope has been prescribed in which planes are projected at 45° from a height of 3.5m for a two storey portion of the site and 1.5m for the single storey portion,



above natural ground level at the side and rear boundaries to a maximum height of 9m at the front of sites and 6m maximum at the rear. For sites with narrow frontages, the two storey section of the proposal can be setback up to a minimum of 1.5m from the side boundaries. This will allow adequate vehicular access to the site down one side. On larger sites the 45° height plane should be used.

The natural ground level shall not be excavated more than 0.5m for the finished ground floor level in order that a building can conform with the building envelope.

The maximum excavation for any building's finished ground floor level with direct orientation to a public thoroughfare shall be 0.5m below natural ground level.

Buildings at the street frontage are permitted to be a maximum of two storeys. Any dwelling at the rear of a site must not have more than one storey.

The development shall comply with the envelope control and the **only** projections permitted beyond the envelope will be for eaves and gutters to a maximum distance of 450mm.

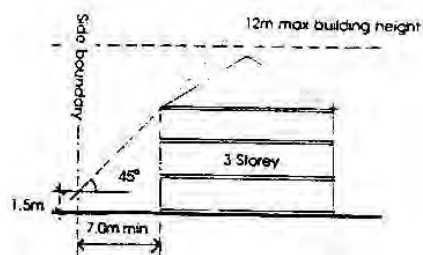
Residential Flat Buildings

The building envelope defines planes projected at 45° from a height of 1.5m above natural ground level at the boundaries to a maximum height of 12m.

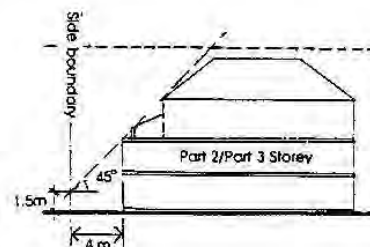
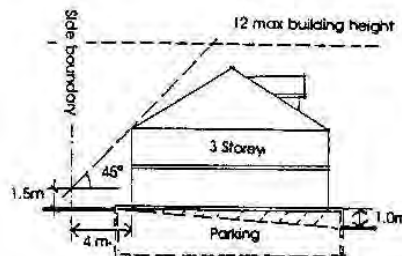
No projections of any form shall be permitted outside the building envelope.

The natural ground level shall not be excavated more than 0.5m for the finished ground floor level, in order that a building can conform with the building envelope.

The maximum excavation for any building's finished ground floor level with direct



OR



orientation to a public thoroughfare shall be 0.5m below natural ground level.

4.3.2.5 Building Setbacks

Objective

Setbacks define a building line from the front, side and rear boundaries of a property. The objective of these setbacks is to provide adequate space for landscaping, visual and acoustic privacy, sunlight penetration, safety requirements and for the establishment of an attractive streetscape.

Controls

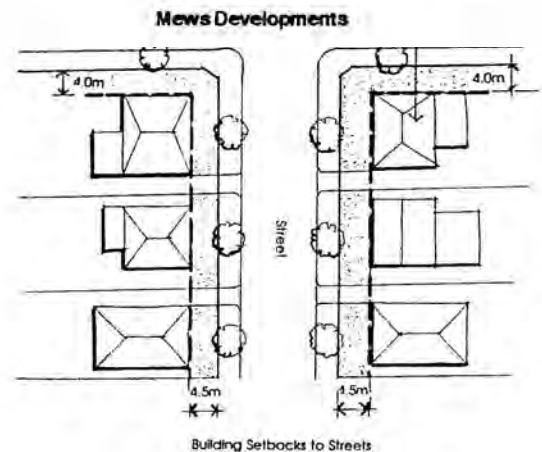
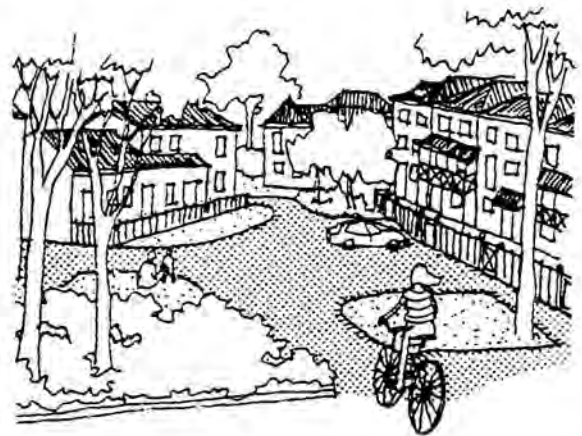
Setbacks from any street boundary will largely be determined by the character of the street and the setbacks of existing buildings. The minimum front boundary setback for Multi-Unit Dwellings and Attached Dwellings shall be determined by the existing streetscape and general building alignments with a minimum of 4.5m.

Setbacks from any street boundary for 'isolated sites' may be varied (eg. for corner sites and irregular shaped lots) based on a merit assessment of the proposal and impacts on adjoining properties (eg overshadowing, overlooking/privacy) and open space/landscape area. Setbacks for 'isolated sites' will largely be determined by the character of the street and existing building setbacks.

The minimum front boundary setback for Residential Flat Buildings shall be 6m.

On corner sites, setbacks from the secondary street frontage of 4m for Multi-Unit Dwellings and Attached Dwellings and 6m for Residential Flat Buildings is required.

Side boundary setbacks are determined by the building envelope controls in this chapter. .



On sites fronting designated State Roads a minimum setback of 6m is required.

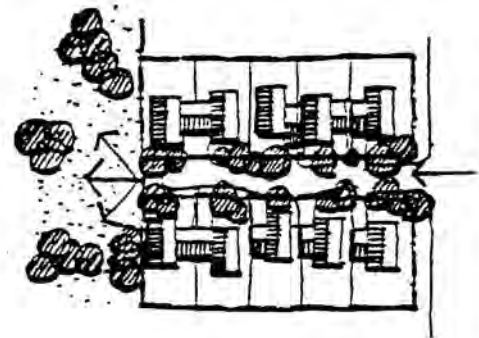
The minimum rear boundary setback for all multi-unit dwellings and attached dwellings will be determined by the building envelope controls. The minimum rear boundary setback for Residential Flat Building shall be 6m.

Where a Mews type development is proposed with dwellings frontage a public accessway, consideration will be given to a reduction in the street and rear and side setback provided.

Projections permitted within setback areas for Multi-Unit Dwellings and Attached Dwellings include roof eaves, sunhoods, gutters, downpipes, security light fittings, electricity and gas meters, and aerals which may project up to 450mm from a setback building line.

Balconies for Residential Flat Building shall not be permitted to project into the side setback areas but may project up to 1.0m into the front and rear setback areas.

Walls without windows may be built to side and rear boundaries where dispensation from building regulations is granted. This can be done by making an appropriate application to Council. The minimum separation between balconies and/or windows of new dwellings within any development shall be 5 metres.



4.3.2.6 Car Parking and Access

Car parking is to be provided (per dwelling) as follows:

Multi-Unit Dwellings and Attached Dwellings : one space per 1 or 2 bedrooms and 2 spaces for 3+ bedrooms.

Residential Flat Buildings : one space per 1 or 2 bedroom unit and 2 spaces for 3+ bedroom unit (stacked parking is acceptable).

Visitor parking (Multi-Unit Dwellings, Attached Dwellings and residential flat buildings) for developments of 4 dwellings or more: one space per 4 dwellings or part thereof.

Refer to Section 3.1 – Car Parking for additional requirements relating to car parking and access. In addition to Section 3.1 the following requirements apply:

Driveways

Shared driveways, access lanes and carparks must be setback a minimum of 1.5m from windows to main habitable rooms of dwellings. This standard does not apply if the floor level of the dwelling is at least 1m above the driveway.

Driveways, access lanes and carparking spaces must not occupy more than 40% of the frontage where the total site frontage to the street is 20m or less; or more than 33% of the frontage where the total site frontage to street is greater than 20m. The alignment of long driveways and access lanes must be varied to provide visual interest.



Street Elevation

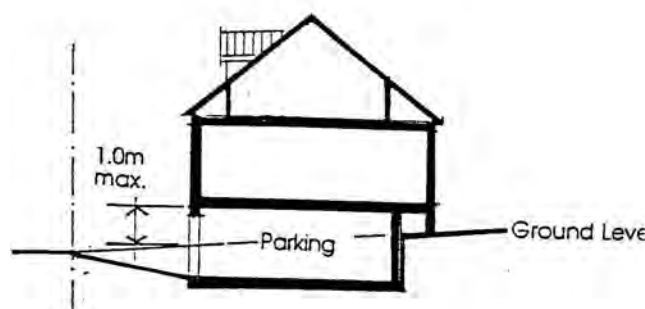
Garages and Carports

Garages and carports fronting a street setback must be behind the alignment of the front façade of a dwelling, or the predetermined setback to the street boundary, whichever is the greater.

Garages and carports must not visually dominate the street façade and must be compatible with the building design.

Basement Parking

The use of basement parking is encouraged, however, no part of a basement should extend more than 1m above natural ground level. A key aspect of this requirement is that basement parking must not unnecessarily nor unreasonably elevate a dwelling so that privacy between adjoining sites is maintained.



It is also important that only the basement parking entry should be seen as a separate level in a building. Large exposed foundations, voids and walls are not to be used. Details of the proposed method of ventilation re required to be submitted. Where mechanical ventilation is proposed this is to include details of the motor room and exhaust shaft.

4.3.2.7 Privacy

Objective

Proposed buildings must protect the visual and acoustic privacy of residents in nearby buildings and their private open space. New development must be designed to minimise loss of visual and acoustic privacy to new dwellings within the development. Screening or separation must be used to ensure that windows, balconies, terraces, stairs, landings, or other private or communal spaces do not unreasonably overlook the private open space of an adjacent dwelling.

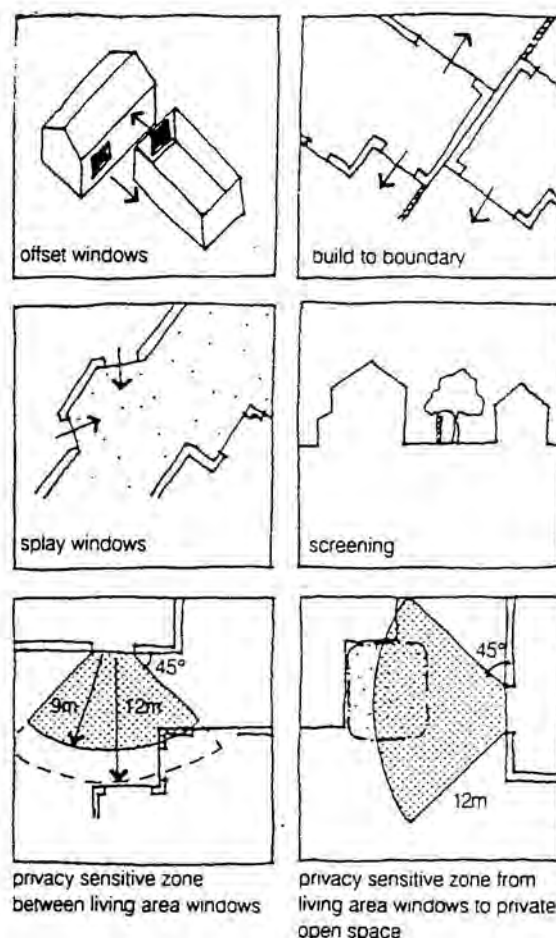
Standards

Habitable room windows of a new development with a direct outlook within 9m of the habitable room windows of an adjacent dwelling must:

- Be offset by a minimum of 1m from the edge of the opposite window; or
- Be screened or oriented to ensure the visual privacy.

For acoustic privacy, windows of adjacent dwellings must be separated by a distance of at least 3m. This can be achieved with an offset.

Site layout must separate active recreational areas, parking areas, vehicle accessways and service equipment areas from bedroom areas of adjoining dwellings.



Minimise direct views or screen where they cannot be avoided

Dwellings must be designed so that the internal noise level from outside sources does not exceed the parameters set out in the EPA website on www.epa.nsw.gov.au. Council may require any applicant to provide a report by a qualified acoustic engineer where noise is identified as a likely problem, such as:

- Adjoining a railway line.
- Fronting Arterial or State Roads. Or
- Under the Airport flightpath.

For additional provisions relating to noise and vibration where the site is in close proximity to a busy road or railway line, refer to State Environmental Planning Policy (Infrastructure) 2007 and the "Development Near Rail Corridors and Busy Roads - Interim Guideline".

New development must be designed to minimise loss of views for adjoining or adjacent properties while still providing views from the development itself.

4.3.2.8 Solar Design and Energy Efficiency

Objective

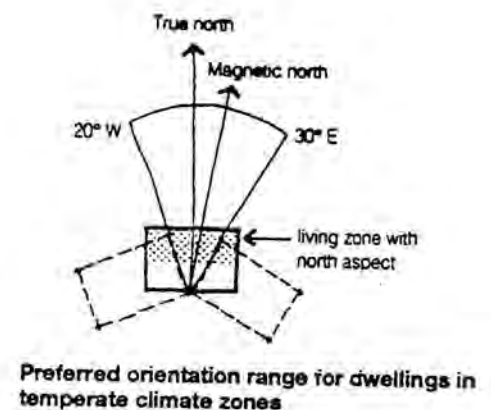
Energy efficient housing design will assist in developing ecologically sustainable residential environments, reducing household use of fossil fuels and encouraging the use of renewable energy.

The objective is also to provide dwellings with adequate daylight to habitable rooms and adequate sunlight to private open spaces.

Controls

Application must comply with Section 3.5 Energy Efficiency of this DCP and BASIX Requirements.

The design of buildings should minimise the overshadowing of neighbouring private open spaces or windows to habitable rooms.



Rooms generally used during the daytime should be capable of receiving adequate sunlight.

Dwellings should be sited so that the northern façade of the dwellings will receive the maximum amount of sunshine in winter.

New buildings should not unreasonably obscure sunlight to habitable rooms, solar collectors or open space of adjoining development during the winter months.

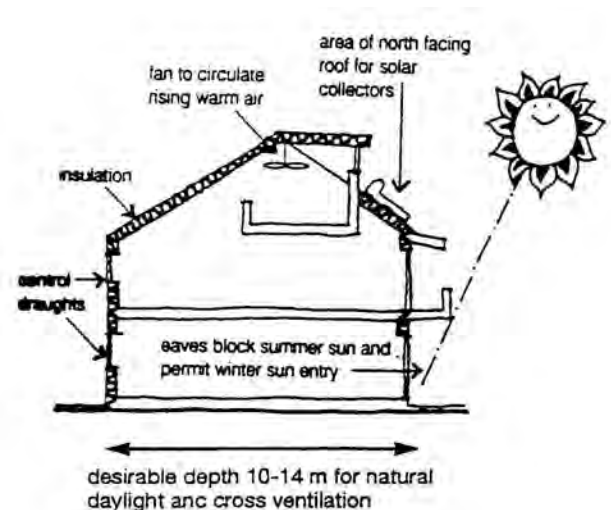
Unless site conditions dictate otherwise (e.g. slope or east/west orientation of sites), buildings should be designed to allow at least 3 hours of sunshine upon the open space areas of adjacent dwellings between 9.00 am and 3.00 pm on 22 June.

Council requires as to prepare shadow diagrams showing the impact of a proposal on adjoining residential buildings and their private open space. Such diagrams must be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development.

Where adjoining development relies on solar access for heating or cooling systems, that access must be preserved.

Buildings are encouraged to incorporate window shading devices where necessary to minimise exposure to direct summer sun. Alternatively, windows may be shaded by the planting of large trees, including deciduous species.

In multi-dwelling developments, the dwellings are encouraged to have a north-facing room capable of being used as a living area.



4.3.2.9 Fences at the Front Boundary

Objective

Fences and walls fronting public space must not have a detrimental or overbearing impact upon the streetscape and adjacent buildings.

Controls

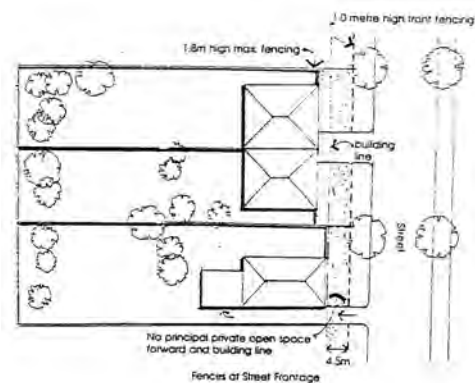
Solid fences and walls fronting public space must be no more than 1m high. The “**principal private open space**” of any new dwelling must not be located forward of the front building line. Where “**private open space**” has a common boundary to public space (e.g. the street), the height of fences may be increased to 1.8m where appropriate, but only if the fence has openings which make it not less than 50% transparent.

The provision of 1.8m high solid front fences and walls must be limited to side boundaries or where the development fronts a major road or railway line. In the latter case, such fences must not exceed 10m in length or 75% of the frontage, whichever is less, and must provide some variation or detailing as required by Section 3.8 Fences adjacent to public roads.

4.3.2.10 Landscape

Objectives

- To create a pleasant and safe living environment that is environmentally responsive.
- To blend new development into the streetscape and neighbourhood.
- To assist in microclimate management and to maximise absorptive landscaped areas for on-site infiltration of stormwater.



Planning Controls

Attached Dwellings and Multiple Dwelling Housing

A minimum of 20% of the site area must be provided as landscaped area.

A minimum of 25% of the site area must be provided as landscaped area for developments in the Foreshore Scenic Protection Area.

An area must have a minimum width of 2m in any direction to be included in the landscape area calculations.

Residential Flat Buildings

All Residential Flat Buildings must provide a minimum of 20% of the total site area as landscaped open space.

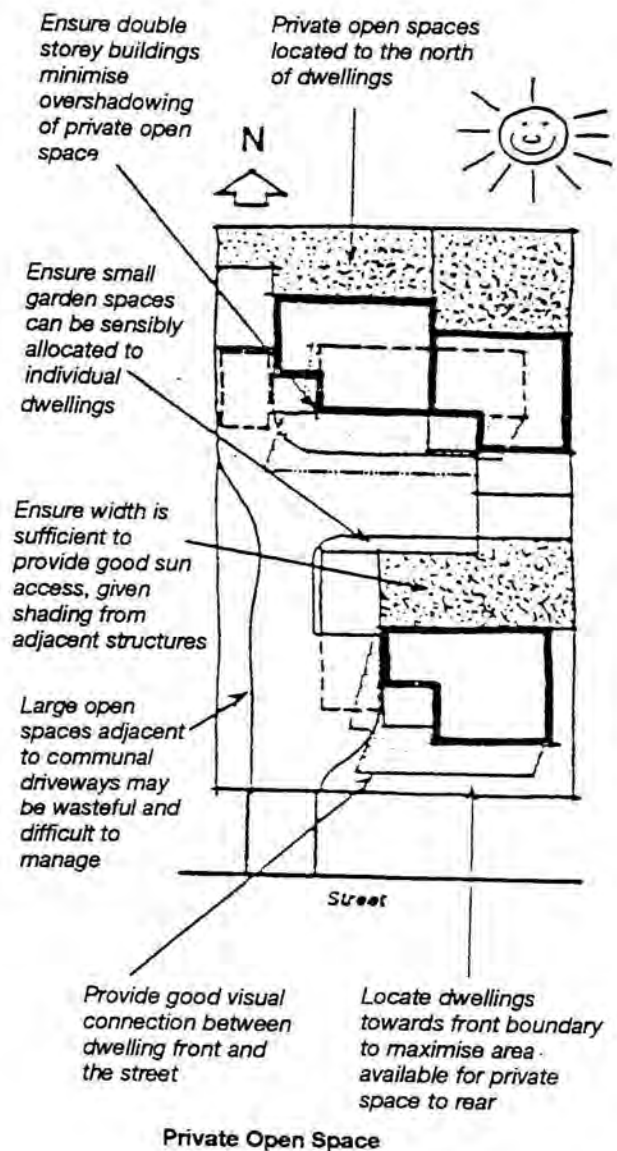
Landscaped Area is defined in the dictionary of the Hurstville LEP 2012. An area must have a minimum width of 2m in any direction to be included in the landscape area calculations.

General Planning Controls

A landscape plan prepared by a qualified person must form an integral part of all Development Applications for multi-dwelling development. The landscape plan must be implemented prior to the buildings being occupied. The main emphasis of the landscape plan will be for areas which are common open space and/or which can be viewed from the street.

Landscaping in front of buildings (that is, between the buildings and the front property boundary) shall provide a suitable visual screen or softening function for the development. Trees selected must complement Council's Street Tree Strategy and the streetscape. Applicants must consult Council about the particular requirements for their site.

The site layout must retain the maximum number of existing trees. The removal or lopping of trees requires Council consent under Clause 5.9 of the Hurstville LEP 2012. If you require further information please contact Council's Tree Management Officer.



4.3.2.11 Private Open Space

Objective

Private open space must meet user requirements for privacy, access, outdoor activities and landscaping. Each dwelling must provide an area of usable private open space, or private courtyard area, which has direct private access from the dwelling. The location of the private open space must take into account factors such as solar access, outlook, privacy, and the location of adjoining dwellings.

Controls

For Attached Dwellings and Multiple Dwelling Housing.

Private open space must be provided at ground level, as follows:

For a dwelling containing less than 3 bedrooms, a minimum area of 50m² where:

- (a) The minimum dimension of any side is 3m.
- (b) One part of the open space called the 'principal private open space' has minimum dimensions of 4m x 4m is not steeper than 1 in 20, and must be conveniently accessible from a main living room of the dwelling.

For a dwelling containing 3 or more bedrooms must have a total area of 60m² where:

- (a) The minimum dimension of any side is 3m;
- (b) The principal private open space must have minimum dimensions of 4m x 6m must not be steeper than 1 in 20, and must be conveniently accessible from a main living room of that dwelling.

Residential Flat Buildings

Residential Flat Buildings must provide an open space area at ground level, as follows:

For a dwelling containing less than 3 bedrooms a minimum area of 50 m² where:

- (a) The minimum dimension of any side is 3m.
- (b) One part of the open space called the 'principal private open space' has minimum dimensions of 4m x 4m is not steeper than 1 in 20, and must be conveniently accessible from a main living room of the dwelling.

For a dwelling containing 3 or more bedrooms must have a total area of 60m² where:

- (a) The minimum dimension of any side is 3m.
- (b) The principal private open space must have minimum dimensions of 4m x 6m must not be steeper than 1 in 20, and must be conveniently accessible from a main living room of that

dwelling.

Residential Flat Buildings must provide an open space area on upper levels in the form of an upper level balcony having a minimum area of 12m² and a minimum width of 2.5m with direct access from the main living room of the dwelling. Any balconies shall not project greater than 1m beyond the outer face of the residential building wall to the rear or front of the site and shall not project past the outer face of the building wall to any one side boundaries.

4.3.2.12 Site Services

Objectives

To ensure site services and facilities are designed:

- To enable easy access.
- In an aesthetically sensitive way.
- To blend in with adjoining development and street character.
- To require minimal maintenance.

Controls

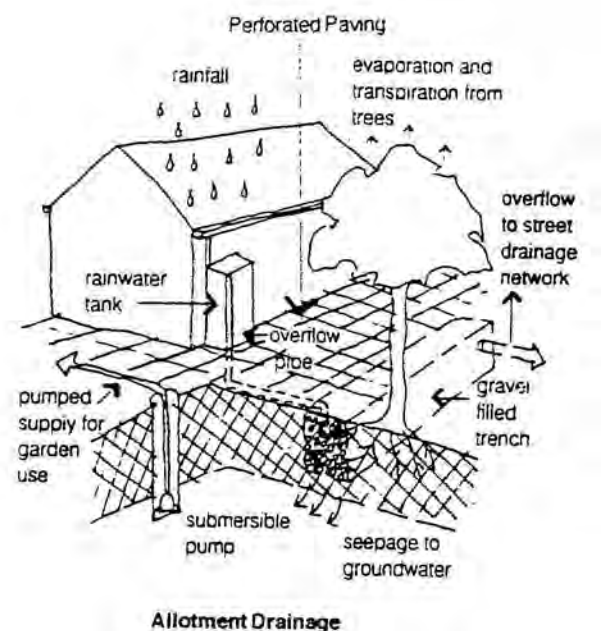
The design, location and construction of utility services must satisfactorily meet the requirements of both the relevant servicing authority and Council.

Electricity and telephone lines must be underground. Where there is the connection of electricity and telephone lines directly from the service pole to the fascia of the front dwelling, these lines may be above ground.

Prior to the submission of the building application, the developer must present details of the development in writing to Sydney Electricity and obtain that authority's requirements.

Allotment drainage must discharge to the roadway gutter or an approved stormwater system. Depending on site requirements, Council may require:

- An easement over adjoining land to be



obtained.

- An easement to permit drainage of adjoining land across the site, and/or
- On site detention of stormwater.

Other drainage systems may include:

- Provision of on-site stormwater retention by draining to a gravel filled retention pit. This will reduce peak loadings as well as allow seepage to ground water. Stormwater basins or tanks could provide a source of water for gardening.
- Use of perforated pavement material such as paving with wide bands of gravel aggregate to allow the water to be absorbed into the ground water.

Council may require special arrangements to be made for **garbage and mail collection**. Poorly designed mail and garbage collection areas can significantly detract from the image of a well designed housing development. These facilities must be integrated into the overall design.

All developments must provide space for the storage of recyclable goods, either in the curtilage of each dwelling or in a central storage area in larger developments.

A master **TV antenna** must be provided for any development of more than two dwellings.

A space of 6 cubic metres per dwelling must be set aside exclusively for **storage**. This space may be an extension of a carport or garage, or may be part of an attic.

Communal outdoor clothes **drying facilities** must be visually screened from the street.

4.3.2.13 Stormwater Drainage

Management of stormwater drainage is an essential component of the design and assessment of development in Hurstville LGA. All development applications need to demonstrate appropriate consideration has been given the effective management of stormwater drainage on the site, within the local neighbourhood and sub-catchment area.

Objectives

- Ensure rainwater run-off and overland flows from development of stormwater and that developments do not increase the hazard to persons or property.
- Ensure rainwater run-off and overland flows from development are directed into approved stormwater drainage system.
- Reduce and control rainwater run-off in order to minimise overland flows, soil erosion and siltation in streams and water ways.
- Encourage a more environmental sustainable regime of stormwater management which recognises the need to collect and re-use rainwater, while maintaining acceptable environmental flows in streams and allows for on-site surface infiltration.

Design Principles

- The acceptable standard for managing stormwater is drainage by gravity into approved an stormwater drainage system.
- Changes in site levels to achieve drainage by gravity are not to exceed 0.6 metres in accordance with Exempt and Complying provisions for on-site cut and fill, and must not cause ponding/backwater effects on upstream properties.
- Original or existing stormwater flow patterns are formalised and are not to be significantly altered in terms of direction and fall.
- Diversion of flows from one drainage sub-catchment to another is not permitted.
- Development is not to concentrate overland flow of stormwater onto an adjoining property; and
- Measures are required to be implemented during construction to reduce soil erosion from development sites.

Design Solutions and Controls

Acceptable Solutions:

- Drainage by gravity to the adjacent road kerb and Council's drainage system or easement over adjoining properties to Council's drainage system; and

- On-site retention of roof run-off using rainwater tanks or detention tanks/basin for storage and re-use.
- All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

Alternative Solutions:

Council may consider the following alternatives depending upon site considerations:

Easements

An easement:

- Over an adjoining property; and/or
- Across the site to allow drainage from another lot.
- To direct stormwater run-off to Council's drainage system; and
- On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.
- All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

Development Application Requirements

- Buildings are not to be constructed over easements.
- Drainage diagrams are to be submitted with the Development Application, showing how surface and roof waters are to be discharged to the street or easement. The size of all pipes is to be shown on development application plans.
- Rainwater tanks are encouraged to collect roof water for reuse on gardens. Details are to be submitted with the Development Application.
- Design calculations to support any of the alternative solutions satisfactory to Council.

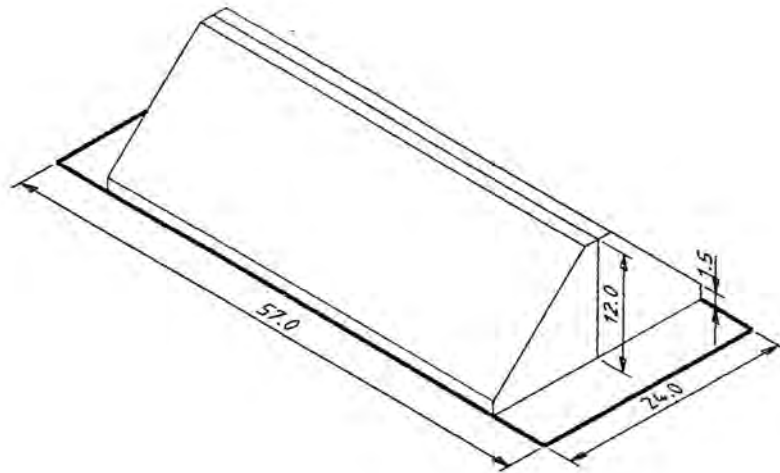
4. Specific Controls for Residential Development

4.3 Multiple Dwellings & Residential Flat Buildings

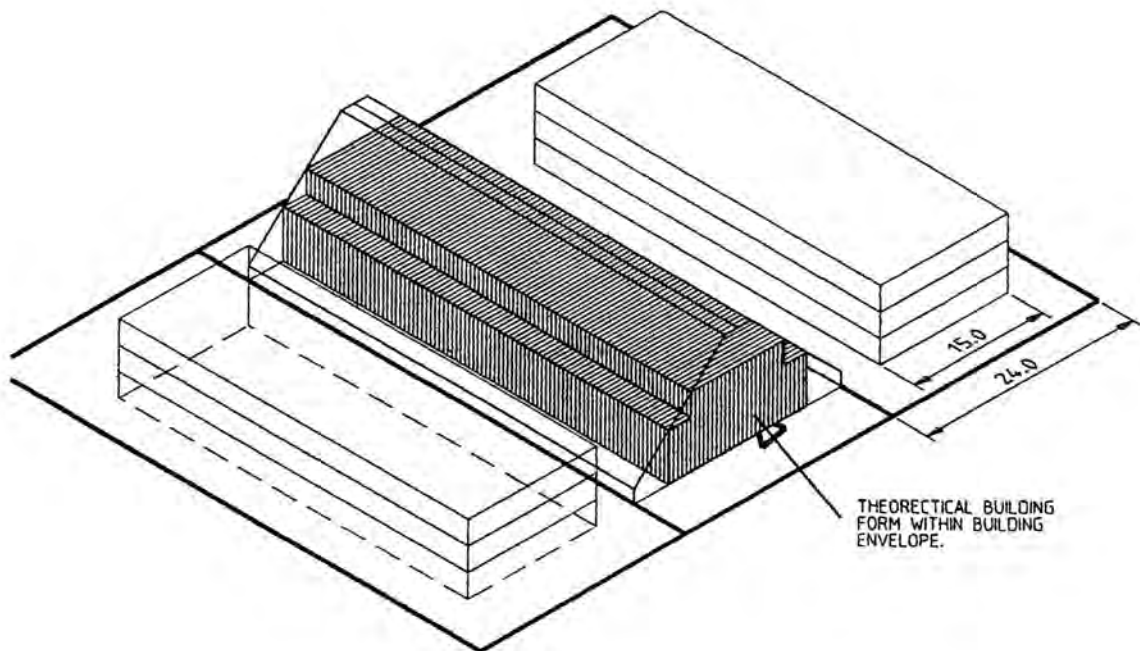
Comparison table Development controls by development type		
Control	Attached Dwellings and Multiple Dwelling Housing	Residential Flat Buildings
Residential Density (Floor Space Ratio)	HLEP 2012	HLEP 2012
Landscaped Area	20 - 25%	20%
Maximum Building Height	HLEP 2012	HLEP 2012
Front Site Height Maximum	9m	12m
Rear Site Height Maximum	6m	12m
Front Site Storeys Maximum	2	3
Rear Site Storeys Maximum	1	3
Minimum Private Open Space <ul style="list-style-type: none"> • Less than 3 bedroom • 3 bedroom or more 	50 m ² 60 m ²	12 m ² ⁽²⁾ 12 m ² ⁽²⁾
Minimum Dimensions of Principal Private Open Space <ul style="list-style-type: none"> • Less than 3 bedroom • 3 bedroom or more 	4m x 4m 4m x 6m	12 m ² ⁽²⁾ 12 m ² ⁽²⁾
Front Boundary Setbacks	4.5 m	6.0 m
Rear Boundary Setbacks	⁽³⁾	6.0 m
Minimum Street Frontage	15 m	24 m
Minimum Side Boundary Setbacks <ul style="list-style-type: none"> • Front Site 1 storey • Front Site 2 storeys • Rear Site 1 storey • Rear Site 2 storeys • Three Storeys 	Refer to building envelope controls in Part 4.3.2.4	Refer to building envelope controls in Part 4.3.2.4
Notes: ⁽²⁾ Minimum size of balconies applies ⁽³⁾ Controlled by building envelope		

4. Specific Controls for Residential Development

4.3 Multiple Dwellings & Residential Flat Buildings



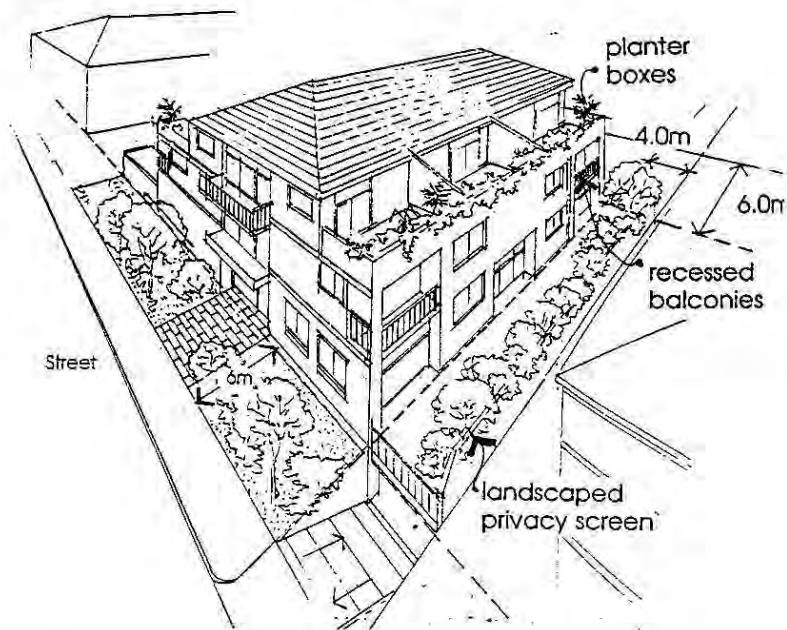
Building envelope controls for Area D maximum three storeys



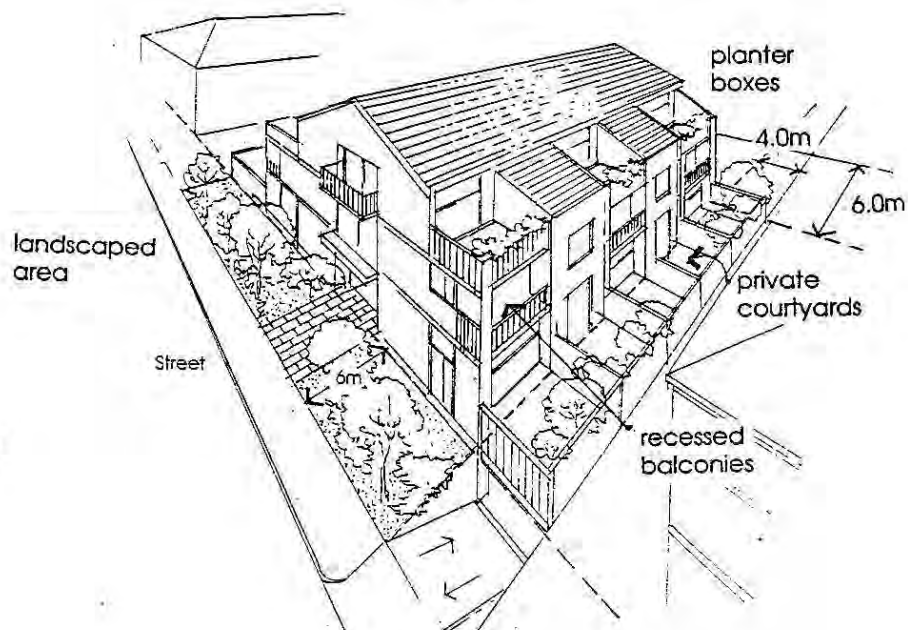
Two examples of appropriate forms of development on 24m frontage blocks identifying certain design features.

Two examples of appropriate forms of development on 24m frontage blocks identifying certain design features

EXAMPLE A



EXAMPLE B



NOTE: These examples are not intended to represent preferred design solutions. They are indicative only and are intended to illustrate design principles and guidelines.

4.3.3 Site Specific Building Envelopes

With respect to the properties listed in the clause below, the provisions of Parts 1-4 of The Plan shall apply to the extent that they are consistent with the site Specific Building Envelopes. Where there is an inconsistency the provisions of the Site Specific Building Envelopes shall prevail to the extent of any inconsistency.

List of site Specific Building Envelopes

1. Hurstville Bowling Club Site; 45 Wright Street and 36 Hudson Street, Hurstville.

Development reliant on the site specific building envelope will be conditional upon transfer to Council of the 6(a) zone portion of the site.

4.4 Small Lot Housing

4.4.1. General Information

4.4.1.1 Land To Which This Section Applies; Relationship To Other Plans

This Plan applies to an area known as the Kemp's Estate, Mortdale (see Appendix 1). It aims to provide controls for 'small lots' within this estate that have a narrow frontage (generally 6 to 6.5 metres). However, the plan also applies to standard allotments within the Kemp's Estate (generally 12 to 15 metres).

Additionally, the Plan relates to other existing 'small lots' across Hurstville that have a frontage of 6.5 metres or less and are zoned R2 Low Density Residential and R3 Medium Density Residential under the Hurstville Local Environmental Plan 2012.

This section overrides all other residential sections within this DCP with the exception of section 4.2 - Dual Occupancy and section 4.1 - Single Dwellings.

Section 4.2 - Dual Occupancy applies only to those standard allotments within Kemp's Estate that meet the minimum requirements of 15m frontage and a 630m² site area.

Section 4.1 - Single Dwelling Houses applies to standard allotments within Kemp's Estate, however, this section shall prevail where there is inconsistency in the controls. These inconsistencies are aimed to ensure continuity of development within Kemp's Estate.

4.4.1.2 Basic Idea Behind This Section

The plan recognises that the Kemp's Estate has a unique subdivision pattern where many of the allotments are only 6m wide. Accepting that owners have a legal right to build on these small lots, this plan aims to provide appropriate guidelines for the design of narrow homes on these sites.

Council is attempting to juggle the competing realities that exist in Kemp's Estate – streetscape and subdivision pattern. With some historic exceptions, the streetscape comprises narrow, freestanding homes on single small lots and conventional homes that are located on multiple allotments which can all be built on individually if the owner so desires.

Guidelines and drawings use the 'Urban Form Methodology', which tailors appropriate planning controls to a particular site through the use of building envelopes which define the building form. These provide definite outcome based controls.

4.4.1.3 Aims

This Plan defines the physical outcomes sought for small lot housing.

The primary aims of this section are to:

- Recognise the legal right of owners to build on their existing narrow allotments.
- Develop a variety of housing forms that are appropriate for narrow, small sites.
- Ensure all homes receive an acceptable level of natural light, solar access, ventilation and privacy.
- Ensure that future development allows for off street parking and the creation of vegetation buffers at the rear of sites.
- Ensure homes have proportioned facades that are appropriately scaled for narrow allotments and emphasise vertical elements; and
- Retain significant trees and provide opportunities for substantial landscaping.

4.4.2 Guidelines and Controls

4.4.2.1 Building Envelope

A building envelope is a three dimensional shape in which a building must fit. The envelope is defined by creating setbacks from boundaries as well as maximum heights for walls and roof tops. These are definite outcome based controls.

The building envelopes defined in this Chapter need to be applied using the following performance criteria and controls.

4.4.2.2 Objective

To ensure a more certain building outcome while creating:

- A coherent and attractive streetscape.
- Off-street parking.
- Vegetation corridors at the rear of the sites.
- Better opportunities for natural light, ventilation and privacy.
- Better designs for narrow sites.

4.4.2.3 Design Principles

- Acceptable levels of light and privacy are provided into living areas.
- Windows are provided in all rooms and are located to achieve cross ventilation where possible.
- Windows and balconies are designed to minimise overlooking adjoining dwellings, and are oriented with the main living areas to the front and rear, rather than the side boundary.

- At least 3 hours of sunlight between 9am and 3pm in midwinter is allowed to adjoining private open space (such as rear courtyards).
- Designs include attractive private open space that is private, receives sunlight and allows rainwater infiltration.
- Designs allow for additional areas of landscaping and retain significant trees.
- 1½ and 2 storey homes provide off street parking for 2 cars (1 garage and 1 driveway space) and single storey homes provide a carport or off street parking space, as well as other on site services without compromising the above criteria.
- Designs highlight corner sites and relate to both street frontages.

4.4.2.4 Controls

New development takes the form of one of the options set out in the Table of Controls and illustrated in Section 4.4.10.

4.4.3 Building Design

4.4.3.1 Objective

- Provide high quality homes for residents with a high quality finish so they contribute to the appearance of the street.
- Ensure buildings are in proportion to the site and allow for a variety of building designs and balcony details.

4.4.3.2 Performance Criteria

- The front of the house improves the appearance of the street.
- Buildings are designed and proportioned so they don't appear too bulky or overbearing.
- Garages do not protrude out towards the street
- Building design responds to noise, sunlight, breezes, privacy and views.
- Living areas are linked to the private yard areas.
- The first floor at the rear must be setback 2m from the ground floor wall alignment.

First floor balconies should be orientated towards the north where possible and enhance the appearance of the dwelling. Designs should be flexible enough to provide balconies totalling a length of at least 5 metres. However, rear balconies should be limited to a depth of no more than 2 metres and should include side screening to minimise over looking into rear yards.

4.4.3.3 Controls

Heights

- The maximum overall height of buildings is contained within the Hurstville LEP 2012 Height of Buildings Map.
- The maximum building height is not to exceed 9 metres measured from the highest point of the building to the existing ground level immediately below that point.
- Habitable roof space, if proposed, is to have a minimum floor to ceiling height of 1.7m, but can include the space created by a gable end.

Setbacks

- A rear setback (measured from the rear boundary to the nearest rear wall of the house) of 9 metres for a 2 storey dwelling and 7 metres for a single storey dwelling shall be provided unless otherwise specified on the Section 4.4.10 "Building Envelopes Summary Table". Council may consider a variation to the rear setback for these sites which are less than the "standard" site length that was used for the preparation of the DCP (i.e. 36.6m). The degree of the variation is to be restricted to the proportional setback that meets the objectives of the setback requirements.
- A minimum front setback of 5.5 metres shall be provided.
- A minimum front setback of 4.5 metres shall be provided on corner lots where the garage is located at the rear.
- A minimum front setback of 4.5 metres shall be provided on lots with rear lane access where the garage is located at the rear.
- Side setbacks vary according to the relevant development option (see Section 4.4.10, Building Envelopes Summary Table). There is to be no access to the dwelling from a side passage.
- Where the first floor front setback space incorporates a balcony or roof, this construction must provide for 300mm eaves to overhang the ground floor at the front.

General

- Dwellings are to have a maximum floor space ratio (FSR) of 0.6:1.
- Dividing walls between attached dwellings must be of double brick construction with easements for support established over the brick wall.
- Entries to the dwellings shall have the same alignment as garage openings.
- Dwellings should be sited to create usable outdoor garden and courtyard spaces.
- Living areas should adjoin private yards.

- Courtyards allow solar access and ventilation.
- Natural ventilation is encouraged by orientating windows and doors to pick up breezes.
- The natural ground level is not to be excavated more than 500mm for the finished ground floor level, in order for a building to conform to the building envelope.
- Natural ground level is not to be excavated more than 500mm for the finished ground floor, in order for a building to conform to the envelope.
- Dormer windows are allowed within habitable roof space and are limited to a maximum width of 1.5m.

4.4.4 Landscaping and Private Open Space

4.4.4.1 Objectives

- Preserve and improve vegetation corridors and street planting in the area.
- Provide attractive private yards that will appeal to residents of the dwelling.
- Reduce the amount of rainwater falling on hard surfaces and entering the stormwater system.

4.4.4.2 Design Principles

- Private open space receives light and minimises noise and overlooking to neighbours.
- Yards are functional and attractive.
- Plant species relate to site conditions, the intended use of the yard and do not intrude on neighbouring properties or affect site services.
- Significant trees are retained and additional trees provided.
- Gardens and lawns catch as much rainwater as possible.

4.4.4.3 Controls

- A landscape plan must be submitted as part of the Development Application. The plan must include trees that are to be planted prior to occupation as well as the location of services on the site to ensure there is no conflict.
- For areas outside of the FSPA a minimum of 20% of the total site area is to be landscaped area in accordance with the above definition.
- For areas within the FSPA a minimum of 25% of the total site area is to be landscaped area in accordance with the above definition.

Note: Landscaped areas must be a minimum of 2m in width.

Principal private open space must:

- Be provided at ground level.
- Have minimum dimensions of 4m x 5m.
- Not be steeper than 1 in 20; and
- Conveniently accessible from a main living area of the dwelling.
- Front fences should:
 - Be no higher than 1m.
 - Highlight building entrances and allow for street surveillance.
 - Relate to the design and style of the dwelling.
 - Generally be coordinated with other fences in the street.
 - Address both street frontages on corner sites or sites with rear lane access; and
 - Not have gates that open out over Council property.
- Landscape work and turf must be finished prior to occupation.
- The removal or lopping of trees requires Council approval under clause 5.9 Preservation of trees or vegetation of the Hurstville LEP 2012.
- The siting of new buildings and structures (including driveways and other paved areas) must take into consideration the impact on the root zone of existing trees. An arborist's report will be required in relation to the health of the tree, impact of the development proposed near the tree, the methodology for excavation of the tree, or building work to be carried out within the vicinity of the tree.
- Any damage to Council property (including footpaths or nature strips) during construction must be repaired according to Council's specifications.

4.4.5 Vehicular Access and Car Parking

4.4.5.1 Objectives

- Provide sufficient, safe and convenient car parking facilities.
- Integrate the appearance of garages and driveways and integrate them with the building design.
- Allow cars to park in front of each home in the driveway.

- Minimise the number of driveway crossings to ensure there is more room for on-street parking.
- Allow carports or off street car parking spaces to be used in 1 storey options where garages cannot practicably be provided.

4.4.5.2 Design Principles

- Garages, carports and driveways are integrated into the overall design of the dwelling.
- Garages and carports do not appear to dominate the front of the home.
- Driveway widths are minimised and driveways shared wherever possible.
- Driveways are integrated with the overall landscaping on the site and reduce the amount of hard surfaced areas.

4.4.5.3 Controls

- Car parking provisions are to comply with *Section 3.1 - Car Parking* unless, given the uniqueness of Kemp's Estate, they are expressly altered by this Plan.
- Each single storey dwelling is to provide either one garage or one carport / off street car space. If a garage is provided then a driveway space should also be provided. All 1½ and 2 storey dwellings are to provide one garage and one driveway space.
- Garages are to be located a minimum 5.5 metres from the front property alignment and must be recessed a minimum 300mm into the front facade of the building.
- Carport designs should complement the appearance and style of the dwelling and if roof pitches are used, they should match. Designs should ensure the carports do not appear to be 'heavy' or 'dominant' on the site.
- On a corner site, garages should be located at the rear of the site facing the secondary street.
- Where possible, balconies are to be placed over garages to soften the building's appearance. Roof space may be designed over garages as well.
- Driveways shall be a minimum width of 3 metres.
- Attached dwellings (apart from those on a corner) are to share the same gutter crossing.
- Gutter crossings shall preserve existing street trees.
- Consideration should be given to internal access from the garage for the movement of furniture and the like, particularly when entry corridors are narrow (such as Building Envelope Option No. 2).
- The construction of the driveway crossing may be undertaken by Council (subject to a separate application and fee) or a licensed contractor approved by Council, subject to Council's Engineers specifications and inspection.

- Internal driveway grades should be in accordance with AS – 2890.1-1993. Where it is proposed to seek a variation to AS2890.1-1993, a long section of the driveway must be submitted with the application.

4.4.6 Privacy

4.4.6.1 Objectives

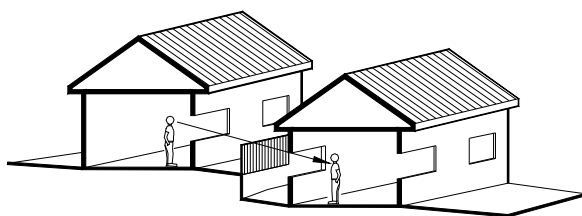
- Minimise noise and overlooking impacts on neighbours.
- Encourage homes that are orientated towards the front and rear of the site rather than towards its neighbours.

4.4.6.2 Design Principles

- New homes do not result in unacceptable overlooking of adjoining sites.
- Window location, internal room layout and trees limit overlooking and help reduce noise flow between homes.

4.4.6.3 Controls

- The main windows and balconies of a dwelling should be directed toward the front and rear of a site. To avoid overlooking, windows should not be located directly opposite each other. Dormer windows shall be no wider than 1.5 metres and should be proportional to the roof-scape.
- Where windows and balconies cannot be off-set, they should be separated by sufficient distance, screened or contain frosted glass or other suitable material to prevent direct overlooking.



Avoid locating windows directly opposite.
Stagger windows or provide screening.

- First floor balconies located at the rear of dwellings shall incorporate fin walls or privacy screens on the side to reduce overlooking.
- Where privacy screens are used, they must not be higher than 1.8m and be compatible with the building design.

- Dwellings must be designed so that internal noise levels from external sources do not exceed the parameters set out in the Environmental Protection Authority (EPA) website on www.epa.nsw.gov.au. Council may require an applicant to provide a report by a qualified acoustic engineer where external noise is likely to be excessive, such as sites that:
 - Adjoin a railway line.
 - Front regional or state roads (See Appendix 1).
 - Are under the airport flight path; or
 - Are sited near major industry or nearby plant or equipment.

4.4.7 Solar Design and Energy Efficiency

4.4.7.1 Objectives

- Reduce energy costs.
- Create energy efficient homes that are light and breezy.

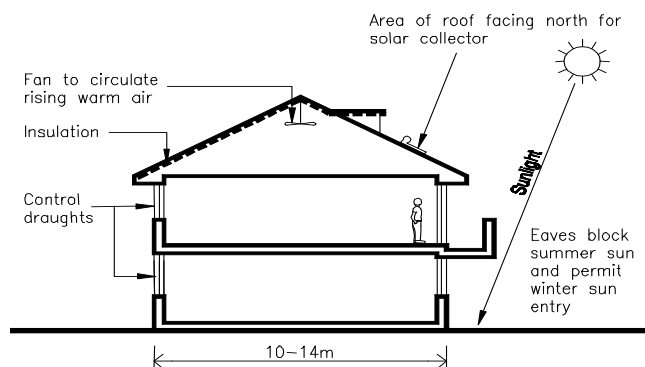
4.4.7.2 Design Principles

- Homes are designed and use materials that reduce the need for heating and cooling.
- New dwellings capture breezes and receive adequate light to habitable rooms and private yards.
- Northern walls receive as much sun as possible in winter.

4.4.7.3 Controls

- Subject to privacy considerations, living areas and private yards are to receive northern sunlight.
- Private yards (including courtyards) must receive at least 3 hours of sunlight between 9am and 3pm during midwinter (June 21).
- New dwellings must not unreasonably obscure sunlight to rear yards of adjoining properties. Design should allow at least 3 hours of sunlight between 9am and 3pm to adjoining dwellings during midwinter (June 21).
- Shadow diagrams (illustrating shadows cast at 9am, 12 noon and 3pm on June 21) must be prepared and submitted showing the impact of a proposal on adjoining sites. Such diagrams must be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development.

- Windows that receive excessive afternoon summer sun should be protected by shading devices or deciduous trees.
- All new dwellings must provide for cross ventilation and all rooms should have a window.



Desirable depth 10–14m for natural daylight and cross ventilation

Note: The above diagram is indicative only and is used to illustrate some principles of passive solar design.

- Ceiling insulation must be provided with a minimum rating of R2.0 and walls R.1.0 for full brick and R.1.5 for brick veneer walls.
- Water consumption should be minimised by the use of efficient shower heads, dual flush toilets and water reuse.
- The use of natural gas is encouraged.

4.4.8 Site Services and Facilities

4.4.8.1 Objectives

- Location of site services relates to the design of new dwellings.
- Service location does not compromise landscaping opportunities on the site.

4.4.8.2 Design Principles

- Site services and facilities are accessible, visually unobtrusive and require low maintenance.
- New dwellings are provided with individual services to facilitate a safe, efficient and comfortable living environment.

4.4.8.3 Controls

Utility Services

- The design, location and construction of utility services must meet the requirements of Council and the relevant servicing authority.
- Electricity and telephone lines must be underground, except where direct connection is available from a pole in the street to the façade of the front dwelling.
- Prior to the submission of the Construction Certificate, the developer must present written details of the development to Energy Australia and obtain that authority's requirements.

General Facilities

- Each dwelling must provide adequate space for the storage of garbage and recycling bins (a space of at least 3m by 1m must be provided). Bin storage should not be visible from the street frontage or result in any odour to adjoining sites.
- A space of six cubic metres per dwelling must be set aside exclusively for general storage. This space may be provided as an extension of a carport or garage, or in the form of an internal cupboard or attic.
- A mail box must be provided in accordance with AS/NZ4353.
- Outdoor clothes drying facilities must be provided for each dwelling. These must be screened from the street and located in an area that will receive sunlight and breeze.

4.4.9 Stormwater Drainage

Management of stormwater drainage is an essential component of the design and assessment of development in Hurstville LGA. All development applications need to demonstrate appropriate consideration has been given the effective management of stormwater drainage on the site, within the local neighbourhood and sub-catchment area.

Objectives

- Ensure rainwater run-off and overland flows from development of stormwater and that developments do not increase the hazard to persons or property.
- Ensure rainwater run-off and overland flows from development are directed into approved stormwater drainage system.
- Reduce and control rainwater run-off in order to minimise overland flows, soil erosion and siltation in streams and water ways.
- Encourage a more environmental sustainable regime of stormwater management which recognises the need to collect and re-use rainwater, while maintaining acceptable environmental flows in streams and allows for on-site surface infiltration.

Design Principles

- The acceptable standard for managing stormwater is drainage by gravity into approved an stormwater drainage system;
- Changes in site levels to achieve drainage by gravity to the street are not to exceed 600mm restricted to an area within the building platform in accordance with Exempt and Complying provisions for on-site cut and fill, and must not cause ponding/backwater effects on upstream properties;
- Original or existing stormwater flow patterns are formalised and are not to be significantly altered in terms of direction and fall;
- Diversion of flows from one drainage sub-catchment to another is not permitted;
- Development is not to concentrate overland flow of stormwater onto an adjoining property; and
- Measures are required to be implemented during construction to reduce soil erosion from development sites.

Design Solutions and Controls

Acceptable Solutions:

- Drainage by gravity to the adjacent road kerb and Council's drainage system or easement over adjoining properties to Council's drainage system; and
- On-site retention of roof run-off using rainwater tanks or detention tanks/basin for storage and re-use.
- All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

Alternative Solutions:

Council may consider the following alternatives depending upon site considerations:

1. Easements

a. An easement:

- Over an adjoining property; and/or
- Across the site to allow drainage from another lot;

to direct stormwater run-off to Council's drainage system; and

b. On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.

- c. All other impervious surface water runoff such as driveways and footpaths is to drain by gravity to Council's stormwater system.

2. Charged- Systems

- a. A charged stormwater drainage system which drains all the roof run-off up to the front of the site and thence discharges the storm waters by gravity or charged system from the site to the road kerb directly in front of the development site; and
- b. All other impervious surface water runoff such as driveways and footpaths to drain to an on-site infiltration system which demonstrates sufficient infiltration performance without creating issues for downstream properties.
- c. On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.

3. On-site Detention and Infiltration

- a. An on-site detention system which demonstrates sufficient storage and management of any overflow from roof areas; and
- b. On-site retention of roof run-off using rainwater tanks or detention tanks for storage and re-use.
- c. All other impervious surface water runoff such as driveways and footpaths to drain to an on-site infiltration system which demonstrates sufficient infiltration performance without creating issues for downstream properties.

Development Application Requirements

- Buildings are not to be constructed over easements.
- Drainage diagrams are to be submitted with the Development Application, showing how surface and roof waters are to be discharged to the street or easement. The size of all pipes is to be shown on development application plans.
- Rainwater tanks are encouraged to collect roof water for reuse on gardens. Details are to be submitted with the Development Application.
- Design calculations to support any of the alternative solutions satisfactory to Council.

4.4.10 Building Envelopes

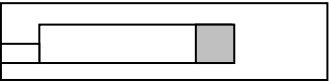
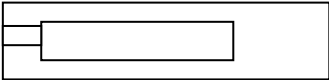
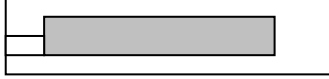
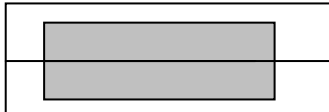
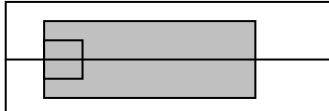
The building envelopes for 8 small lot development options are illustrated on the following pages.

This section should be read in conjunction with:

- The **Guidelines and Controls** of Section 4.4.2 to 4.4.9 that contain performance criteria and specific controls;
- The **Architectural Illustrations** of Section 4.4.11, for illustrations of indicative building types.

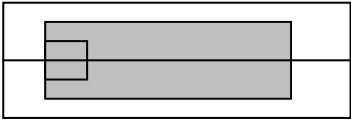
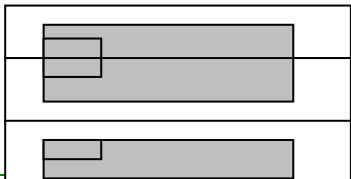
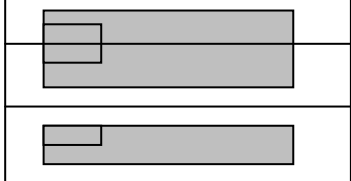
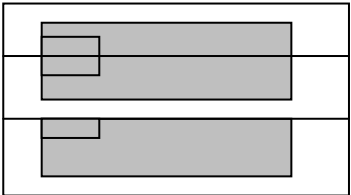
<u>Important Note:</u>	There is no provision within this policy to allow the re-subdivision of a large lot or a standard lot that may have been formally consolidated, irrespective of whether that standard allotment previously comprised several small lots.
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Building Envelopes - Summary Table (See Section 4.4 For Full Details)											
Option	Footprint (indicative only – not to scale)	Housing type	Front setback (min)	Rear setback (min)	Side setback *	2 nd storey rear setback (from ground flr alignment)	Max FSR	Max external wall height	Max ridge height	Rec. roof pitch	Parking
1 6m frontage		Existing single dwelling with rear single storey addition	Existing	7m	900mm	N/A	0.6:1	Existing	Existing	Existing	Carport / car space
2 6m frontage		Existing cottage with first floor addition or new 2 storey detached	Existing or 5.5m for new dwelling	7m (ground level) and 9m (second level)	Existing or 900mm for a new dwelling	2m,	0.6:1	Existing or 6m for new	9m	Existing or 35° for a new dwelling	Existing – Carport New - Garage
3 6m frontage		1 storey detached	5.5m	7m	900mm	N/A	0.6:1	3m	6.7m	35°	Carport
4 2 x 6m frontage		1 storey semi detached	5.5m	7m	900mm	N/A	0.6:1	3m	6.7m	35°	Carport or garage
5 2 x 6m frontage		1 storey + habitable roof space	5.5m	7m (ground level) and 9m (second level)	Ground flr 900mm, upper level walls 1.8m	2m	0.6:1	3.7m	7.5m	35°	Garage

* note: min distance to gutter under BCA is 675mm

Reference to 6m or 12m frontage is approximate only. For example, frontage may be about 6.1m wide.

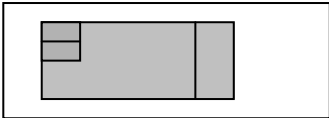
Building Envelopes - Summary Table (See Section 4.4 For Full Details)											
Option	Footprint (indicative only – not to scale)	Housing type	Front setback (min)	Rear setback (min)	Side setback ★	2 nd storey rear setback (from ground flr alignment)	Max FSR	Max external wall height	Max ridge height	Rec. roof pitch	Parking
6 2 x 6m frontage		2 storey attached	5.5m	7m (ground level) and 9m (second level)	900mm	2m	0.61	6m	9m	35°	Garage
7a 3 x 6m frontage		Two 2 storey attached dwellings, and one 2 storey dwelling.	5.5m	7m (ground level) and 9m (second level)	900mm	2m	0.61	6m	9m	35°	Garage
7b 3 x 6m frontage		Two 1.5 storey attached dwellings and one 1.5 storey dwelling.	5.5m	7m (ground level) and 9m (second level)	Ground Floor 900mm,, upper level walls 1.8m	2m	0.61	3.7m	7.5m	35°	Garage
7c 3 x 6m frontage		Two attached 1 storey dwellings and one detached 1 storey dwelling.	5.5m	7m	900mm and nil internal side setback for the detached dwelling	N/A	0.61	3m	6.7m	35°	Garage or carport

★ note: min distance to gutter under BCA is 675mm

Reference to 6m or 12m frontage is approximate only. For example, frontage may be about 6.1m wide.

Dwelling House Options

To ensure consistency of form and setbacks in Kemp's Estate, an envelope has been prepared that applies to a single dwelling house on a standard allotment. The controls detailed below override controls contained in Council's Single Dwelling DCP, however development must comply with the Single Dwelling DCP in every other respect.

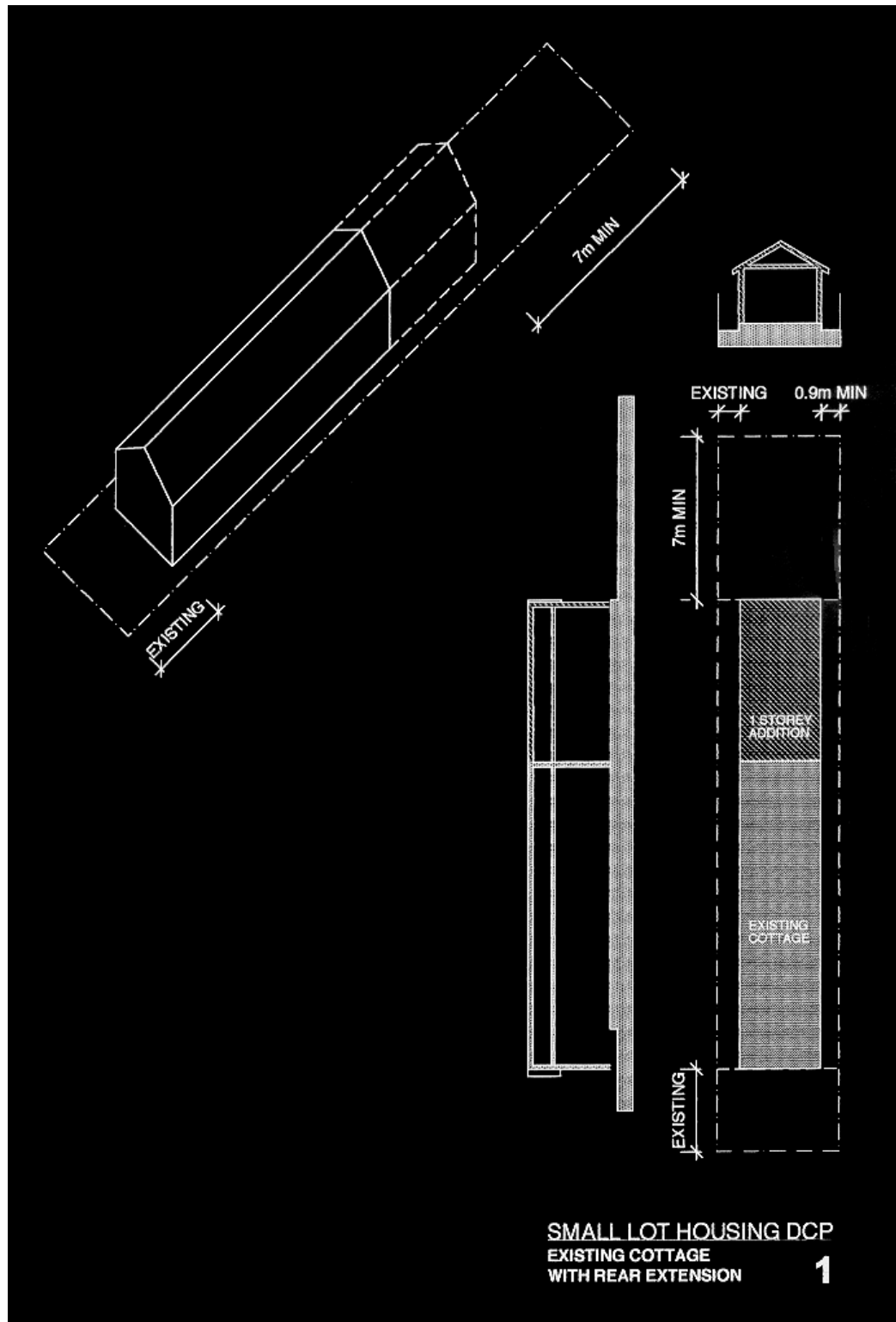
Building Envelopes - Summary Table (See Section 4.4 For Full Details)											
Option	Footprint (indicative only – not to scale)	Housing type	Front setback (min)	Rear setback (min)	Side setback	2 nd storey rear setback (from ground flr alignment)	Max FSR	Max external wall height	Max ridge height	Rec. roof pitch	Parking
8 12m frontage		1 storey detached	5.5m	7m	900mm	N/A	0.6:1	3m	6.7m	35°	Garage
		1 storey detached plus habitable roof	5.5m	7m (ground level) and 9m (second level)	Ground flr 900mm, upper level walls 1.8m	2m	0.6:1	3.7m	7.5m	35°	Garage
		2 storey detached	5.5m	7m (ground level) and 9m (second level)	1.5m	2m	0.6:1	6m	9m	35°	Garage

★ note: min distance to gutter under BCA is 675mm

Reference to 6m or 12m frontage is approximate only. For example, frontage may be about 6.1m wide.

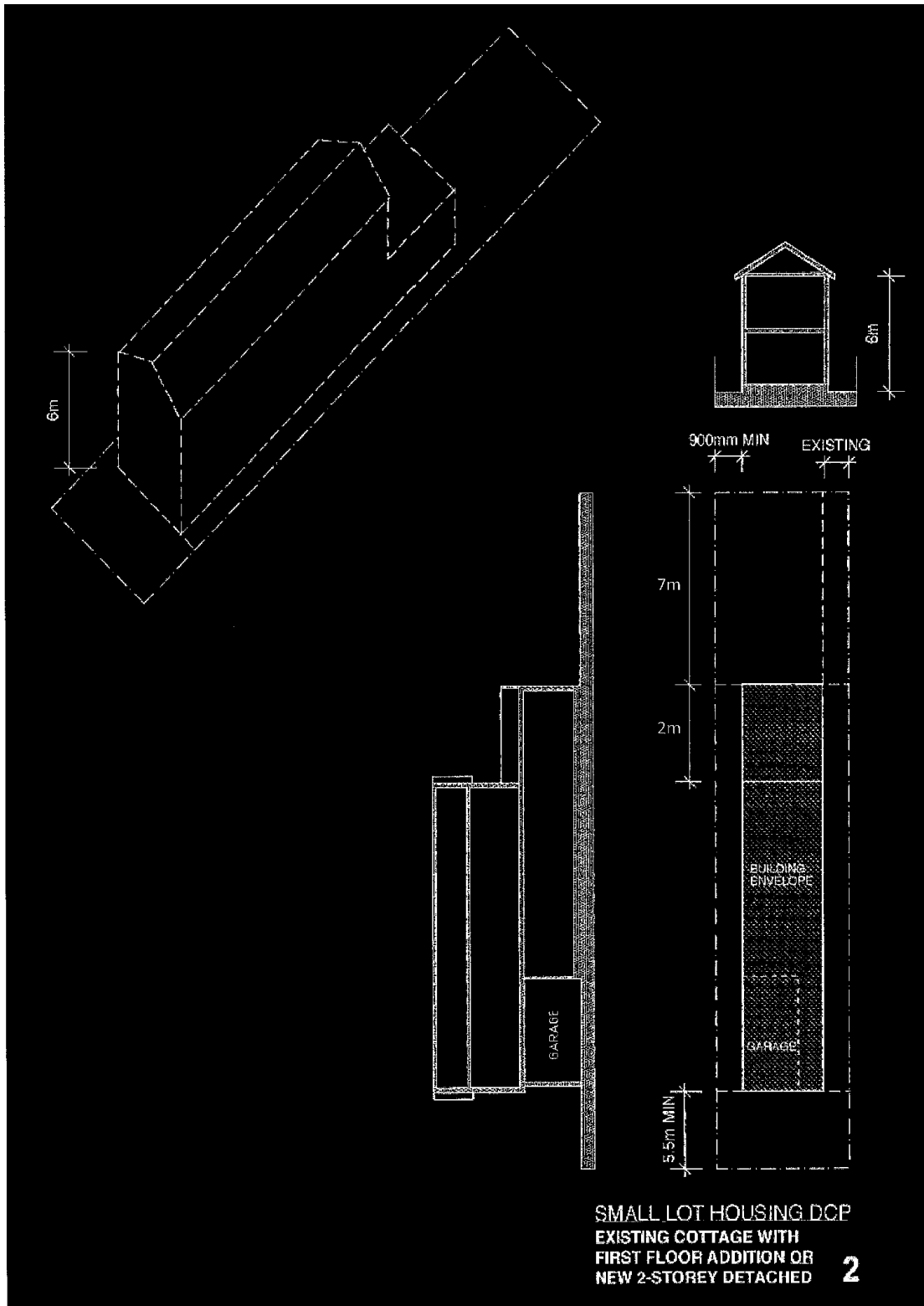
4. Specific Controls for Residential Development

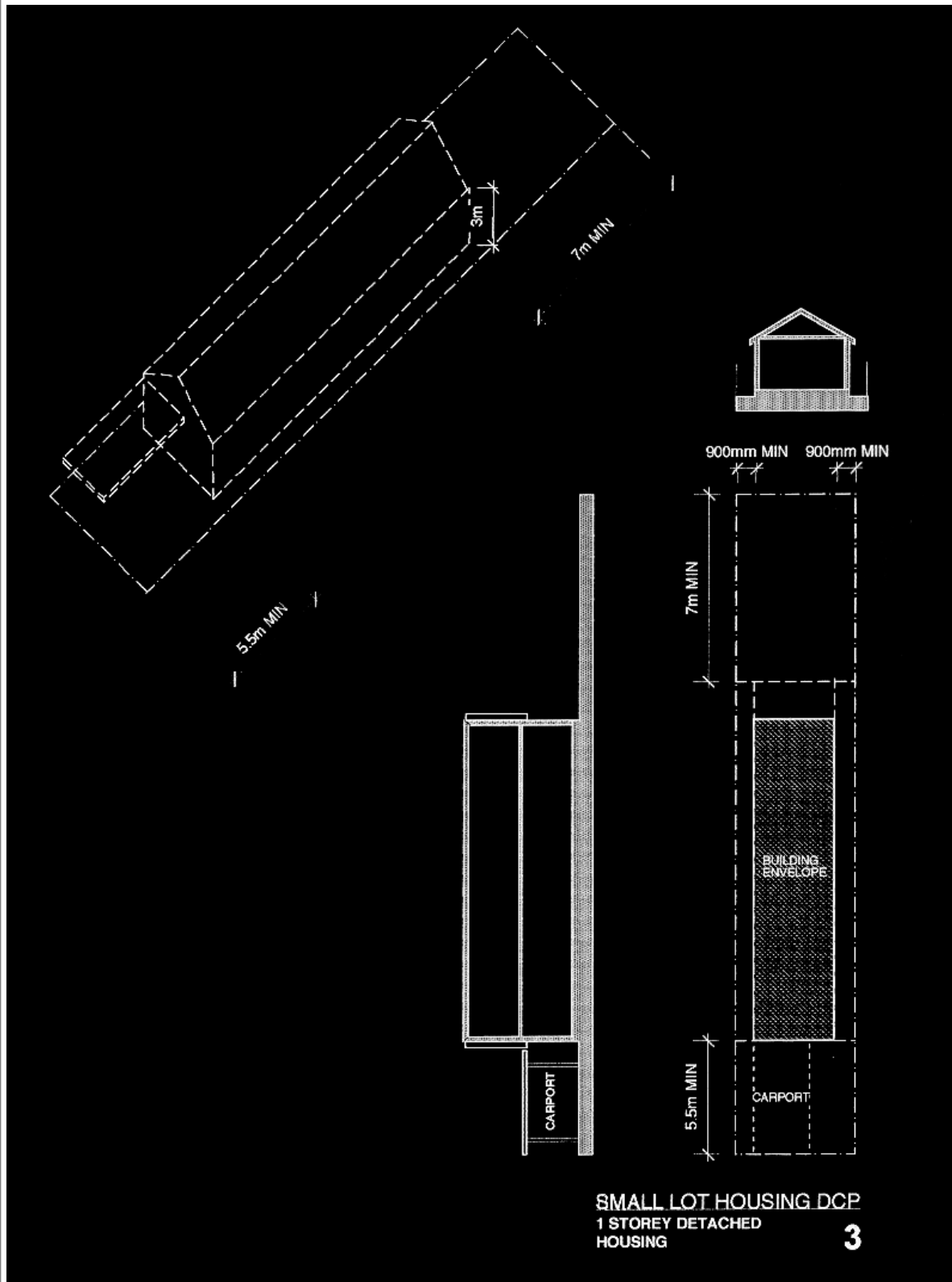
4.4 Small Lot Housing



4. Specific Controls for Residential Development

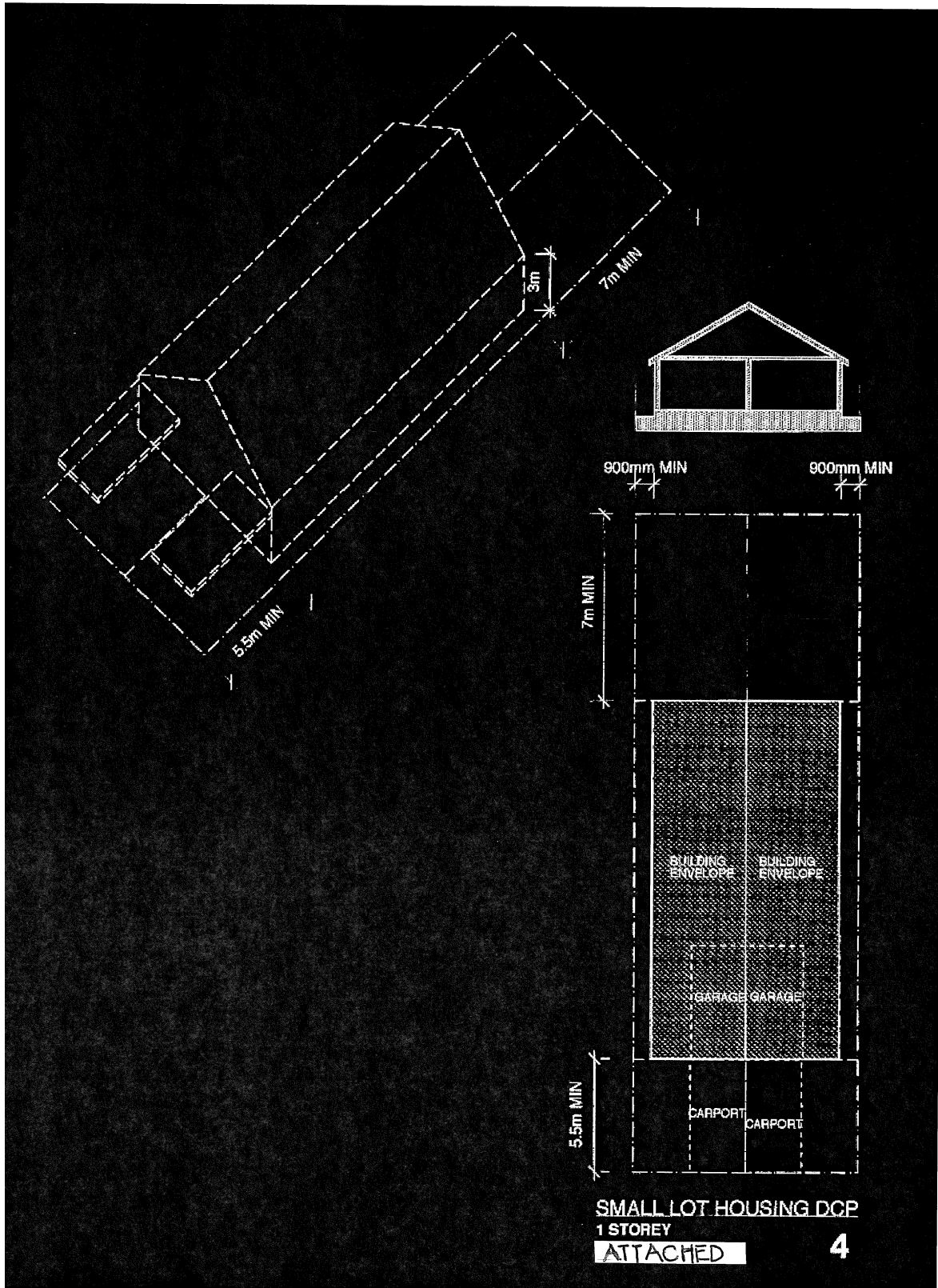
4.4 Small Lot Housing





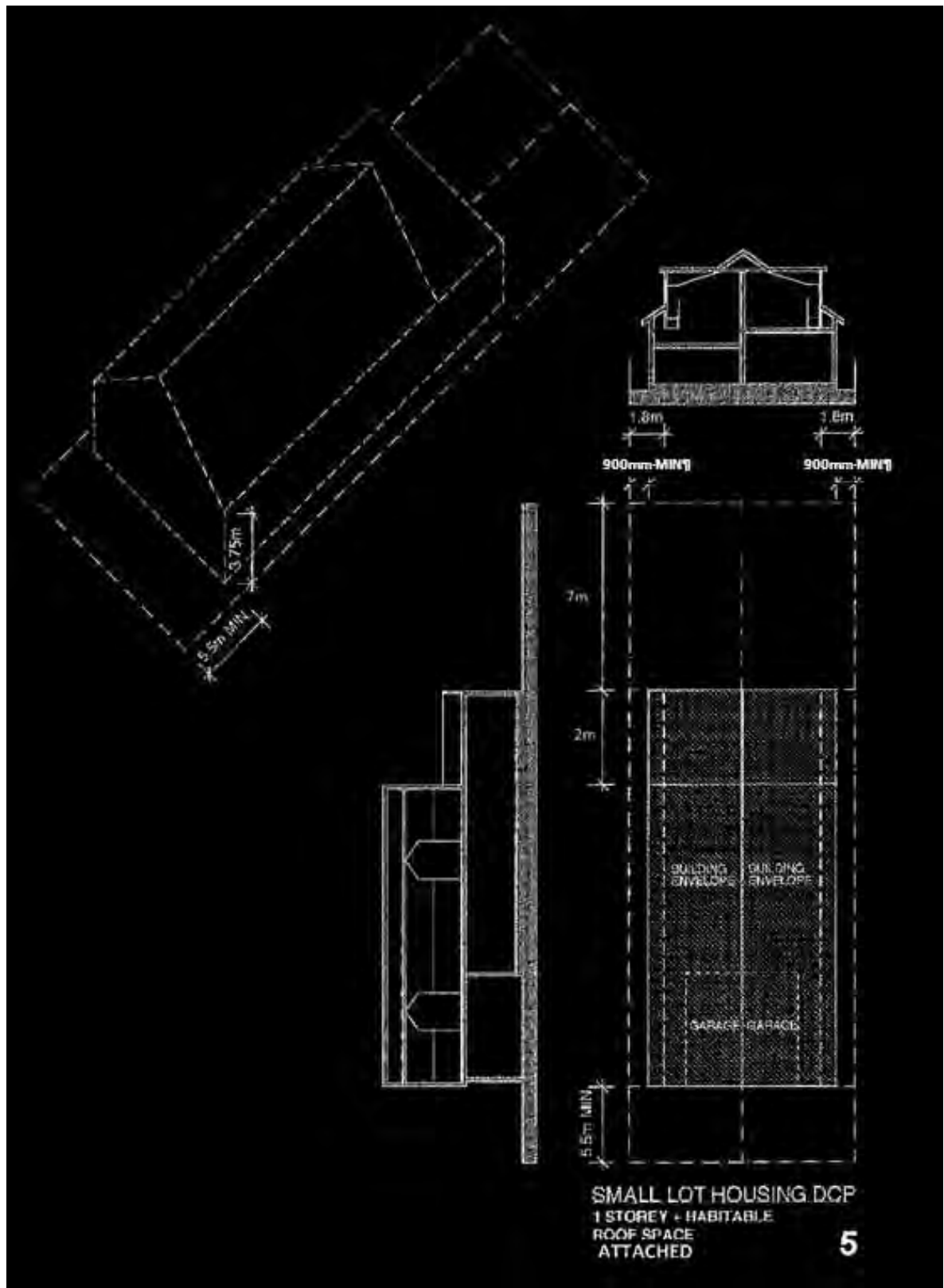
4. Specific Controls for Residential Development

4.4 Small Lot Housing



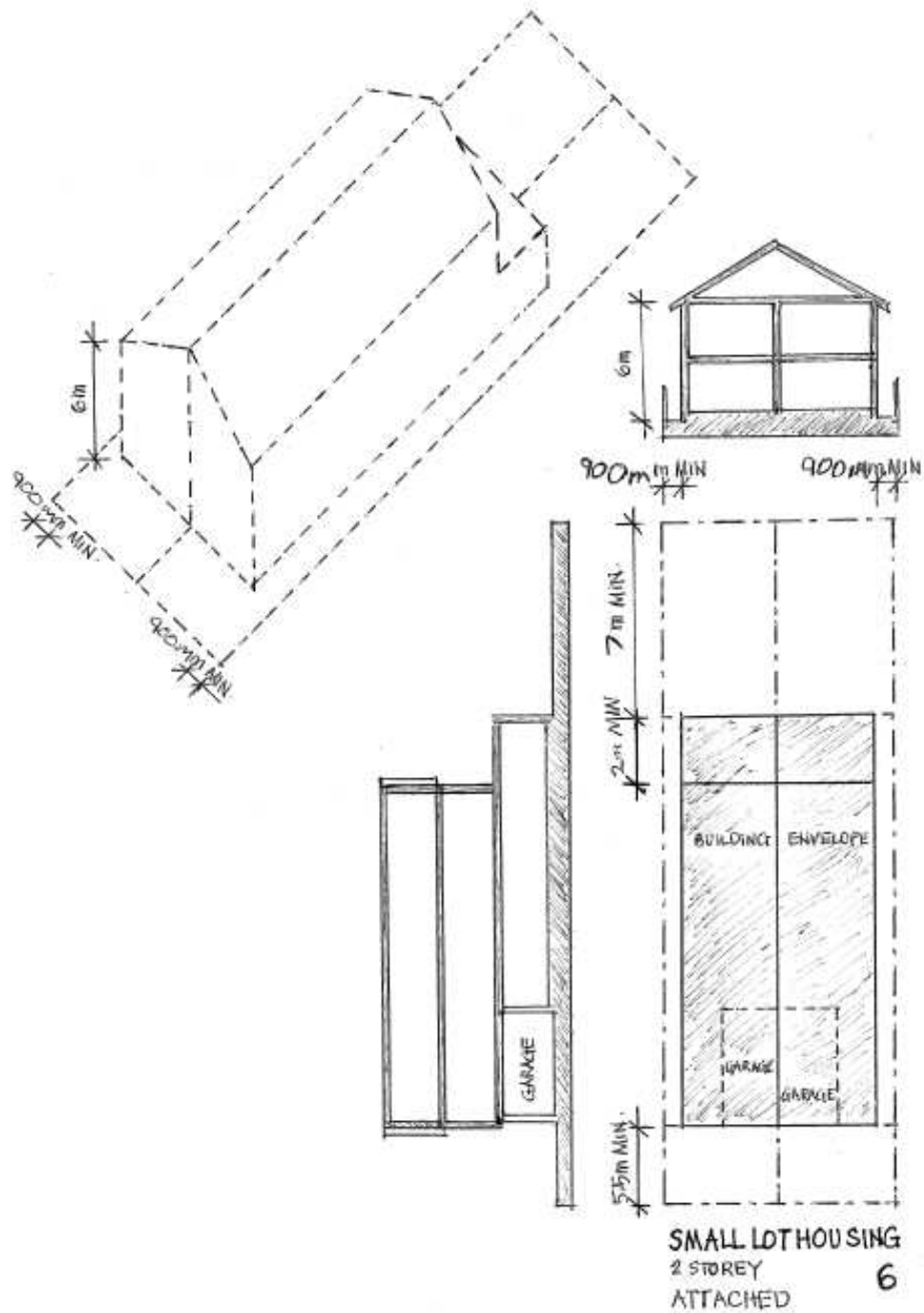
4. Specific Controls for Residential Development

4.4 Small Lot Housing



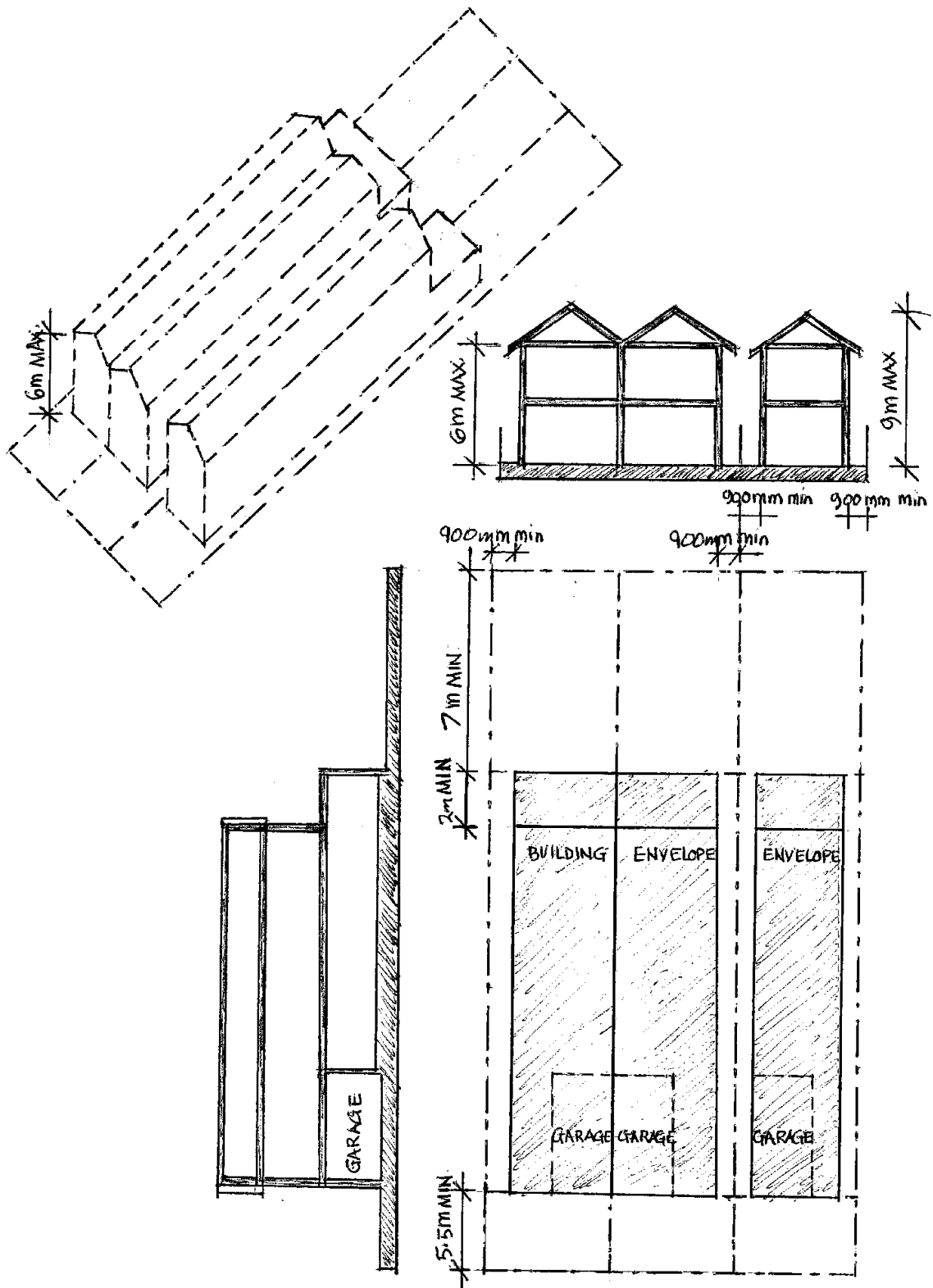
4. Specific Controls for Residential Development

4.4 Small Lot Housing



4. Specific Controls for Residential Development

4.4 Small Lot Housing

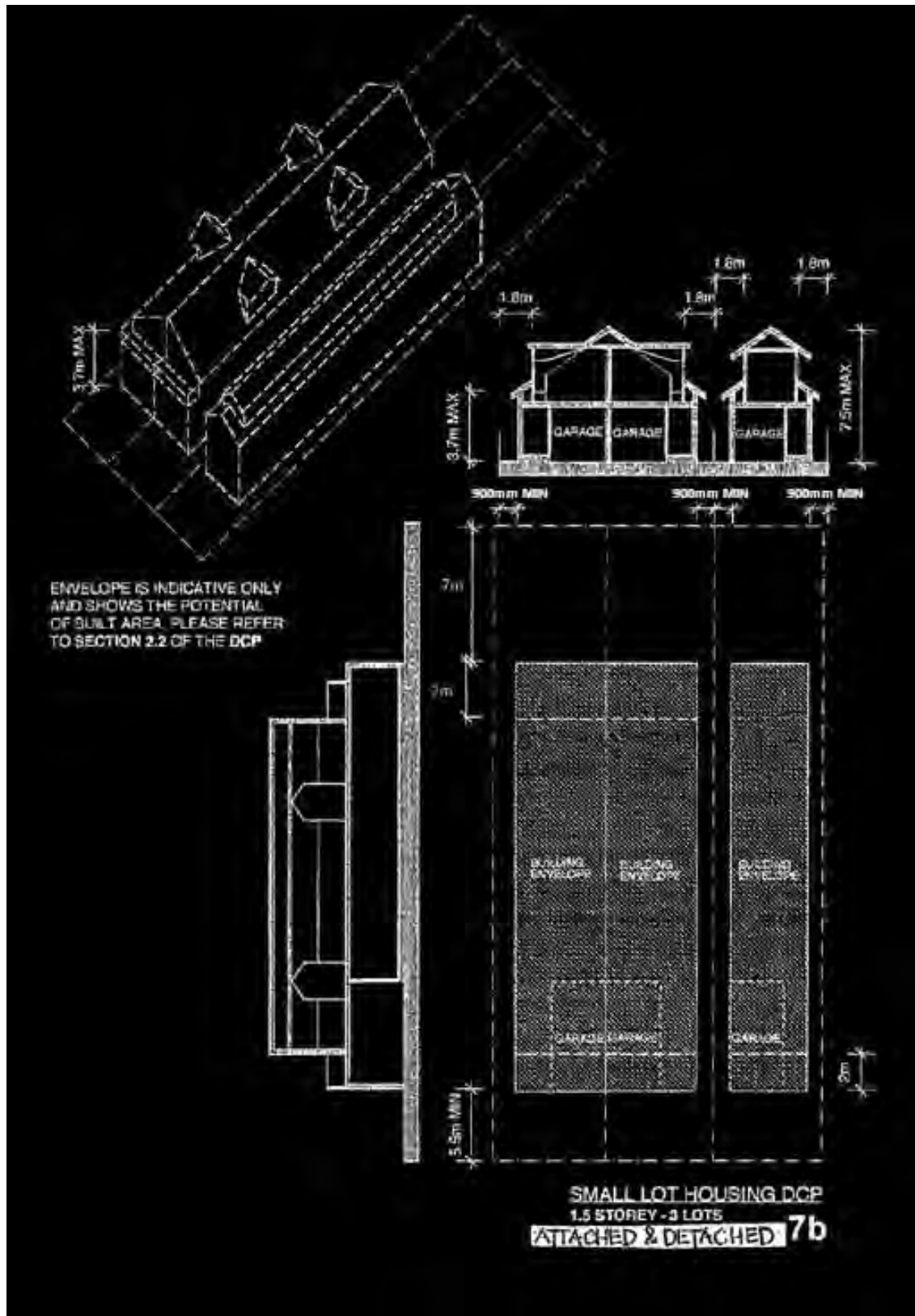


SMALL LOT HOUSING
2 STOREY - 3 LOTS
ATTACHED & DETACHED

7a

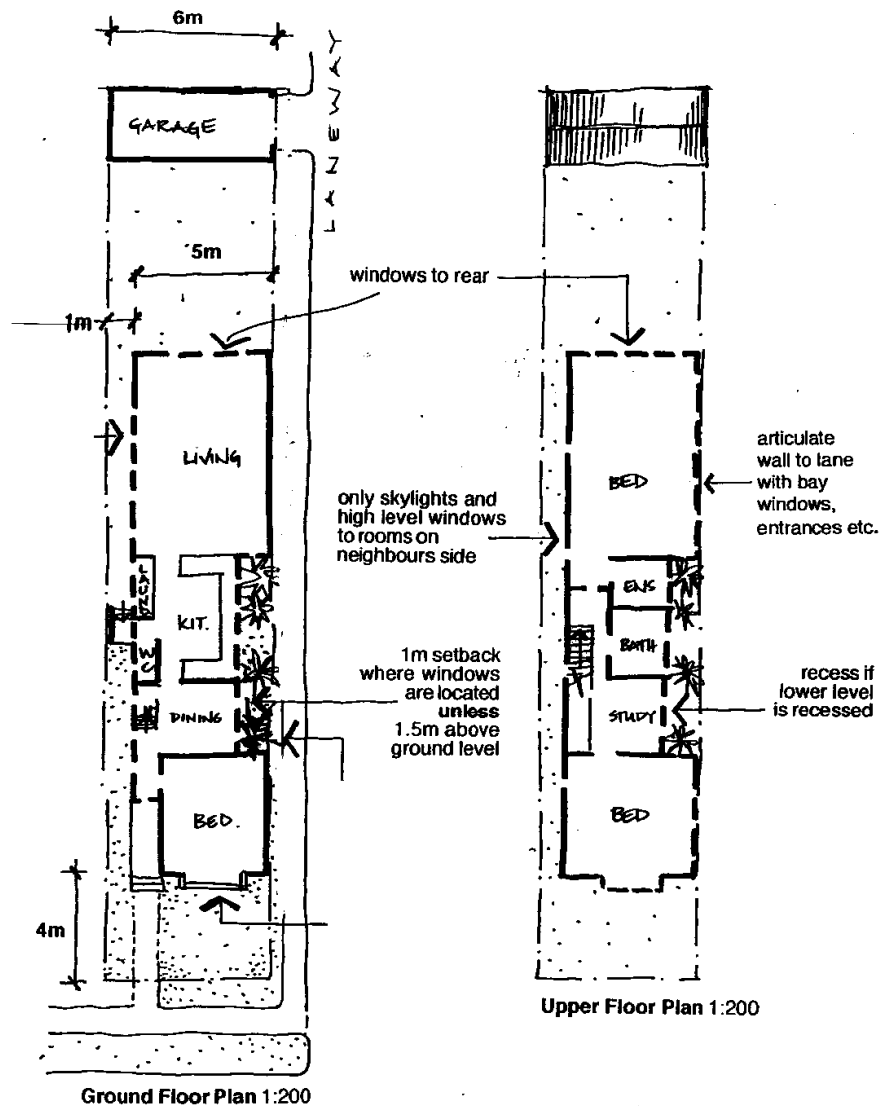
4. Specific Controls for Residential Development

4.4 Small Lot Housing

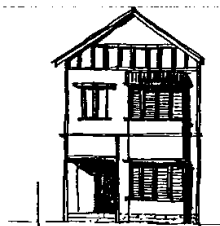


4.4.11 Architectural Design Solutions

The following illustrations indicate appropriate architectural solutions for small lot housing in various circumstances. They may not be the only or necessarily the best solution for a particular site. Site responsive and innovative design is encouraged.



2 Storey detached
3 Bed with rear garage
off side street

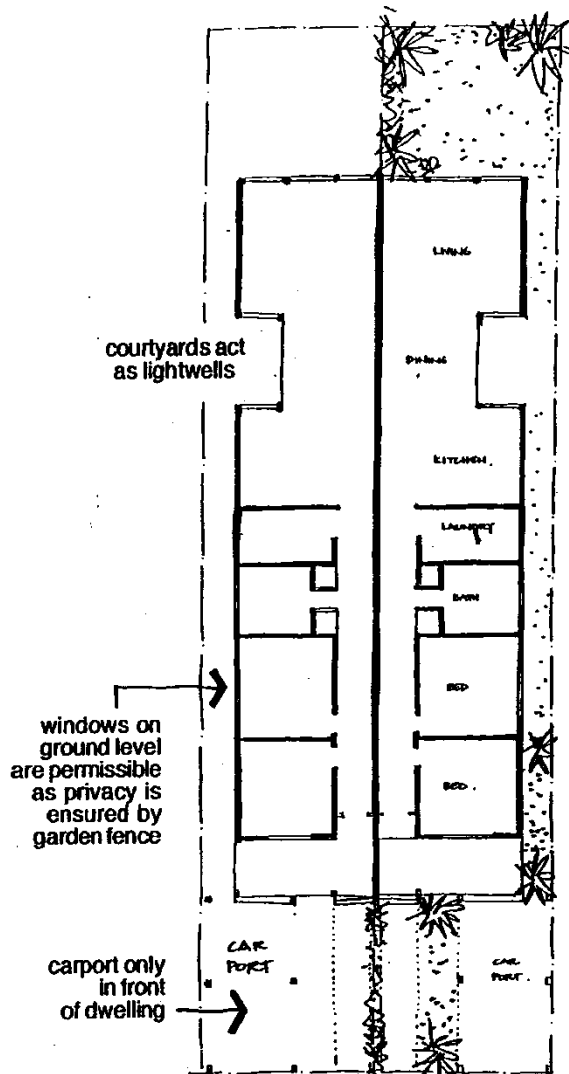


SMALL LOT HOUSING

INDICATIVE DESIGNS

4. Specific Controls for Residential Development

4.4 Small Lot Housing

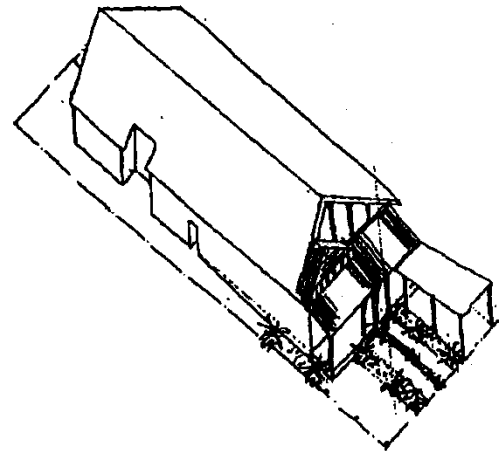


Ground Floor Plan 1:200

Reinforce the existing neighbourhood character. Considerations include the building typology, use of materials, building setbacks and landscaping.

Developments should avoid excessive overshadowing and overlooking of neighbouring properties

Developments should be environmentally sustainable by the use of appropriate materials, sunshading devices such as awnings, louvres, blinds etc and by the placement of the glazing to allow for winter sun and cross-ventilation



1 Storey semi detached
2 Bed with Car port

house to be elevated slightly to maintain separation from the carport

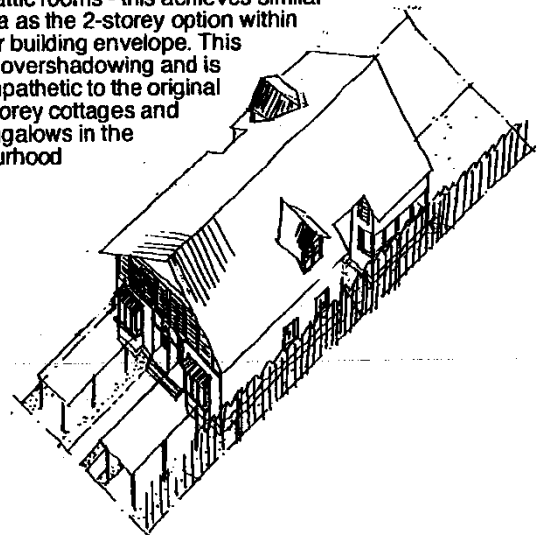
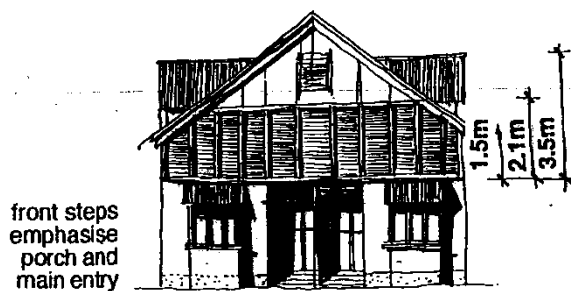
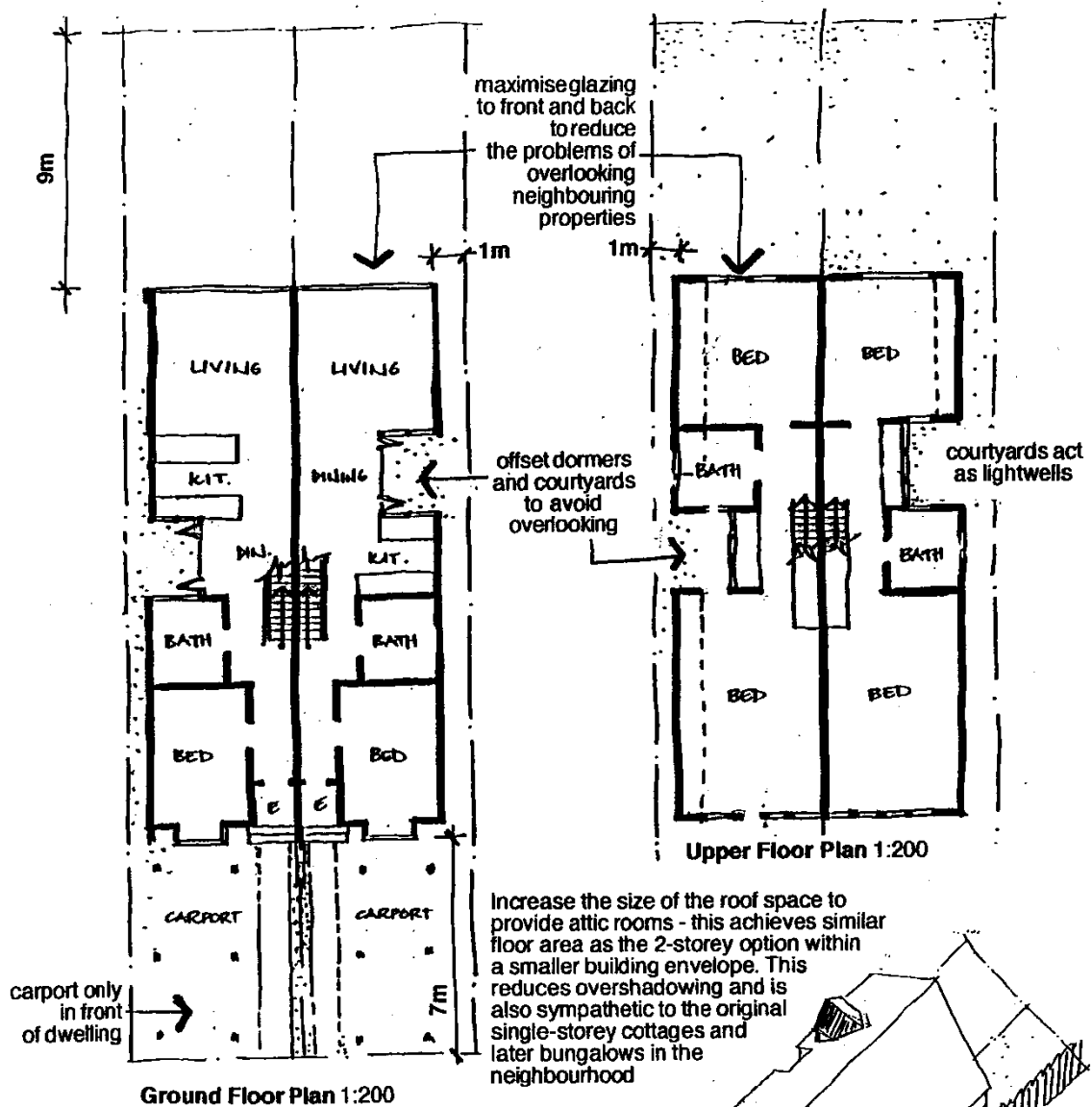


SMALL LOT HOUSING

INDICATIVE DESIGNS

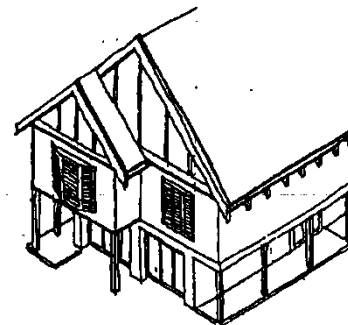
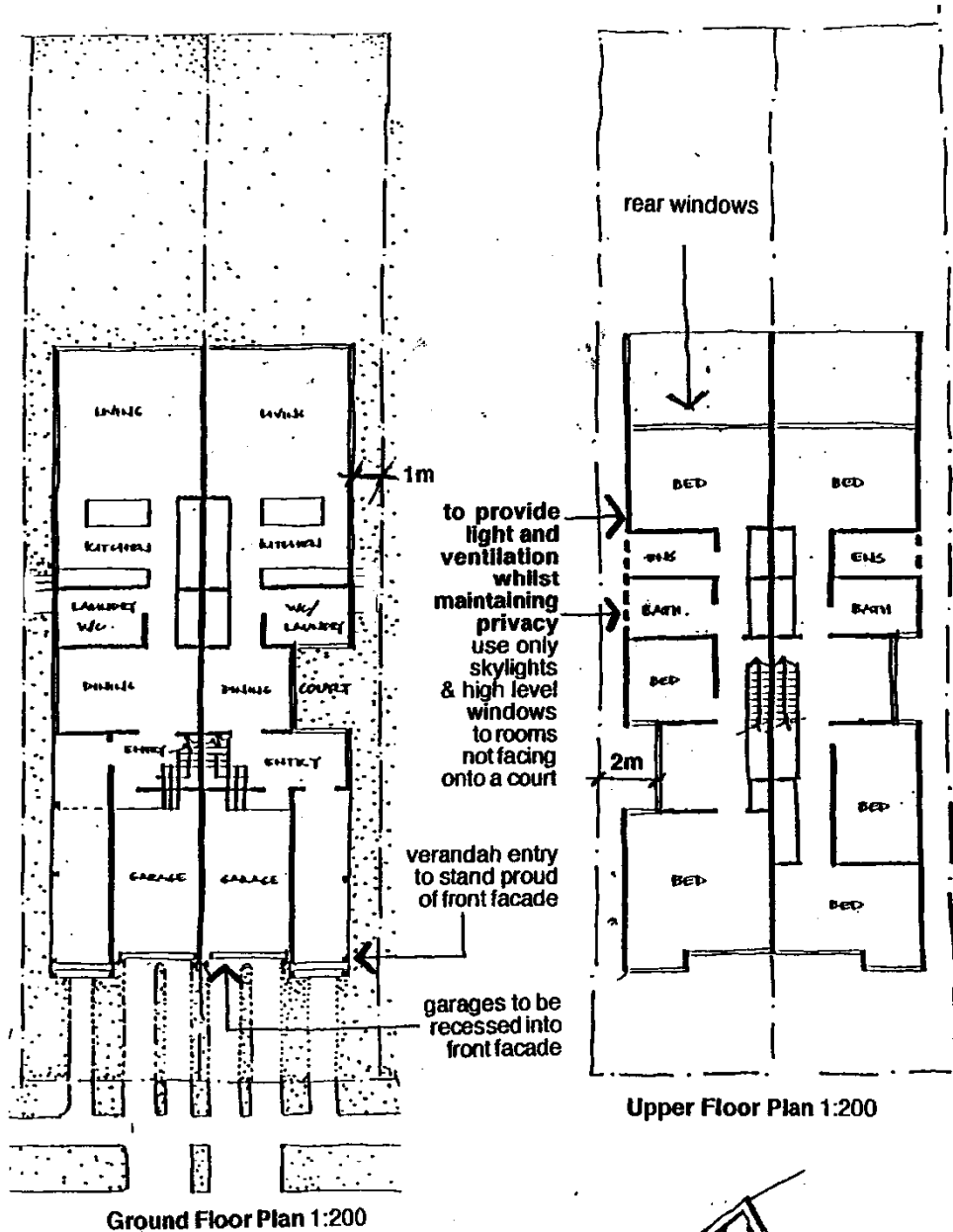
4. Specific Controls for Residential Development

4.4 Small Lot Housing



SMALL LOT HOUSING

INDICATIVE DESIGNS

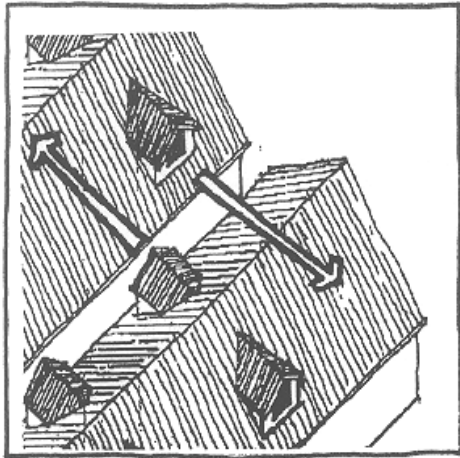


SMALL LOT HOUSING

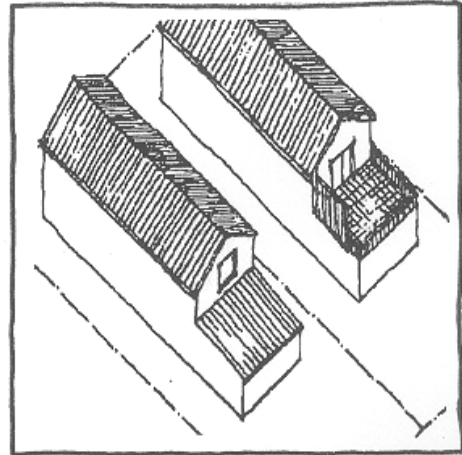
INDICATIVE DESIGNS

4. Specific Controls for Residential Development

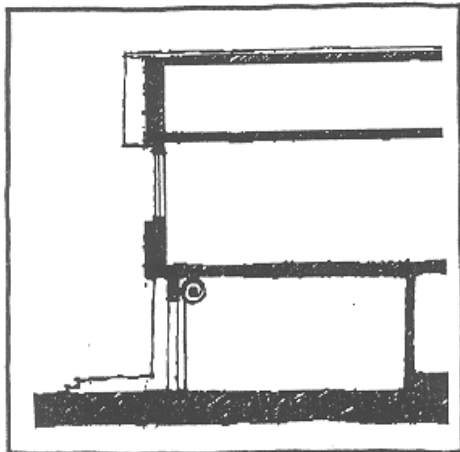
4.4 Small Lot Housing



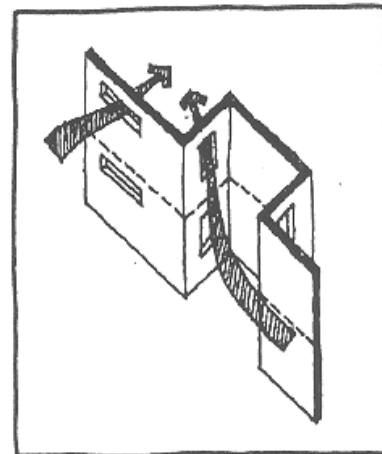
OFFSET DORMER WINDOWS FROM NEIGHBOURING WINDOWS TO AVOID OVERLOOKING.



SET THE SECOND STOREY BACK FROM THE REAR OF THE BUILDING TO MINIMISE OVERSHADOWING.



RECESS GARAGES INTO THE FRONT FACADE. SET PORCHES 300mm PROUD OF THE FRONT FACADE.



CREATE COURTYARDS TO PROVIDE LIGHT AND VENTILATION WHILST MAINTAINING PRIVACY, OR USE HIGH LEVEL WINDOWS TO ROOMS NOT FACING ONTO A COURT.

SMALL LOT HOUSING

DESIGN GUIDELINES

4. Specific Controls for Residential Development

4.4 Small Lot Housing



6a



6b



6c



6d



6e



6f



7

SMALL LOT HOUSING DCP

TYPICAL ELEVATIONS

4.5 Secondary Dwellings

4.5.1 General Information

Note: State Environmental Planning Policy (Affordable Rental Housing) 2009 permits secondary dwellings as complying development (subject to conditions) or through a development application. Where a proposal matches all provisions set out in the SEPP, the application is to be lodged as a complying development and processed accordingly. When this is not the case a Development Application is to be assessed by Council in accordance with both the *SEPP (ARH) 2009* and the objectives and controls set out in this section of the DCP.

Secondary dwellings are defined in Hurstville LEP 2012.

4.5.1.1 Aims and Objectives of Section

- To facilitate the provision of secondary dwellings (i.e. granny flats) as an alternative dwelling type to detached dwellings and dual occupancies.
- To encourage the provision of affordable housing.
- To provide greater housing styles and choice.
- To cater for changing population demographics and living patterns including extended families and adult children living in the family home over longer periods.
- To ensure the occupants are provided with an acceptable standard of independent living.
- To ensure a secondary dwelling is secondary in size, scale and nature, and subservient to the principal dwelling.
- To ensure secondary dwellings do not detract from the form, scale and height of development in the streetscape and locality in which it is located.

4.5.2 General Controls for Secondary Dwellings

The SEPP (ARH) 2009 provides development standards and controls for secondary dwellings.

Buildings shall be designed to complement the existing principal dwelling and natural surroundings and not to adversely impact on the amenity of adjoining premises.

Subdivision of secondary dwellings is not permitted.

Buildings should be sited where possible to maintain existing trees that are subject to Clause 5.9 Preservation of trees or vegetation of the Hurstville LEP 2012.

4.5.2.1 Height

Objectives

- To provide sufficient and usable private open space in the rear yard to be shared between the principal and secondary dwelling for the recreational needs of residents and landscape amenity to dwellings.

Development Controls

- Secondary dwellings are limited to 1 storey in height.
- The minimum floor to ceiling height for a secondary dwelling is 2.7m and the maximum floor to ceiling height is 3.6m.

4.5.2.2 Floor space

Objective

- To ensure the size of secondary dwellings appropriately reflects the subservient status they have to the principal dwelling.

Development Controls

- The maximum floor space of a secondary dwelling is 60sqm, or 10% of the total floor area of the principal dwelling (clause 5.4, LEP 2012).
- The combined floor space of the secondary dwelling and principal dwelling must not exceed the maximum allowable floor space for the site in accordance with the Hurstville LEP 2012 Floor Space Ratio Map and Clause 6.5 of the Hurstville LEP 2012.

4.5.2.3 Setbacks

Objective

- To protect the privacy and solar access of adjacent properties.

Development Controls

- The minimum setback for secondary dwellings on sites outside the Foreshore Scenic Protection Area (FSPA) to all boundaries is 1.2m.
- The minimum setback for secondary dwellings on sites within the FSPA to all boundaries is 1.5m.

Note: The Foreshore Building Line Map and Foreshore Scenic Protection Area is available on the NSW Legislation website at: <http://www.legislation.nsw.gov.au/>

4.5.2.4 Landscaping

Objective

- To provide sufficient landscaped area shared between the principal and secondary dwelling.

Development Controls

- The landscaped area for a secondary dwelling is shared with the principal dwelling.
- The development of a secondary dwelling must lead to the total landscaped area requirement for single dwelling houses being retained on the site. In areas outside of the FSPA this is 20% of the total site area and 25% for areas within the FSPA. Refer to Section 4.1.3.2.

4.5.2.5 Car Parking

Objective

- To provide for the parking needs of residents while preventing the development of secondary dwellings adversely affecting the provisioning of off-street parking for single dwellings.

Development Controls

- As set out in the SEPP (AHR) 2009 no additional car parking spaces are required for secondary dwellings.
- While no additional parking is required, the parking provisions for the principal dwelling in accordance with Section 4.1.3.8 must be maintained. The conversion of a garage space into a secondary dwelling must not result in the existing principal dwelling failing to meet this standard.

4.6 Outbuildings

4.6.1 General Information

For the purposes of this section of the DCP **outbuilding** means any of the following:

- (a) Balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,
- (b) Cabana, cubby house, fernery, garden shed, gazebo or greenhouse,
- (c) Carport that is detached from a dwelling house,
- (d) Farm building,
- (e) Garage that is detached from a dwelling house,
- (f) Rainwater tank (above ground) that is detached from a dwelling house,
- (g) Shade structure that is detached from a dwelling house,
- (h) Shed.

4.6.1.2 Aims and Objectives of Section

- To provide guidelines for the erection of outbuildings.
- To allow for covered off-street car parking.
- To ensure that buildings are designed and located to complement the dwelling and minimize impact on the streetscape and natural landscape.
- To permit the reasonable enjoyment of land by recognising the rights of individuals to develop their land.
- To ensure that outbuildings do not adversely affect the amenity of the locality by their visual impact, size, overshadowing or otherwise.
- To ensure outbuildings are thoughtfully incorporated into a development.
- To control the use of outbuildings so there is no adverse impact on the neighbourhood.
- To maintain, where possible, existing trees and significant vegetation
- Discourage the construction of outbuildings on allotment boundaries of excessive height.

4.6.2 General Controls for Outbuildings

Buildings shall be designed to complement the existing dwelling and natural surroundings and not to adversely impact on the amenity of adjoining premises.

Outbuildings proposed on premises with heritage classifications shall be in harmony with the existing building/s.

Buildings should be sited where possible to maintain existing trees that are subject to the Tree Preservation Order.

4.6.2.1 Size

In accordance with Section 4.1 Single Dwelling Houses, outbuildings associated with a single dwelling, are included in the gross floor area for the calculation of Floor Space Ratio for that dwelling and must comply with the Maximum Floor Space Ratio requirements contained within Hurstville Local Environmental Plan 2012

4.6.2.2 Landscaping

For Outbuildings associated with Single Dwelling house development, the minimum landscaped area in accordance with Section 4.1 applies

4.6.2.3 External Finishes

All external finishes and claddings should be of low reflectivity.

4.6.2.4 Height

The maximum height of an outbuilding should not exceed 3 metres measured from ceiling or top plate level to natural ground level at any point to minimize visual impact and to maintain solar access to adjoining premises. Applications for outbuildings in excess of 3 metres shall be accompanied by a letter justifying the reasons for the increased height.

4.6.2.5 Driveway Gradients/Levels & Car Parking

- All Driveway gradients must be constructed in accordance with AS 2890.1(2004).
- Regard must be given to the cross-fall in longitudinal profile of the footpath in the design of footpaths.
- Carports in front of the front building alignment may be considered for existing dwellings (as at effective date of this DCP amendment) where no vehicular access behind the front building alignment is available.

4.6.2.6 Stormwater

Provision must be made for the collection and disposal of stormwater in accordance with the requirements of Section 4.1 of this DCP.

4.6.3 Specific Controls for Outbuildings

4.6.3.1 Garages, Gyms, Cabanas and Sheds

Setbacks

- Outbuildings detached to a dwelling may extend to side and rear boundaries, provided they meet the following criteria:
 - Outbuildings with walls of masonry (brick) construction may extend to the boundary.
 - They are designed in accordance with the BCA, and
 - No eaves or gutters may overhang any boundary.
- Outbuildings with walls constructed of anything other than masonry (brick), must be setback from any boundary, 500mm.
- Garages on secondary frontages should be setback a minimum of 1.5 metres from the boundary alignment to preserve the safety of pedestrians
- Outbuildings located on rear laneways are required to be setback 1m to provide an area where garbage bins can be placed and ensure adequate access and safety.

4.6.3.2 Carports and Awnings

Setbacks

An open carport, awning or similar structure may extend from the dwelling to the side or rear boundary providing Council is satisfied that:

- It will not affect the amenity of any adjoining property.
- They are designed in accordance with the BCA.
- No eaves or gutters may overhang any boundary.
- Two or more sides of the structure are open and at least one third of its perimeter is open (otherwise it is considered an enclosed garage).
- The roof cladding of the carport must be at least 500mm clear of the allotment boundary or another building on the same allotment for a side to be considered open.

4.6.3.3 Terraces, Landings, Steps and Ramps

These structures may extend to the boundary and be constructed of combustible materials, eg timber, providing they do not exceed one (1) metre in height.

4.6.4 Development in the Foreshore

Hurstville LEP 2012 identifies a Foreshore Building Line and that a person may with the consent of Council, erect certain structures within the foreshore area. See Clause 6.3 of Hurstville LEP 2012 for structures permitted within the foreshore area.

For requirements related to development in the foreshore, please refer to Section 6.5 of this DCP.

4.7 Balcony Enclosures in Residential Flat Buildings

Please refer to Councils Balcony Enclosure in Residential Flat Buildings Policy (Appendix 2).

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5.1 Extended Trading Hours

Section 5.1 applies to commercial premises as defined in the Dictionary of the Hurstville LEP 2012 and approved by Council. Extended trading hours refers to hours outside of 6am to midnight, daily.

The following matters need to be considered when assessing an application for extended trading hours:

- (a) Additional information to be submitted with the DA to include:
 - Detailed description of the activity and its potential impact on adjoining premises
 - Potential impact on the amenity of the area
 - Potential for noise generation
 - Litter generation
 - Anticipated patronage numbers
 - Responsibilities of staff, staffing levels and qualifications (if relevant)
 - External and internal lighting
 - Safety and Security measures
 - Toilet facilities
- (b) Additional advertising requirements for extended trading hours DAs can be considered.
- (c) Referral of the DA to the NSW Police for comment and input.
- (d) Where appropriate, conditions of consent to include a requirement that the applicant/operator of the premises submit a quarterly report to Council addressing key areas of the business' operations eg. safety and security measures, complaints and/or incidents etc. This will assist in the early identification of potential problems that may be associated with the premises, particularly for more contentious or suspect premises.

Council can request action, which would need to be reported in the next quarterly report. If the situation did not improve, warnings could be issued and ultimately approval for the premises would be revoked where conditions of consent were breached.
- (e) Option of time limited consent where Council can review the business' operation after a designated time period, at which time additional controls can be placed on the business if required or consent revoked if there were ongoing problems.
- (f) A regular overview to be provided to Council's Safety Committee of premises trading extended hours.

5.2 Commercial Use of Public Footways

Please refer for Council's Public Spaces and Local Approvals Policy (Appendix 2).

5.3 Light Industrial Areas

5.3.1 General Information

This section applies to all land within the City of Hurstville zoned IN2 Light Industrial under the Hurstville LEP 2012.

5.3.1.1 Aims

The primary aims of this Chapter are to:

- Provide controls for the development of light industrial premises within the City of Hurstville.
- Improve the quality of light industrial development within the City of Hurstville.
- Ensure the orderly development of light industrial sites to minimise their environmental impact while maximising their functional potential.
- Ensure that traffic generated by light industrial development does not adversely affect local or regional traffic movements.
- Ensure consideration is given to employee amenity within light industrial buildings, the site, and the locality; and
- Encourage aesthetically attractive building forms and streetscapes.
- Facilitate the implementation of the aims and objectives of industrial development as set out in Hurstville LEP 2012.

5.3.2. Guidelines and Controls

5.3.2.1 Density

Objective

To maintain the character of light industrial areas by controlling the scale of the development.

Design Principle

The density of the development is in keeping with the bulk, scale and character of the area.

5.3.2.2 Floor Space Ratio

Floor Space Ratio controls for Light Industrial development are contained within Clause 4.4 and the associated Floor Space Ratio Maps of the Hurstville LEP 2012.

5.3.2.3 Site Area/Subdivision

The minimum site area including access corridors and minimum street frontage (width) for subdivision of light industrial land is:

Minimum Site Area (m2)	Minimum Frontage (m)
650	15
> 6000	25

5.3.3 Setbacks

Objective

To provide a building line setback that enhances the streetscape and provides for landscaping.

Design Principles

Setbacks enhance the streetscape and allow for landscaping and open space at the front and between buildings.

Setbacks allow for landscape screening to reduce the visual mass of buildings.

Design Solutions and Controls

- A minimum front setback of 4.5 metres is required for all light industrial development, except for the specific areas identified below:

Location	Setback (metres)
Depot Road	6
Durkin Place	6
Pritchard Place	6
The Crescent	7.6
Vanessa Street	7.6

- Within the front setback area, a minimum of 3 metres is to be landscaped and maintained as open area in order to enhance the streetscape. This area is not to consist of buildings, storage areas or car parking and manoeuvring areas.

The above clause does not apply to the specific areas identified above (which are required to have the entire front setback area landscaped) or where it can be shown that the use of this front setback area will be of a particular benefit to the site (this will mainly apply to those light industrial sites located within the vicinity of the corner of Stanley and Lorraine Streets, which may use this area for car parking).

- For corner allotments, a minimum setback of 2 metres is required for the secondary frontage.

- Where a site has a common boundary with a residential property, a landscaped strip with a minimum width of 2 metres is to be provided along that boundary and adequately landscaped to provide a screen between the two land uses.

For specific requirements within setback areas, refer to Section 5.3.5 Landscaping.

5.3.4 Building Design

Objective

To encourage design that contributes to the streetscape and improves the visual amenity of the surrounding area.

Design Principles

Buildings are designed to integrate with the streetscape and are compatible with their surroundings.

The colours, textures, materials and form of the buildings enhance the quality and character of light industrial areas.

5.3.4.1 Height

The maximum height of a building in the light industrial zone is contained within Clause 4.3 and the associated maps of the Hurstville LEP 2012. Refer also to Section 3.12 for building heights and indicative storeys.

5.3.4.2 Materials and Finishes

- A schedule of materials is to accompany development applications. Documentation is to be provided demonstrating that consideration has been given to the type of materials to be used in the project and the extent to which their use will achieve the objectives.
- Materials appropriate for new buildings include face brickwork, decorative brickwork, contrasting trim and details, concrete or masonry and metal or fibre cement cladding systems.
- Non reflective materials and finishes are to be used. Reflective surfaces on the external wall of a proposed building are to be no greater than 20%.
- Council may require a reflectivity study to be prepared by a suitably qualified person where the development has the potential for adverse impacts on the locality, or major roads within the vicinity of the light industrial area.

5.3.4.3 Fencing

- Fencing is not to be erected within any landscape setback area.
- Fencing at the front of premises is to be of an open design and a maximum height of 2.5 metres.

- Fences on boundaries directly adjoining residential properties are to be constructed of pre-painted solid metal or full brick to provide screening and noise control.

5.3.4.4 Building Form

Buildings must present a satisfactory facade to the street. Blank wall facades are not acceptable.

Architectural features are to be included in the design of new buildings to provide for more visually interesting light industrial areas. Such features may include:

- Distinctive parapets or roof forms.
- Articulated facades.
- Distinctive entries.
- A variety of window patterns.
- Balustrades.
- Pergolas and other sun shading devices; and
- Selection of building materials.

5.3.4.5 Models

Where a proposed light industrial development is considered to be environmentally significant or of major significance to the community, Council may request an architectural model, at a scale of 1:100, which provides the following information:

- Development on the adjoining land in block form.
- Architectural details of proposed development.
- Finishes; and
- Landscaping details.

5.3.5 Landscaping

Objectives

- To provide attractive landscaped areas which enhance the street character and the amenity of buildings.
- To preserve significant stands of trees and natural vegetation.
- To soften the visual impact of the buildings within light industrial areas.

Design Principles

- Landscaping reflects the scale of the development.
- Development is designed to maximise the number of trees retained on the site.
- Landscaping is used to soften the impact of buildings, as a screen to visual intrusions and for recreation space.
- Landscaping predominantly uses indigenous species.

5.3.5.1 General

- Development applications are to be accompanied by a landscape plan prepared by a suitably qualified landscape architect or designer.
- A survey plan is to accompany a development application indicating the precise location of existing trees, their condition, species and crown size, and which trees are proposed to be removed.
- Landscaped area is defined within the Hurstville LEP 2012.
- Landscaping design is to generally incorporate species indigenous to the area and those which will not cause damage to adjacent buildings and driveways. Plants to avoid are those which have a short life, drop branches, gum or fruit, or which interfere with underground pipes.

5.3.5.2 Streetscape (Front Setback Area)

- Landscaping is to be provided in the front setback area to soften the appearance of buildings and enhance the streetscape.
- Landscaping is to be provided where the site abuts access streets, service roads, railway lines or residential development.
- Species that will grow to a height consistent with the building are to be included.

5.3.5.3 Significant Trees

- Buildings, driveways and service trenches are to have a minimum setback of 4 metres from trees and groups of trees which have been assessed as significant.
- Protective measures are required around trees during site works and construction. Such measures are to be submitted with the development application.

5.3.5.4 Amenity

- An outdoor eating and sitting area is to be provided within sites at the rate of 1m² per employee, with a minimum total area of 10m².
- Trees planted on site should provide shade in summer and allow sunlight in winter and should be positioned appropriately.

5.3.6 Vehicle Access and Parking

Objectives

- To ensure vehicle access to and from a development is safe and direct.
- To provide sufficient and convenient parking and unloading/loading facilities.

Design Principles

- Car parking areas are safe and provide efficient ingress and egress.
- Facilities are provided on site for the loading and unloading of goods.
- Car parking areas should be adequately sign posted and where required, provide parking for people with a disability.

Design Solutions and Controls

- Car parking and loading bays must comply with section 3.1 - Car Parking.
- Access and mobility provisions must comply with section 3.3 – Access and Mobility.
- Specific controls for light industrial development, however, are contained below.

5.3.6.1 General

Where possible, parking is to be provided to the rear of buildings or below ground level.

5.3.6.2 Layout, circulation, access and egress

- Refer to AS 2890.1 2004 and AS2890.2 Part 2 for the design and layout of parking facilities

5.3.7 Acoustics

Objective

To protect the surrounding environment from noise intrusions.

Design Principles

- The hours of operation of premises is restricted to avoid any undue or unreasonable noise nuisance upon surrounding residential areas.
- Development is designed to minimise the possibility of noise to the occupants of adjoining or neighbourhood dwellings.
- Noise control measures for any particular source take account of all potentially affected points.

- Sources of noise such as garbage collection, machinery, parking areas and air conditioning plants are sited away from adjoining properties and screened/ insulated by walls or other acoustic treatment.

5.3.7.1 Provision

Noise levels are not to exceed specified limits at the most affected point of the property boundary.

Recommended Background Noise Levels

Predominant Land Use of Receiver	L90 Background Noise Level in dB(A)
Residential	50
Shop or Commercial Office	60
Light Industrial	65

5.3.7.2 Proposals

All proposals which may generate noise are to be accompanied by documentation from a qualified acoustic engineer certifying that the acoustic standards can be met.

5.3.7.3 Hours of Operation

The hours of operation of light industrial activities are between the hours of 7.00 am and 5.00 p.m. Mondays to Saturdays inclusive, with no work on Sundays or Public Holidays. For those properties that are not located adjoining or opposite a residential property where the use does not result in heavy machinery work the extended trading hours 7am to 7pm Mondays to Saturdays inclusive with no work on Sundays or Public Holidays apply.

5.3.8 Energy Efficiency and Services

Objective

To develop ecologically sustainable light industrial environments which maximise energy efficiency and conservation of resources through building design, construction and occupation.

Design Principles

- Building design and internal layouts are designed to maximise energy efficiency for heating and cooling.
- Building materials are selected to assist thermal performance.
- Buildings have an area, orientation and roof pitch that is suitable for the installation of solar collectors.

- Landscape design assists in microclimate management for the reduction in use of fossil fuels, the conservation of water and reducing nutrient runoff to stormwater systems.

5.3.8.1 Solar

- Passive solar design measures are to be incorporated into a building's design.
- Ceiling insulation is to be provided.
- The use of solar collectors for hot water heating and power is encouraged to reduce energy consumption.
- Buildings are to have windows that are appropriately sized and shaded to reduce summer heat load while permitting entry of winter sun.
- External shading devices are to be incorporated but should not completely eliminate or substantially reduce natural lighting or views.

5.3.8.2 Energy

Low energy, high efficiency plant, fittings and appliances are to be specified.

5.3.8.3 Water

Water consumption is to be minimised by the use of dual flushing toilets and the planting of indigenous species in landscaped areas.

5.3.8.4 Utility Location

- The applicant is to ascertain, by reference to Energy Australia, the position where the service box and meters are to be installed.
- Applicants are informed that Energy Australia may require an area within the site to be dedicated, suitable for the location and maintenance of a distribution substation. The location must satisfactorily meet the requirements of both Energy Australia and Council.

5.3.9 Waste Management

Objective

To provide for an efficient and environmentally sustainable means of storage and/or disposal of trade waste and recyclable products.

Design Principles

- The capacity, size, construction and placement of both trade waste and recyclable storage facilities is determined according to:
 - Estimated amounts of trade waste and recyclables generated.

- Safe means of collection; and
- Unobtrusive effects on the building and neighbourhood.
- Excavated material, demolition and builder's waste is disposed of on landfill sites approved by the Environmental Protection Authority and acceptable to Council.
- Development incorporates convenient access for waste collection.

5.3.9.1 Capacity and Size

- Adequate storage for waste materials is to be provided on the site. This waste must be removed at regular intervals and not less frequently than once per week.
- The garbage area is to be capable of accommodating trade waste and recyclables arising on the premises. Sufficient space is to be provided for a loading and unloading area and any associated handling equipment.
- The location the garbage area and bulk waste collection bins is to be shown on the development application plans.

5.3.9.2 Construction

Garbage areas are to be constructed of concrete floors or the like, graded and drained and connected to the sewer where appropriate. Solid walls are required, with or without the following - roof covering, doors, lighting, ventilation and water supply.

5.3.9.3 Placement

Garbage areas are to enable safe and easy access by collectors and collection vehicles within proximity to street frontages, and are to be screened with appropriate landscaping measures.

5.3.9.4 Access

For collection of waste, roadway curves are to be a minimum radius of 11 metres.

5.3.9.5 Excavated Material

Sites for disposal of excavated material, demolition and builders waste are to be specified by the applicant with the development application.

In addition to the above requirements, applicants are required to comply with Section 3.9 of this DCP.

5.3.10 Drainage

Objective

To retard the flow of water into the natural drainage system and mitigate impacts from stormwater run-off.

Design Principle

Drainage from development sites is consistent with the pre-development stormwater patterns.

5.3.10.1 ARI Event

- The stormwater discharge for development sites is not to exceed the 5 year ARI storm event. An on site stormwater detention system will be required to reduce the velocity of stormwater discharge. ARI - Average Recurrence Interval, an x year storm occurs on average, once every x years.
- On site stormwater and drainage control is to be designed for the 20 year ARI storm. Trunk drainage systems should provide for the 20 year ARI event with overland flow paths designed for the 100 year storm ARI event.
- The habitable floor areas of dwellings constructed adjacent to the trunk drainage systems, watercourses and creeks is to be a minimum of 0.5m above the 100 year ARI flow event.
- Proposals are to maintain the natural drainage systems and not change the drainage pattern through filling.

5.3.10.2 Design

- The area of the site covered by impervious surfaces, including roofed areas, paving and driveways, should be minimised to reduce stormwater runoff.
- Drainage diagrams are to be submitted providing for the effective collection and discharge of all surface and roof waters to the street gutter by means of adequate pipes. The size of all pipes is to be shown on development application plans.

5.3.10.3 Easement

- Stormwater is to be gravity drained to Council's drainage system, which may require inter-allotment drainage.
- Proponents may require the creation of easements over downstream properties for drainage purposes. In this circumstance, a letter of consent from the owner(s) of the downstream properties is to be submitted with the development application.
- Where land is on the low side of a road, roof and surface stormwater are to be conveyed to a street gutter by piping the water through land at the rear. In this case it is necessary to obtain an easement over adjoining land and provide Council with evidence that the easement has been registered with the Registrar General.

- This drainage easement is to have a minimum width of 1 m and be provided through the land which is the subject of the application.

5.3.11 Stormwater Management

Stormwater

Stormwater is rainwater which drains off roofs, roads, driveways and other solid surfaces. It picks up and carries a variety of pollutants directly into gutters and drains before it enters surrounding waterways. Stormwater is untreated before it enters local waterways so it is important to minimise the amount of pollutants being picked up and carried by stormwater before it enters creeks, streams and rivers.

Stormwater Management

Stormwater management incorporates the implementation of both structural and best management practices to minimise the effects of stormwater on the environment.

Objective

To improve the quality of stormwater leaving industrial sites through the effective control and management of stormwater generated within industrial sites.

Design Principles

The quality of stormwater leaving development sites is consistent with water quality standards set by the Environment Protection Authority and ANZECC.

Building and landscape designs minimise the impacts of stormwater on the environment.

Natural drainage patterns are not altered in such a way that they will cause environmental impacts down slope from the development.

On-site stormwater management systems to be economically viable.

Stormwater drainage must not adversely impact on other properties in the catchment or adjoining catchment area.

5.3.11.1 Agreement for Trade Waste Agreement

Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

A Trade Waste Agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system.

Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

5.3.11.2 Disposal of liquid waste

All liquid waste is to be disposed of in accordance with the Environment Protection Authority's Environmental Guidelines; *Assessment, Classification and Management of Liquid and Non Liquid Wastes* (1999) and the *Protection of the Environment Operations Act 1997*.

5.3.11.3 Disposal of Waste Water from Work Areas

Covered, bunded work areas, including workshops and lube bays, are to be graded into collection sumps and/or grated drains so that surface effluent generated within the workshop area is directed into a dedicated drainage system for treatment, storage and disposal and/or reuse.

If liquid wastes are to be disposed of to the sewer, a Trade Waste Agreement from Sydney Water is to be obtained. A copy of the license is to be forwarded to Council as proof of appropriate disposal.

Alternatively, disposal of waste is to be conducted in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environment Protection Authority's Waste Regulation under the Protection of the Environment Operations Act 1997 (NSW).

5.3.11.4 Washing of Vehicles

Washing of vehicles/boats is to be conducted in a car wash bay, which is roofed and bunded to exclude rainwater.

All waste water from car washing is to be discharged to the sewer under a Trade Waste Agreement from Sydney Water.

Alternative water management and disposal options may be possible where water is recycled, minimised or re-used on the site.

Any such option is to comply with:

- Environment Protection Authority's Environment Protection Manual for Authorised Officers: Technical Section (Car Washing Waste); and
- Environment Protection Authority's Managing Urban Stormwater: treatment techniques.

5.3.11.5 Car Park Stormwater Treatment

Any open parking area(s) must drain to a stormwater treatment device capable of removing litter, oil, grease and sediment prior to discharge to the stormwater system.

Car parks must also comply with:

- Environment Protection Authority's Environment Protection Manual for Authorised Officers: Technical Section (Stormwater First Flush Pollution); and
- Environment Protection Authority's Managing Urban Stormwater: Treatment techniques.
- Stormwater treatment device(s) are to be maintained on a regular basis.

5.3.11.6 Compliance with the Protection of the Environment Operations Act 1997

Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the *Protection of the Environment Operations Act 1997*.

Records shall be kept of all waste disposals from the site.

5.3.11.7 Storage of wastes

Storage of waste materials must be provided within garbage stands.

Details of the types of waste, method of storage, method and frequency of disposal are to be submitted with the development application, so that stored waste does not create offence either by emission of dust, leachate or odour, or by unsightliness.

5.3.11.8 Storage and handling of chemicals

All chemicals are to be stored and handled in accordance with:

- AS 1940-1993 The Storage and Handling of Flammable and Combustible Liquids; and
- Environmental Protection Authority's Environmental Protection Manual for Authorised Officers: Technical Section (Bunding and spill management) (1995).

5.3.11.9 Signage for stormwater drains

Sign(s) shall be displayed and maintained adjacent to all stormwater drains on the premises, clearly indicating 'Clean water only - NO wastewater or rubbish'.

5.3.11.10 Sealed surfaces

Maximise on-site infiltration by minimising sealed surfaces and increasing porous surfaces to reduce stormwater runoff.

5.3.11.11 Spill clean up

Supplies of appropriate absorbent materials and /or other spill clean up equipment shall be kept on site to recover any liquid spillage.

Liquid spills shall be cleaned up using dry methods only.

5.4 Child Care Centres

5.4.1 Land to Which This Section Applies

Child Care Centres are defined in Hurstville LEP 2012 and are only permitted on land within Hurstville City Council that:

- Is 500sqm or larger; and
- Has a minimum street frontage (as measured for the depth of the parking and manoeuvring area at the front of the building) of:
 - 18m where a separate entry and exit one way drive-through access is proposed.
 - 20m where an at grade single vehicular access point to the on-site car parking area is proposed to allow for the provision of two separate pedestrian paths (refer to indicative diagrams in section 5.4.10 Access and Parking).
 - 15m for R3 Medium Density Residential areas where parking is provided at basement level.
- Does not have any property boundary on a State Road; and
- Complies with the relevant locational criteria.

5.4.2 Aims

The primary aims of this Section are to:

- Provide information for persons wishing to establish or modify a child care service.
- Adopt a positive, pro-active approach to planning child care centres - providing operators with a clear understanding of Council's requirements and why these requirements are important to the design of child care services.
- Clearly identify desired outcomes for specific requirements.
- Encourage the provision of high quality child care which meets the needs of the community.
- Recognise child care centres as important educational facilities, critical to the physical, intellectual, cultural, creative, sensory and emotional development of children.
- Minimise potential adverse impacts on the locality and broader environment as well as the natural and built environment, by providing effective control measures; and
- Ensure the integration of the facility within its environment is achieved so that the development reflects the existing streetscape and character of the locality.

5.4.3 Regulatory Authority

Child care centres are regulated through a national framework developed to the Australian Children's Education and Care Quality Authority (ACECQA). Contact details are:

Australian Children's Education and Care Quality Authority
Level 15, 255 Elizabeth Street
SYDNEY NSW 2000
Ph: 1300 422 327
Email: enquiries@acecqa.gov.au

In NSW the responsibility for implementing the national framework developed by the ACECQA and issuing licences for child care centres is the Department of Education and Communities (NSW). Contact details are:

Early Childhood Education Directorate
NSW Department of Education and Communities
Locked Bag 5107
PARRAMATTA NSW 2124
Ph: 1800 619 113
Email: ececd@det.nsw.edu.au

Nothing in this Section is to be taken as removing the need for compliance with the Children and Young Persons (Care & Protection) Act 1998 and the Children (Education and Care Services) Supplementary Provisions Regulation 2012.

A series of 'flags' 🚩 have been included within relevant sections to indicate that legislative requirements pursuant to the Children and Young Persons (Care & Protection) Act 1998 and Children (Education and Care Services) Supplementary Provisions Regulation 2012 apply to that particular issue.

This Section in no way covers all areas of regulatory control. Applicants are advised to obtain the Act and Regulation and other preparatory material from the Department of Education and Communities prior to preparing detailed designs.

5.4.4 Related Child Care Operations

Several other forms of child care services are available in addition to centre-based child care services. These include Family Day Care, Home-Based Child Care and Mobile Child Care.

Mobile Child Care and Home-Based Child Care services require licensing from the New South Wales Department of Community Services. An adviser from this Department should be consulted to obtain the requirements for these services.

Family Day Care is coordinated by Hurstville City Council and Council's Community Services Department should be consulted in relation to providing this service.

Some forms of child minding services are considered Exempt Development (do not require a Development Application). Please refer to the State Environmental Planning Policy (Exempt and Complying Development) 2008 for further details.

5.4.5 Guidelines and Controls

5.4.5.1 Locational Criteria

Objectives

- Quality child care facilities are located on appropriate sites.
- Minimise impacts from child care centres on surrounding residential areas.
- Sites used for the purposes of a child care centre are compatible with the environment in which they are situated.
- Due consideration is given to Section 79(c) of the EPA Act 1979 - the social and economic effect of that development in the locality.

ISSUES	REQUIREMENTS
<p>General Preferences:</p> <p>The location of Child Care Centres in community focal points enhances accessibility to the broader population, and generally results in less impact than locating in a quiet residential environment.</p>	<ul style="list-style-type: none"> ➤ Child care centres should be located close to or adjacent to community focal points such as local shopping centres, community buildings (libraries, churches, halls etc.), parkland, sports grounds and schools (where there is no major traffic conflict). ➤ Sites less than 500 square metres will not be considered. ➤ Sites will not be considered for a child care centre use unless they have a minimum street frontage (as measured for the depth of the parking and manoeuvring area at the front of the building) of: <ul style="list-style-type: none"> (i) 18m where a separate entry and exit one way drive-through access is proposed. (ii) 20m where an at grade single vehicular access point to the on-site car parking area is proposed to allow for the provision of two separate pedestrian paths (refer to indicative diagrams in section 5.4.10 Access and Parking) (iii) 15m in R3 Medium Density Residential areas where parking is provided at basement level. If a proposal will result in an adjoining lot being left isolated, evidence must be submitted of negotiations with the owner and the issue will be considered as part of the assessment.

5. Controls for Specific Non-Residential Development Types

5.4 Child Care Centres

ISSUES	REQUIREMENTS
	<ul style="list-style-type: none"> ➤ Steeply sloping sites will not be considered due to issues relating to access. ➤ Child Care Centres are not permitted on sites with any property boundary to a State Road (as listed under Appendix 1) due to reasons of traffic safety and amenity impacts (including air quality and noise).
<p>Proximity to Undesirable or Hazardous Features:</p> <p>Proposals for child care centres which are <u>located away from:</u></p> <ul style="list-style-type: none"> - telecommunications towers - large over-head power wires - any other area which may reasonably be considered inappropriate if located near a child care centre, <p><u>will be favoured in terms of compliance with locational criteria.</u></p>	<ul style="list-style-type: none"> ▪ Approval is unlikely to be given for centres within 300 metres of any feature mentioned to the left column, unless the applicant can demonstrate evidence to support a variation to this requirement. ▪ Approval will not be given to a child care centre located closer than 55 metres to a LPG above ground gas tank or tanker unloading position. ▪ An analysis of any existing and/or potential site contamination is required to be submitted with any application for a child care centre. ▪ Where sites are, or may be contaminated, a report is to be submitted with the application prepared by a suitably qualified consultant. ▪ Approval will not be given to Child Care Centres located in cul-de-sacs or closed roads within residential area. Objective: To avoid adverse amenity impacts in cul-de-sacs or closed roads in residential areas. Due to their closed nature, cul-de-sacs are more adversely affected by the double traffic and parking impacts resulting from child care centres. Generally cul-de-sacs lack adequate space for pick up/drop off, resulting in queuing & traffic impact unless the property has a double street frontage with a drive through capability. ▪ Child Care Centres are not to be located on bushfire or flood prone land, or located adjoining injecting rooms, drug clinics and any other such uses that may be inappropriate next to children. ▪ Proposals for Child Care Centres must be accompanied by a Traffic Impact Statement provided by a qualified Traffic or Transport Consultant.

ISSUES	REQUIREMENTS
	<ul style="list-style-type: none"> Child Care Centres located adjoining the IN2 Light Industrial Zone or a Light Industrial use will be considered on their merits. Applicants are required to submit evidence that there will be no amenity impacts from existing or likely future industries.

5.4.6 Cumulative Impacts from Centres within Residential Areas

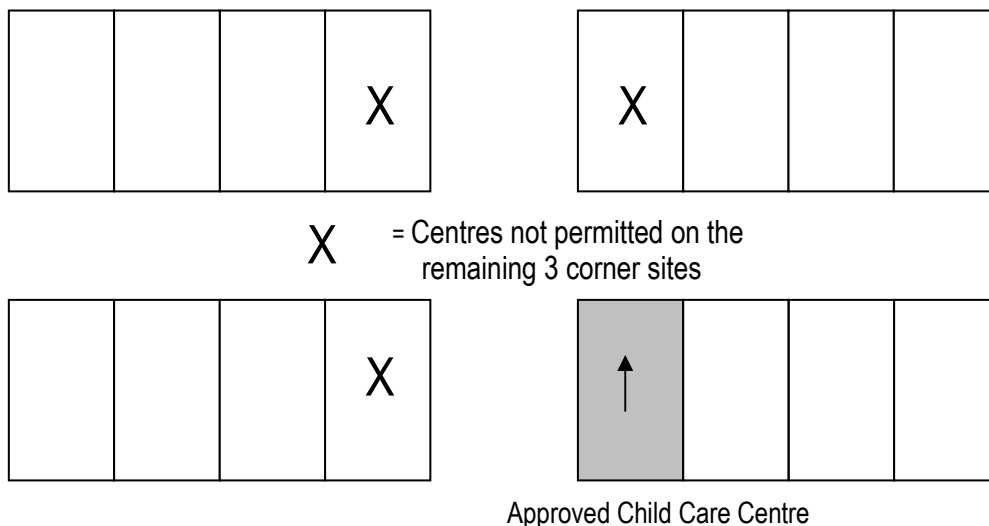
Objective

To ensure that potential cumulative impacts on residential amenity including traffic and parking, visual and acoustic privacy are minimised.

The following controls apply to child care centres proposed in residential zones only.

- Only one child care centre is permitted at an intersection (see Diagram 1A)

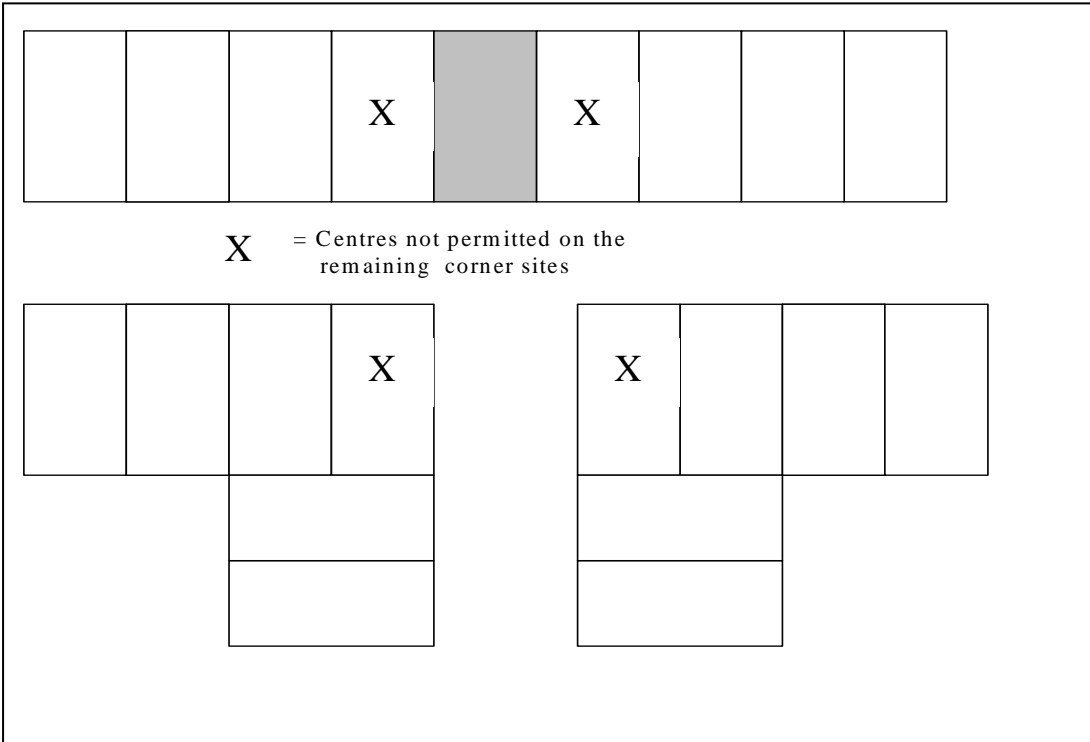
Diagram 1A



5. Controls for Specific Non-Residential Development Types

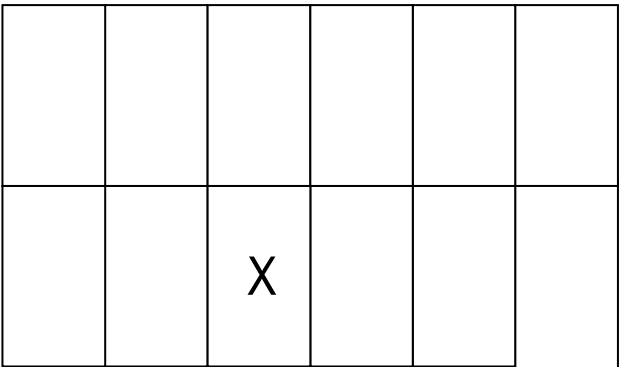
5.4 Child Care Centres

Diagram 1B

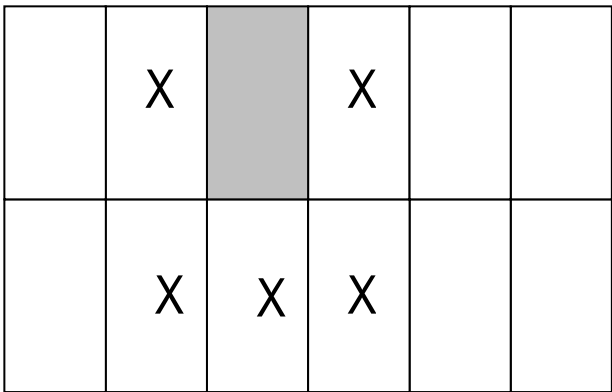


- Child Care Centres shall not be located on land adjoining any other existing or approved Child Care Centres (see Diagram 2).

Diagram 2



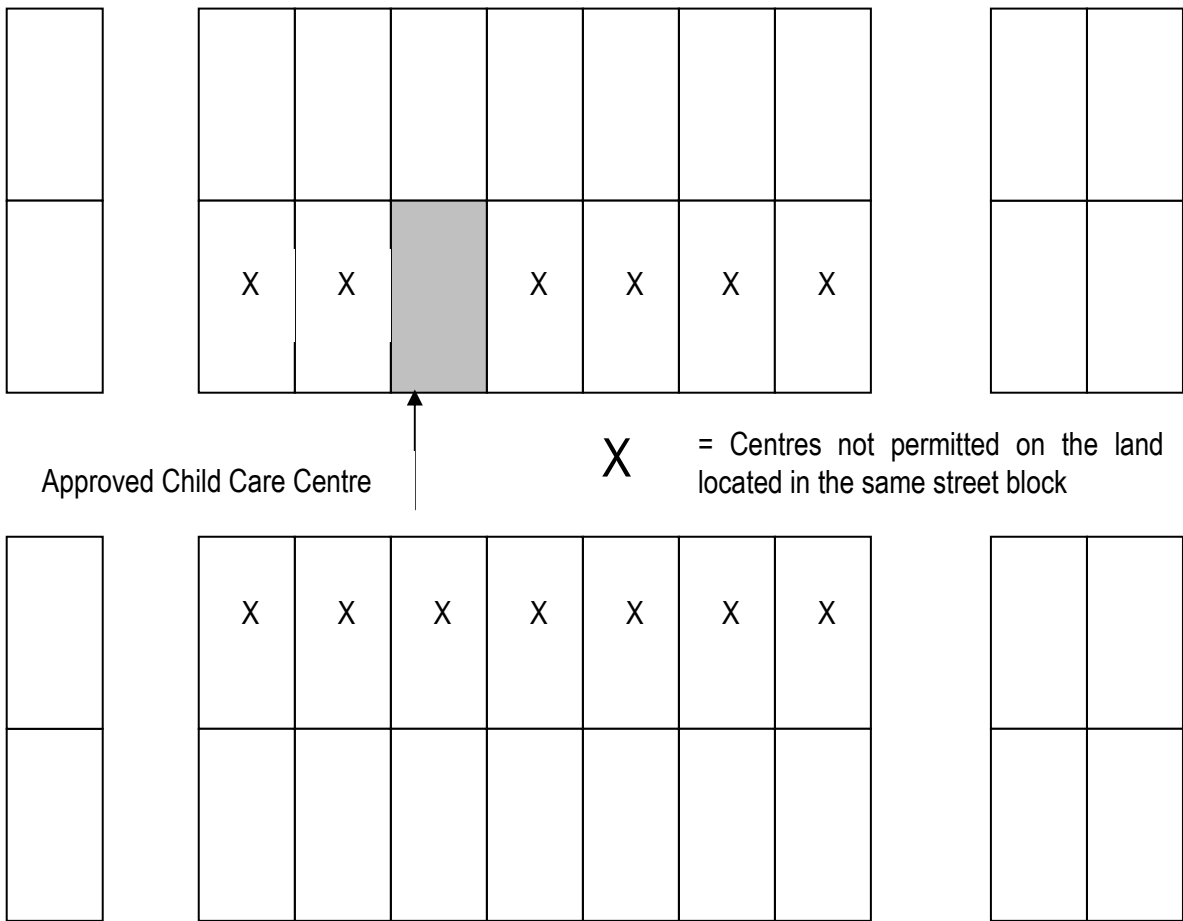
X = Centres not permitted on the land adjoining the approved centre



Approved Child Care Centre

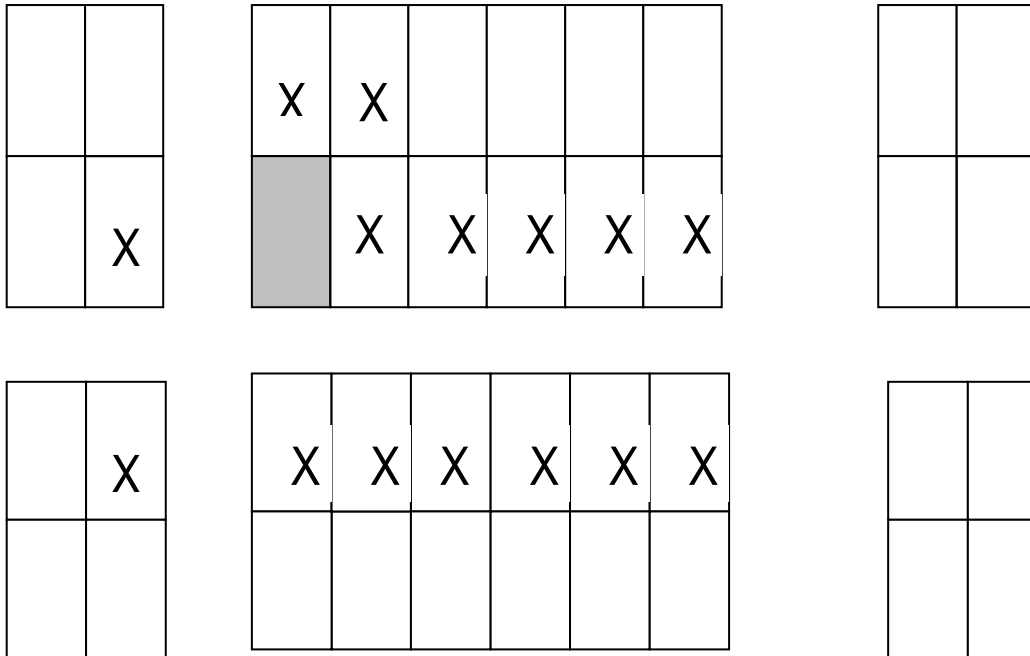
3. Only 1 Child Care Centre is to be located on each street block. A street block is defined as those properties on both sides of a street between intersections with cross streets. (See Diagram 3)

Diagram 3



4. Diagram illustrating all 3 of the above cumulative impact controls for child care centres

Diagram 4



5. The cumulative impacts of proposed child care centres within residential areas, especially traffic impacts, are required to be addressed in the statement of environmental effects submitted with the application.

5.4.7 Consideration of Provision of Child Care Centres within large Developments

Objectives

To encourage provision of child care facilities in appropriate developments in order to meet the demand for child care facilities and encourage their establishment in appropriate locations.

Requirements

Applicants for larger commercial and residential developments are required to demonstrate that they have considered the need for child care facilities and the option of including a child care centre within the proposed development.

5.4.8 Size of Centres and Child Age Groups

Objectives

- Ensure that Child Care Centres are of a manageable size of overall number of children and minimize adverse impacts on the amenity of the surrounding residential areas.
- To ensure that the number of spaces for under 2 year olds reflects the demographics of the local government area.

Requirements

Capacity

- The maximum number of children to be accommodated in a child care centre within Residential zones are as follows:
 - R2 Low Density Residential: 40 children. Council will consider a variation to the controls under this Clause for Child Care Centres in the R2 zone where the site is located adjacent to a retail/commercial area or other non-residential zoning.
 - R3 Medium Density Residential: 60 children
- The maximum number of children to be accommodated within other zones where Child Care Centres are permissible will be considered on its merits. Consideration will be given to the likely impacts on adjoining lands, compliance with the objectives of this plan, compliance with the objectives of the adjoining land zones, and Hurstville LEP 2012.

Age groupings

The minimum number of places for children in the under 2 year old age group is to be the same as the % of under 2 year olds in the 0-5 year old population as measured at the most recent census (at the 2011 census this was 35%). Where calculations produce a fraction their requirement is to be rounded to the nearest whole number.

5.4.9 Building Form and Appearance

Objectives

- Appropriate scale and building design that is sympathetic to the streetscape character.
- A high level of amenity to adjoining and surrounding properties.
- Buildings take into account the natural environment, topography, street hierarchy, urban form and adjoining development.

- Ensure no bright colours on building finishes.

Requirements

5.4.9.1 Height

- For Residential Zones, the maximum height is:
 - R2 Low Density Residential: One (1) storey. A variation to this control will only be considered where the centre is located adjacent to commercial or other non-residential zonings and where the proposal complies with the building form objectives.
 - R3 Medium Density Residential: Two (2) storeys
- Other zones where Child Care Centres are permissible
 - Centres are restricted to a maximum height of two (2) storeys (unless located within a large scale commercial / residential development as permitted under Hurstville LEP 2012).
- Where a Child Care Centre is within a dwelling house, the maximum height is two (2) storeys (with the Child Centre component a maximum of one (1) storey).

5.4.9.2 Setbacks

Residential Zone (R2 and R3 Residential Zones)

Front

- The minimum setback to the primary street frontage is 5.5 metres in the R2 Low Density Residential zone and 6 metres in the R3 Medium Density Residential zone (see Section 4.5)
- On corner sites, Council will determine the primary frontage and the required front boundary setback will be to that primary frontage. A reduced setback may be allowed to the secondary frontage of not less than 2 metres.

Sides

Minimum setbacks as follows:

- In the R2 Low Density Residential zone: 0.9m
- In the R3 Medium Density Residential zone: 0.9m for ground floor level, 1.5m for upper storey

Rear

Minimum rear setbacks as follows:

- In the R2 Low Density Residential zone: 3m

- In the R3 Medium Density Residential zone: 6m
- Other zones where Child Care Centres are permissible.

Setbacks are to be considered on their merits. Consideration will be given to the likely impacts on adjoining lands, compliance with the objectives of this plan, compliance with the objectives of the adjoining land zones, and Hurstville LEP 2012.

5.4.9.3 Relationships to Adjoining Properties

- When considering the possible impacts on adjoining properties, particular consideration must be given to the location of:
 - Active outdoor play areas.
 - Classrooms and indoor play areas.
 - Windows and doors, particularly those associated with indoor play areas.
 - Verandahs.
 - Points of entry.
 - Pick-up and drop-off points; and
 - Any plant equipment which may be required within the context of the centre.
- Openings such as windows and doors should not correspond with existing openings on adjoining properties. Particular consideration should be given to living areas of adjoining dwelling houses when selecting the location of classrooms and playgrounds.
- Appropriate building orientation and good design will ideally eliminate the need for privacy screens. Privacy screens will be considered where it is deemed to be in the public interest and where they complement the overall appearance of the building.
- The impacts of privacy and overshadowing on adjoining properties must be considered. Proposals should comply with Section 5.4.14 Visual Privacy and acoustic amenity.

5.4.9.4 Solar Design and Energy Efficiency

- The design of buildings should minimise the overshadowing of neighbouring private open spaces and/or windows to habitable rooms.
- Where a new building is being constructed for a child care centre or alterations and additions proposed, the building must not unreasonably obscure sunlight to the windows of habitable rooms, solar collectors or rear yards of adjoining properties. Design should allow at least 3 hours of sunlight between 9am and 3pm midwinter (21 June) to adjoining private open space.
- Where a new building is being constructed for a child care centre or alterations and additions proposed, shadow diagrams must be prepared and submitted showing the impact of a proposal on adjoining sites. Shadow diagrams need to illustrate the shadows cast at 9am, 12 noon and

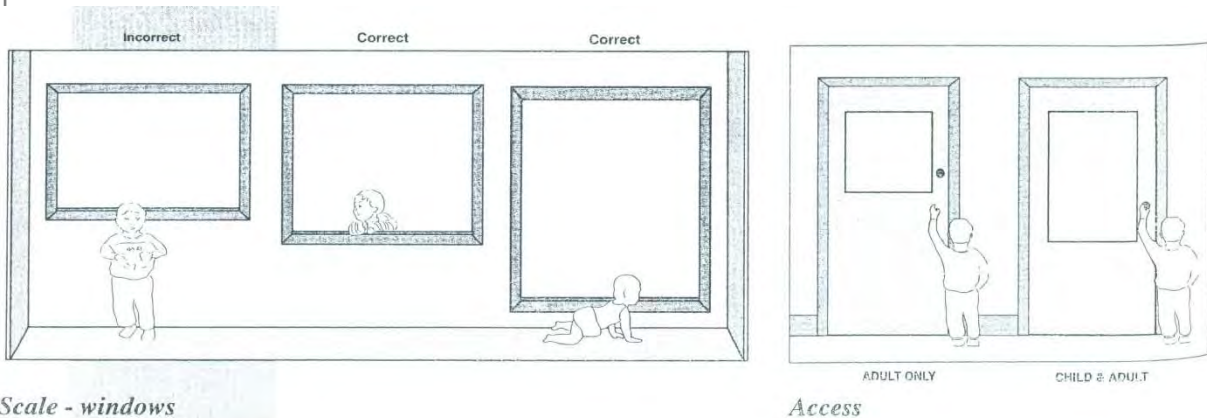
3pm on 21 June, with particular emphasis on the impact on adjoining habitable rooms. Such diagrams must be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development.

- Where adjoining development relies on solar access for heating or cooling systems, that access should be preserved.

5.4.9.5 Building Detail

- Regulatory controls apply.

- Each application must outline a brief assessment of streetscape and the design principles used to improve the existing streetscape. New construction work must have appropriate regard to building form, proportions of openings, roof form, setbacks and height.
- The design of the centre must allow for strong visual links between indoor and outdoor spaces. Windows and fixtures are to be provided at a scale appropriate to children. Full-length glass, with safety glass below 1000mm is encouraged particularly where play areas or gardens are located outside these windows.
- Glazing materials used in any area of the premises of a service that is accessible to children must be selected and installed in accordance with the relevant provisions of AS 1288.
- To the extent AS 1288 requires the use of safety glass in such an area, glass in a centre must be selected and installed in accordance with AS 2208.
- All door handles are to be 1.5 metres above floor level.



- Handles in child accessible areas are to be 700mm above floor level, including playroom to playground, children's toilet and lockers.
- All external doors must open out and hinge back against the wall.
- Building materials and indicative colour schemes must be submitted with the Development Application.

5.4.9.6 Building Colours

No bright colours are permitted on building finishes. A schedule of colours and materials is to be submitted with the development application for a child care centre and if acceptable this will form part of the development consent.

5.4.10 Access & Parking

Objectives

- Vehicular and pedestrian movements take place within a safe environment.
- Provide little or no congestion on adjoining streets and inconvenience to nearby residents.
- Parking does not significantly modify the visual quality and character in residential areas.
- Clearly communicated and legible vehicular and pedestrian entry points.
- To provide a reduced on site parking rate for Child Care Centres with a separate entry and exit one way drive-through configuration.

Requirements

5.4.10.1 Parking & Driveway

Staff parking

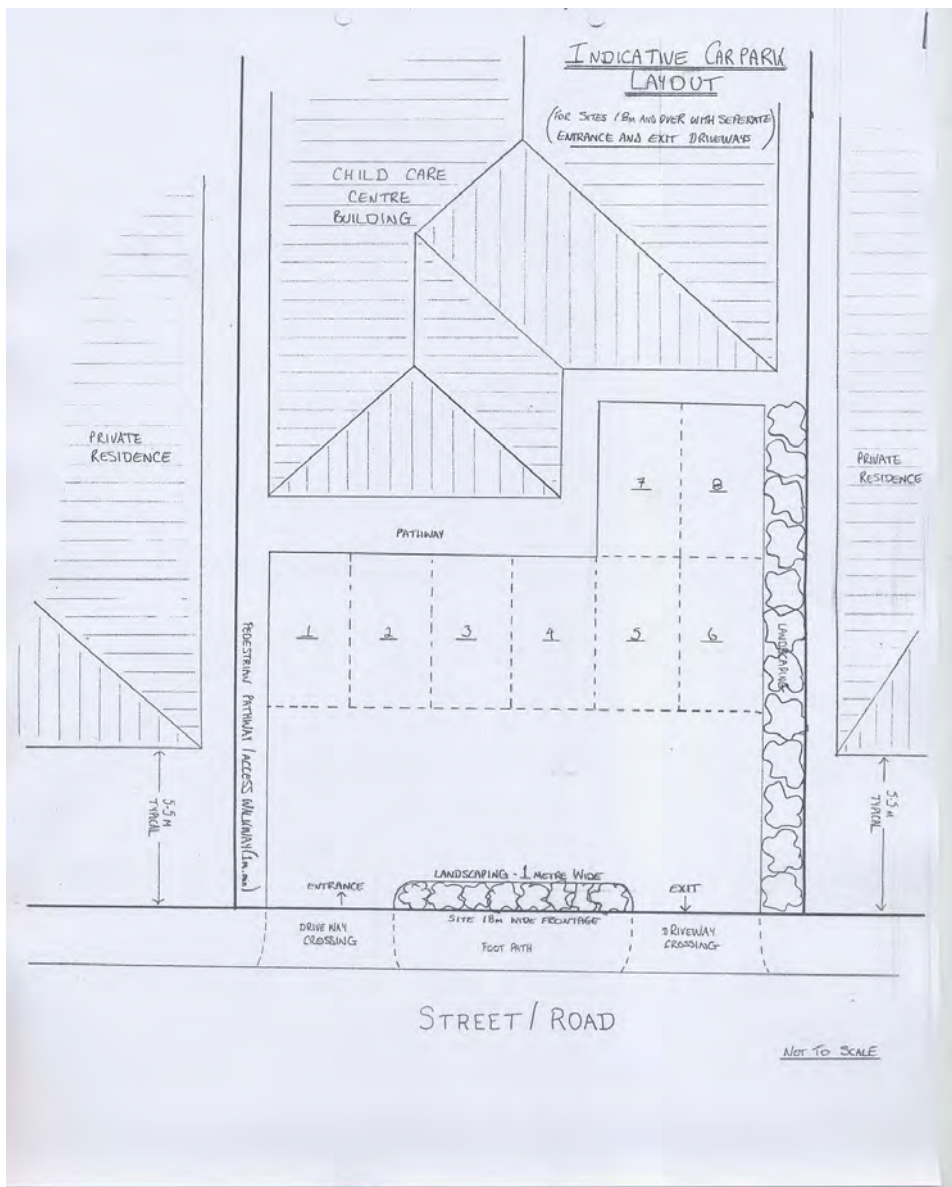
- 1 space for every 2 staff members on site at any one time. On-site staff parking spaces are to be clearly marked and sign posted.

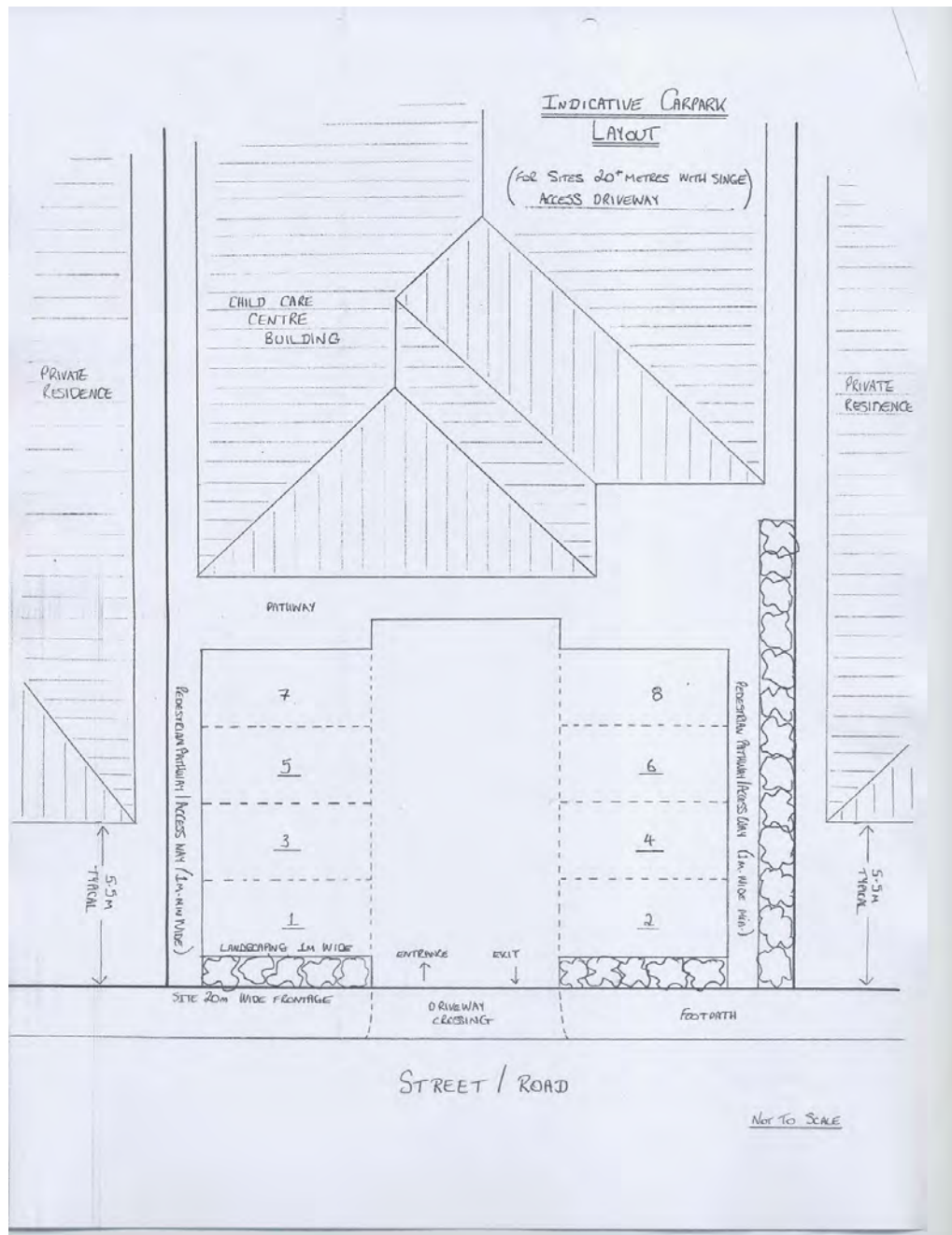
Parent parking

- For proposals where no drive-through is provided (ie those involving single access driveways), 1 space per 10 children in the child care centre, as short-term drop off and pick up (to be used for a period of no more than 15 minutes by one vehicle).
- For proposals where a separate entry and exit one way drive-through access is provided, 1 space per 15 children in the child care centre, as short term drop off and pick up (to be used for a period of no more than 15 minutes by one vehicle).

Note: Stacked parking arrangements will be permitted where no more than 2 vehicles are involved in total. For example, an arrangement of 3 sets of 2 stacked car is permitted.

- Parking at a rate of 1 space for every staff member is encouraged and where the objectives for 'Access and Parking' are not compromised.
- In special circumstances, Council may consider approving an application where pick-up and drop-off is not provided on the site, but only where it is satisfied that:
- An alternative arrangement is available within the road reserve or on adjoining land; or traffic and parking in the street is such that on-site pick-up and drop-off is not necessary; and it is in the public interest to do so;
- The subject site and general residential amenity is enhanced by doing so;
- All aspects of pedestrian safety have been satisfactorily dealt with;
- Car entry and exit from the car parking site is preferred from two separate points to allow for a steady flow of traffic.





- The car park must be sited so as to minimise wastage of space, eg. turning circles.
- Parking patterns must allow for vehicles to be driven in a forward direction when entering and leaving the premises.
- Provision must be made for bike racks. Where parking is provided at a rate less than 1 space for every staff member, bike racks are to be provided to complement parking spaces.
- Driveway crossings associated with corner allotments must not be located closer than 9 metres to the property alignment adjacent to that intersection, to ensure appropriate viewing distances to the intersection and reduce conflict with turning vehicles.

- Landscaping and paving design associated with driveways must achieve the following:
 - a high level of pedestrian safety and visibility;
 - a level, hard surfaced, non-slip passage from vehicles to the main entry point;
 - satisfactory manoeuvrability for persons with disabilities and/or prams; and
 - clear delineation between the driveway and yard areas.
- The use of pavers is encouraged and full details of colours and patterns must be provided with the landscape plan at the Development Application stage.
- Where possible areas of permeable surfaces should be maintained and used for parking wherever practicable.
- Driveway areas are to be appropriately drained to the satisfaction of Council's Engineering Department.
- All garages and carports must be located behind the required front boundary setback.
- Applications must include a "Neighbourhood Parking Policy" that details measures to be undertaken to encourage staff and parents to park responsibly and in a safe manner. This policy will include measures to ensure on-site staff parking spaces are occupied by staff before on street parking is used.
- A physical demarcation is required to be provided between pedestrians and vehicular access ways to ensure pedestrian safety.
- A "Motor Vehicle and Pedestrian Risk Assessment Report" prepared by a suitably qualified traffic consultant is required to be submitted with all applications for child care centres. The report is to address areas of potential conflict and safety measures including physical separation of pedestrians from vehicular turning and reversing movements and potential obstruction of the driver's line of sight by fencing and landscaping.

5.4.10.2 Traffic Considerations

- Council will give due consideration to the impacts of the development on traffic and safety.
- Applicants are advised to outline any initiatives within their proposals which alleviate traffic impacts on the local area, especially during peak times of 7.30- 9am and 3.30-6pm.

5.4.10.3 Access for Persons with Limited Mobility

- A 1m wide landscaped area is required to be provided along the front setback (excludes driveways and pedestrian paths.)
- Access for persons with disabilities and limited mobility must be provided to the main entrance of the child care centre from the street alignment at a gradient of, no more than 1:14.

- Where topography permits, 1 metre wide access ramps at a gradient of no more than 1:14 must be provided to playground areas. Large ramps across playground areas to achieve this access will not be permitted.
- All proposals are to comply with section 3.3 *Access and Mobility* and the Building Code of Australia with respect to access for persons with limited mobility.

5.4.11 Landscaping

Objectives

- Attractive landscaped areas providing visual links to nearby open space areas.
- Landscaped areas which provides innovative play opportunities, is harmless to children and attracts native animals and birds.
- Well defined play areas and functions within the playground.
- Planting which provides natural shade and a high level of interest in terms of branch and trunk formation.
- Landscaped areas which enhances the visual quality of the site, the street presentation of the property and visual attractiveness of the playground area and screening to adjoining properties.

Requirements

5.4.11.1 Tree Preservation and Planting

- A 1m wide landscaped area is required to be provided along the frontage of the site (excludes driveways and pedestrian paths).
- For centres in the R2 Low Density Residential and R3 Medium Density Residential zones, any land within the site that is not required for car parking or other purposes is to be landscaped area.
- Screen planting is to be provided along the side boundaries.
- Planting within the playground is to include attractive trees and shrubs which provide colour and texture in the garden. Designs must enable children to use gardens as active play areas and facilitate 'natural adventures' within the context of the playground.
- Clause 5.9 Tree Management and Preservation of Hurstville LEP 2012 applies. Council's Tree Management Officer will provide comments in relation to any significant tree on the site and these comments will be considered in the assessment of the application.
- Tree retention and new planting must take into account:
 - Complementing the built environment.

- Effect on solar access, shading, wind deflection and temperature moderation.
 - Reduction of soil erosion.
 - Definition of play zones; and
 - Incorporation as play or educational features.
- Any poisonous, spiked or potentially dangerous plants and trees must be removed from the site prior to construction. Details of these plants/trees are to be provided with the Development Application. Any vegetation on the premises of a service that can be poisonous or lead to injury or severe discomfort must be identified and provision made to ensure that the vegetation is not accessible to children.
 - The landscaped area within other zones where Child Care Centres are permissible will be considered on its merits. Consideration will be given to the likely impacts on adjoining lands, compliance with the objectives of this plan, compliance with the objectives of the adjoining land zones, and Hurstville LEP 2012.

Note: *Landscaped area* is defined within the Dictionary of Hurstville LEP 2012.

5.4.11.2 Recommended Species List

Council has produced a recommended species list used with permission from a brochure entitled "The Low Allergen Garden" produced by The Asthma Foundation of NSW and Dr Diana Bass. Council accepts no responsibility for any plant or tree listed below; applicants are advised to also carry out their own investigations into appropriate plants for child care centres.

The recommended species list is included in Appendix 1 and is offered as a guideline only. Because growing conditions vary widely throughout New South Wales, you need to consult a local horticultural professional on the best plants to use in your area.

5.4.11.3 Drainage

- The play space must be capable of rapid clearance of surface water. Conceptual drainage plans are to be outlined at the Development Application stage, however, detailed requirements will be requested with the Construction Certificate.
- Where on-site detention is required, exposed drains must be suitably covered to ensure that children cannot gain access to the drain.
- Council's Engineering Division is to be consulted on appropriate drainage requirements.

5.4.12 Design and Spatial Requirements

Objectives

Internal Design

- Adequately addresses the experiential and developmental growth of children.
- Provides attractive and functional linkages between indoor and outdoor spaces.
- Enables 'lines of sight' and visual interaction with the outside environment from each classroom, providing a high degree of supervision throughout, both indoors and outdoors.
- Provides attractive areas for staff retreat, adequately removed from the children.
- Incorporates clearly defined play areas for quiet and active play (i.e. carpet/lino).
- Provides a large number of functional and practical play areas within each of the classrooms.
- Is attractive and requires minimal ongoing maintenance.

Outdoor Design

- Positively contributes to the physical, sensory, intellectual, creative and emotional development of each child.
- Suitably integrates with indoor play areas, allowing for attractive indoor and outdoor spaces.
- Incorporates adequate screening delineating several outdoor play areas - some for quiet play, some for active play, some for seating and some for shelter.
- Incorporates a variety of surfaces, suitable shading and allows for a range of varied play options.
- Allows for adequate supervision of the playground both from the yard area and indoors.
- Is safe, functional and incorporate undulations, natural shade and attractive landscaping.

Requirements

5.4.12.1 Indoor Spaces

- Regulatory controls apply.
- (a) A centre must have an area set aside for:
 - (i) administration, and

- (ii) private consultation between staff of the centre and parents of children who attend the centre, and
- (iii) respite of staff.
- (b) DOCS require Indoor Space (unencumbered indoor floor space) to be provided at a minimum rate of 3.25m^2 for every child licensed to be at the centre. In addition, Council has set the following rates:

15 or more children	=	3.5m^2 per child
12-14 children	=	4m^2 per child
6-11 children	=	4.5m^2 per child
- (c) For the purpose of calculating unencumbered indoor floor space, items such as any passage-way or thoroughfare, door swing areas, kitchen, cot rooms, toilet or shower areas located in the building or any other facility such as cupboards, are to be excluded.
- (d) The design of indoor play spaces should give particular attention to:
 - (i) child supervision;
 - (ii) security;
 - (iii) possible play corners and opportunity for varied play within the room;
 - (iv) well proportioned, high level windows to allow light deep into rooms;
 - (v) full length windows where appropriate to enable views for children
 - (vi) access routes to outdoor areas from other classrooms;
 - (vii) linkages between outdoor areas and verandahs;
 - (viii) relationship to toilets, nappy change and storage areas;
 - (ix) relationships with any required cot rooms; and
 - (x) expected amount of furniture.

5.4.12.2 Outdoor Spaces

- Regulatory controls apply.
- (a) Outdoor play space is to be provided at a minimum rate of 7m^2 for every child licensed to be at the centre.

- (b) For the purpose of calculating useable outdoor space, items such as car parking areas, storage sheds and other fixed items that prevent children from using the space or that obstruct the view of staff supervising children in the space, must be excluded.
- (c) Outdoor space is to receive a minimum of 2 hours direct sunlight during the centre's operating hours.
- (d) Play spaces should be sited adjacent to one or two external walls of the centre and not include narrow or incidental boundary clearances (side setbacks) less than 2.5 metres in width.
- (e) Verandahs having a width of 2 metres or greater can be included in outdoor play space calculations.
- (f) A lawn space at least 15 metre long should be incorporated
- (g) Outdoor play areas must be readily supervisable and designed to allow for a wide range of effective outdoor play activities. Steep slopes are not appropriate.
- (h) Outdoor play space should generally include:
 - (i) an open area of 1/3 to 1/2 of the total playground area.
 - (ii) a quiet area of 1/4 to 1/3 of the total playground area.
 - (iii) an active area of 1/3 of the total playground area.
- (i) An area of 2.5sqm per child of outdoor play space is to be naturally or artificially shaded between 10am – 3pm. Applicants should contact the Cancer Council for a copy of the NSW Shade Guidelines to assist with selecting appropriate products and obtain current standards.
- (j) Sandpits are an important component of a playground and should be:
 - (i) located away from heavily trafficked areas;
 - (ii) of sufficient size to allow digging; having a depth of at least 600mm;
 - (iii) adequately drained;
 - (iv) totally shaded;
 - (v) appropriately covered to stop intrusion by animals during the night;
 - (vi) so that sand can be swept back into the pit; and
 - (vii) designed to remove all trip hazards.
- (k) Vehicles are not to occupy any of the outdoor play spaces at any time.
- (l) Applicants are advised to obtain current Australian Standards in relation to playgrounds to

ensure compliance with respect to structures, heights, placements and surfacing.

- (m) Outdoor play areas are not to be located forward of the front building line.

5.4.12.3 Verandahs

- If a verandah is provided, verandah areas are to be equal to 1.25 m² per child and covered with a UV protecting cover. Particular regard should be given to the overlooking of adjoining properties and the detailing of balustrades to prevent children climbing to dangerous heights.
- Verandahs should have a width of 2.5 metres, however, a width of 2 metres will be considered as a minimum. Doors providing access to a verandah should be glass sliding doors to prevent injury from sudden opening.

5.4.12.4 Signage

- Signage should complement the development and the streetscape of the locality.
- External signs identifying the premises are to provide essential information only.
- Signs are to be placed in a visible but unobtrusive location.
- Roof, fascia or fence signs are not permitted.
- Wall signs will be considered where they complement the design and proportions of the building facade and are moderately sized.
- Signs should generally be proportionate to the size and width of the allotment and the building.
- Large off-the-shelf aluminium signs are not encouraged, particularly in residential areas. Consideration will be given to such signs if the centre is located within a commercial area.

5.4.12.5 Entry and Security Requirements

- Entry points within the centre must be legible and appropriately located. Particular consideration is to be given to child security, and offices should be located within view of the main entry.
- All playgrounds must be fenced to ensure the safety of children.
- Any gate or opening device within a playground fence is to be fitted with a childproof latch or self locking device.

5.4.13 Specific Requirements

Objectives

- Provide an adequate number of facilities and rooms.
- Provide appropriate facilities that comply with relevant standards.

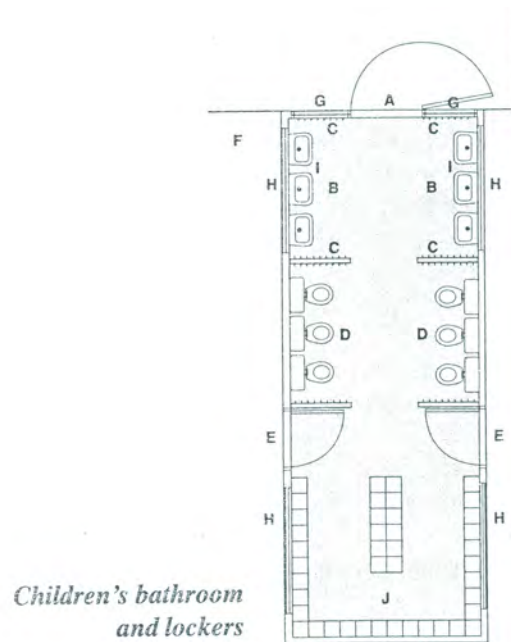
- Ensure room location relates to adjacent room functions.
- Enable equitable physical access.

Requirements

5.4.13.1 Toilet Facilities

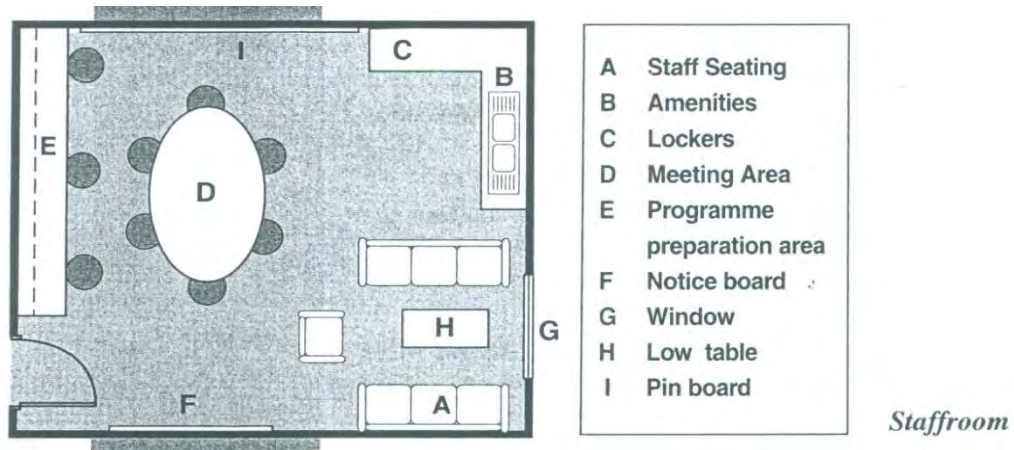
- Regulatory controls apply.
- (a) Toilets are to be provided on the following basis:
 - (i) 1 toilet per 8 children; and
 - (ii) 1 junior toilet or 1 adult toilet with a firm step and a junior seat; and
 - (iii) 1 toilet suitable for a child with a disability; and
 - (iv) 1 toilet per 6 staff.
- (b) Toilets must be of an appropriate size for young children.
- (c) Hand basins are to be provided at the same rate as toilets.

1 hand basin is to be provided either with a firm step, or at a height so as to provide reasonable child access.
- (d) 1 staff shower is to be provided in centres which are licensed for 30 or more children and where possible should be provided within all centres.
- (e) A bathroom is to be no less than 12m², with an expansion of 2.5m² for each additional toilet required above a baseline figure of 3 toilets.



5.4.13.2 Staff Rooms and Office

- (a) A separate Staff Room is to be provided for each centre. The room is to be of sufficient size to contain a small sofa and a coffee table.
- (b) The Staff Room is to have the following dimensions:
 - (i) be no less than 12m²; and
 - (ii) provide an additional 2m² per staff over 6 staff.
- (c) Outdoor staff facilities should be provided. This may include a small sitting area or deck separate from the playground area.
- (d) An office must also be provided within the centre. This should be located adjacent to the main point of entry, and if necessary incorporate a window into an adjoining classroom.
- (e) An office must be able to accommodate:
 - (i) 2 desks; and
 - (ii) chairs; and
 - (iii) a cupboard; and
 - (iv) 2 filing cabinets; and
 - (v) a cot (in the event of a sick child needing to be isolated).



5.4.13.3 Cot Rooms

Regulatory controls apply.

- (a) A separate cot room or rooms must be provided which:
 - (i) includes one cot for every 2 children under 2 years of age;
 - (ii) is located in a cool, quiet area of the centre and must be capable of being dimmed from natural light;
 - (iii) is separate from play areas and incorporate viewing windows to enable supervision;
 - (iv) incorporates subdued colour schemes;
 - (v) is not sound-proofed; and
 - (vi) provide entry points wide enough to transport a cot.
- (b) A maximum of 5 cots per cot room must be provided in order to reduce disturbance of babies with different sleeping patterns.
- (c) A premise providing long day care services must provide an adequate number of beds or sleeping mats with waterproof covers and culturally appropriate forms of bedding for each child who is 2 or more years of age, who may wish or need to sleep at the premises on any one day.

5.4.13.4 Nappy Change Area

Regulatory controls apply

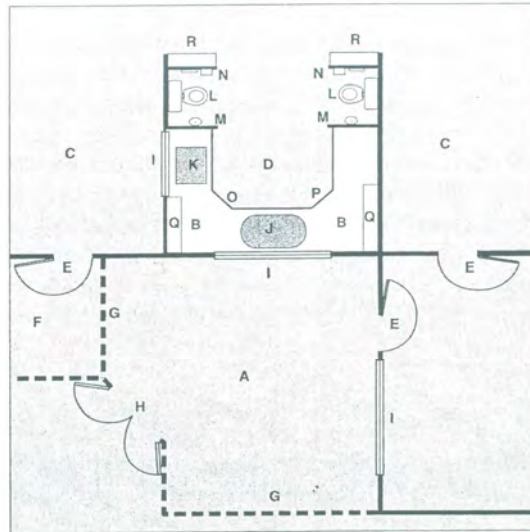
- (a) A separate nappy change room must be included for children under 3 years and needs to incorporate:

5. Controls for Specific Non-Residential Development Types

5.4 Child Care Centres

- (i) suitable storage within reach of staff to meet licensing standards;
 - (ii) nappy changing bench or mat with an impervious washable surface that is cleaned after each use;
 - (iii) sanitary facilities for the storage of soiled nappies pending laundering or disposal of the nappies;
 - (iv) adequate facilities for laundering the clothing;
 - (v) hand washing facilities in the immediate vicinity of the nappy changing area for use by staff;
 - (vi) wrist operated taps and a sanitary hand drying facility;
 - (vii) high child-proof cupboards;
 - (viii) a window into the playroom;
 - (ix) shelves or cubby-holes for nappies;
 - (x) a fixed nappy changing bench or mat (a minimum width of 800mm for babies and up to 1 metre for toddlers) with an impervious washable top for every 10 children or part thereof;
 - (xi) an infant bath that is age appropriate with temperature regulated hot and cold running water, in or adjacent to the nappy changing area; and
 - (xii) a sluice or contaminated waste disposal unit.
- (b) The nappy change area must be separate from the bottle preparation area.
- (c) Age appropriate nappy changing facilities need to be provided at the centre for any child with a disability.

Shared nappy change



5.4.13.5 Storage

Regulatory controls apply.

(a) Storage needs to include the following:

- (i) conventional cupboards and locker storage for staff and children;
- (ii) store rooms;
- (iii) eye-level cupboards in nappy change rooms, kitchens and bottle preparation areas;
- (iv) under-stair storage cupboards where applicable;
- (v) full length and full height cupboards along classroom walls;
- (vi) drawers under small stages or raised floor areas;
- (vii) in-floor storage with light-weight lids
- (viii) pull-down ceiling storage;
- (ix) storage under the building, accessed externally, for outdoor play equipment and the like; and
- (x) garden sheds in the rear yard.

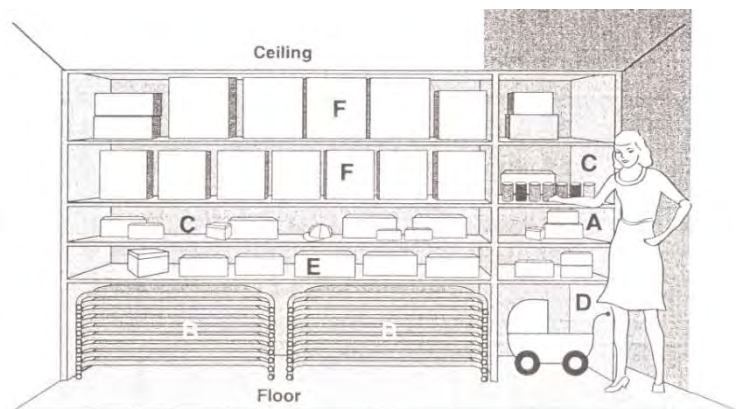
- (b) Full length wall storage may assist in minimising noise from classrooms where they are located close to adjoining dwellings.

All storage areas must take into account:

- (i) ease and practicality of accessing storage areas;
 - (ii) possibility of back injuries or falls while accessing storage areas;
 - (iii) possibility of children's hands or fingers being caught in latches or opening devices;
 - (iv) possibility of children accessing storage areas and becoming trapped;
 - (v) size and depth of the objects to be stored in these areas;
 - (vi) need for unique door designs and locking devices;
 - (vii) nature of the items to be stored;
 - (viii) any future plans for expansion of the centre; and
 - (ix) possible interference with play spaces and access routes.
- (c) Internal storage must make provision for storing chemicals and cleaning products, medications and disinfectants, located in cupboards with a child-proof latch.
- (d) A minimum storage area of 8m² for one playroom must be provided, and up to 16 m² where storage is shared between two playrooms.
- (e) Well-located outdoor storage for movable play structures is essential. Where topography permits, storage in sub-floor areas within the building envelope is strongly encouraged.
- (f) A space must be provided for children to store their personal belongings.
- (g) Garden and maintenance equipment must be stored separately.
- (h) Details of all storage areas must be shown on the DA plans lodged with Council.

Storeroom side view

- A Open shelving*
- B Stacked beds*
- C Preparation benches*
- D Dolls storage*
- E Small item storage*
- F Large item storage*



5.4.13.6 Laundry

Regulatory controls apply.

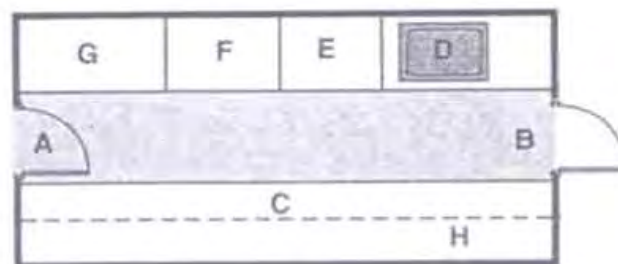
(a) Laundries are desirable within a child care centre, and when provided should include:

- (i) ready access to the nappy change room;
- (ii) a minimum of 10m² of available space
- (iii) closed storage area;
- (iv) bench space for folding;
- (v) private staff shower; and
- (vi) cleaners sink and storage area.

(b) The Child Care Centre must have safe, sanitary facilities for the storage of soiled clothes, linen and nappies before laundering or disposal.

Note: A centre must comply with clause F2.3 (c) (iii) of the Building Code of Australia. This states that Class 3 to 9 buildings that are used as an early childhood centre must, if accommodating children younger than 2 years old, be provided with a laundry facility comprising a washtub and space in the same room for a washing machine.

Laundry



5.4.13.7 Rubbish Removal

- Adequate space for the storage of rubbish and recycling bins must be provided on the site.
- A space of at least 3 metres by 1 metre must be provided. Bins should not be visible from the street or result in odours to adjoining sites.
- Details of waste management are required to be submitted with the Development Application. This must outline how many times rubbish is collected, who collects rubbish, how long rubbish is stored within the centre, where rubbish is stored within the centre and how rubbish is moved around the site.

In addition to the above requirements, applicants are to comply with Section 3.9 Waste Management of this DCP.

5.4.13.8 Craft Preparation Facilities

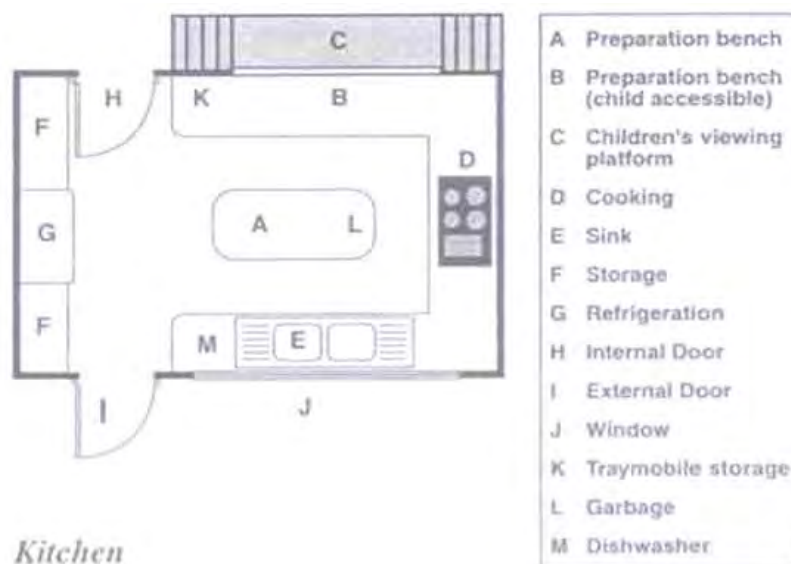
Regulatory controls apply.

- (a) A sink for use in craft activities must be provided and is to be separate from any food preparation facilities.

5.4.13.9 Food Preparation Facilities

Regulatory controls apply.

- (a) A designated area for food preparation and storage must be provided. The area must be safe and hygienic.
- (b) Plans must demonstrate sufficient space for bench tops, whitegoods, food preparation and storage of non-perishable goods for the number of children they are cooking for.
- (c) Facilities in the designated area must include a stove or microwave, double sink, refrigerator, suitable disposal facilities and hot water supply.
- (d) Facilities separate from any nappy changing facilities must be provided for the preparation of bottles if children under 2 years of age.



5.4.13.10 Pools

- Regulatory controls apply.
- (a) A centre must not have a swimming pool (within the meaning of the *Swimming Pools Act 1992*) unless the swimming pool existed on the premises before 6 November 1996.
- (b) Any swimming pool on the premises must be fenced to the standard to which a new swimming pool would be required to be fenced under the *Swimming Pools Act 1992*.
- (c) Provision must be made to ensure that:
 - (i) paddling pools are emptied immediately after use and stored to prevent the collection of water, and
 - (ii) water containers which could constitute a drowning hazard are safely covered or are inaccessible to children, and
 - (iii) pool filters are inaccessible to children.

5.4.13.11 Heating and Cooling Equipment

- Regulatory controls apply.
- (a) All heating and cooling units must be adequately secured and guarded to prevent injury to children through contact with hot surfaces or moving parts or the emission of any sparks or flames.
- (b) The controls of all equipment that may be hazardous to children must be guarded to prevent access by children.
- (c) Fans must be placed in a position that is inaccessible to children.

5.4.13.12 Play Equipment

- Regulatory controls apply.
- (a) Play equipment (whether fixed or not) used on the premises must not constitute a hazard to children.
- (b) Play equipment must comply with any relevant standards in force from time to time.
- (c) Play equipment must be safe and in good repair.

5.4.13.13 Hours of Operation**Objectives**

- To ensure that the hours of Child Care Centres preserve the character and amenity of residential zones.
- To enable extended hours of operation for Child Care Centres that meet the numerical and vehicular access requirements of this plan and minimize the associated amenity impacts.
- Specific hours of operation are required to be submitted with the Development Application.
- For existing Child Care Centres in residential zones with a Street frontage of less than 18m (as measured for the depth of the parking and manoeuvring area of the front of the building) the approved or licensed operating hours of a child care centre must not extend outside the core hours of 7:30am to 6pm.
- For all new Child Care Centres and existing Child Care Centres in residential zones with an 18m or greater frontage (as measured for the depth of the parking and manoeuvring area of the front of the building) and separate one way drive-through vehicular access points, the approved or licensed operating hours of a child care centre must not extend outside the core hours of 7am to 6:30pm.
- Extensions to these core hours will be considered on merit where a centre is proposed in a Neighbourhood Centre or Local Centre zone.
- Extensions to the core hours for a centre proposed in a special use zone will depend on the predominant adjoining land use. Where adjoining land is predominantly residential, core hours will not be extended; where adjoining land is predominantly commercial an extension to core hours will be considered on merit.

5.4.14 Visual Privacy and Acoustic Amenity**Objectives**

- Aural and visual privacy to adjoining properties.
- Residential amenity maintained to sites in proximity to a child care centre.
- Adequate visual and/or acoustic screening on the perimeter of the site.

Requirements**5.4.14.1 Visual Privacy**

- Provide screenings by trees, fencing and window coverings to minimise noise and overlooking impacts to adjoining properties.

- Locate any play equipment at least 3 metres from any boundary with a residential property.

5.4.14.2 Acoustic Amenity

- For traffic noise, the following criteria are recommended (measured as the maximum L₁₀ (1 hour):
 - Indoor noise levels must not exceed 48dB(A); and
 - Outdoor noise levels should not generally exceed a range of 55-60 dB(A) when measured at 1.5 metres above the ground level in the centre of any outdoor play area
- Council requires a suitably qualified acoustic consultant to undertake an acoustic assessment, which is to include recommended noise attenuation measures.

Note: Noise readings (measured at any point on the boundary of the site between the proposed Child Care centre and adjoining property), should not exceed 10dBA above the background noise level during the hours of operation of the Centre. The noise readings are to be measured over a 15-minute period and are to be undertaken in accordance with the requirements of the NSW Department of Environment and Climate Change.

No “offensive noise” as defined within the provisions of the Protection of the Environment Operations Act 1997, shall be emitted from the premises as a result of the use of activities associated with the site.

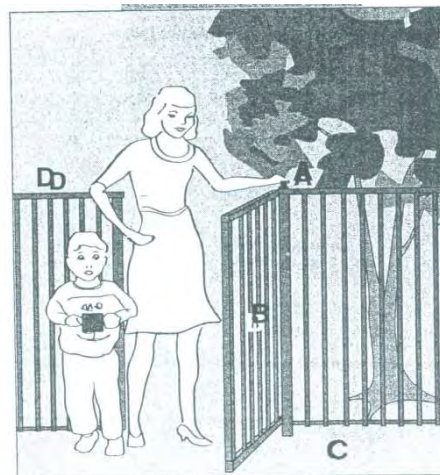
5.4.14.3 Fencing

- Regulatory controls apply.
- (a) Fencing must be designed appropriately, having regard to the site position within the street, existing landscaping and the building design and colour schemes.
- (b) Fences must be at least 1200mm high and width between fence posts are to be appropriately spaced to ensure there are no entrapment points refer to AS standard for fences. Designs must also reduce the ability for children to climb fences, and inhibit or impede intruders from entering the premises.
- (c) Outdoor play areas must be fully secured and fenced on all sides where necessary. Gates within perimeter and/or playground fences are to be at the same height as the fence and include a child-proof lock or latch.
- (d) Fences that enable children to see public areas are encouraged but must not allow children to climb or create possibilities of having limbs trapped in openings.
- (e) Any side of a stairway, ramp, corridor, hallway or external balcony at the centre that is not abutting a wall must be enclosed to prevent a child being trapped or falling through.

- (f) Age appropriate child-proof self-locking barriers must be provided at the top and bottom of stairs at the centre.
- (g) If a centre is adjacent to or provides access to any hazards, including water hazards, the centre must be isolated from such hazards by a fence that is at least 1500 mm in height or by an approved pool fence.
- (h) Fencing around large corner sites must be carefully designed. Where it is essential that side street boundaries be fully fenced, these are to be designed to enable landscaping along the boundary. This may be achieved by:
 - (i) combination brick and timber fences incorporating planter boxes;
 - (ii) fences with varied setbacks, enabling landscaping between the fence and the street;
 - (iii) fences designed in appropriate modules with capping in bricks or timber;
 - (iv) fences which are setback slightly from the boundary to enable mass planting to the street; and
 - (v) high quality fences which may be considered a landscape element in their own right.
- (i) Colour bond fencing will only be considered by Council where there is adequate justification that noise issues are addressed including submission of an acoustic report prepared by a suitably qualified person.

Fences and gates

- A Child proof catch
- B Gate
- C Fence safety issue - no foothold below 900mm
- D Fence height minimum 1200mm



5.4.15 Centres within Dwelling Houses

Objectives

- Incorporating a centre and a dwelling house does not result in an overdevelopment of the site.
- Centres and dwelling houses stand alone in terms of the provision of facilities and open space areas.

- High quality building form, in keeping with the character of the area.

Requirements:

5.4.15.1 Dwelling Occupant

The residence shall be occupied by either the owner/operator or a member of staff.

5.4.15.2 Parking

A minimum of 2 car spaces must be provided on site for new dwelling houses. The parking space attached to the dwelling house is not to be a part of a stacked parking arrangement unless it involves a second space attached to the same dwelling house.

5.4.15.3 Building Form

- Separate buildings on the one site are not encouraged.
- Separate access to the dwelling house is to be provided. Additional access between the centre and the dwelling house is permissible however this should be designed to enable the access to be locked off either permanently or temporarily.
- Where the two uses are integrated in a single storey dwelling house, the building must relate to the consistent style and form of the locality and street.
- Where the two uses are integrated in a two-storey dwelling house, the building is to be of a residential appearance incorporating the character and style of the locality and street. A clearly defined point of entry should be provided for both the dwelling and the centre. The Centre should be located on the ground level with the dwelling above.
- Dwelling house design should be appropriate for a resident who has no involvement or interest in the function and management of the centre.

5.4.15.4 Private Open Space

A private courtyard is to be made available for use by residents of the dwelling house.

This area must be separate from playground areas, be at least 50m² and accommodate items such as a compact clothesline, several seats and a barbecue structure. Ideally, this courtyard should be located and designed so that the yard area receives 4 hours of sunshine between the hours of 9am and 3pm in midwinter.

5.4.15.5 Building Code of Australia Requirements

Very specific and stringent controls (particularly with respect to fire rating) apply to mixed use developments such as a child care centre and a dwelling house, particularly when the uses are mixed vertically in a two storey proposal. These controls are contained within the Building Code of Australia and may have significant construction cost implications.

5. Controls for Specific Non-Residential Development Types

5.4 Child Care Centres

Applicants considering incorporating a dwelling house with a centre are advised to consult Council's Building Surveyor or a professional consultant to clearly determine these requirements and resultant cost implications.

5.5 Restricted Premises

Note: This Section applies to development for the purpose of *restricted premises* as defined within the Dictionary of the Hurstville LEP 2012.

5.5.1 Guidelines and Controls

The Council may consent to the carrying out of development for the purpose of a restricted premise only where the proposed site complies with the following objectives and development controls, (in addition to any other conditions which may be imposed by the Council).

5.5.1.1 Access, Design and Location Requirements

Objectives

- To ensure restricted premises are located at a reasonable distance from residential occupancies and other sensitive land uses.
- To exclude the location of restricted premises from ground floor or street level in a building.
- To ensure safe access to restricted premises for staff and patrons.

Development Controls

- No part of the restricted premises (other than an access corridor to the premises) is to be located:
 - At the ground floor or street level of a building or within 1.5 metres, measured vertically, above or below the ground floor or street level of the building, or
 - In arcades, or
 - In other thoroughfares open to the public or used by the public, or
 - Within 100 metres walking distance of any residentially zoned land, or
 - Within 200 metres walking distance of any place of worship, school, community facility, child care centre, hospital, rail station, bus stop, taxi stand or any place regularly frequented by children for recreational or cultural pursuits.
- No internal rooms or spaces of the restricted premises, other than an access corridor to the restricted premises, are to be visible from a public place or shopping arcade.
- Patron access is not to be provided from a laneway.
- No part of the restricted premises or building in which the premises will be situated, will be used as a dwelling unless separate access will be available to the dwelling.

5.5.1.2 Display of Goods and Signs

Additional provisions for signage, and for the display of goods are required to ensure that their design and location take into consideration the specific characteristics of the restricted premises use.

The provisions in this Plan relating to advertising and signage are in addition to the provisions contained in *Section 5.6 – Signage*. Where there is any inconsistency between Section 5.6 and this section relating to signage, this section will prevail.

Objectives

- To encourage appropriately designed and suitably located signs for restricted premises.
- To consider the amenity of surrounding development and the visual quality of the public domain.

Development Controls

- No more than one sign is to be erected, displayed or exhibited to public view in the window or on a building (including the restricted premises), or in, outside or directly above an access way to the premises or brothel.
- A sign relating to restricted premises should:
 - Not interfere with the amenity of the locality,
 - Not exceed 600 millimetres in height or width,
 - Not contain neon illumination and not flash,
 - Set out only:
 - The name of the person who conducts the business at the restricted premises or the registered name of the business carried on at the restricted premises; and
 - The words, 'RESTRICTED PREMISES' in capital letters not more than 50 millimetres in height.
- No objects, products, or goods related to the restricted premises will be visible from outside the premises.

5.5.1.3 Car Parking

Objectives

- To ensure adequate parking is provided for people working on the site and patrons, and to ensure this parking does not adversely affect the surrounding area, particularly residential properties.

Development Controls

- The construction of new premises for the purposes of a restricted premises must comply with *section 3.1 – Car Parking*.
- For existing buildings, car parking must be made available in accordance with any relevant prior approval or development consent.

5.5.1.4 Extended Trading Hours

Compliance with *Section 5.1 Extended Trading Hours* if the restricted premises proposes to trade outside the hours of 6 am and midnight.

5.5.1.5 Variations to the Criteria

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

Council gives no assurance that it will permit any variations to the development controls as specified in this Plan. Variations will only be approved in exceptional circumstances.

5.6 Signage

This section of the DCP applies to 'signage' as defined within the Dictionary of the Hurstville LEP 2012.

5.6.1. Types of Signage & General Requirements

5.6.1.1 Aim

The primary aims of this Section are to:

- Provide a consistent approach to the design and siting of signage by encouraging coordinated signs of high quality design and materials.
- Encourage signage that:
 - Respect significant views, vistas and visually sensitive areas.
 - Compliment the building or site on which they are located.
 - Are designed to respect and not obscure important detailing or architectural features of buildings or streetscapes.
 - Are compatible with the scale, character and amenity of surrounding development and the locality.
- Ensure that signage does not dominate the visual character of its location;
- Provide reasonable and equitable rights to advertise.
- Prevent excessive signage and visual clutter of the built environment through the rationalisation of signs and by limiting the number of signs that may be erected on any one building or site.
- Ensure that the location and design of signage is consistent with road safety principles.
- Ensure that signs do not affect the amenity of residents, and/or occupiers of a building by way of excessive shadow or light spill from illumination at night; and
- Convey the advertiser's message and images without causing an adverse social impact upon the community, and without excluding any part of the community from being able to receive and understand the message or image.

5.6.1.2 Signage that is Discouraged

Council does not permit the following types of signage:

- Advertising display area over 45sqm.
- Roof or sky advertisements.

- Special promotional advertisements.
- Building wrap advertisements.
- Advertisements within navigable waters (except a sign on a vessel that is ancillary to the dominant purpose of the vessel).
- Above awning signs.
- Advertising signs and structures that project from a wall or are suspended from an awning at a height lower than 2.6m at any point above a footpath (except in the case of an under awning bracket sign or a drop awning sign); and
- Advertising signs or structures that do not comply with all the applicable requirements of the Building Code of Australia (BCA) and relevant Australian Standards (AS).

5.6.1.3 Signage Definitions and Requirements

Please refer to the following documents to confirm the approval process for signage:

- State Environmental Planning Policy No.64 – Advertising and Signage;
- State Environmental Planning Policy (Exempt and Complying) 2008;
- (a) Hurstville Local Environmental Plan 2012.

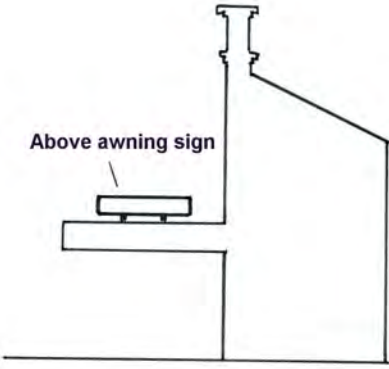


Signage is defined within the Dictionary of the Hurstville LEP 2012 as:

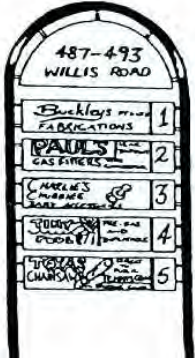
Signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- (a) *an advertising structure*
- (b) *a building identification sign,*
- (c) *a business identification sign,*

but does not include a traffic sign or traffic control facilities.

The following table provides a description of the different types of signage, and lists the requirements that apply to each sign type. Signs that require Council approval will be subject to a merit assessment based on the guidelines and controls contained in this DCP.

SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Above Awning Sign Any sign fixed to the upper side of an awning, excluding temporary real estate signs.</p> 	<p>Council will not permit above awning signs.</p> <p>See 'Real Estate Sign' in this section for controls relating to real estate signs.</p>
<p>Awning Fascia Sign A sign on the fascia or return end of an awning.</p> 	<p>Refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p>Unless Exempt, Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</p>
<p>Billboard Sign (free standing) A sign used for the display of general advertising material not necessarily related to the place or premises on which it is located.</p> 	<p>Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</p> <p>Advisory Note: SEPP 64 should be consulted for additional requirements for billboard signs.</p>

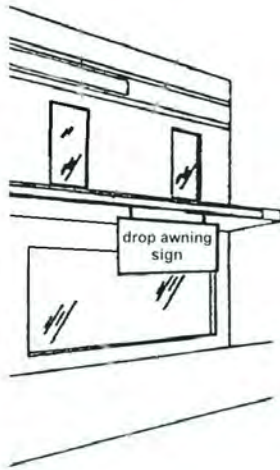
SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Business Directory Board (multiple occupancy)</p> <p>Free standing advertising structure that is located within the property boundary of a multiple occupancy premises, and which identifies the names and activities of the occupants of the premises</p> 	<p>Only one per premises.</p> <p>Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</p>
<p>Business Identification or Building Identification Sign</p> <p>Business Identification Signs and Building Identification Signs are defined within the Dictionary of the Hurstville LEP 2012.</p>	<p>Refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p>Unless Exempt, Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</p>
<p>Community Notice Sign</p> <p>A notice or display of public information erected by, or on behalf of a <u>public authority</u>, giving information or directions about services or events provided by that authority.</p>	<p>Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</p>

SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Construction Sign</p> <p>During the construction of a building, the various firms who are involved in the construction may advertise at the site.</p>	<p>Refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p>Unless Exempt, Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</p>

Drop Awning Sign

(weather protection sign / canvas blind)

A sign displayed on a roll down blind, retractable sun/weather protection awning, or the like, that is attached to the under side or outer edge of the awning and is parallel to the kerb.

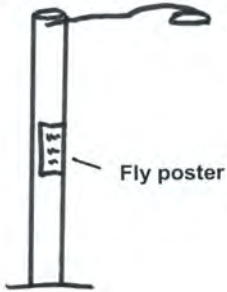
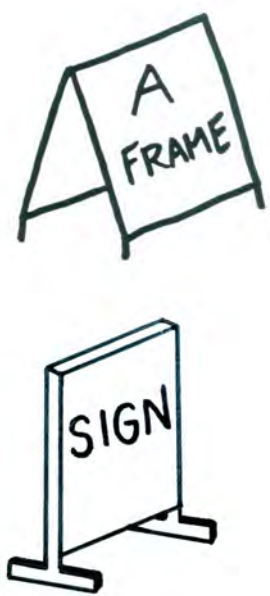


Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.

Flag Pole Sign

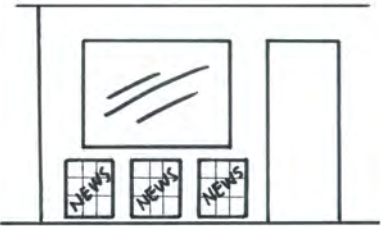
A sign in the form of a flag attached to a pole projecting vertically or at an angle from a building or site, but does not include a sign specifically defined elsewhere in this DCP.


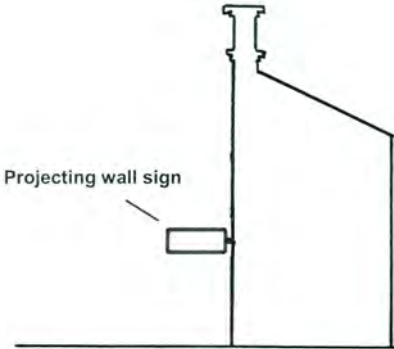
Council will not permit flag pole signs.


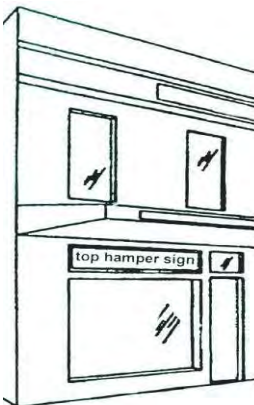
SIGN TYPE	DEFINITION & REQUIREMENTS
Flashing Sign Illuminated (as to any part of the advertisement area) at frequent intervals by an internal or external (floor light) source of artificial light.	<i>Council will not permit flashing signs.</i>
Fly Poster (bill poster) A poster-type advertisement promoting any event, activity, product or service fixed to power poles, bus shelters or other public property, fences, buildings, shop fronts, shop front windows or hoardings.	<i>Refer to Council's Public Spaces Local Approvals Policy for details relating to posters.</i>
 <p>A hand-drawn diagram showing a vertical power pole with a horizontal arm extending from it. A rectangular poster is attached to the pole, with a line pointing to it and the label 'Fly poster'.</p>	
Free Standing Signboard (A-frame sign / sandwich board) A moveable freestanding sign displayed at ground level.	<i>Refer to Council's Public Spaces Local Approvals Policy for details relating to posters.</i>
 <p>Two hand-drawn diagrams of freestanding signs. The top one is an A-frame sign with the text 'A FRAME' on its front panel. The bottom one is a sandwich board sign, which is a rectangular board supported by two vertical posts, with the text 'SIGN' on the front panel.</p>	

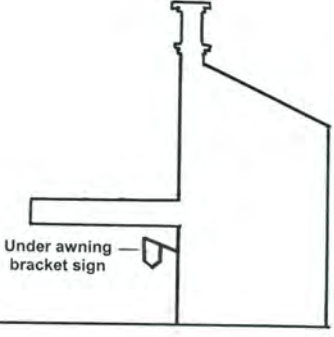
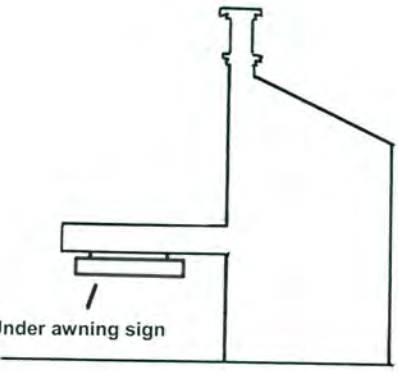
5. Controls for Specific Non-Residential Development Types

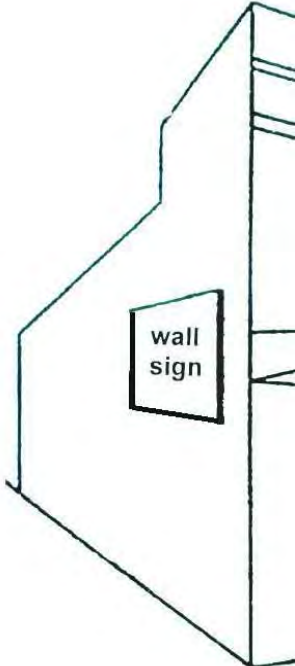
5.6 Signage


<p>Illuminated Sign</p> <p>A sign illuminated by an internal or external source of artificial light (whether or not included in any other sign definition).</p>	<p>Council discourages illuminated signs.</p> <p><i>Requires Council approval and must comply with the Design and Siting Requirements relating to illuminated signs.</i></p>
<p>Inflatable Sign</p> <p>A sign in the form of an inflatable structure.</p>	<p><i>Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</i></p>
<p>Moving Sign / Video Sign / Electronic Message Board</p> <p>Any sign capable of having any part of its structure or message move or change by any source of power, excluding traffic information signs.</p>	<p><i>Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</i></p>
<p>Newsagent Headline Placards</p> <p>Signs providing notice of news and entertainment headlines and the like, including magazine promotions.</p> 	<p><i>Council approval is required, and a merit-based assessment will be conducted in accordance with this Section of the DCP.</i></p> <p><u>Advisory Note:</u> For signs placed in windows, see requirements for “Window Signs.”</p>

SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Pole or Pylon Sign (freestanding) A sign mounted on the ground on one or more supports such as a pole or pylon at ground level, which is independent of any building or other structure.</p> 	<p><i>Requires Council approval.</i></p> <p>Must comply with all of the following controls:</p> <ul style="list-style-type: none"> ▪ Not to project over footpath or roadway ▪ Maximum area 8m² ▪ Maximum height 7.5m to the top of sign, above natural ground level ▪ Where more than one pole or pylon sign is provided, they should have the same setback and be of uniform design and spacing ▪ Message must relate to use of the premises.
<p>Projecting Wall Sign A sign attached to the wall of a building (other than the transform of a doorway or display window) and projecting horizontally more than 300mm from the facade.</p> 	<p><i>Requires Council approval.</i></p> <p>Must comply with all of the following controls:</p> <ul style="list-style-type: none"> ▪ Maximum height of 3.1m above ground level, or below the first floor window sill level where there is no awning, whichever is lower. ▪ Maximum area of 2m² ▪ Erected at right angles to the building.
<p>Public Information Sign / Directional Sign Sign erected for the specific purpose of:</p> <ul style="list-style-type: none"> ▪ directing the public to buildings or places of tourist interest or recreational facilities; ▪ providing public information such as regulatory information, funding notification, and public notices; or ▪ providing the name and location of streets, parks, car parks, traffic hazards and signals, and the like. 	<p>Exempt development if:</p> <ul style="list-style-type: none"> ▪ erected by, or on behalf of Council or a public authority, including the Roads and Traffic Authority

SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Real Estate Sign A temporary sign that contains only a notice that the place or premises to which it is fixed is for sale or letting together with particulars of the sale or letting.</p>	<p>Refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p><i>Unless exempt, Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</i></p>
<p>Roof or Sky Sign A sign attached to, painted on, or erected on or above the parapet or eaves of a building.</p> 	<p>Council cannot consent to a roof or sky sign pursuant to SEPP 64.</p>
<p>Temporary Sign (special event) An advertisement of a temporary nature which announces a local event of a religious, educational, cultural, political or recreational character or relates to any temporary matter in connection with such an event.</p>	<p>Refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p><i>Unless exempt, Advertising signs for an activity or event of a civic or community nature are prohibited under SEPP 64.</i></p>
<p>Top Hamper Sign (under awning wall sign) A sign painted to or attached to the transom of a doorway or display window at ground floor level of a building.</p> 	<p>Refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p><i>Unless exempt, Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</i></p>

SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Under Awning Bracket Sign A sign suspended from a wall-mounted bracket or pole under awning level.</p>  <p>The diagram shows a side elevation of a building with a gabled roof and a chimney. A horizontal bracket is mounted on the wall under the eaves, and a small rectangular sign is suspended from it. A label 'Under awning bracket sign' with a line points to the sign.</p>	<p>Council will not permit under awning bracket signs.</p>
<p>Under Awning Sign (suspended) A sign which is attached to and hangs below an awning, and is erected at right angles to the building wall.</p>  <p>The diagram shows a side elevation of a building with a gabled roof and a chimney. A rectangular sign is suspended from the underside of a horizontal awning, hanging at a right angle to the building wall. A label 'Under awning sign' with a line points to the sign.</p>	<p>For existing Under Awning Signs refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p>Unless exempt, Council approval is required, and a merit-based assessment will be conducted in accordance with this DCP.</p>

SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Wall Sign</p> <p>A sign attached or painted on the wall of a building (other than a ground floor display window) and projecting horizontally no more than 300 mm from the facade, but does not include a sign specifically defined or described elsewhere in this DCP.</p>  <p>The diagram shows a side elevation of a building with a gabled roof. A rectangular sign is mounted on the wall, labeled 'wall sign'. The sign is oriented horizontally and projects slightly from the wall. The building facade is represented by simple lines, and the sign is a solid rectangle with the text 'wall sign' inside.</p>	<p>Requires Council approval.</p> <p>Must comply with all of the following controls:</p> <ul style="list-style-type: none"> ▪ Only one sign per building elevation ▪ Not to project above or beyond the wall to which it is attached ▪ Not to extend over a window or other opening, or architectural feature ▪ Not to be located on a building wall if there is an existing building or business identification sign on the building elevation ▪ Size, shape and location determined by facade grid analysis ▪ Painted wall signs to be painted at least once every three years, or at the Council's discretion ▪ Sign must not have an area greater than: <ul style="list-style-type: none"> - 10% of the elevation, if the elevation is > 200m² - 20m² if the elevation is greater than 100m² but < 200m² - 20% for elevations of < 100m². <p>Otherwise Council will not permit.</p>

SIGN TYPE	DEFINITION & REQUIREMENTS
<p>Window Sign A sign located on, or displayed in the window or glass entry doors of a building.</p> 	<p>Refer to Clause 3.1 Exempt Development and Schedule 2 of the Hurstville LEP 2012 for the Exempt Development requirements.</p> <p><i>Unless exempt, Council approval is required, and will be based on a merit assessment in accordance with this DCP.</i></p> <ul style="list-style-type: none"> • No signs, including fly posters, can be posted on the outside of windows. • Office stationary materials such as coloured cardboard, office paper, and the like, with hand drawn messages are prohibited.

5.6.2 Design & Siting Requirements

5.6.2.1 All Signage

Objectives

- To ensure the design and siting of proposed signage compliments the character of an area and the site or building on which it is located, and does not impact adversely on the amenity or safety of the community.
- To reduce the visual complexity of streetscapes by providing fewer, more effective signs.

Design Principles

Signage:

- Do not dominate a building or its architectural features, and enhance any architectural details of a building.
- Are proportional to the size of the building or space to which it is attached.
- Do not lead to visual clutter through the proliferation of signs on a building or in adjacent areas; and
- Are compatible with the character of the area in which they are proposed.

Controls

In addition to the specific requirements detailed for each type of Signage in Section 5.6.2, the following controls need to be met.

5.8.2.1 (1) Zoning

The zoning requirements of the Hurstville LEP 2012, should be consulted to determine whether signage is permissible. Additional information regarding the controls for signage in the various zones is provided below.

R2 Low Density Residential and R3 Medium Density Residential Zone

Consideration must be given to any impact of the signage on noise, visual amenity, or light spillage in residential areas.

Only Advertising Structures identified as 'exempt development' in the State Environmental Planning Policy (Exempt and Complying Development) 2008 and Hurstville LEP 2012 are permitted in the Residential Zone. Exempt development does not require Council approval. Please refer Clause 3.1 and Schedule 2 of the Hurstville LEP 2012 to identify what signage is exempt development.

- (a) Signage that is to be located wholly within the property, and can only indicate the purposes for which the land, building or work is used, unless existing use rights apply to the sign.
- (b) Signage that is to be located unobtrusively, so as to appear an integrated part of the building or landscaping.

B1 Neighbourhood Centre and B2 Local Centre Zones

- (a) Advertising on or attached to buildings should align and relate to the architectural design lines on a building facade or, in the absence of architectural detail or decoration, relate to the design lines of adjacent buildings. This can be determined by using the Facade Grid Analysis Technique described below.
- (b) It should be noted that the Facade Grid Analysis Technique would be most appropriate for application in business centres such as Penshurst, Mortdale, and Forest Road, Hurstville, where traditional commercial buildings remain. Additionally, Council discourages advertising signs on a building facade that are displayed on or above first floor level.
- (c) The wording (or advertising content) on any sign should relate to the premises on which the sign is erected or the activities carried on or within the premises, except in the case of a Billboard Sign where it can be demonstrated that general advertising will have no detrimental impact on nearby residential areas or pedestrians, or cause a distraction to motorists.
- (d) Council will consider retractable awnings (incorporating advertising) that are attached to walls or fixed awnings to provide shade and other weather protection for shop fronts and seating areas.
- (e) Shop front windows should permit a view into the shop premises, including to the cash register from the street, for security reasons.

IN2 Light Industrial Zone

- (a) The total advertising area on each site is not to exceed 0.5m² per linear metre of road frontage for premises with a single road frontage and 0.25m² per linear metre for premises with two street frontages.
- (b) Buildings or sites having multiple occupants must be identified at the entrance by no more than two signs or directory boards within the front setback, identifying the names and activities of occupants. Signs for each occupant should be of a uniform size, shape and general presentation.
- (c) No sign is permitted to stand higher than the roof line of the building to which it is affixed.
- (d) The wording (or advertising content) on any sign should relate to the premises on which the sign is erected or the activities carried on or within the premises, except in the case of a Billboard Sign where it can be demonstrated that general advertising will have no detrimental impact on nearby residential areas or pedestrians, or cause a distraction to motorists.

- (e) Small shops, business premises and other similar uses located within this zone must also comply with the controls for the Business Zones.

SP2 Infrastructure Zone

Only Signage identified as 'exempt development' in the Hurstville LEP 2012 are permitted in the SP2 Infrastructure Zone. Exempt development does not require Council approval.

RE1 Public Recreation and RE2 Private Recreation Zones

Only Advertising Structures identified as 'exempt development' in the Hurstville LEP 2012 are permitted in the Public and Private Recreation Zones. Exempt development does not require Council approval.

5.8.2.1 (2) Context and Siting of Signage

- (a) The proposed advertising sign does not have any negative impacts on any views, vistas or skylines.
- (b) The proposed advertising sign is appropriate to the streetscape, setting or landscape, and not dominating in terms of its scale, proportion and form.
- (c) The size, height, shapes and colour of the proposed advertising sign is compatible with the site and its locality, and any buildings on which the advertising is situated. Signage should not be the dominant visual element on a building.
- (d) The cumulative impacts of multiple signage in the vicinity, and the number of existing signs on the premises will be considered. Council may place limits on the maximum number of signage allowed on any building or site.

5.8.2.1 (3) General Appearance, Content and Maintenance

- (a) Council discourages signs prone to deterioration and may request removal of redundant, unsafe, unsightly or objectionable signage.
- (b) Council may require provision for maintenance of signage and discourages signage on common boundaries where maintenance difficulties could occur.

5.8.2.1 (4) Traffic and Pedestrian Safety

- (a) The proposed advertising, whether illuminated or not, must not impact adversely on the safety for pedestrians, cyclists and on any public road.
- (b) Signage must be securely fastened to the structure or building to which it is attached, and must comply with all relevant Australian Standards and Building Code of Australia requirements.

- (c) Free standing signboards must be located and designed so that they do not pose any safety risk to pedestrians or motorists.
- (d) Signage must not be liable to interpretation as an official traffic sign or to be confused with instructions given by traffic signals or other devices, or block the view of traffic signals or signs.
- (e) Signs facing roads with high traffic volumes, traffic lights or major intersections may be referred to the Roads and Maritime Services (RMS) for comment.

5.8.2.1 (5) Illumination and Electrical Wiring

- (a) The lighting intensity and hours of illumination must not unreasonably impact on any residential properties, adjoining or within the locality.
- (b) The lighting intensity of an advertising sign must be capable of modification or control after installation.
- (c) Illuminated signage must minimise the spill effects or escape of light beyond the subject sign, and must not compromise safety for pedestrians, vehicles or aircraft.
- (d) Council may impose a curfew on sign illumination between 11pm to 6am the following day, or restrict illumination to hours of operation for late night trading premises, where it is considered that adjoining residential areas will be unreasonably impacted by the illuminated sign.
- (e) Illuminated signage are generally inappropriate on sites fronting laneways, which serve as a buffer between residential, and business and retail areas.
- (f) Illuminated signage in residential zones will be considered on their merits, where it can be demonstrated that spillage of light into adjoining or nearby residential properties will be minimal.
- (g) Electrical wiring to illuminated signs or spotlights is to be concealed.

5.8.2.1 (6) Wording and Content

- (a) All signage must be displayed in English but may include a translation in another language. Any translated message must be accurate and complete, and using wording and/or numbering that is not larger than the English message.
- (b) Signs must be attractive and professionally signwritten.
- (c) Changes in the content or message of an signage are allowed without the approval of Council provided that:
 - (i) the advertising structure has been approved by Council;
 - (ii) the size and dimensions of the sign remain as approved, or are reduced;

- (iii) there is no change to the intensity of, or hours of illumination;
- (iv) moving or flashing messages or symbols are not proposed; and
- (v) the message is not likely to cause distraction to motorists.
- (d) The name or logo of the person who owns or leases an advertisement or advertising structure must not be greater than 0.25m², and may appear only within the advertising display area.
- (e) Where a business or organisation offers a product or service, the name of the business or organisation should have greater dominance over the product or service advertising.
- (f) The wording and content of the advertising sign must not:
 - (i) Offend nearby sensitive land uses (churches, schools, day care centres);
 - (ii) Contain undesirable discriminatory advertising messages as specified in the Anti-Discrimination Act 1977;
 - (iii) Encourage unlawful purchase, excessive consumption of alcohol; or
 - (iv) Promote anti-social behaviour.

5.8.2.1 (7) Heritage Items

- (a) In all circumstances signage on the site of a heritage item or draft heritage item under the Hurstville LEP 2012, or that is subject to an Interim Heritage Order under the Heritage Act 1977, or that is listed on the State Heritage Register under that Act, requires development consent.
- (b) Signage next to or in the vicinity of a heritage item should be designed and located in a manner which enhances and complements the item and streetscape, and does not dominate or detract from the heritage item.
- (c) Applications for such signage will be considered on the merit of each individual case.

5.8.2.1 (8) Signs on Parked Vehicles

Signage on parked vehicles (cars, trucks, motorcycles, trailers etc.) are prohibited where the vehicle is unregistered or the principal purpose of the vehicle is for advertising purposes.

5.8.2.1 (9) Large Developments

Signage for large commercial type developments and those that contain multiple tenancies should be the subject of a co-ordinated approach to the design and siting of signs. Only one directory board will generally be permitted for multiple occupancy buildings.

5.8.2.1 (10) New developments

For new buildings, the location, type and total number of advertising signs should be considered at the development application stage so that they can be integrated into the design of buildings. This information is to be included as part of any development application for a new building.

5.8.2.2 Facade Grid Analysis Technique

This DCP establishes a method by which applicants may determine the appropriate location of signage on a building, and provides the framework within which applications for advertising signs will be assessed.

The technique to be used to determine the appropriate location and size of signage on buildings is known as the **Facade Grid Analysis Technique**. The aim of this technique is to ensure that architectural details are not obscured and buildings not dominated by advertising signs. It provides the basis for the potential development of streetscape themes, and is an effective urban design tool for improving or reinforcing the amenity of a streetscape.

The technique was primarily tailored to traditional building facades, however, the principles of this technique can also be applied to all building types, and to a series of buildings.

Note:

Council discourages signage on a building facade that are displayed on or above first floor level.

The method works as follows.

- (a) To identify signage opportunities the building façade must be subdivided using the main design lines to form a series of panels. Building facades may easily be broken down into a grid based on the parapet, cornices, awnings, verandas, windows and door alignments. An example of this procedure is shown in Figure 2.

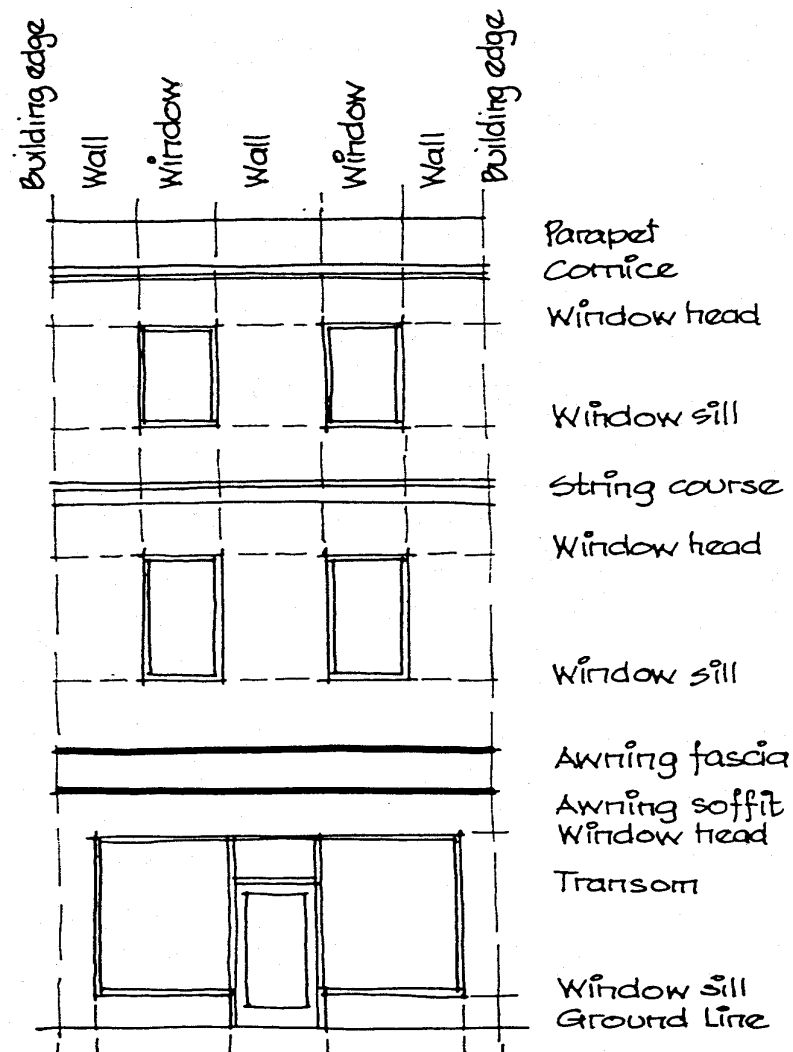


Figure 2: Establishing the Facade Grid

- (b) To identify possible sign panels the rectangles of the grid may be used separately or be joined together to form horizontal or vertical panels. Figure 3 shows examples of such panels.

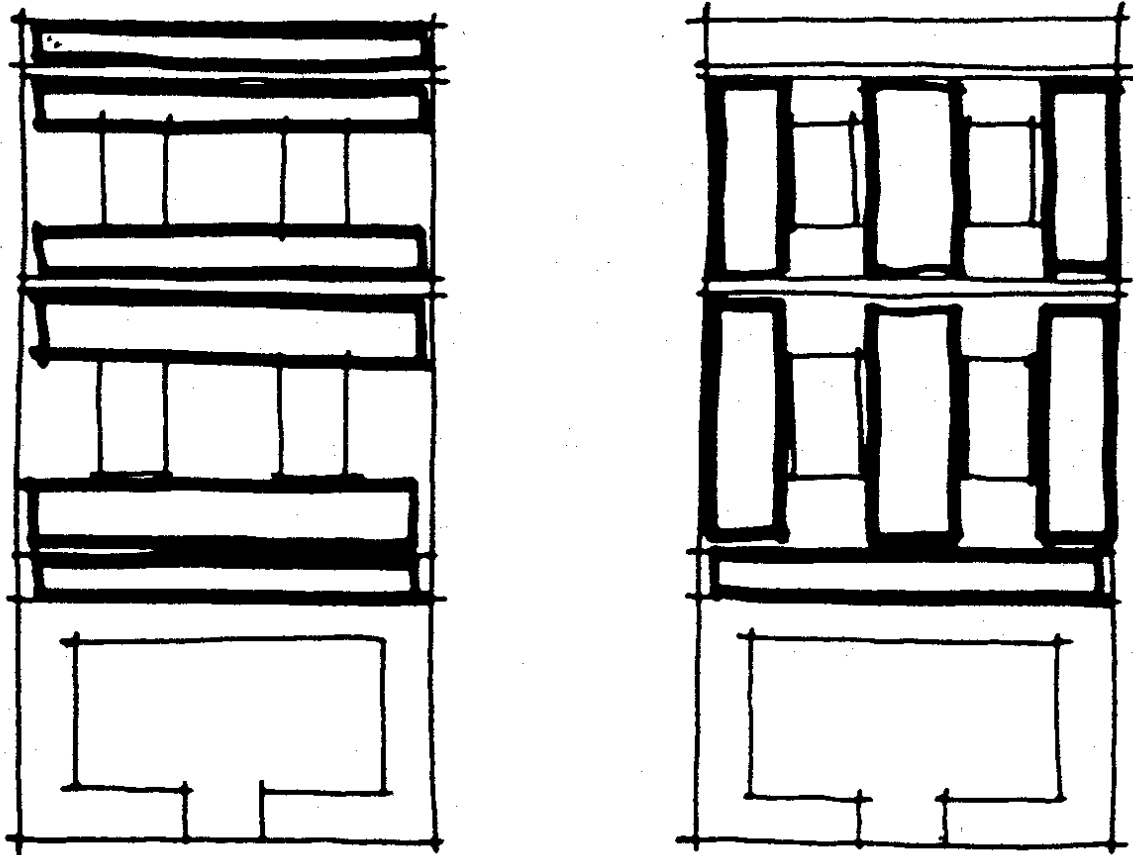


Figure 3: Horizontal or Vertical Panels

(not every panel identified should be used to display a sign)

- (c) The scale of signage should be compatible with the building they are on, as well as with nearby buildings, street widths and other existing signs. In most cases, appropriate dimensions are achieved by restricting signs to grid locations or panels. This ensures that the original architectural character (set the lines of awnings, windows and door openings, parapet lines and setbacks) remain dominant.
- (d) Not all panels identified should be utilised for advertising purposes, as this will lead to a proliferation of signs and conflict with the objectives of this DCP.
- (e) In deciding which panels are the most appropriate for signage, the following matters should be considered:
 - (i) existing advertising;
 - (ii) the amenity of the streetscape; and
 - (iii) the guidelines, objectives and controls contained in this DCP.
- (f) Applying the technique to a series of buildings shows the possible panels for the streetscape and provides the basis for developing patterns and themes.

Figure 4 shows how the technique produces a uniform and clean series of sign possibilities instead of a haphazard array.



Figure 4: Developing Patterns and Themes

- (g) Figure 4 also shows that sign panels do not have to be rectilinear in design or contained in a perimeter margin unless these impose an architectural formality or introduce continuity with the surrounding area, which is presently lacking on a building.
- (h) Figure 5 shows how a variation of the technique can be used to help correct discontinuities in streetscape. The lines of adjacent buildings may be projected across the façade of the building, thereby defining horizontal panels in which signs may be located. This will achieve visual continuity with neighbouring buildings.

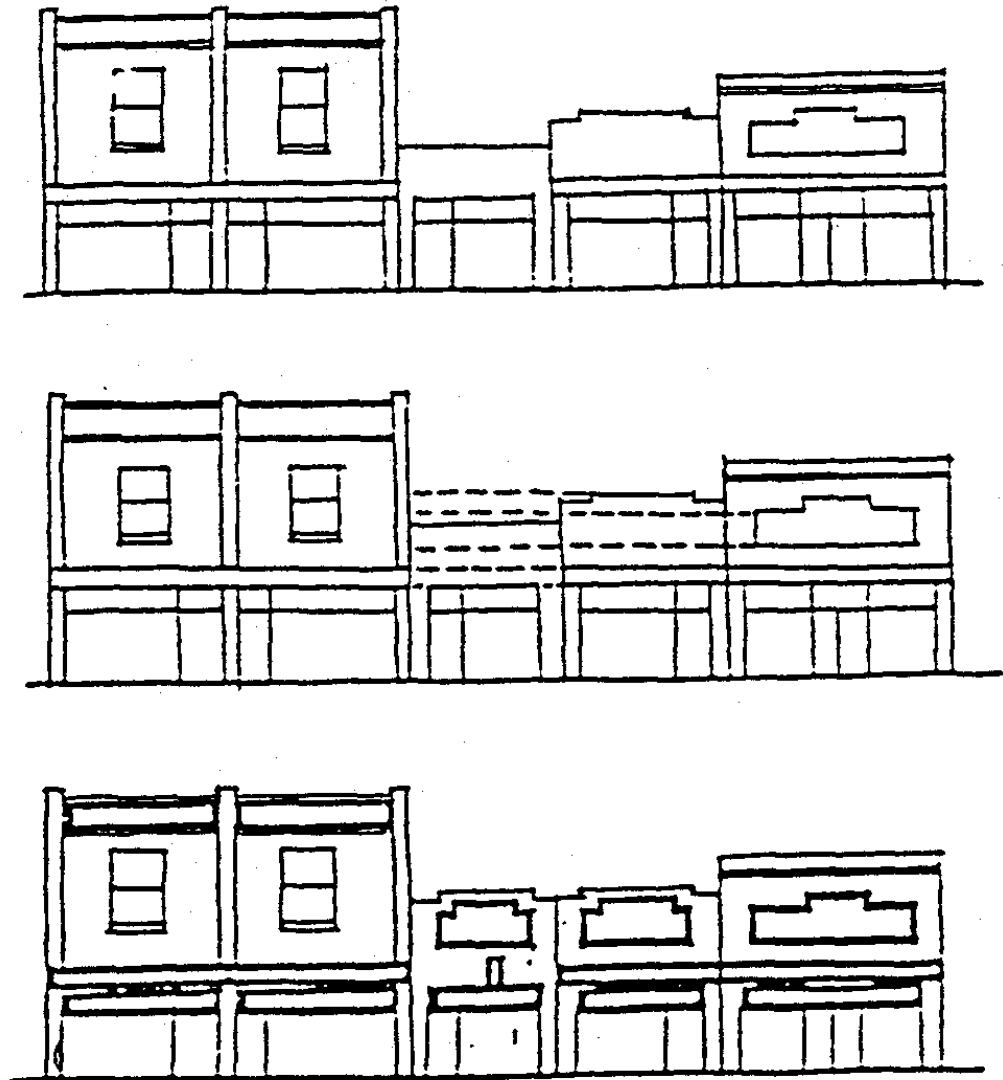


Figure 5: Encouraging Continuity in Streetscape

5.8.2.3 Advertising Opportunities from New Technologies

Objective

To provide sufficient flexibility in Council's controls to enable the assessment of advertising generated from new technologies.

Controls

- Council will consider any proposal for signage generated by new technology on its merits.
- Signage involving animation, video screens and other forms of movement are generally inappropriate, where they are likely to adversely impact on residential areas or pedestrian amenity or safety, or are likely to distract motorists.
- Signage that cover glass facades, including the use of coloured films and the like, must comply with the controls relating to window signs.
- Electronic message boards will be considered in business and industrial zones where they provide a net benefit to the community, or are directly associated with a community use or building.

5.7 Swimming Pools & Spas

5.7.1 General Information

This section supplements the statutory controls contained in the Swimming Pools Act 1992, and Australian Standards. Where there is any inconsistency, the provisions of the Swimming Pools Act 1992 and its Regulation, and AS 1926 – Swimming Pool Safety will take precedence over the DCP Provisions:

5.7.1.1 Aims

The primary aims of this section are to:

- Ensure that all swimming pools and spas meet the safety, health and location and noise requirements of the Swimming Pools Act 1992 and Swimming Pool Regulations, 1998.
- Ensure all swimming pools do not adversely affect the amenity of the locality by their location, visual appearance, size or operation.
- Ensure the public safety of children is private swimming pools, and
- Maintain, where possible, existing trees that are subject to Council's tree Preservation Order.

5.7.2 Pool Siting and Noise Control

Objective

Ensure swimming pools do not adversely affect the amenity of the locality.

Design Principle

Swimming pools are located such that cut and fill is minimised and the visual impact on the surrounding area is reduced.

Design Solutions and Controls

5.7.2.1 Pool Siting

- (a) In-ground swimming pools shall be built so that the top of the swimming pool is as close to the existing ground level as possible. On sloping sites this will often mean excavation of the site on the high side to obtain the minimum out of ground exposure of the swimming pool at the low side.
- (b) Provided one point on the swimming pool or one side of the swimming pool is at or below existing ground level, then one other point or one other side may be up to 500 mm above existing ground level.

- (c) When consent is granted for a swimming pool having a height above natural ground level in excess of 500 mm, any landscaping treatment must be completed before the swimming pool is filled with water.
- (d) On steeply sloping sites, Council may consider allowing the top of the swimming pool at one point or along one side to extend up to 1000 mm above natural ground level, provided that the exposed face of the swimming pool wall is treated to minimise impact. The materials and design of the retaining wall should be integrated with, and compliment, the style of the swimming pool.
- (e) Filling is not permitted between the swimming pool and the property boundary.
- (f) The drainage of spill water from a swimming pool shall be designed so that it does not affect the natural environment of the subject site or adjoining properties.
- (g) Swimming pools are to be constructed so that the top of the bond beam is as close to ground level as possible.
- (h) Spas and swimming pools proposed to be constructed between the dwelling and the street will be considered by Council if the amenity of the area is not adversely impacted and the other requirements in this DCP are met.
- (i) Swimming pools are permitted on land affected by a foreshore building line subject to their design complementing the surrounding area and minimising visual impact from waterways.
- (j) The swimming pool edge must be at least 1.5 metres from side and rear property boundaries.

5.7.2.2 Noise Control & Nuisances

- (a) The position of the swimming pool in relation to neighbours and other residents must be considered to reduce noise associated with activities carried out in the swimming pool or from associated the swimming pool equipment, such as cleaning equipment.
- (b) Council may require mechanical equipment to be suitable acoustically treated so that noise to adjoining properties is reduced.
- (c) The construction, location and use of the swimming pool are to be such that no nuisance is caused to any neighbouring residents by reason of noise, drainage, illumination or for any other reason.

5.7.2.3 Heated Swimming Pools

Heated swimming pools must utilise energy for heating from renewable energy sources, such as solar heating, heat pumps and gas heating. Swimming pool covers should be used when the swimming pool is not in use.

5.7.3 Landscaping

Objective

- To retain existing trees.
- To ensure swimming pool areas are landscaped in accordance with Council's Landscaping Guidelines.

Design Principle

Landscaping enhances and is integrated with the design of the swimming pool.

Design Solutions and Controls

- (a) Tree and shrub planting is to be provided along the adjoining property boundary lines to achieve a reasonable level of privacy. Refer to Appendix 1 for recommended species to use.
- (b) Paved and other impervious areas are to be minimised and designed to provide stormwater and swimming pool overflow infiltration.
- (c) Swimming pools are to be designed to ensure the retention of existing trees.
- (d) Where a swimming pool is located close to an existing tree, elevated decks are preferred as the swimming pool coping to ensure minimal root damage.
- (e) Swimming pool water discharges must not in any circumstances be directed through bushland areas located on private or public land.
- (f) Council does not approve trees to be removed based upon leaf drop or lack of solar access to a swimming pool.

Note: <i>Landscaped area</i> is defined within the Dictionary of the Hurstville LEP 2012.
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5.8 Radio-Communications & Telecommunications

5.8.1 How this Chapter of the DCP Relates to Other Plans/Legislation

5.8.1.1 Commonwealth Legislation

(a) Telecommunications Act 1997

The *Telecommunications Act 1997* establishes a regime for Carriers' rights and responsibilities when inspecting, maintaining or installing telecommunications facilities.

This DCP clarifies the expectations of Hurstville City Council on carriers who operate under the Act.

(b) Radiocommunications Act 1992

The *Radiocommunications Act 1992* regulates radiocommunications transmitters. It provides for the licensing of radiocommunications equipment and applies mandatory standards to its use.

This DCP clarifies the expectations of Hurstville City Council on carriers who operate under the Act.

(c) Telecommunications Code of Practice 1997

The *Telecommunications Code of Practice 1997* establishes obligations on carriers in land-access situations such as when inspecting land, installing low-impact facilities and maintaining facilities. It also requires carriers to comply with recognised industry codes and standards.

This DCP clarifies and standardises the expectations of Hurstville City Council in respect to land-access situations.

(d) Telecommunications (low-impact facilities) Determination 1997

The *Telecommunications (Low-impact) Facilities Determination 1997* exempts telecommunications infrastructure classified as "low impact" from compliance with state and local government regulations. This classification relates primarily to visual appearance and size, rather than emissions.

This DCP applies to both low impact and not-low-impact facilities. While the DCP does not have the authority to override the LIF Determination, it nevertheless provides advice to carriers about the expectations of Council and requests their voluntary co-operation.

(e) Code for the Deployment of Radiocommunications Infrastructure (ACIF, 2002)

This **Code (Appendix 2)** derives its authority from the *Telecommunications Act 1997* and applies only to telecommunications carriers and their infrastructure. It does not apply to other broadcasters, councils or other agencies. It requires carriers to apply a precautionary approach to site selection and the design and operation of infrastructure; to consult with councils and communities regarding siting; to provide information to the public and to implement a complaints handling procedure. It applies to both low impact and not-low-impact facilities.

This DCP broadens the scope of the ACIF Code by applying consistently not only to carriers and their agents, but also to builders and operators of all EMR-emitting infrastructure, including those operating under the Radiocommunications Act 1992.

5.8.1.2 New South Wales legislation

(a) Environmental Planning and Assessment Act 1979

To meet Council's obligations to achieve environmental, economic and social sustainability.

(b) Local Government Act 1993

This DCP assists Council to fulfil its obligations under the *Local Government Act 1993* by having regard to the principles of ecologically sustainable development, including application of the precautionary principle.

(c) State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Clauses 113-116) sets out the consent requirements for telecommunications facilities that are not designated as low impact facilities.

(d) Department of Planning and Infrastructure NSW Telecommunications Facilities Guideline including Broadband.

The Department of Planning and Infrastructure has introduced guidelines for councils in respect to telecommunications infrastructure. The purpose of these guidelines is to provide advice on appropriate and consistent planning controls for telecommunications facilities across the state. The guidelines also seek to promote an approach that provides for better information, education and communication.

This DCP employs the principles of good urban design outlined by the NSW Government.

5.8.1.3 Hurstville City Council legislation and policy

This DCP should be read in conjunction with the Hurstville LEP 2012. *Telecommunications facility* is defined within the Dictionary of the Hurstville LEP 2012.

5.8.1.4 Relevant Standards

Facilities are required under this DCP to comply with relevant Australian standards.

5.8.2. Objectives

The objectives of this plan are to:

5.8.2.1 Social

- Apply a precautionary approach to the deployment of radio communications and telecommunications infrastructure.
- Minimise EMR exposure to the public.
- Avoid community sensitive locations.
- Ensure that the general public and local communities have access to telecommunications technology.
- Achieve equity for the various stakeholders by endeavouring to balance their various needs.
- Enable members of the public to adequately identify infrastructure and the agencies responsible for them; and
- Provide mechanisms by which information can be disseminated to ensure that the community is adequately informed and empowered to participate in the planning/decision-making process.

5.8.2.2 Environmental

- Help implement principles of urban design in respect to telecommunications and radio communications infrastructure.
- Promote good industrial design of infrastructure.
- Provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons.
- Minimise adverse impacts on the natural environment.
- Assess whether the proposed infrastructure is consistent with the amenity of the area; and
- Restore the site after discontinuation or removal of infrastructure.

5.8.2.3 Economic

- Identify the type of land use areas suitable for infrastructure in the Hurstville local government area,
- Accommodate the planning requirements of new technology.

- Provide equitable availability of locations to carriers;
- Assess whether the proposed infrastructure is consistent with permitted development in adjacent areas;
- Ensure reasonable access to telecommunications technology; and
- Provide certainty for stakeholders and a consistent approach to the implementation/assessment of telecommunications infrastructure.

5.8.2.4 Administrative

- Ensure that Council obtains information about existing and proposed infrastructure to assist with strategic planning; and
- Ensure that there is no financial cost to Council.

5.8.3 Design Controls

5.8.3.1 Visual Amenity

Carriers are to design antennas and supporting infrastructure in such a way as to minimise or reduce the visual and cumulative visual impact from the public domain and adjacent areas.

Within the local context, the infrastructure design must take account of:

- Colour.
- Texture.
- Form.
- Bulk and scale.

Infrastructure must:

- Be well-designed.
- Be integrated with the existing building structure unless otherwise justified in writing to Council.
- Have concealed cables where practical and appropriate.
- Be unobtrusive where possible, and
- Be consistent with the character of the surrounding area.

Infrastructure must be removed when no longer being used.

The site must be restored following construction of the infrastructure.

Note: A discussion on facility design can be found in *Low Impact Facilities for Better Visual Outcomes* that can be accessed at www.amta.org.au

5.8.3.2 Co-location

- Co-location is the practice of locating a number of different telecommunication facilities, often owned by different carriers, on one facility or structure.
- Co-location may not always be a desirable option where:
 - Cumulative emissions are a consideration.
 - It may be visually unacceptable.
 - There are physical and technical limits to the amount of infrastructure that structures are able to support, or
 - The required coverage cannot be achieved from the location.
- Carriers should demonstrate a precautionary approach and effective measures to minimise the negative impacts of co-location.

5.8.3.3 Location

The applicant should demonstrate that, in selecting a site, it has adopted a precautionary approach in regards to minimising EMR exposures consistent with Section 5.1 of the ACIF Code.

Preferred land uses (as determined by Hurstville City Council) include:

- Industrial areas.
- Commercial centres.

The applicant should demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas:

- Where occupants are located for long periods of time (e.g. residences).
- That are frequented by children (e.g. schools, child care centres), and
- Where there are people with particular health problems (e.g. hospitals, aged care facilities).

Further information can be found in the ACIF Code at Section 5.1.4.

5.8.3.4 Heritage and Environment

Infrastructure proposed for areas of environmental significance (as defined in LIF Determination) require:

- Development consent under the LIF Determination and Council's LEP.
- The applicant to have regard to avoiding or minimising the visual impact of any proposed facility on the heritage significance of adjacent/adjoining/surrounding heritage items.
- The applicant is to provide a heritage impact statement in accordance with *Hurstville Local Environmental Plan 1994*.
- The applicant to have regard to avoiding or minimising the physical impact of any proposed facility on endemic flora and fauna.
- That if the carrier is required to notify the Environment Secretary of Environment Australia in accordance with s4.18(4) of the Telecommunications Code of Practice 1997, than Council should be forwarded a copy of this document along with any supporting studies accompanying this notification.

5.8.3.5 Facility physical design controls

Infrastructure must be of high quality design and construction.

Proposals should consider the range of available alternate infrastructure including new technologies, to minimise unnecessary or incidental EMR emissions and exposures, as required under Section 5.2.3 of the ACIF Code.

The plan for the facility must include measures to restrict public access to the antenna(s). Approaches to the antenna(s) must contain appropriate signs warning of EMR and providing contact details for the facility(ies) owner/manager.

The minimum requisites that shall apply where relevant are the BCA for purposes of construction and the relevant exposure levels as directed by the Australian Communications Authority (ACA). The applicant must provide Council with certification about the standards with which the facility will comply.

5.8.3.6 Facility health controls

- The applicant is to demonstrate the precautions it has taken to minimise EMR exposures to the public.
- The applicant is to provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACA.
- The applicant is to provide a mapped analysis of cumulative EMR effect of the proposal (as per Appendix2 – Development Application Requirements).

5.9 Satellite Dishes

Please refer to Councils Satellite Dish Policy (Appendix 2).

5.10 Private Tennis Courts

Please refer to Councils Policy for the erection of Private Tennis Courts (Appendix 2).

6.1 Beverly Hills

6.1.1 General Information

This section applies to land and development located within Beverly Hills, edged heavy black marked on Map 1.

This generally applies to the commercial/retail areas along King Georges Road and the surrounding residential areas south of the railway line and east of King Georges Road.

For the B2 Local Centre Zone (B2 Zone) this section contains controls for commercial development incorporating residential uses.

For the R2 Low Density Residential Zone (R2 Zone) this section contains controls for narrow lots and studio development in specified areas.

This section supersedes section 4.3 Multiple Dwellings as it applies to Beverly Hills, the area identified on map (Section 6.1.3.2)

6.1.2 Character Statement

Beverly Hills is a middle ring suburb within the Sydney metropolitan area, located approximately 3 kilometres from the Hurstville CBD and 15 kilometres from the Sydney CBD. It is close to the M5 and Beverly Hills railway station provides convenient access to Sydney and Campbelltown, via the East Hills railway line. The area has the potential to become even more accessible with the State Government's commitment to construct the Hurstville to Strathfield rail line with the option of a station at Beverly Hills.

The suburb is situated at the headwaters of Wolli Creek, which drains to the Cooks River. It is also close to the Georges River and its foreshore open space, as well as regional sporting facilities such as the Aquatic Leisure Centre and the shopping and business services available in the Hurstville CBD.

The area has an appealing suburban character. A high proportion of traditional homes with comparatively large backyards contain significant vegetation and tree cover, which cumulatively results in a 'green corridor' through the middle of most of the residential blocks. However, this feature has been threatened in more recent years by villa and townhouse development and dual occupancies, which have replaced backyards.

This DCP provides for new residential development to strengthen and enrich the traditional suburban character of Beverly Hills by ensuring each dwelling has a frontage to the street, can be subdivided and has front and rear yards for landscaping. This plan contains new controls which require medium density dwellings to have a street frontage rather than being developed in a 'gun barrel' style where they run down the block parallel to the side street. The DCP allows a mix of housing types in order to meet different household requirements and to cater for those wishing to move to a different form or size of house within their local community.

King Georges Road is the major north south road defining areas east and west, with the Beverly Hills Centre comprising a commercial/retail strip along this road. In the hierarchy of commercial centres

within the Council area, Beverly Hills (along with Riverwood) is ranked as a secondary centre after the regional centre at Hurstville. Beverly Hills is a well known entertainment precinct with a remarkably high proportion of restaurants and cafes, and is noted for its cinema. The Centre draws on a wide catchment of patrons across southern Sydney and beyond.

The provisions in the DCP for future development along King Georges Road ensures commercial and retail uses are located at ground level and housing above. Car parking or new development is required to be provided underground. Development in the core commercial area is limited to a maximum of four storeys, with specific sites adjoining residential development restricted to two storeys. The DCP also contains detailed development guidelines to facilitate a high amenity for workers and residents through excellent design, solar access, and a consistent street scale.

The application of Council's policies on crime prevention through environmental design (Section 3.4), improved access and mobility (Section 3.3) and the work being undertaken to increase the environmental sustainability of new development significantly contributes to the amenity and desirability of living, working and visiting Beverly Hills.

6.1.3 Objectives for Beverly Hills

Beverly Hills should develop as a garden suburb with a high quality commercial and retail centre catering for the needs of the local community and visitors. This DCP intends to strengthen and enrich the existing suburban structure of Beverly Hills by incorporating the following:

- Create a memorable identity for King Georges Road, as the focus of Beverly Hills, and enhance its atmosphere and commercial viability as a local service centre by:
 - (i) Fostering an improved mix of uses
 - (ii) Retaining the important role of public transport
 - (iii) Enhancing pedestrian amenity
- Strengthen the quality of Beverly Hills' public open space systems, including public open space in the Centre and parks along drainage lines by:
 - (i) Encouraging buildings to overlook parks to improve safety
 - (ii) Orientating commercial uses to public plazas and spaces
- Retain and enhance Beverly Hills' subdivision pattern by:
 - (i) Encouraging subdivision patterns which protect the landscape quality and are characteristic to location
 - (ii) Encouraging desirable housing types
 - (iii) Ensuring buildings are appropriate to lot type

- Protect and enhance the landscape quality of Beverly Hills in both the public and private domain by:
 - (i) Protecting the landscape and vegetation corridors/areas at the rear of sites
 - (ii) Providing specific controls for the location and minimum size of private gardens.
- Provide appropriate development control principles and guidelines for the future development of Beverly Hills, ensuring a high standard of architectural, environmental and landscape quality by:
 - (i) Promoting high quality architectural design throughout Beverly Hills
 - (ii) Encouraging buildings that optimise sun access to streets and parks
 - (iii) Protecting the amenity of existing residential areas and parks
 - (iv) Creating private internal and external environments that achieve a high level of amenity for occupants and neighbours
 - (v) Encouraging planting in private gardens that contributes to Beverly Hills existing landscape setting
- Ensure that new development is compatible with the existing built form and streetscape by:
 - (i) Providing direction and certainty of outcome to ensure:
 - A consistent street scale
 - Compatibility with existing built form
 - A variety of building types
 - A high level of environmental amenity
- Integrate principles of environmental sustainability in the design of both the public and private domain of Beverly Hills by:
 - (i) Ensuring that the new dwellings receive adequate sun and ventilation
 - (ii) Requiring the use of materials that maximise energy efficiency
 - (iii) Providing backyards for new residential development to maintain green space corridors throughout the suburb

6.1.3.1 How Will We Know If We Are Achieving Our Objectives?

- The decline in vegetation and tree cover will be arrested and will start to increase.

- The suburban character of Beverly Hills will be retained while the mix of housing types increases.
- The commercial centre will continue to be a regional restaurant and entertainment precinct and will provide retail and other services to the local community.

6.1.3.2 Overall Design Principles for Beverly Hills

Commercial Centre - King Georges Road

(a) General

- Provide for commercial and residential development of an appropriate scale and mass
- Assume optimum lot amalgamation to ensure flexible uses i.e. retail/ commercial/ residential
- Extend existing public spaces through access and urban design strategies
- Establish building depth controls to ensure high quality building and external spaces
- Establish new rear lane widening and easements to improve public amenity and access
- Emphasise particular characteristics of the different parts of the Centre
- Integrate new parking strategies with incremental and large scale developments
- Improve amenity for users of new and refurbished buildings by requiring a lift in buildings exceeding 2 storeys

(b) Pedestrian and Traffic Amenity

- Improve lane system to provide an alternative pedestrian network to footpaths along King Georges Road and improve traffic flows. Restaurants and retail along King Georges Road to be encouraged to open to both the front and back of a site.

(c) Public Space

- Create small parks and squares where possible to enhance amenity for patrons of restaurants and cafes, and shoppers
- Create a system of public spaces linking the railway station to a square on King Georges Road in the vicinity of the Sydney Water drain, via improvements to the lane between Morgan Street and Frederick Avenue

Residential Development

(a) Types

- Provide a range of flexible good quality housing stock for future generations

- Create a variety of housing types to cater for diverse needs
- Ensure housing type suits the site characteristics

(b) Subdivision Patterns

- Ensure building types correspond with Beverly Hills' subdivision patterns through adapting existing deep lots by concentrating development at the street to:
 - reinforce the streetscape
 - retain rear gardens as a continuous landscape area
 - minimise overlooking into rear gardens from adjacent development
 - create quality outdoor living spaces for residents

(c) Relationship to the Street

- Create a consistent alignment of building frontages to reinforce the streetscape
- Create a coherent street character through the concentration of particular compatible building types
- Provide a clear street address to each building
- Collectively create attractive streets

(d) Privacy

- Encourage privacy to and from living spaces both within each development and to other buildings
- Provide useable private outdoor living spaces such as balconies, verandahs, courtyards, roof terraces and gardens
- Sensitively design balconies to avoid overlooking into neighbouring units and yards
- Orient living/ bedroom areas primarily to the rear garden and the street so that large side windows are minimised
- Allow flexible internal planning depending on orientation, exact site condition, etc

Environmental Issues/ Quality Internal Environment

- Building form, spacing and layout maximises good solar orientation to both the internal and external living spaces
- Thin cross section design achieves good natural ventilation and avoids the need for internal rooms (including bathrooms)

- Optimise the use of land: rationalise the built footprint, and minimise side set backs
- Orient buildings around parks and reserves to maximise the opportunity for views

Landscape and Public Spaces

(a) Landscape Quality

- Spacing and siting of residential buildings creates a landscape corridor, which ensures significant trees are retained and the drainage system is rationalised
- Retain and supplement significant trees on private land, particularly on major ridgelines and drainage lines

(b) Public Landscape Amenity

- Increase recreation opportunities by providing a diverse range of landscape types in public spaces, from urban squares in the main street to passive 'natural' spaces and active open spaces in parks
- Improve connections to public spaces

(c) Drainage Systems

- Integrate stormwater detention systems for new developments into consolidated landscape areas
- Investigate the potential of upgrading the main drainage line where it passes through private land



Map 1 – Land to which this section applies.

6.1.4 Development Guidelines & Controls

This Section contains the development guidelines and controls for new development and is divided into the following parts:

- Specific considerations for:
 - King Georges Road where mixed uses are permitted in the B2Local Centre Zone
 - Residential development permitted within the R2 Low Density Residential Zone
- General considerations for both mixed use and residential development

6.1.4.1 King Georges Road & Mixed Use Development

This section applies to land zoned “B2 Local Centre” under Hurstville LEP 2012 and the areas covered by this DCP as shown on Map 2 (section 6.1.7).

The controls that follow are illustrated in Section 6.1.7.

6.1.4.2 Building Envelope

Objectives

Ensure a more certain building outcome while creating:

- A more coherent and attractive streetscape
- The ability to accommodate a range of uses
- Better opportunities for natural light, ventilation and privacy

Design Principles

- Buildings relate to existing front building alignments
- Buildings allow natural light into working and living areas
- Opportunities for cross ventilation are provided
- Buildings provide for off street parking and other site services without compromising the above criteria
- Designs highlight corner sites and relate to both street frontages where applicable

Design Solutions and Controls

- New development takes the form of one of the options illustrated in the **Development Control Drawings** detailed in Section 6.1.7.

- Where alterations and additions are proposed to an existing building, applicants must generally comply with the specific *Design Principles* and *Design Solutions and Controls* of this Section.

6.1.4.3 Amalgamating Existing Lots

Objectives

- Promote the continuity of medium and fine grain buildings and built form pattern in Beverly Hills

Maximise street level activity

Design Principles

Development on amalgamated lots is articulated to reflect the original subdivision

Design Solution and Controls

Maximum street frontage for individual commercial sites along King Georges Road is 25 metres

6.1.4.4 Floor Space Calculations

Floor Space Ratio controls are contained within Clause 4.4 and the associated Floor Space Ratio maps of the Hurstville LEP 2012.

The maximum floor space ratio is not “as of right”. They are an indication of the floor space possible for a particular site.

Clause 4.5 of Hurstville LEP 2012 identifies how to calculate floor space ratio and site area.

6.1.4.5 Building Use

Continuous ground level retail frontage offers the benefits of safety, commercial activity and street life. An increase in activity on the rear lanes, via improved accessibility and after hour activity is desired.

Objectives

- Facilitate a range of flexible uses within the Beverly Hills Centre including commercial, retail and residential
- Ensure buildings retain active uses at street level

Design Principles

- The character of the Beverly Hills Centre is enhanced by encouraging the integration of appropriate retail and commercial development with housing, providing street surveillance and after hour activity

Design Solutions and Controls

- Design for a mix of uses within buildings
- All ground floor levels in buildings are to incorporate retail and/or commercial uses to activate the street
- Access to residential uses above ground floor is permitted on street level but must not occupy more than 20% of the frontage
- The maximum retail frontage for individual tenancies is 25 metres

6.1.4.6 Height**Objectives**

- A coherent streetscape is provided with consistent height

Design Principles

- Building height remains consistent

Design Solutions and Controls

- Maximum Height of buildings is contained within Clause 4.3 and the associated Height of Buildings Maps of the Hurstville LEP 2012.
- Clause 3.12 of this DCP identifies the maximum number of storeys for development.
- Commercial storeys are set at a maximum 3.3 metres floor to ceiling
- Residential storeys are set at a maximum 3 metres and a minimum 2.7 metres floor to ceiling

6.1.4.7 Corners**Objectives**

- To highlight and enhance development positioned on a corner site

Design Principles

- Corners are accentuated and highlighted through architectural design elements

Design Solutions and Controls

- Buildings sited on the street frontages at a corner are to create acute, obtuse, curved or other relevant corner forms

- The street intersections are to be addressed with splays, curves, small towers, building entries and other special architectural elements

6.1.4.8 Building Design

Objectives

A built outcome that:

- Enhances the streetscape
- Provides a high quality working and living environment for employees and residents

Design Principles

Buildings improve the appearance of the street

- Buildings should be appropriately modulated and articulated in their façade in order to provide well proportioned elevations
- Building design responds to noise, sunlight, breezes, privacy and views
- Building and private open space are integrated

Design Solutions and Controls

- A balance of horizontal and vertical façade elements is to be provided
- Simple façade designs containing only horizontal or vertical elements are to be avoided
- Large areas of flat façade should be articulated using panels, bay windows, balconies and steps in the façade
- Changes in texture and colour should complement façade articulation
- Building entrances – whether for commercial, retail or residential use – must be clearly identifiable from the street

Blank party walls are to be avoided

6.1.4.9 Balconies

Objectives

- Provide architectural and streetscape character
- Enhance the amenity of residents and employees

Design Principles

- Balconies contribute to building articulation and modulation

Design Solutions and Controls

- The main balcony types to use are:
 - recessed within wall
 - recessed within roof
 - projecting without roof, walls or columns
 - partially recessed/projecting
 - Juliet
 - French windows
- Balconies are to be designed so that they are recessed a minimum 300 mm into the wall or enclosed with walls, columns or roofs, in order to provide sufficient enclosure
- All glass and all brick balconies are to be avoided
- Juliet balconies and French windows should be used to articulate facades with architectural detail and vertically proportioned windows
- Each residential apartment is to have at least one balcony with a minimum size 8 square metres and a minimum depth of 2 metres

6.1.4.10 Acoustic Privacy

Objectives

- Provide minimum acoustic privacy levels to enhance the amenity people within buildings

Design Principles

- Building design and internal room layout reduces noise flow

Design Solutions and Controls

- Windows fronting King Georges Road are required to be double glazed
- For buildings within the Commercial Centre, noise within dwellings is not to exceed the following:

-	Weekdays	7am – 7pm	55 dBA
		7pm – 10pm	45 dBA
-	Weekends	8am – 7pm	50 dBA
		7pm – 10pm	45 dBA
	Night Time	10pm – 7am	35 dBA
- In order to assist acoustic control of airborne noise between units:
 - A wall shall have a Field Sound Transmission Class (FSTC) of not less than 50 if it separates a sole occupancy unit, or a sole occupancy unit from a plant room, stairway, public corridor, hallway or the like
 - A wall separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit, is to have a FSTC of not less than 55
 - A floor separating sole occupancy units must not have a FSTC less than 50
- Noise impact associated with goods delivery and garbage collection, particularly early morning, should be minimised
- Restaurants and cafes should be designed to minimise the impact of noise associated with late night operation, on nearby residents

6.1.4.11 Lifts

Objectives

- Provide accessible dwellings for residents

Design Principles

- Lift access is provided to improve accessibility

Design Solution and Controls

- All buildings with two or more storeys are required to have lifts

6.1.4.12 Awnings

Objectives

- Ensure weather protection for pedestrians at street level
- Provide continuity in streetscape

Design Principles

- Awnings provide weather protection and contribute to the streetscape

Design Solutions and Controls

- Each building is to provide an awning
- Locate awnings at least 3 metres, and no more than 4.2 metres, above footpath level
- Awnings are to be stepped in relation to street level changes and building entrances
- Steeply pitched awnings are to be avoided which break the general alignment of awnings in the street
- A weather seal is to be provided where an awning adjoins another awning
- Temporary shade structures such as retractable blinds and umbrellas are to be provided where appropriate

6.1.4.13 Through Block Connections**Objectives**

- Provide access to shops and services on King Georges Road, particularly in the middle of blocks, from the rear of a site
- Contribute to the amenity and convenience of Beverly Hills as a local centre

Design Principles

Improve the pedestrian access between shops on King Georges Road and laneways by providing arcades and through shop connections

Design Solutions and Controls

Arcades should be located in mid block locations and provide a clear sightline from one end to the other, for surveillance and accessibility

- Arcades are to have a minimum width of 3 metres, clear of any obstruction, except for connections through shops
- Retail frontages are to be maximised along arcades
- Natural lighting and ventilation of arcades is highly desirable
- Pedestrian safety and the security of adjacent businesses, particularly at night, should be considered in the design of through block connections
- Public use of through block connections is to be available at least between the hours of 6.00am and 10pm daily
- Arcades must have a minimum floor to ceiling height of 4 metres

Concession:

Council may consider the relaxation of the above controls depending on the quality of public area provided and the merits of the particular application.

6.1.4.14 Shop Fronts**Objectives**

- Ensure visual interest in the street
- Contribute to the principles of crime prevention through environmental design (see section 3.4)

Design Principles

- Visual interest is maintained

Design Solutions and Controls

- Shop fronts are to be glazed
- Solid roller shutter doors of any kind are not permitted on shop fronts

6.1.4.15 Outdoor Eating

Objectives

- Enhance the character of the Centre by contributing to the liveliness of the streets, lanes and other outdoor places

Design Principles

- Encourage outdoor eating establishments where they provide a pleasant outdoor eating environment with minimal disturbance to pedestrian circulation, such as the rear area at street and first floor levels

Design Solutions and Controls

- The requirements for footpath restaurants and cafes are contained in Council's Public Spaces Local Approvals Policy.

6.1.4.16 Signs and Advertising

Objectives

- Promote a coordinated approach to signage and outdoor advertising that is integrated with building design

Design Principles

- Signage and advertising structures are unobtrusive, informative and compatible with an attractive shopping environment
- Physical and visual clutter of the public domain is avoided
- There is no conflict between advertising signs and any nearby safety, public directional or traffic signs
- Amenity of residential development is protected

Design Solutions and Controls

- All advertising signs and/or structures must comply with Section 5.6 Signage of this DCP and State Environmental Planning Policy No. 64 and associated guidelines
- Signage is to be integrated with awnings or verandahs, including suspended signage
- Roof signs are not permitted
- Building identification is the only signage permitted above first floor level
- Electrical conduits to illuminated signs are to be taken directly into the building, or be otherwise screened to the satisfaction of the Council
- A coordinated presentation for all signs is required where there are multiple occupancies or uses within a single building development
- Advertising signs are not permitted on public footpaths
- Signage and advertising should be constructed of non-combustible materials
- Illuminated advertising signage is not permitted facing service lanes, or on side walls abutting residential properties

6.1.4.17 Landscaping and Open Space

There are no deep soil garden requirements for sites located along King Georges Road, however open space must be provided above ground, in the form of gardens over car parking areas, verandahs, balconies and/or loggias.

Objectives

- Preserve and enhance the public domain and provide high quality private open space landscaped areas

Design Principles

- Species are compatible with the intended use of the landscaped area
- Apartment dwellings are provided with useable above ground open space where there is no access to ground level gardens

Design Solutions and Controls

- Lower level rooftop areas and courtyards in the centre of blocks are to be landscaped
- A minimum of 600 mm of soil is to be provided above basement structures for landscaping
- Courtyards should be integrated into the design of a building to allow solar access and ventilation, particularly for residential uses
- Where direct access to ground level private open space is not available, provide at least one balcony, terrace, verandah, or deck for each dwelling
- The primary above ground open space area should be accessible from a family room, lounge, dining room or kitchen, and be predominantly north, east or west facing, to ensure it is useable as an outdoor living space
- Smaller secondary above ground open space area are also encouraged, such as balconies adjacent bedrooms, screened external clothes drying balconies adjacent laundries and bathrooms
- Above ground open space should overlook the street or rear garden to protect the privacy of occupants and neighbours
- Street footpaths are to be finished in accordance with Council's requirements

6.1.4.18 Vehicular Access and Loading Dock**Objectives**

- Provide sufficient, safe and convenient car parking facilities
- Integrate driveways, car parking access and loading docks into the design of a building

Design Principles

- Car parking and loading docks provide discreet access and limit the visual impact on the site and streetscape
- The design of on-site car parking and loading docks is integrated with the overall site and building design
- Pedestrian safety and amenity is maximised by minimising vehicular/pedestrian conflict

Design Solutions and Controls

- There is to be no vehicular access to a site from King Georges Road

Car Parking

- Car parking and loading dock provision complies with section 3.1 Car Parking
- Vehicular access is to be from existing crossings or from rear lanes/streets
- Where provided, garage doors are to be recessed a minimum 300 mm into the façade of the building
- Driveways are to have a minimum width of 3 metres
- Gutter crossings are to preserve existing trees
- Concentrate underground parking areas under building footprints.
- Locate access ways to underground car parking away from doors or windows to habitable rooms wherever possible
- Maximise natural light and ventilation to parking areas where possible
- Geotechnical, Structural and Hydraulic Reports should accompany any proposal for underground parking
- Opportunities for natural ventilation to such car parking should be maximised
- All underground car parks are to have security doors
- Garage doors to car parking facilities are to be slatted (grill) or incorporate some form of opening, to facilitate natural ventilation and reduce the visual impact of garage doors
- Streets should not be presented with car park walls. Parking areas should be unobtrusive
- Parking must be located underground but in some situations due to the topography, the walls enclosing the parking may be partially visible. The length and height of the wall must not exceed 1 metre
- Natural or mechanical ventilation from the car park can not be achieved through the use of large metal grilles or large openings
- Any visible roofs of parking areas are to be landscaped in order to provide for an outdoor space, as well as to create a pleasant view from the windows above
- Driveways to underground car parks should be designed with minimal visual impact on the street, and maximum pedestrian safety

- Pedestrian access to basement car parks is to be separated from vehicular access and clearly defined
- Access ways to underground car parking should not be located close to doors or windows of habitable rooms

Loading Docks

- All major developments are to have a loading dock for the delivery of goods
- The loading dock is to be located so that the service vehicle stands fully within the site
- Doors to loading docks are to be recessed 300 mm behind the face of the wall

6.1.4.19 Extended Trading Hours

Extended trading hours refers to hours outside of 6am to 9pm daily.

If applying for extended trading hours, the following information will need to be submitted to Council as part of the Development Application:

- Detailed description of the activity and its potential impact on adjoining premises
- Potential impact on the amenity of the area
- Litter generation
- Anticipated patronage numbers
- Responsibilities of staff, staffing levels and qualifications (if relevant)
- External and internal lighting
- Security measures
- Toilet facilities

Council may also consider the following measures:

- Additional advertising requirements for extended trading hours DAs
- Referral of the DA to the NSW Police for comment and input.
- Where appropriate, conditions of consent to include a requirement that the applicant/operator of the premises submit a quarterly report to Council addressing key areas of the business' operations e.g. security measures and/or incidents etc. This will assist in the early identification of potential problems that may be associated with the premises, particularly for more contentious or suspect premises. Council can request action, which would need to be reported in the next quarterly report. If the situation did not improve, warnings could be issued and ultimately approval for the premises would be revoked where conditions of consent were breached.

- Option of time limited consent where Council can review the business' operation after a designated time period, at which time additional controls can be placed on the business if required or consent revoked if there were ongoing problems.
- A regular overview to be provided to Council's Community Safety Committee of premises trading extended hours.

6.1.5 General Controls

This clause applies to all commercial, mixed use and residential development covered by this section 6.1 Beverly Hills.

6.1.5.1 Building Address and Articulation

Building articulation refers to the three dimensional modelling of a building façade.

Building articulation along the street frontage establishes the relationship between a building and the street, through the use of entry porches, loggias, balconies, bay windows and the like. Building facades be articulated to create a strong street address, and enrich the character of the street.

Objectives

- Promote buildings of articulated design and massing, with building facades that contribute to the character of the street
- Encourage buildings to respond to environmental conditions, and promote energy efficient design principles
- Use building articulation elements of an appropriate scale to their use and context
- Encourage integrated outdoor living areas by orienting the main openings in living areas to the front and rear gardens, where applicable

Design Principles

- Building articulation responds to environmental conditions such as orientation, noise, breezes, privacy and views, through the use of appropriate sun shading devices, noise barriers, privacy screens, and the careful location of balconies, terraces and loggias
- At the rear of a building, articulation should enhance the relationship between the interior of a building and the garden

Design Solutions and Controls

The following elements are encouraged to provide building articulation:

Floor Area Elements

- Entries, bay windows

Private Open Space Elements

- Balconies, terraces, garden walls, verandahs, pergolas, loggias, decks, porches, planters

External Circulation Elements

- External access stairs, external walkways, letter boxes, seats

Solar Protection Elements

- Screens, external louvred walls, awnings, shutters, deep reveals, roof overhangs

Sound Barrier Elements

- Noise attenuation design and appropriate internal planning are encouraged along King Georges Road and the rail line
- Private open space elements such as balconies, should be predominantly north, east and west facing, and should be designed to ensure visual and acoustic privacy of occupants and neighbours

6.1.5.2 Building Resolution

Objectives

- Promote high quality architectural design throughout Beverly Hills to create a desirable living and working environment

Design Principles

- High quality architectural resolution defines the local identity

Design Solutions and Controls

- A clear street address to each building is to be provided
- Pedestrian entries to buildings should be clearly defined
- Vehicular entries should minimise conflicts with pedestrians
- Street corners are to be highlighted by building articulation
- The design of window and balcony openings should take into account the streetscape, privacy, orientation and outlook
- Facades are to be articulated to show the different levels of a building and/or its functions

6.1.5.3 Visual and Acoustic Privacy

Objectives

- Protect residents from excessive noise and overlooking
- Provide homes which orientate towards the front and rear of a site rather than towards the neighbours

Design Principles

- New dwellings do not result in unacceptable overlooking of adjoining sites
- Window location, internal room layout and landscaping elements prevent overlooking and help reduce noise flow between homes

Design Solutions and Controls

Visual Privacy

- Visual privacy is to be protected by providing adequate distance between opposite windows of neighbouring dwellings where direct view is not restricted by screening or planting
- Main living spaces are to be oriented to the front or rear of a property to avoid overlooking – where this is not possible, windows and balconies are to be offset from neighbour's windows
- First floor balconies located at the rear of residential dwellings may require fin walls or privacy screens to prevent over-looking
- First floor balconies located at the rear of a dwelling are to be no deeper than 2.5 metres
- Where privacy screens are used they must be no higher than 1.8 metres

Acoustic Privacy

- Council may require an applicant to provide a Noise Impact Assessment Report by a qualified acoustic engineer where external noise is identified as a likely problem, such as:
 - adjoining a railway line
 - fronting arterial or state roads
 - under the airport flight path; or
 - near major industry or noise generating plant or equipment
- Buildings are to be sited to minimise the transmission of external noise to other buildings on the site and on adjacent land

- The internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, should be designed to minimise the transmission of noise externally

6.1.5.4 Solar Access and Natural Daylight

Objectives

- Reduce the need for artificial heating and cooling (and save money) by incorporating good passive solar design

Design Principles

- New buildings receive daylight into habitable rooms and sunlight into private open spaces
- Rooms generally used during the day are capable of receiving adequate sunlight
- Overshadowing of adjoining properties or publicly accessible spaces is minimised
- Negative impacts of reflectivity on adjoining public and private properties is minimised

Design Solutions and Controls

- Shadow diagrams will need to be submitted with a development application showing the impact of the proposal on adjoining properties and their private open space. Such diagrams will need to be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development
- Where already existing, access to sunlight should be substantially maintained or achieved for a minimum period of 3 hours between 9.00 am and 3.00 pm on June 21st to windows of habitable rooms and to the private open space of adjoining properties
- The overshadowing effect of new buildings on public domain areas are to be considered for the hours of 10 am to 2 pm on March 21, June 21 and September 24
- Subject to lot orientation and privacy considerations, locate main living spaces including lounge, dining, kitchen and family rooms towards the north where possible. Consideration should also be given to slope, views, existing vegetation, overshadowing and streetscape
- Skylights that provide the only source of daylight and ventilation to habitable rooms are not permitted in residential or commercial areas
- Appropriate sun protection should be provided for glazed areas facing north, west and east. The use of extensive areas of unprotected glazing will not be permitted
- Shading devices including eaves, awnings, colonnades, balconies, pergolas, external louvres and plantings are to be used to control the penetration of sun, to maximise solar access in winter, and minimise solar access in summer

- New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers
- Council may require a Reflectivity Report that analyses the potential glare from the proposed new development on pedestrians or motorists

6.1.5.5 Natural Ventilation

Objectives

- All dwellings are designed to provide for natural cross ventilation

Design Principles

- Building design facilitates natural cross ventilation

Design Solutions and Controls

- Provide windows to all rooms including kitchens and bathrooms, to facilitate natural light and ventilation
- Minimise the reliance on mechanical ventilation or air conditioning above ground level
- Facilitate cross ventilation by locating windows opposite each other where possible. The placement of small low windows on the windward side of a building, and larger higher windows on the leeward side, will encourage cross ventilation

6.1.5.6 Building Materials

Objectives

- Encourage the use of building materials from renewable resources

Design Principles

- The use of renewable and recycled materials is maximised

Design Solutions and Controls

- Building materials that assist in providing comfortable thermal conditions are to be used wherever possible
- The use of bulk and/or reflective insulation to walls ceilings and roofs is recommended
- The use of building materials which are recycled or recyclable, come from renewable sources, or involve environmentally acceptable production methods, is recommended
- The use of rainforest timbers and timbers from old growth forests should be minimised
- The use of durable materials is encouraged

- Non-polluting building materials are to be used to protect public health and comfort

6.1.5.7 Water Conservation and Stormwater Management

Objectives

Control rainwater in order to minimise local flooding, soil erosion and the siltation of streams and waterways

- Encourage the collection and reuse of rainwater

Design Principles

Adequate provision is made during construction to protect the land from stormwater runoff and erosion

- The use of impervious surfaces such as hard-paved outdoor areas, driveways and roofed areas etc. is minimised to reduce stormwater run-off
- The use of pervious surfaces such as porous surfaces for car parks and outdoor areas is maximised to promote infiltration

Design Solutions and Controls

- Stormwater drainage must discharge to the roadway gutter or an alternative stormwater system approved by Council
- Minimise run-off into the existing stormwater system by implementing design measures to reduce, and where possible, reuse and recycle site stormwater
- Depending on site requirements Council may require or allow the following alternative drainage arrangements:
 - an easement over adjoining land for drainage
 - changed pipe system
 - an easement across the subject site to permit drainage from another lot
 - provision of an on-site storage basin or tanks for the re-use of water for gardening

Drainage diagrams are to be submitted with the Development Application, showing how surface and roof waters are to be discharged to the street

- The size of all pipes is to be shown on development application plans
- Proposed construction over easements must be approved by Sydney Water

The filling of land in order to discharge roof and surface water by gravity to the street is generally prohibited

- It is recommended that wherever possible, business operators and/or residents choose appliances (efficient shower heads, dual flush toilets, plumbing hardware) that have a "AAA" Australian Standards Water Conservation Rating

6.1.5.8 Energy Efficiency, Low Energy Services and Appliances

Objectives

- Reduce energy costs
- Develop ecologically sustainable residential environments and reduce the use of fossil fuels and encourage the use of renewable energy
- Create energy efficient buildings and homes

Design Principles

Building form, spacing, and layout should facilitate good solar access to both the internal and external living spaces, to maximise natural heating and cooling and minimise the use of artificial heating and cooling systems

Design Solutions and Controls

Building design should maximise the amount of main internal operating and living area and private open space with a northerly aspect

- Ceiling insulation is to be provided with a minimum rating of R2.0 and walls R1.10 for full brick and R1.5 for brick veneer walls
- Wherever possible, roof top solar heating panels are to be installed so as not to be visible from the street
- The installation of energy efficient lighting such as compact fluorescent light fittings, heating and cooling systems is also recommended
- Select appliances with a minimum 3-Star rating
- Council supports the use of solar power as a positive approach to energy conservation
- Council supports the installation of low energy and water conserving appliances

Note: Refer to section 3.5 Energy Efficiency for specific requirements

6.1.5.9 Site Facilities

Site facilities include loading areas, garbage areas, mail boxes, external stores, laundries and clothes drying areas

Objectives

- Ensure adequate provision of site facilities
- Site facilities are accessible, functional and unobtrusive
- Site facilities require minimal maintenance

Design Principles

- Development provides appropriate site facilities for retail, commercial and residential uses, and minimises their impact on the streetscape.

Design Solutions and Controls

General

- Adequate garbage and recycling areas must be provided. These areas are to be visually integrated with the development to minimise their visibility from the street. Such facilities must be located away from windows that open to habitable rooms to avoid amenity problems associated with smell. They must be located close to rear lanes where such access is available.
- The design, location and construction of utility services must meet the requirements of both the relevant servicing authority and Council
- Electricity and telephone lines must be underground. Where there is the connection of electricity and telephone lines directly from the service pole to the fascia of the front dwelling, these lines may be above ground
- Prior to the submission of the Construction Certificate Application, the developer must present details of the development in writing to Energy Australia and obtain that authority's requirements
- Lockable mail boxes should be provided close to the street, integrated with front fences or building entries, in accordance with relevant Australian Standards.

Commercial

- Loading facilities must be provided via a rear lane or side street where such access is available
- Vents should be provided to commercial kitchens to minimise the negative impact of smells on occupants on upper levels

Residential

All development, which includes a residential component, must provide space for the storage of recyclable goods within the curtilage of each dwelling. A space of 6 (six) cubic metres per dwelling must be set aside exclusively for storage. This space may be an extension of a carport or garage, or may be part of an attic or internal cupboard.

- Any development which includes a residential component must provide laundry facilities, and at least one external clothes drying area. The public visibility of this area should be minimised.

6.1.6. Development Control Drawings**6.1.6.1 Urban Form Methodology**

This clause contains the control drawings for different types of development and lots in Beverly Hills. The controls have been tailored to each lot type, taking into consideration its particular characteristics. These include:

- Its relationship to the public domain
- The desired future character of the street in which the lot is situated
- Its size and orientation
- The commercial or residential use of the area

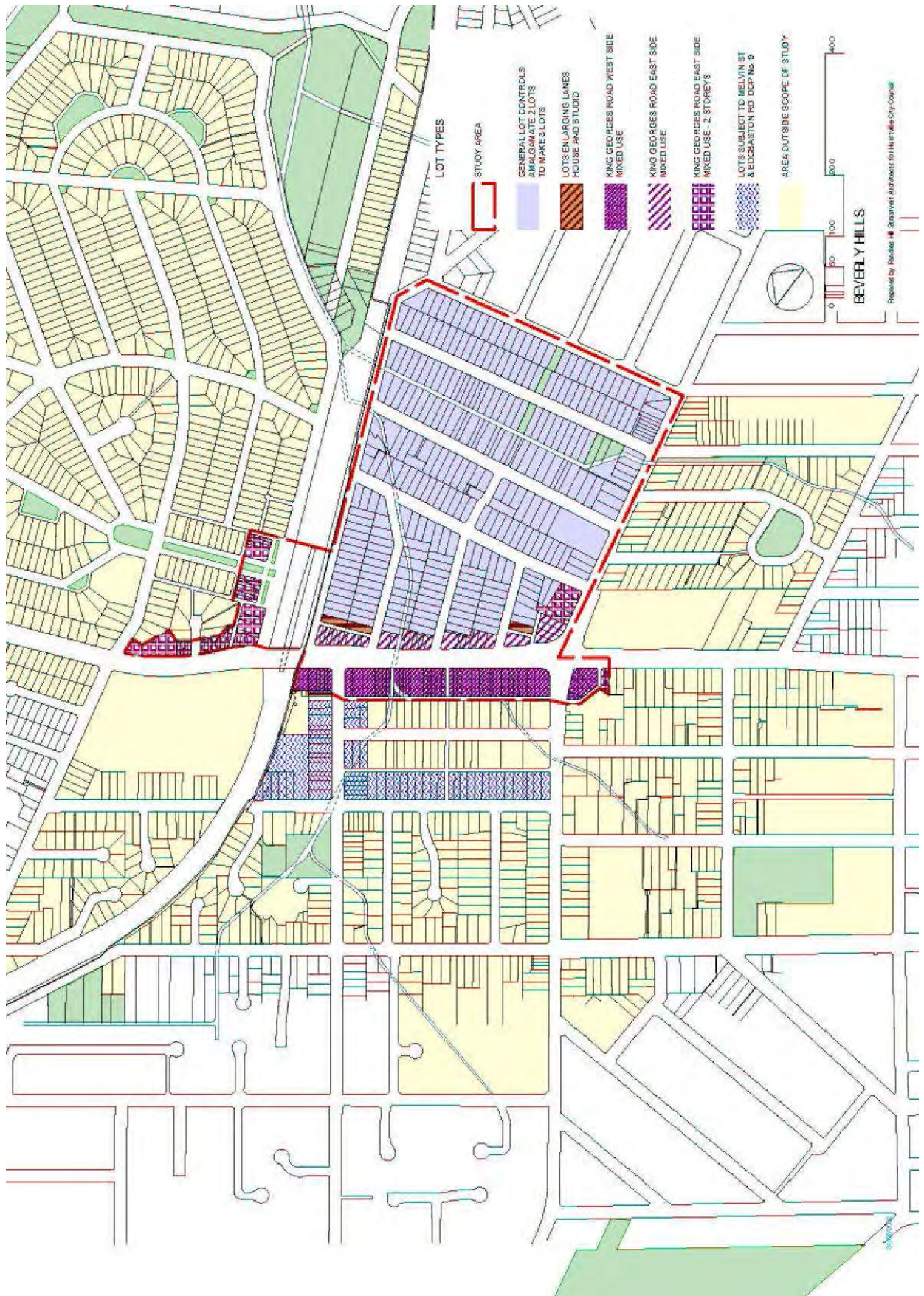
This Urban Form Methodology defines a physical outcome for the Centre, whilst encouraging innovative architectural design. It provides a greater certainty of outcome for Council, community and site owners.

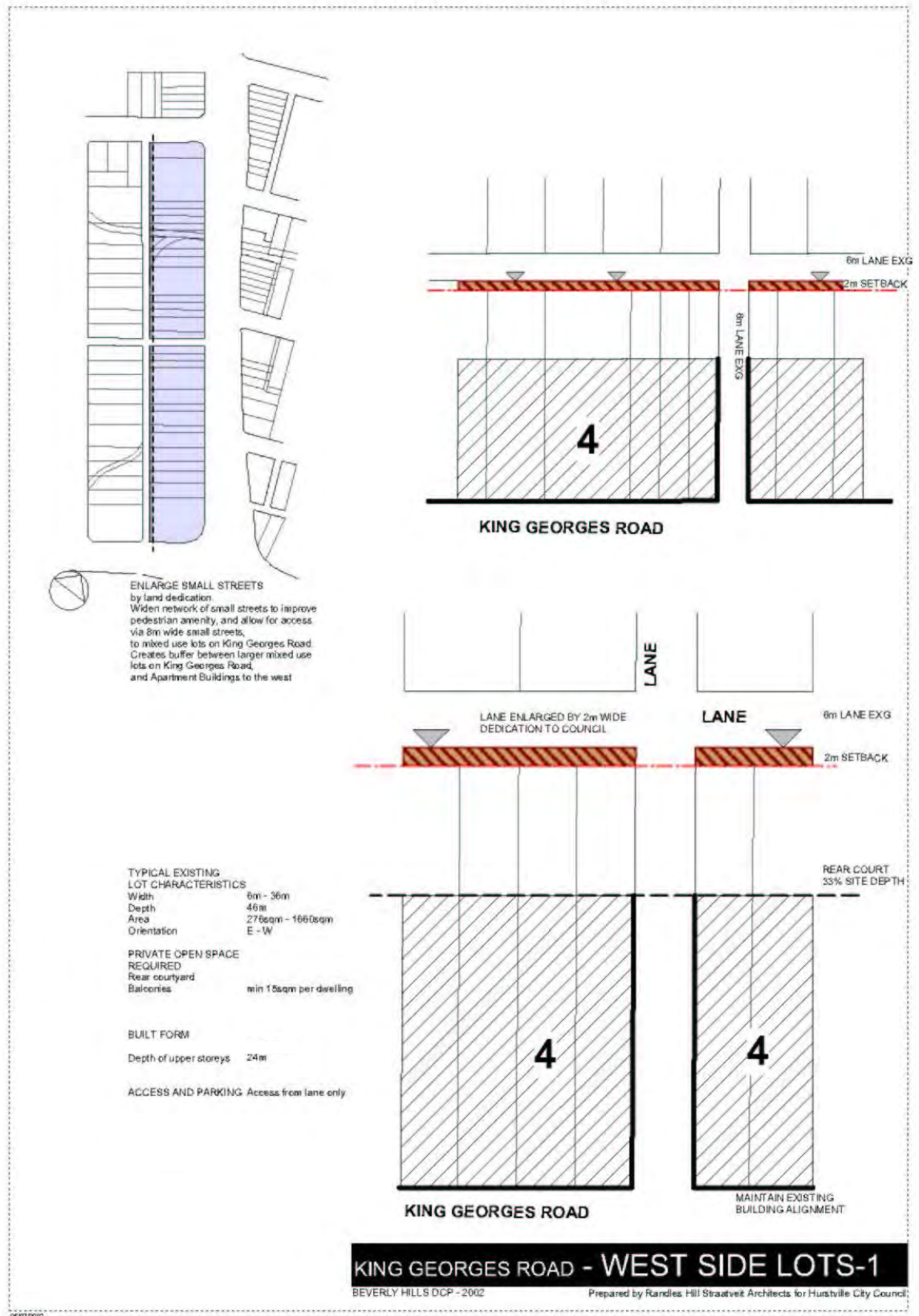
The control drawings in this Section should be read in conjunction with Section 6.1.4 to Section 6.1.6.

Development options are divided between the following:

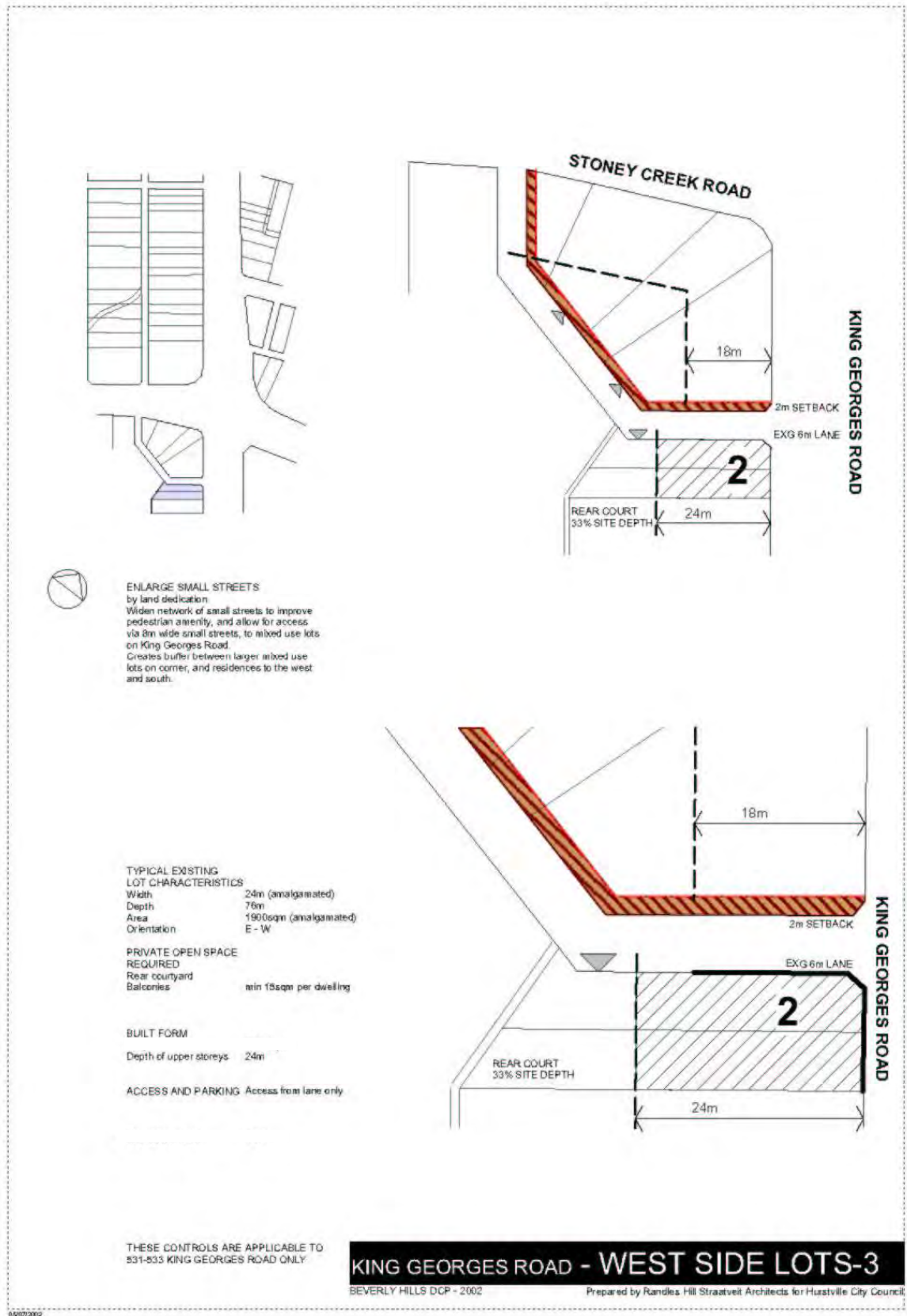
Mixed Use

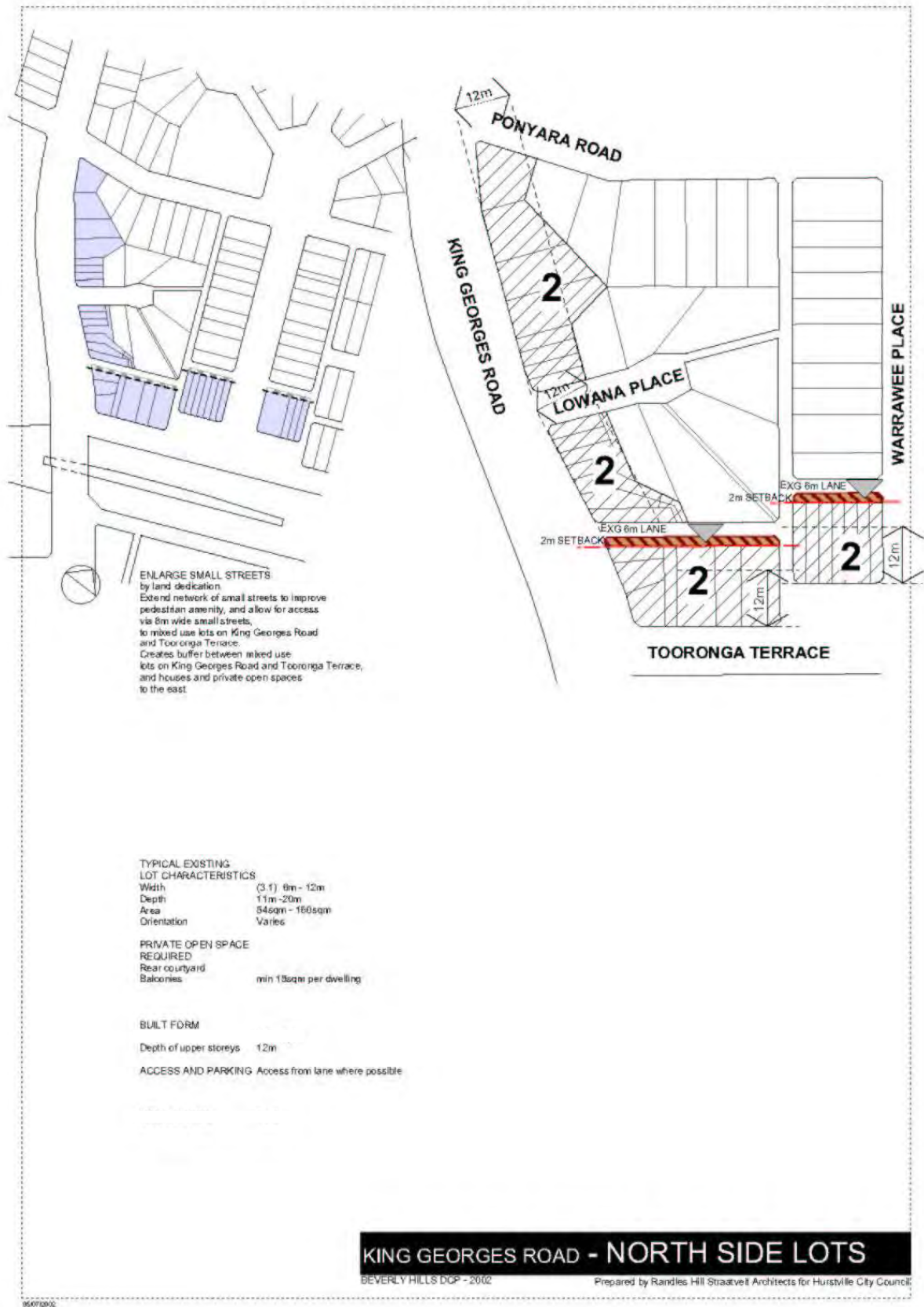
- King Georges Road West Side – (excluding 531-533 King Georges Road)
- King Georges Road East Side
- King Georges Road North Side (north of the railway line) – 2 storeys
- 178 Stoney Creek Road – 2 storeys
- 531-533 King Georges Road – 2 storeys

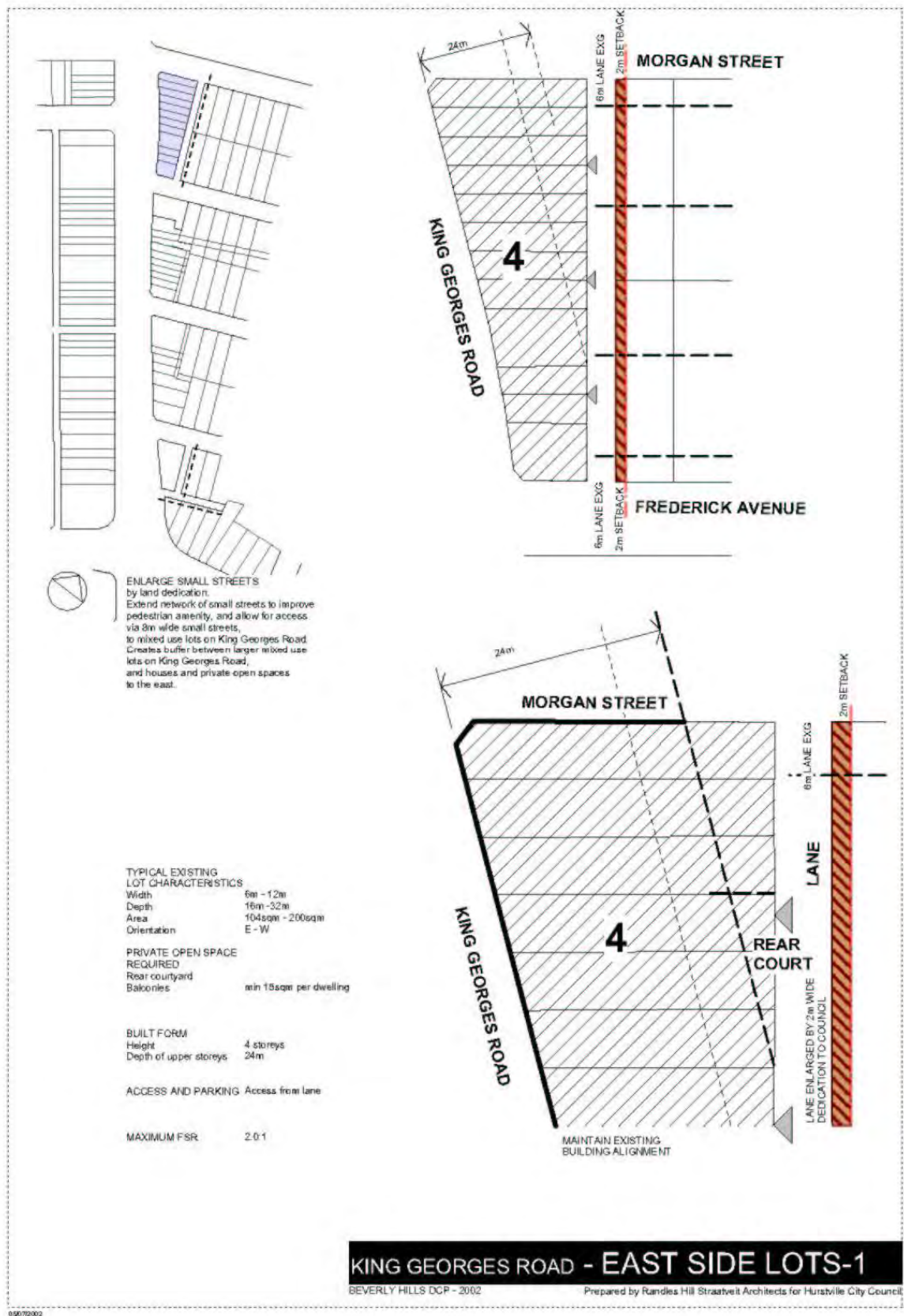


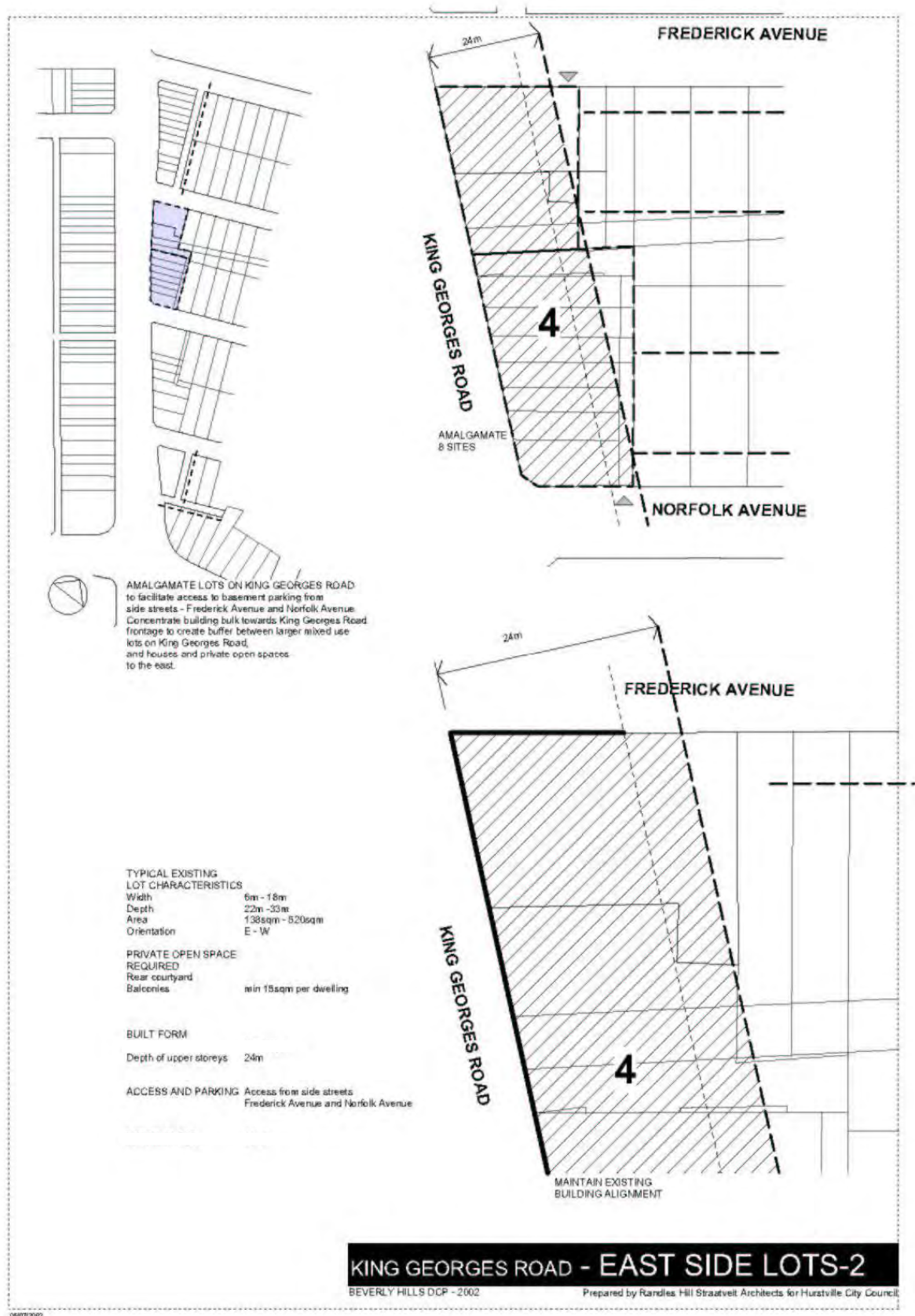


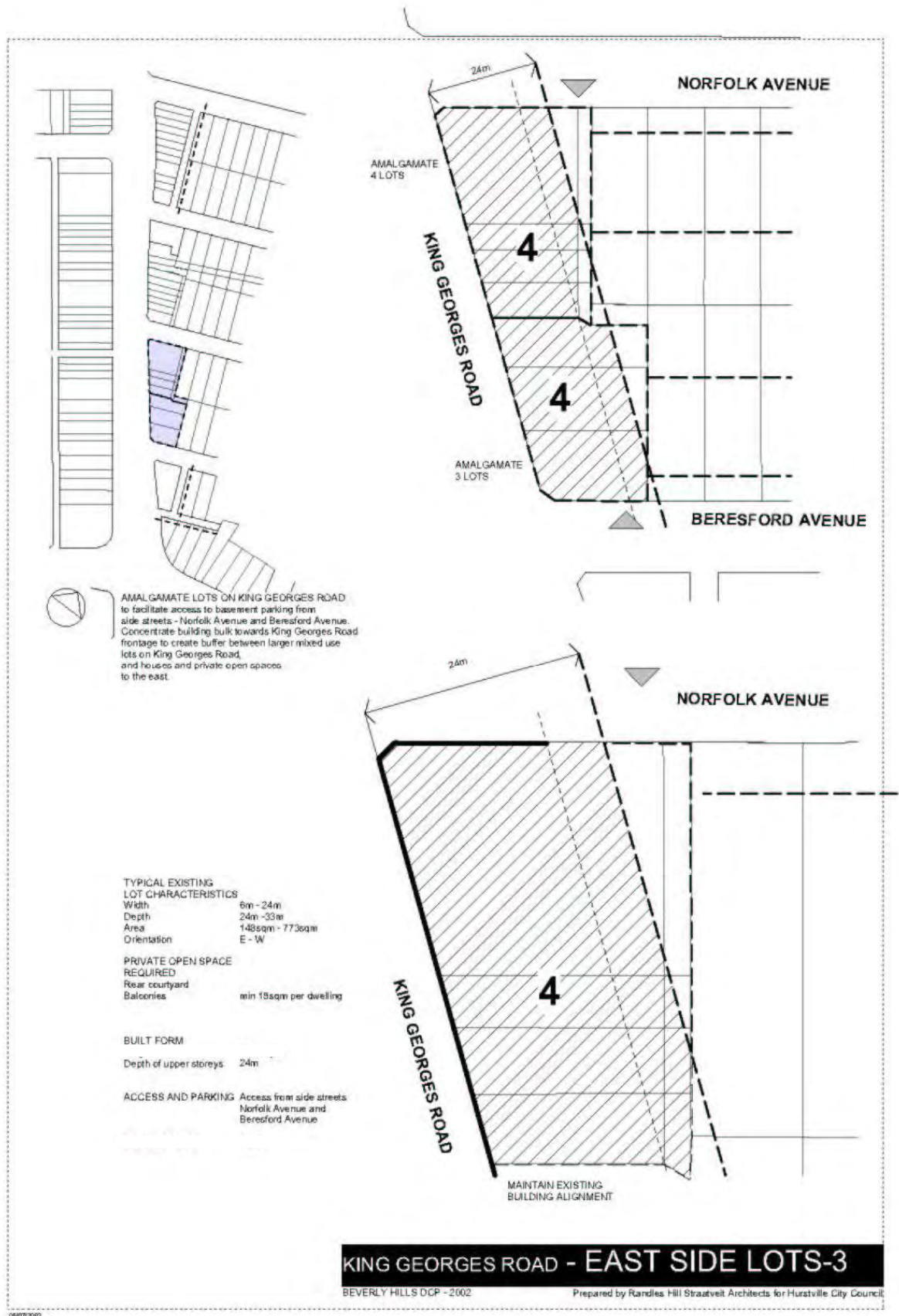


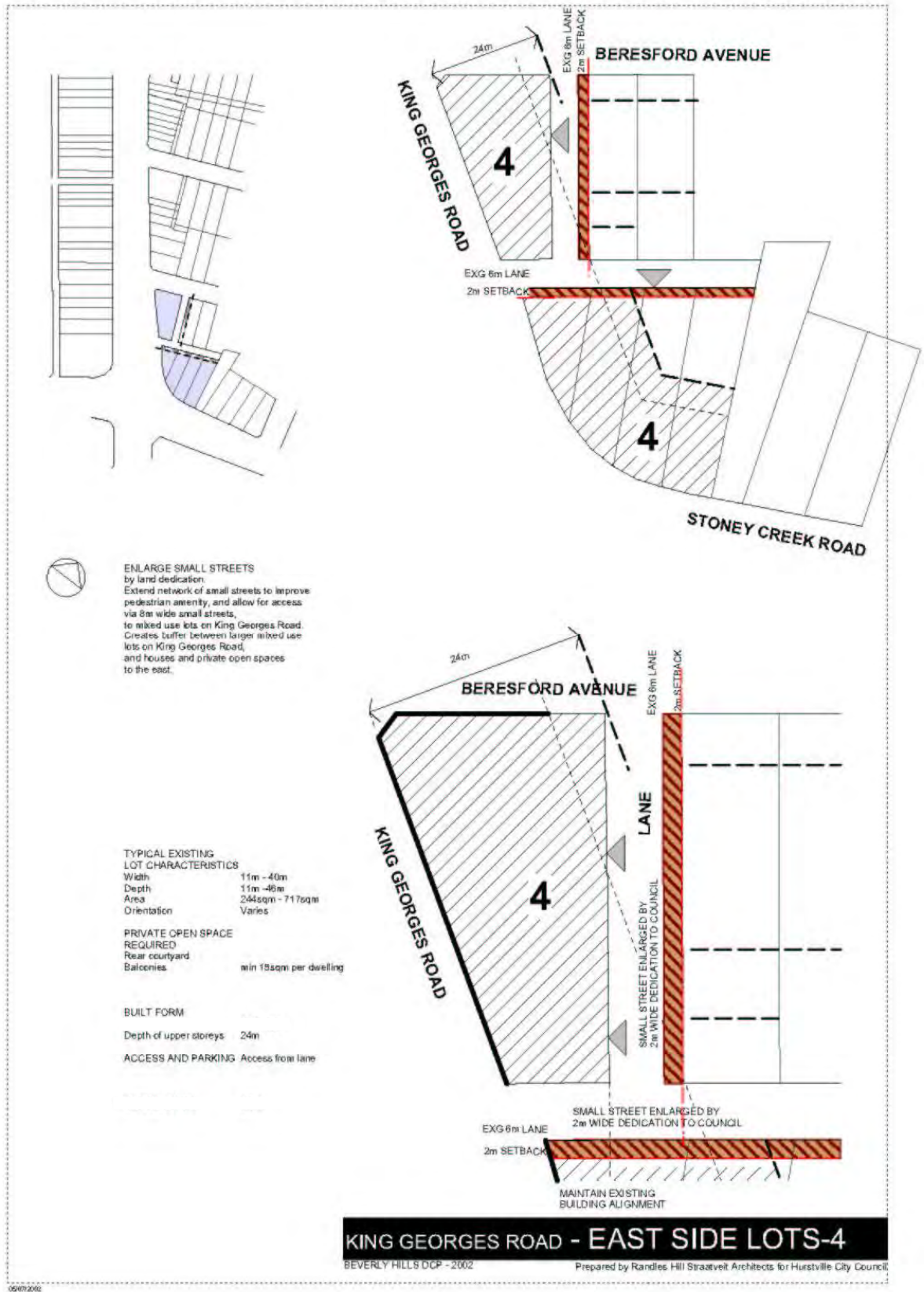




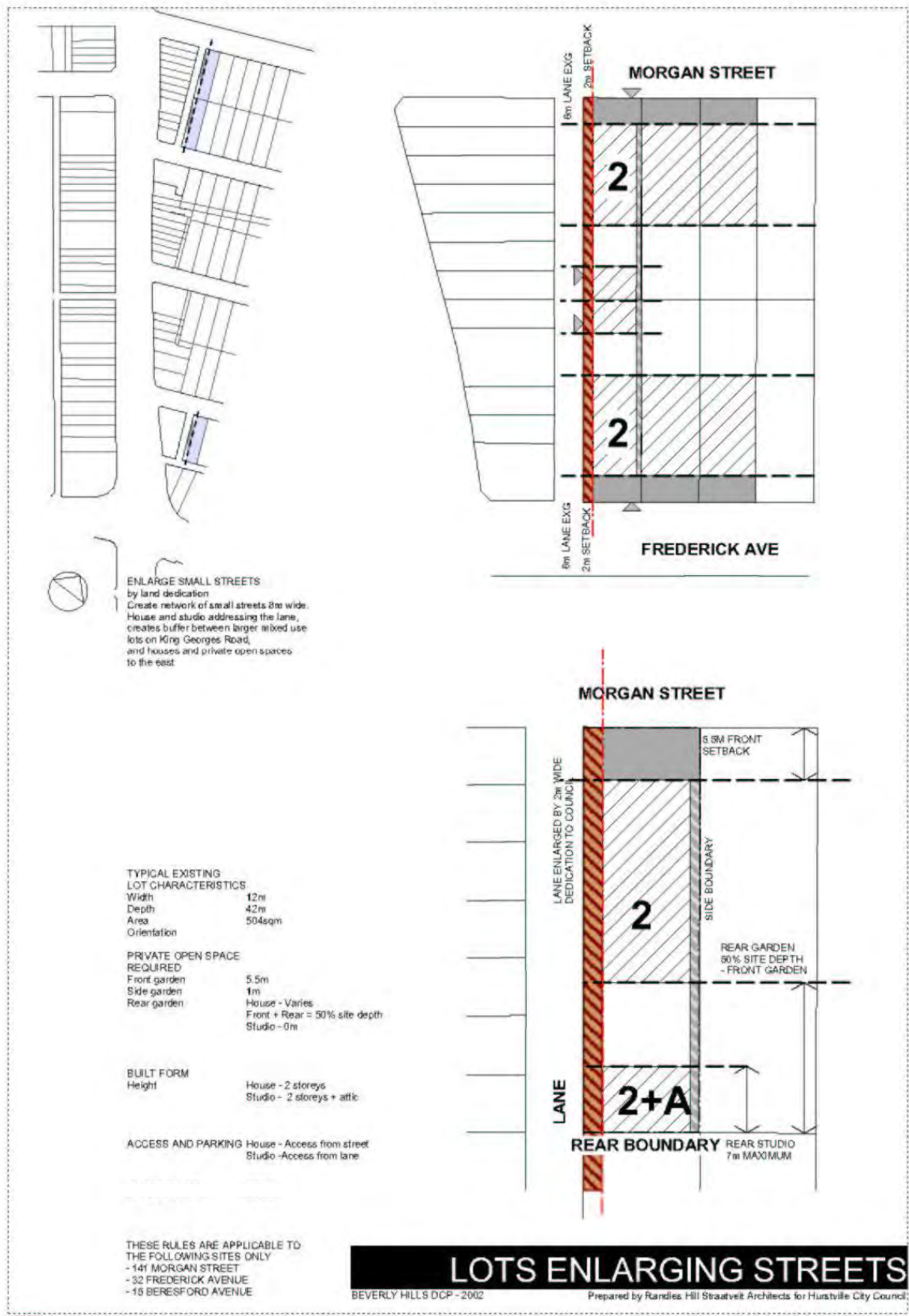














6.2 Riverwood

6.2.1 General Information

This section applies to land and development located within Riverwood as identified on Map 1. This applies to the commercial/business areas generally along Belmore Road; and certain surrounding residential areas located in Riverwood.

For the B2 Local Centre Zone (B2 Zone), this section contains controls for commercial and retail development including those that incorporate residential uses.

For the Residential Zones (R2 Zone and R3 Zone), this section contains controls for certain parts of Coleridge Street and Short Road.

Section 4 Residential Development does not apply to the identified land in Riverwood on Map 1 (section 6.2.4.3).

6.2.2 Character Statement

Riverwood is a middle ring suburb within the metropolitan area, located approximately 8 kilometres from the Hurstville business area and 18 kilometres from the Sydney City centre. Riverwood railway station provides convenient access to Sydney and Campbelltown, via the East Hills railway line and the area is accessible to the M5. The area is defined and divided by three major elements: Salt Pan Creek, Belmore Road and the East Hills rail line.

Salt Pan Creek, which runs to the Georges River, is a finite edge to the west, and is the area's major natural feature. The two major public open space systems are located north-south along Salt Pan Creek, and east-west from Peakhurst Park to Salt Pan Creek, generally following the major drainage line. Boardwalks and a recent wetland have enhanced waterfront access and improved water quality to Salt Pan Creek, which is an increasingly valuable recreational focus, integral to the areas' future identity. Riverwood and Peakhurst Parks are the major areas of open space and there are a number of small parks, notably those close to the Centre.

The rail line divides Riverwood into northern and southern parts. Two crossings are provided, a minor underpass near the river and an overpass at Belmore Road in the Centre. Works to widen this overpass have improved access and safety while a recent upgrade to the station has significantly improved access and passenger amenity.

The distinctive landscape quality of many areas in Riverwood evokes an appealing suburban character. Wide tree lined streets house a high proportion of traditional homes with comparatively large long backyards. These contain significant vegetation and tree cover, which cumulatively results in a 'green corridor' through the middle of most of the residential blocks. However, large footprint residential flat buildings and villa, townhouse and detached dual occupancy development have recently eroded this feature, destroying this landscape quality and compromising privacy.

This section provides for new residential development to strengthen and enrich the traditional suburban character of Riverwood by ensuring each dwelling has a frontage to the street and has front and rear yards for landscaping. This section contains new controls which require medium

density dwellings to have a street frontage rather than running down the block. The DCP allows a mix of housing types in order to meet different household requirements and to cater for those wishing to move to a different form or size of house within their local community.

Belmore Road is the major north-south road defining areas east and west, with the Riverwood Centre comprising a commercial/retail strip along this road. The rail line and station simultaneously bisect the Centre and provide a transport focus. The Centre serves a large catchment due to the range of retail services and ease of access by public and private transport.

In the hierarchy of commercial centres within the Council area, Riverwood (along with Beverly Hills) is ranked as a secondary centre after the regional centre at Hurstville. The Centre provides a good mix of retail and commercial services including major supermarkets and specialty shops. The consistent scale of narrow fronted buildings, unusually wide footpaths, and mix of local services, create a village character, warmly valued by local residents and those who use the Centre, features which have been enhanced through recent streetscape improvements.

The provisions in the section aim to retain the status of this Centre. Future development along Belmore Road ensures commercial and retail uses are located at ground level and residential use above. Development in the commercial area is limited to a maximum of four storeys and building design incorporates a verandah extending over the footpath creating a unique and memorable character. Car parking for new development is required to be provided underground. The section also contains detailed development guidelines to facilitate a high amenity for workers and residents through excellent design, solar access, and a consistent street scale.

6.2.3 Objectives for Riverwood

Riverwood should develop as an attractive living environment, catering to diverse needs of its community, with a vibrant Centre, which is the focus for the local community and visitors. This section intends to strengthen and enrich the existing suburban structure of Riverwood by incorporating the following:

- Create a memorable identity for Belmore Road, as the focus of Riverwood, and enhance its atmosphere and commercial viability as a local service centre by:
 - (a) Promoting a co-ordinated verandah for the entire road frontage in the Centre
 - (b) Limiting individual retail frontage
 - (c) Fostering an improved mix of uses
 - (d) Retaining the important role of public transport
 - (e) Enhancing pedestrian amenity
- Strengthen the quality of Riverwood's public open space systems, including public open space in the Centre and parks along drainage lines by:
 - (a) Encouraging buildings to overlook parks to improve safety

- (b) Orientating commercial and retail uses to public spaces
 - (c) Implementing public domain improvements
- Retain and enhance Riverwood's mix of subdivision patterns by:
 - (a) Encouraging subdivision patterns which protect the landscape quality and are characteristic to location
 - (b) Encouraging a variety of building and housing types
 - (c) Ensuring buildings are appropriate to lot type
- Protect and enhance the landscape quality of Riverwood in both the public and private domain by:
 - (a) Protecting the landscape and vegetation corridors/areas at the rear of blocks
 - (b) Providing specific controls for the location *and minimum size of private gardens*
- Provide appropriate development control principles and guidelines for the future development of Riverwood, ensuring a high standard of architectural, environmental and landscape quality by:
 - (a) Promoting high quality architectural design
 - (b) Encouraging buildings that optimise sun access to streets and parks
 - (c) Protecting the amenity of existing residential areas and parks
 - (d) Creating private internal and external environments that achieve a high level of amenity for occupants and neighbours
 - (e) Encouraging planting in private gardens that contributes to existing landscape setting
- Ensure that new development is compatible with the existing built form and streetscape by:
 - (a) Providing direction and certainty of outcome to ensure:
 - A consistent street scale
 - Compatibility with existing built form
 - A variety of building types
 - A high level of environmental amenity

- Integrate principles of environmental sustainability in the design of both the public and private domain of Riverwood by:
 - (a) Ensuring new dwellings receive adequate sun and ventilation
 - (b) Requiring the use of materials that maximise energy efficiency
 - (c) Providing backyards for new residential *development to maintain green space corridors*

How Will We Know If We Are Achieving Our Objectives?

- The decline in vegetation and tree cover will be arrested and will start to increase.
- The suburban character of Riverwood will be retained while the mix of housing types increases.
- The Centre will continue to provide key services and facilities to the local community.

6.2.4 Overall Design Principles for Riverwood

6.2.4.1 Commercial Centre – Belmore Road

- (a) The controls for Belmore Road are designed to:
 - Provide for commercial and residential development of an appropriate scale and mass
 - Create a memorable identity through the provision of verandahs for each building along the entire road
 - Establish building depth controls to ensure high quality building and external spaces, including verandahs
 - Improve amenity for users of new and refurbished buildings by requiring a lift in buildings exceeding 2 storeys
- (b) Public Space
 - Enhance the amenity for shoppers and patrons of restaurants and cafes by ensuring buildings front the street and incorporate verandahs

6.2.4.2 Residential Development

- (a) Housing Types
 - Provide a range of flexible high quality housing stock for current and future residents
 - Create a variety of housing types to cater for diverse needs
 - Ensure housing type suits the site characteristics

(b) Subdivision Patterns

Ensure building types correspond with Riverwood's subdivision patterns through adapting existing deep lots by concentrating development at the street to:

- reinforce the streetscape
- retain rear gardens as a continuous landscape area
- minimise overlooking into rear gardens from adjacent development
- create quality outdoor living spaces for residents

(c) Relationship to the Street

- Create a consistent alignment of building frontages to reinforce the streetscape
- Create a coherent street character through the concentration of particular compatible building types
- Provide a clear street address to each building
- Collectively create attractive streets

(d) Privacy

- Encourage privacy to and from living spaces both within each development and to other buildings
- Provide useable private outdoor living spaces such as balconies, verandahs, courtyards, roof terraces and gardens
- Sensitively design balconies to avoid overlooking into neighbouring units and yards
- Orient living/ bedroom areas primarily to the rear garden and the street so that large side windows are minimised
- Allow flexible internal planning depending on orientation, exact site condition, etc

(e) Environmental Issues/Quality Internal Environment

- Building form, spacing and layout maximises good solar orientation to both the internal and external living spaces
- Thin cross section design achieves good natural ventilation and avoids the need for internal rooms (including bathrooms)
- Optimise the use of land: rationalise the built footprint, and minimise side set backs
- Orient buildings around parks and reserves to maximise the opportunity for views

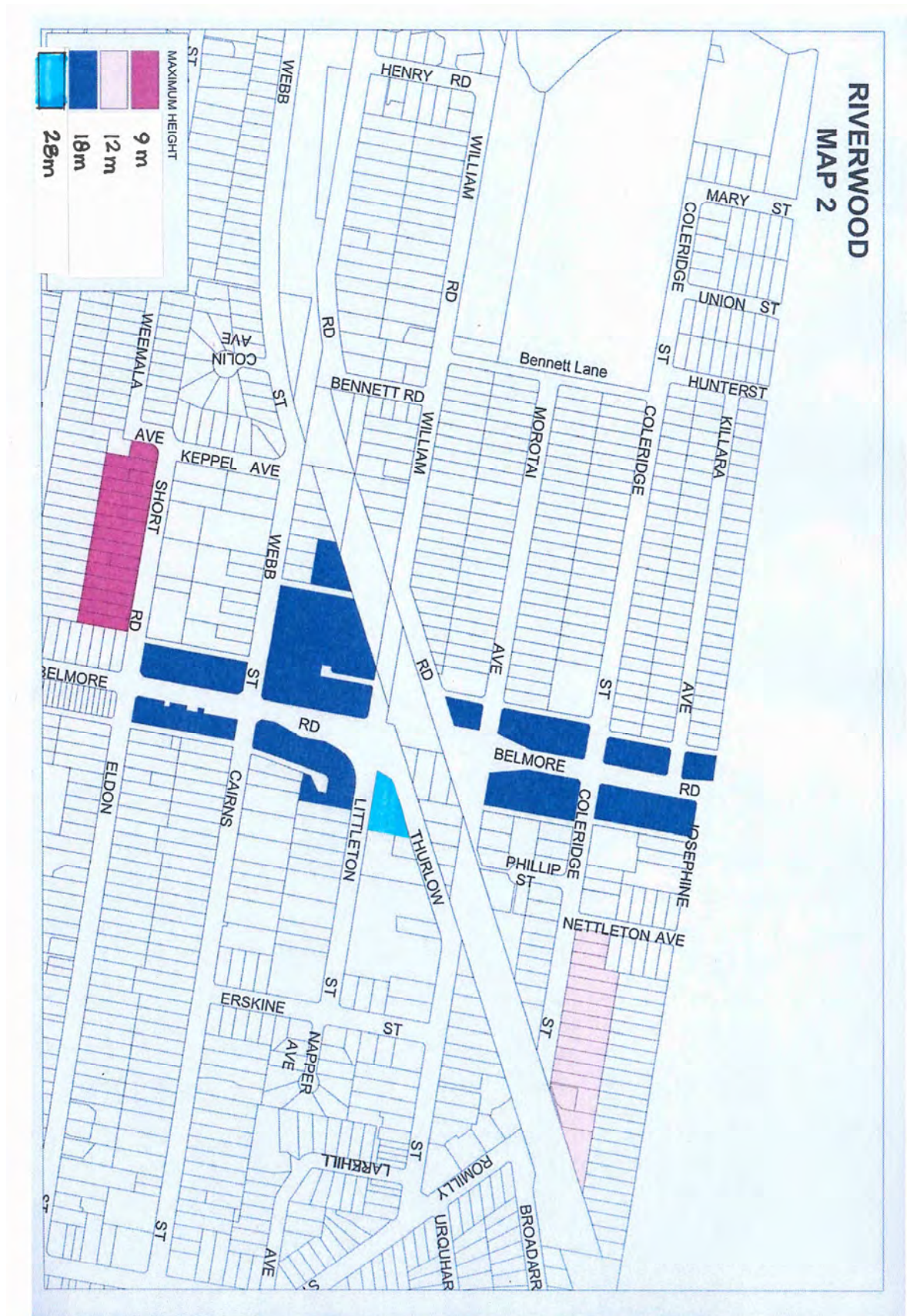
6.2.4.3 Landscape and Public Spaces**(a) Landscape Quality**

- Spacing and siting of residential buildings creates a landscape corridor, which ensures significant trees are retained and the drainage system is rationalised
- Retain and supplement significant trees on private land, particularly on major ridgelines and drainage lines

(b) Public Landscape Amenity

- Increase recreation opportunities by providing a diverse range of landscape types in public spaces, from urban squares in the main street to passive 'natural' spaces and active open spaces in parks
- Improve connections to public spaces





6.2.5 Development Controls

This Section contains the development controls and guidelines for new development and is divided into the following parts:

- Specific considerations for:
 - Belmore Road where mixed uses are permitted in the B2 Local Centre Zone.
 - Residential development permitted within the R2 Low Density Residential and R3 Medium Density Residential Zones.
- General considerations for both mixed use and residential development.

6.2.5.1 Belmore Road & Mixed Use Development

This section applies to land zoned “B2 Local Centre” under Hurstville LEP 2012.

This section provides for:

- Commercial, retail and residential uses
- The inclusion of verandahs over the footpath

Building Envelope

Objectives

Ensure a more certain building outcome while creating:

- A more coherent and attractive streetscape
- The ability to accommodate a range of uses
- Better opportunities for natural light, ventilation and privacy

Design Principles

- Buildings relate to existing front building alignments and incorporate a verandah
- Buildings allow natural light into working and living areas
- Opportunities for cross ventilation are provided
- Buildings provide for off street parking and other site services without compromising the above criteria
- Designs highlight corner sites and relate to both street frontages where applicable

Amalgamating Existing Lots**Objectives**

- Promote the continuity of medium and fine grain buildings and built form pattern in Riverwood
- Maximise street level activity

Design Principles

- Development on amalgamated lots is articulated to reflect the original subdivision

Design Solutions and Controls

- Maximum street frontage for individual commercial sites along Belmore Road is 25 metres

6.2.5.2 Floor Space Ratio Calculations

The floor space ratio controls are contained within Clause 4.4 and the associated Floor Space Ratio maps of the Hurstville LEP 2012.

The maximum floor space ratio is not “as of right”. They are an indication of the floor space possible for a particular site.

Clause 4.5 of Hurstville LEP 2012 identifies how to calculate floor space ratio and site area.

6.2.5.3 Building Use

Continuous ground level retail and/or commercial frontage offers the benefits of safety, commercial activity and street life. An increase in activity via improved accessibility and after hour activity is desired.

Objectives

- Enhance the character of the Centre by encouraging the integration of commercial and retail uses with housing
- Ensure buildings retain active uses at street level

Design Principles

- The character of the Riverwood Centre is enhanced by encouraging the integration of appropriate retail and commercial development with housing, improving street surveillance and after hour activity

Design Solutions and Controls

- Design for a mix of uses within buildings

- All ground floor levels in buildings are to incorporate retail and/or commercial uses to activate the street
- Access to residential uses above ground floor is permitted on street level but must not occupy more than 20% of the frontage
- The maximum retail frontage for individual tenancies is 25 metres
- Applicants are encouraged to have two storey apartments on the top two levels of a building

6.2.5.4 Height

Objectives

- A coherent streetscape is provided with consistent height

Design Principles

- Building height remains consistent

Design Solutions and Controls

- Maximum Building Heights are contained in Clause 4.3 and the associated Height of Buildings Maps of the Hurstville LEP 2012
- Clause 3.12 of this DCP identifies the maximum number of storeys for development.
- Commercial storeys are set at a maximum 3.3 metres floor to ceiling
- Residential storeys are set at a maximum 3 metres and a minimum 2.7 metres floor to ceiling

6.2.5.5 Setbacks

Objectives

- Encourage a coherent street character with appropriate and consistent setbacks (front and rear)

Design Principles

- Setbacks are consistent

Design Solutions and Controls

Setbacks are to be in accordance with the requirements below:.

- Development along Belmore Road that has dual access to rear laneway is required to provide a 1m setback to the laneway. This 1m setback is required to be dedicated to Council to allow for lane widening to improve pedestrian amenity and traffic management

- A minimum rear setback of 8 metres is required from the Lane
- If 4 or more storeys are proposed, the 4th storey and above are to be setback and the setback area can be used as a balcony/terrace area

6.2.5.6 Verandahs

In the Riverwood Centre there is a significant setback to buildings in most blocks to the street edge creating an unusually wide footpath, which is mostly in private ownership. This provides the opportunity to create a distinctive character for the Centre by building three storey verandahs wherever this setback occurs.

Objectives

- Promote a coherent streetscape with a verandah to Belmore Road to provide a distinctive and memorable character
- Improve pedestrian amenity by providing weather protection
- Increase overlooking of the street for security and surveillance

Design Principles

- Building design incorporates a verandah

Design Solutions and Controls

- Verandahs can extend from the first storey to the third storey of a building and are not permitted on the fourth storey
- Verandah design must conform to uniform building and verandah alignments, internal verandah divisions, heights, materials and balustrading
- Verandah enclosure will only be permitted through the use of shutters integrated with the design of the building. Enclosure by glass will not be permitted
- Base plates for the verandah must not protrude above footpath level
- Verandah levels must fall to the building and all stormwater down pipes must be recessed into the building facade
- The provision and operating cost of verandah lighting is the responsibility of the building owner. Lighting is to be recessed into the underside frame of the verandah or wall mounted on the building
- Canvas blinds along the outer edge of verandahs at street level can be used to provide sun shading to the east and west facades

6.2.5.7 Corners**Objectives**

- To highlight and enhance development positioned on a corner site

Design Principles

- Corners are accentuated and highlighted through architectural design elements

Design Solutions and Controls

- Buildings sited on the street frontages at a corner are to create acute, obtuse, curved or other relevant corner forms
- The street intersections are to be addressed with splays, curves, building entries and other special architectural elements

6.2.5.8 Building Design**Objectives**

A built outcome that:

- Enhances the streetscape
- Provides a high quality working and living environment for employees and residents

Design Principles

- Buildings improve the appearance of the street
- Buildings are appropriately modulated and articulated in their façade in order to provide well proportioned elevations
- Building design responds to noise, sunlight, breezes, privacy and views

Design Solutions and Controls

- A balance of horizontal and vertical façade elements is to be provided
- Simple façade designs containing only horizontal or vertical elements are to be avoided
- Large areas of flat façade need to be articulated using panels, bay windows, balconies and steps in the façade
- Changes in texture and colour should complement façade articulation
- Building entrances – whether for commercial, retail or residential use – must be clearly identifiable from the street

- Party walls are to read as 'finished' walls

6.2.5.9 Balconies

Balconies should be provided at the rear of a building. A verandah needs to be incorporated into the design at the Belmore Road frontage (refer to above controls).

Objectives

- Provide architectural and streetscape character
- Enhance the amenity of residents and employees

Design Principles

- Balconies contribute to building articulation and modulation

Design Solutions and Controls

- The main balcony types to use are:
 - recessed within wall
 - recessed within roof
 - projecting without roof, walls or columns
 - partially recessed/projecting
 - Juliet
 - French windows
- Balconies are to be designed so that they are recessed a minimum 300 mm into the wall or enclosed with walls, columns or roofs, in order to provide sufficient enclosure
- All glass balconies are not acceptable
- Juliet balconies and French windows should be used to articulate facades with architectural detail and vertically proportioned windows
- Each residential apartment is to have at least one balcony with a minimum size 8 square metres and a minimum depth of 2 metres

6.2.5.10 Acoustic Privacy

Objectives

- Provide minimum acoustic privacy levels to enhance people's amenity within a building

Design Principles

- Building design and internal room layout reduces noise flow

Design Solutions and Controls

- For buildings within the Commercial Centre, noise within dwellings is not to exceed the following:

-	Weekdays	7am – 7pm	55 dBA
		7pm – 10pm	45 dBA
-	Weekends	8am – 7pm	50 dBA
		7pm – 10pm	45 dBA
	Night Time	10pm – 7am	35 dBA
- In order to assist acoustic control of airborne noise between units:
 - A wall shall have a Field Sound Transmission Class (FSTC) of not less than 50 if it separates a sole occupancy unit, or a sole occupancy unit from a plant room, stairway, public corridor, hallway or the like
 - A wall separating a bathroom, sanitary compartment, laundry or kitchen in one sole occupancy unit from a habitable room (other than a kitchen) in an adjoining unit, is to have a FSTC of not less than 55
 - A floor separating sole occupancy units must not have a FSTC less than 50
- Noise impact associated with goods delivery and garbage collection, particularly early morning, should be minimised
- Restaurants and cafes should be designed to minimise the impact of noise associated with late night operation, on nearby residents

6.2.5.11 Lifts

Objectives

- Provide accessible dwellings for residents

Design Principles

- Lift access is provided to improve accessibility

Design Solution and Controls

- All buildings with two or more storeys are required to have a lift

6.2.5.12 Awnings

Note: This section will only apply to those buildings that are not developed to 4 storeys and therefore can not provide a verandah for pedestrian weather protection.

Objectives

- Ensure weather protection for pedestrians at street level
- Provide continuity in streetscape

Design Principles

- Awnings provide weather protection and contribute to the streetscape

Design Solutions and Controls

- Each building is to provide an awning
- Locate awnings at least 3 metres, and no more than 4.2 metres, above footpath level
- Awnings are to be stepped in relation to street level changes and building entrances
- Steeply pitched awnings are to be avoided which break the general alignment of awnings in the street
- A weather seal is to be provided where an awning adjoins another awning
- Temporary shade structures such as retractable blinds and umbrellas are to be provided where appropriate

6.2.5.13 Through Block Connections**Objectives**

- Provide access to shops and services on Belmore Road, particularly in the middle of blocks, from the rear of a site
- Contribute to the amenity and convenience of Riverwood as a local centre

Design Principles

Improve the pedestrian access between shops on Belmore Road and laneways by providing arcades and through shop connections

Design Solutions and Controls

Arcades should be located in mid block locations and provide a clear sightline from one end to the other, for surveillance and accessibility

- Arcades are to have a minimum width of 3 metres, clear of any obstruction, except for connections through shops
- Retail frontages are to be maximised along arcades
- Natural lighting and ventilation of arcades is highly desirable
- Pedestrian safety and the security of adjacent businesses, particularly at night, should be considered in the design of through block connections
- Public use of through block connections is to be available at least between the hours of 6.00am and 10pm daily
- Arcades must have a minimum floor to ceiling height of 4 metres

Concession

Council may consider the relaxation of the above controls depending on the quality of public area provided and the merits of the particular application.

6.2.5.14 Shop Fronts**Objectives**

- Ensure visual interest in the street
- Contribute to the principles of crime prevention through environmental design (see section 3.4)

Design Principles

- Visual interest is maintained

Design Solutions and Controls

- Shop fronts must be glazed
- Solid roller shutter doors of any kind are not permitted on shop fronts. Council may consider an open grill design where warranted for security purposes.

6.2.5.15 Outdoor Eating**Objectives**

- Enhance the character of the Centre by contributing to the liveliness of the streets, lanes and other outdoor places

Design Principles

Encourage outdoor eating establishments where they provide a pleasant outdoor eating environment with minimal disturbance to pedestrian circulation, such as the rear area at street and first floor levels including the use of verandahs

Design Solution and Control

- The requirements for footpath restaurants and cafes are contained in Council's Public Spaces Local Approvals Policy which can be found on Council's website, www.hurstville.nsw.gov.au.

6.2.5.16 Advertising and Signage**Objectives**

- Promote a coordinated approach to signage and outdoor advertising that is integrated with building design

Design Principles

Signage and advertising structures are unobtrusive, informative and compatible with an attractive shopping environment

- Physical and visual clutter of the public domain is avoided
- There is no conflict between advertising signs and any nearby safety, public directional or traffic signs
- Amenity of residential development is protected

Design Solutions and Controls

All advertising signs and/or structures must comply with Section 5.6 - *Signage and State Environmental Planning Policy No. 64* and associated guidelines

- Signage is to be integrated with awnings or verandahs, including suspended signage
- Roof signs are not permitted
- Building identification is the only signage permitted above first floor level
- Electrical conduits to illuminated signs are to be taken directly into the building, or be otherwise screened to the satisfaction of the Council
- A coordinated presentation for all signs is required where there are multiple occupancies or uses within a single building development
- Advertising signs are not permitted on public footpaths

- Signage and advertising should be constructed of non-combustible materials
- Illuminated advertising signage is not permitted facing service lanes, or on side walls abutting residential properties

6.2.5.17 Landscaping and Open Space

There are no deep soil garden requirements, however open space must be provided above ground, in the form of gardens over car parking areas, verandahs, balconies and/or loggias.

Objectives

Preserve and enhance the public domain and provide high quality private open space landscaped areas

Design Principles

Species are compatible with the intended use of the landscaped area

- Apartment dwellings are provided with useable above ground open space where there is no access to ground level gardens

Design Solutions and Controls

Lower level rooftop areas and courtyards in the centre of blocks are to be landscaped

- A minimum of 600 mm of soil is to be provided above basement structures for landscaping
- Where direct access to ground level private open space is not available, provide at least one balcony, terrace, verandah, or deck for each dwelling
- The primary above ground open space area should be accessible from a family room, lounge, dining room or kitchen, and be predominantly north, east or west facing, to ensure it is useable as an outdoor living space
- Smaller secondary above ground open space area are also encouraged, such as balconies adjacent bedrooms, screened external clothes drying balconies adjacent laundries and bathrooms
- Above ground open space should overlook the street or rear garden to protect the privacy of occupants and neighbours
- Street footpaths are to be finished in accordance with Council's requirements

6.2.5.18 Vehicular Access and Loading Dock

Objectives

Provide sufficient, safe and convenient car parking facilities

- Integrate driveways, car parking access and loading docks into the design of a building

Design Principles

Car parking and loading docks provide discreet access and limit the visual impact on the site and streetscape

- The design of on-site car parking and loading docks is integrated with the overall site and building design
- Pedestrian safety and amenity is maximised by minimising vehicular/pedestrian conflict

Design Solutions and Controls

Belmore Road can not to be used to provide vehicular access to a site

Car Parking

Car parking and loading dock provision is to comply with *section 3.1 - Car Parking*

- Vehicular access is to be from existing crossings or from rear lanes/streets
- Where provided, garage doors are to be recessed a minimum 300mm into the façade of the building
- Driveways are to have a minimum width of 3 metres
- Gutter crossings are to preserve existing trees
- Concentrate underground parking areas under building footprints.

Locate access ways to underground car parking away from doors or windows to habitable rooms wherever possible

- Maximise natural light and ventilation to parking areas where possible
- Opportunities for natural ventilation to such car parking should be maximised
- All underground car parks are to have security doors
- Garage doors to car parking facilities are to be slatted (grill) or incorporate some form of opening, to facilitate natural ventilation and reduce the visual impact of garage doors

Streets should not be presented with car park walls. Parking areas should be unobtrusive

- Parking must be located underground but in some situations due to the topography, the walls enclosing the parking may be partially visible. The length and height of the wall must not exceed 1 metre

- Natural or mechanical ventilation from the car park can not be achieved through the use of large metal grilles or large openings
- Any visible roofs of parking areas are to be landscaped in order to provide for an outdoor space, as well as to create a pleasant view from the windows above
- Pedestrian access to basement car parks is to be separated from vehicular access and clearly defined
- Access ways to underground car parking should not be located close to doors or windows of habitable rooms

Loading Docks

All major developments are to have a loading dock for the delivery of goods

- The loading dock is to be located so that the service vehicle stands fully within the site
- Doors to loading docks are to be recessed 300 mm behind the face of the wall

6.2.6 Residential Controls

This section applies to land zoned R2 Low Density Residential and R3 Medium Density Residential under Hurstville LEP 2012 as shown on Map 1 (section 6.2.4.3).

This DCP provides for two types of residential development:

- Apartment Buildings (Coleridge Street); and
- Attached Multi Dwelling Housing (Short Road)

Note:

Dwelling houses and dual occupancies can be built on Residential zoned land in accordance with Council's other DCPs.

Apartment Buildings apply to 2-28 Coleridge Street and can be built to a maximum height of 3 storeys.

Short Road applies to the lots located on the southern side between 1-29 Short Road. 2 storey height is permitted where three lots are amalgamated to create six new attached multiple dwelling housing units.

Detailed controls are provided below and are illustrated in Section 6.2.8.

6.2.6.1 Building Envelope

Objectives

Ensure a more certain building outcome while creating:

- A more coherent and attractive streetscape
- Off-street parking and vegetation corridors at the rear of sites
- Better opportunities for natural light, ventilation and privacy
- The best homes for medium density development

Design Principles

- Homes are private and allow natural light into living areas
- Windows are provided in all rooms and allow for cross ventilation
- Homes minimise overlooking to adjoining dwellings
- At least three hours of sunlight between the hours of 9am and 3pm is provided into adjoining dwellings
- Designs include attractive open space that is private, receives sunlight and allows for rainwater infiltration
- Designs allow for areas of landscaping and retain significant trees
- Homes provide off street parking and other site services without compromising the above criteria
- Designs highlight corner sites and relate to both street frontages where applicable

Design Solutions and Controls

- New development takes the form of the option illustrated in the **Development Control Drawings** in Section 6.2.8. Variations will be considered that meet the above objectives and design principles.

6.2.6.2 Subdivision & Amalgamating Existing Lots

Subdivision is the legal division of land into building lots. Building lots are defined by a lot width (the street frontage) and a lot depth (the length of the block).

The dimension of lots influences the type of development that can be built and affects vehicular access and opportunities for off street parking.

Not all new development will require subdivision to occur.

Objectives

- Encourage a variety of building designs
- Protect the landscape quality and respond to location, by restricting rear garden subdivision

Strengthen street character by ensuring subdivision patterns create lots fronting the street

- To achieve an efficient use of land for multi-unit residential developments by ensuring allotments have sufficient area for the effective siting of dwellings to achieve a good relationship to adjoining development, provide adequate space for landscaping and be compatible with the general pattern of spacing of buildings in the area.

To ensure that no undeveloped site is isolated by development on an adjoining allotment.

Design Principles

- Subdivision creates lots fronting the street or promotes surveillance of parks

Design Solutions and Controls

Specific subdivision requirements are outlined below

Apartment Buildings

- Apartment buildings are permitted on Nos. 2-28 Coleridge Street
- Nos. 24, 26 and 28 Coleridge Street are required to amalgamate for the development of one apartment building
- The minimum street frontage for all other lots where an apartment building is proposed is 18 metres
- Strata subdivision will apply

Short Road

- Three existing allotments are required to be amalgamated to provide for attached multiple dwelling housing units
- Strata subdivision will apply to the attached multiple dwelling housing units

6.2.6.3 Variation to subdivision and amalgamating existing lots

- Council may consider variation to the lot amalgamation requirements subject to circumstances such as:
 - the development is on an existing allotment which cannot be consolidated with another lot;

- remaining allotments in the adjoining area are not left isolated by the proposal;
 - the other standards of this Plan are achieved; or
 - the neighbouring landowners are unwilling to be party to the consolidation.
- Any variations to the minimum allotment size will require the lodgement of information demonstrating compliance with the objectives of the control with the development application.
- Allotments should be amalgamated to achieve a satisfactory development, with specific regard to:
 - provision of adequate space for landscaping;
 - the general allotment pattern and the pattern of spacing of buildings in the area; and
 - appropriate location for pedestrian and vehicular access.
- The representations of all landowners affected by the proposed amalgamation should be considered.
- Consideration should be given to the servicing of amalgamated lots, including any new or existing vehicular access points, easements or rights of way.

6.2.6.4 Floor Space Ratio Calculations

Floor space ratio controls are contained within Clause 4.4 and the associated Floor Space Ratio maps of the Hurstville LEP 2012. The floor space ratio is not “as of right”. They are an indication of the floor space possible for a particular site.

6.2.6.5 Building Height**Objectives**

- Encourage a coherent street character with appropriate and consistent building heights

Design Principles

Heights are consistent

Design Solutions and Controls

The maximum height of residential buildings is indicated in Clause 4.3 and the associated Height of Buildings Maps of the Hurstville LEP 2012. Clause 3.12 of this DCP identifies the maximum number of storeys for development.

- A minimum floor to ceiling height of 2.7 metres applies and a maximum of 3.0 metres

6.2.6.6 Setbacks**Objectives**

- Encourage a coherent street character with appropriate and consistent setbacks (front, rear and side)

Design Principles

Setbacks are consistent

Design Solutions and Controls

Setbacks are to be in accordance with the requirements below:

Apartment Buildings

A minimum front setback of 5.5 metres is required

- A minimum side setback of 3 metres is required
- A minimum rear setback of 8 metres is required except for Nos. 24, 26 and 28 where 4 metres is required

Short Road

A minimum front setback of 5.5 metres is required

- A minimum side setback of 1.5 metres is required
- A minimum rear setback of 20 metres is required, as measured from the rear boundary to the nearest rear wall

6.2.6.7 Landscaping & Private Open Space**Objectives**

- Preserve and improve vegetation corridors and street planting
- Provide attractive private open space which will appeal to residents of the dwelling
- Maximise areas of soft landscaping and reduce the areas of hard paving.
- Assist on-site water infiltration

Design Principles

- Private open space receives sunlight and its location minimises noise and overlooking to neighbours
- Landscaped areas are functional, attractive and linked to living areas
- Plant species relate to site conditions, the intended use of the landscaped area and do not intrude on neighbouring properties or affect site services
- Significant trees are retained and new trees provided
- Gardens and lawns catch as much rainwater as possible

Design Solutions and Controls

Landscaping and private open space is to be in accordance with the requirements below:

- A landscape plan must be submitted as part of the Development Application. The landscape plan must include any trees that are to be retained or planted prior to occupation as well as the location of services on the site to ensure there is no conflict
- One established tree must be planted in the front yard of each building and this must be a species listed in Appendix 1.
- Water resistant surfaces (pavers, tiles or concrete) must not exceed 20% of the total unbuilt site area. This includes patios, courtyards and pathways, but not elevated balconies (above ground level) or driveways
- Landscaped private open space must be:
 - provided at ground floor level

- designed to ensure visual privacy and acoustic amenity for occupants and adjoining properties
- conveniently accessible from a main living room of the dwelling
- If a front fence is proposed, the fence is to:
 - be no higher than one metre
 - highlight building entrances and allow street surveillance
 - relate to the design and style of the building
 - generally be co-ordinated with other fences in the street
 - address both street frontages on corner sites or sites with rear lane access
- Solid rear and side fences are to be no higher than 1.8 metres
- Landscape work and turf must be finished prior to occupation
- The removal or lopping of trees requires Council approval under Clause 5.9 *Management of Trees and Vegetation* of the Hurstville LEP 2012.
- The siting of new buildings and structures (including driveways and other paved areas) must take into consideration and minimise the impact on the root zone of existing trees. Development must be designed around the existing significant trees. Generally a 3 metre setback from structures is required for trees to be retained
- Trees and pergolas should be provided to shade external areas and control sunlight into buildings
- Paved areas and external structures must be sited to have minimal impact on existing significant trees
- If existing footpaths are damaged during construction they must be replaced according to Council's specifications

Apartment Buildings

- A central garden area equal in size to 10% of the total lot area is to be provided

6.2.6.8 Car Parking and Vehicular Access

Objectives

- Provide sufficient, safe and convenient off-street car parking facilities
- Ensure garages and carports are designed as a secondary structure to the building
- Allow cars to park in the driveway in front of each home

Design Principles

- Garages and driveways are attractive and are integrated with the design of the building
- Garages do not appear to dominate the front of a dwelling
- Driveway widths are minimised
- Driveways are integrated with the overall landscaping on the site and minimise the amount of hard surfaced areas

Design Solutions and Controls

General

- Ensure that development complies with section 3.1 - Car Parking
- Garages must be integrated with the design of the building, and behind the front alignment of the dwelling
- Where provided, garage doors are to be recessed a minimum 300 mm into the façade of the building
- Driveways are to have a minimum width of 3 metres
- Enclosed garages are not permitted within the front setback area
- Design elements such as bay windows, French balconies, planter boxes and the like are to be placed over garages to soften the building's appearance
- Consideration should be given to internal access from the garage to the home for the movement of furniture and the like, particularly when entry corridors are narrow
- Driveways and parking areas must be aligned with the garage
- Driveways should incorporate grass or garden strips to improve water absorption
- Driveway crossings must preserve existing street trees
- The construction of the driveway crossing may be undertaken by Council (subject to a separate application and fee) or a licensed contractor approved by Council, subject to Council's Engineer's specifications and inspection

Apartment Buildings

- Car parking must be provided in the form of basement parking concentrated under the building footprint to maximise the area of deep soil landscaping
- One two-way driveway per development is to be provided

- Driveways to underground car parks are to be designed with minimal visual impact on the street, and maximum pedestrian safety
- Pedestrian access to the development should be separate and clearly defined
- Access ways to underground car parking should not be located in direct proximity to doors or windows to habitable rooms
- Maximise natural light and ventilation to parking areas where possible
- All underground car parks are to have security doors
- Garage doors to car parking facilities are to be slatted (grill) or incorporate some form of opening, to facilitate natural ventilation and reduce the visual impact of garage doors
- Natural or mechanical ventilation from the car park can not be achieved through the use of large metal grilles or large openings

Short Road

- Garages are to be located a minimum 5.5 metres from the front property alignment and must be recessed a minimum 300 mm into the front façade of the building
- A single garage is only to be constructed to ensure homes are not dominated by garage doors
- A second off-street car parking space is to be provided within the front setback area between the front façade of the building
- Consideration should be given to providing car parking at the rear of dwellings or basement parking

6.2.7 General Controls

This clause applies to all development covered by this section 6.2 Riverwood.

6.2.7.1 Building Address and Articulation

Building articulation refers to the three dimensional modelling of a building façade.

Building articulation along the street frontage establishes the relationship between a building and the street, through the use of entry porches, loggias, balconies, bay windows and the like. Building facades be articulated to create a strong street address, and enrich the character of the street.

Objectives

- Promote buildings of articulated design and massing, with building facades that contribute to the character of the street

- Encourage buildings to respond to environmental conditions, and promote energy efficient design principles
- Use building articulation elements of an appropriate scale to their use and context
- Encourage integrated outdoor living areas by orienting the main openings in living areas to the front and rear gardens, where applicable

Design Principles

- Building articulation responds to environmental conditions such as orientation, noise, breezes, privacy and views, through the use of appropriate sun shading devices, noise barriers, privacy screens, and the careful location of balconies, terraces and loggias
- At the rear of a building, articulation should enhance the relationship between the interior of a building and the garden

Design Solutions and Controls

The following elements are encouraged to provide building articulation:

Floor Area Elements

- Entries, bay windows

Private Open Space Elements

- Balconies, terraces, garden walls, verandahs, pergolas, loggias, decks, porches, planters

External Circulation Elements

- External access stairs, external walkways, letter boxes, seats

Solar Protection Elements

- Screens, external louvered walls, awnings, shutters, deep reveals, roof overhangs

Sound Barrier Elements

- Noise attenuation design and appropriate internal planning are encouraged along Belmore Road and the rail line
- Private open space elements such as balconies, should be predominantly north, east and west facing, and should be designed to ensure visual and acoustic privacy of occupants and neighbours

6.2.7.2 Building Resolution

Objectives

- Promote high quality architectural design throughout Riverwood to create a desirable living and working environment

Design Principles

- High quality architectural resolution defines the local identity

Design Solutions and Controls

- A clear street address to each building is to be provided
- Pedestrian entries to buildings should be clearly defined
- Vehicular entries should minimise conflicts with pedestrians
- Street corners are to be highlighted by building articulation
- The design of window and balcony openings should take into account the streetscape, privacy, orientation and outlook
- Facades are to be articulated to show the different levels of a building and/or its functions

6.2.7.3 Visual and Acoustic Privacy

Objectives

- Protect residents from excessive noise and overlooking
- Provide homes which orientate towards the front and rear of a site rather than towards the neighbours

Design Principles

- New dwellings do not result in unacceptable overlooking of adjoining sites
- Window location, internal room layout and landscaping elements prevent overlooking and help reduce noise flow between homes

Design Solutions and Controls

Visual Privacy

- Visual privacy is to be protected by providing adequate distance between opposite windows of neighbouring dwellings where direct view is not restricted by screening or planting
- Main living spaces are to be oriented to the front or rear of a property to avoid overlooking – where this is not possible, windows and balconies are to be offset from neighbour's windows
- First floor balconies located at the rear of residential dwellings must incorporate fin walls or privacy screens to prevent over-looking
- Where privacy screens are used they must be no higher than 1.8 metres

Acoustic Privacy

- Council may require an applicant to provide a Noise Impact Assessment Report by a qualified acoustic engineer where external noise is identified as a likely problem, such as:
 - adjoining a railway line
 - fronting arterial or state roads
 - under the airport flight path; or
 - near major industry or noise generating plant or equipment
- Buildings are to be sited to minimise the transmission of external noise to other buildings on the site and on adjacent land
- The internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, should be designed to minimise the transmission of noise externally

6.2.7.4 Solar Access and Natural Daylight

Objectives

- Reduce the need for artificial heating and cooling (and save money) by incorporating passive solar design

Design Principles

- New buildings receive maximum daylight into habitable rooms and sunlight into private open spaces
- Rooms generally used during the day are capable of receiving adequate sunlight
- Overshadowing of adjoining properties or publicly accessible spaces is minimised
- Negative impacts of reflectivity on adjoining public and private properties is minimised

Design Solutions and Controls

- Shadow diagrams will need to be submitted with a development application showing the impact of the proposal on adjoining properties and their private open space. Such diagrams will need to be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development
- Where already existing, access to sunlight should be substantially maintained or achieved for a minimum period of 3 hours between 9.00 am and 3.00 pm on June 21st to windows of habitable rooms and to the private open space of adjoining properties
- The overshadowing effect of new buildings on public domain areas are to be considered for the hours of 10 am to 2 pm on March 21, June 21 and September 24
- Subject to lot orientation and privacy considerations, locate main living spaces including lounge, dining, kitchen and family rooms towards the north where possible. Consideration should also be given to slope, views, existing vegetation, overshadowing and streetscape
- Skylights that provide the only source of daylight and ventilation to habitable rooms are not permitted in residential or commercial areas
- Appropriate sun protection should be provided for glazed areas facing north, west and east. The use of extensive areas of unprotected glazing will not be permitted
- Shading devices including eaves, awnings, colonnades, balconies, pergolas, external louvers and plantings are to be used to control the penetration of sun, to maximise solar access in winter, and minimise solar access in summer
- New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers

- Council may require a Reflectivity Report that analyses the potential glare from the proposed new development on pedestrians or motorists

6.2.7.5 Natural Ventilation

Objectives

- All dwellings are designed to provide for natural cross ventilation

Design Principles

- Building design facilitates natural cross ventilation

Design Solutions and Controls

- Provide windows to all rooms including kitchens and bathrooms, to facilitate natural light and ventilation
- Minimise the reliance on mechanical ventilation or air conditioning above ground level
- Facilitate cross ventilation by locating windows opposite each other where possible. The placement of small low windows on the windward side of a building, and larger higher windows on the leeward side, will encourage cross ventilation.

6.2.7.6 Building Materials

Objectives

- Encourage the use of building materials from renewable resources

Design Principles

- The use of renewable and recycled materials is maximised

Design Solutions and Controls

- Building materials that assist in providing comfortable thermal conditions are to be used wherever possible
- The use of bulk and/or reflective insulation to walls ceilings and roofs is recommended
- The use of building materials which are recycled or recyclable, come from renewable sources, or involve environmentally acceptable production methods, is recommended
- The use of durable materials is encouraged
- Non-polluting building materials are to be used to protect public health and comfort

6.2.7.7 Water Conservation and Stormwater Management

Objectives

- Control rainwater in order to minimise local flooding, soil erosion and the siltation of streams and waterways
- Encourage the collection and reuse of rainwater

Design Principles

- Adequate provision is made during construction to protect the land from stormwater runoff and erosion
- The use of impervious surfaces such as hard-paved outdoor areas, driveways and roofed areas etc. is minimised to reduce stormwater run-off
- The use of pervious surfaces such as porous surfaces for car parks and outdoor areas is maximised to promote infiltration

Design Solutions and Controls

- Stormwater drainage must discharge to the roadway gutter or an alternative stormwater system approved by Council
- Minimise run-off into the existing stormwater system by implementing design measures to reduce, and where possible, reuse and recycle site stormwater
- Depending on site requirements Council may require or allow the following alternative drainage arrangements:
 - an easement over adjoining land for drainage
 - an easement across the subject site to permit drainage from another lot
 - on site detention of stormwater
 - provision of an on-site storage basin or tanks for the re-use of water for gardening
- Drainage diagrams are to be submitted with the Development Application, showing how surface and roof waters are to be discharged to the street
- The size of all pipes is to be shown on development application plans
- Proposed construction over easements must be approved by Sydney Water
- The filling of land in order to discharge roof and surface water by gravity to the street is generally prohibited

- It is recommended that wherever possible, business operators and/or residents choose appliances (efficient shower heads, dual flush toilets, plumbing hardware) that have a "AAA" Australian Standards Water Conservation Rating

6.2.7.8 Site Facilities

Site facilities include loading areas, garbage areas, mail boxes, external stores, laundries and clothes drying areas

Objectives

- Ensure adequate provision of site facilities
- Site facilities are accessible, functional and unobtrusive
- Site facilities require minimal maintenance

Design Principles

- Development provides appropriate site facilities for retail, commercial and residential uses, and minimises their impact on the streetscape.

Design Solutions and Controls

General

- Adequate garbage and recycling areas must be provided. These areas are to be visually integrated with the development to minimise their visibility from the street. Such facilities must be located away from windows that open to habitable rooms to avoid amenity problems associated with smell. They must be located close to rear lanes where such access is available.
- The design, location and construction of utility services must meet the requirements of both the relevant servicing authority and Council (Refer to section 3.9 – Waste Management)
- Electricity and telephone lines must be underground. Where there is the connection of electricity and telephone lines directly from the service pole to the fascia of the front dwelling, these lines may be above ground
- Prior to the submission of the Construction Certificate Application, the developer must present details of the development in writing to Energy Australia and obtain that authority's requirements
- Lockable mail boxes should be provided close to the street, integrated with front fences or building entries, in accordance with relevant Australian Standards.

Commercial

- Loading facilities must be provided via a rear lane or side street where such access is available

- Vents should be provided to commercial kitchens to minimise the negative impact of smells on occupants on upper levels

Residential

- All development, which includes a residential component, must provide space for the storage of recyclable goods within the curtilage of each dwelling. A space of 6 (six) cubic metres per dwelling must be set aside exclusively for storage. This space may be an extension of a carport or garage, or may be part of an attic or internal cupboard.
- Any development which includes a residential component must provide laundry facilities, and at least one external clothes drying area. The public visibility of this area should be minimised.

6.3 Melvin Street South & Edgbaston Road, Beverly Hills

6.3.1 Introduction

This clause provides an introduction and a clear guide to using this section to determine controls which apply to individual sites.

6.3.1.1 What is the overall purpose of this Section?

To define a physical outcome for the Melvin Street South and Edgbaston Road Precinct, taking into consideration both the built form and public spaces. This way of planning and designing urban areas is known as an Urban Form Methodology.

6.3.1.2 What makes this Section different from conventional DCP's?

The Urban Form Methodology used in the formation of this DCP tailors appropriate planning controls to individual sites through the use of building envelopes which define future building forms. All controls are based on the results of a detailed study of the existing characteristics of the Town Centre.

This Section therefore optimises development opportunity on all sites, whilst taking into consideration existing development and the potential of adjoining sites and public spaces. It provides greater certainty for the community, council and developers.

6.3.1.3 What information does this Volume contain?

This Volume contains the following information on individual blocks/sites in Melvin Street South and part of Edgbaston Road.

6.3.1.4 The Plan (Text)

Written information on design principles for future development and specific controls including:

- (a) building envelopes
- (b) setbacks
- (c) parking design and requirements; and
- (d) solar design and energy efficiency.

6.3.1.5 The Plan (Graphic)

Site plans which illustrate the controls which have been tailored to individual blocks/sites. The controls are in the form of "building envelopes" which are determined by the combination of building setbacks and number of storeys, as well as a "Compulsory Building Line" to which specified percentages of buildings must be built.

6.3.1.6 Indicative Illustrations of Building Typologies

Illustrative sketches of different building typologies are provided in over page.

6.3.1.7 Instructions

How do I use this Section?

This Volume may be used either to gain a comprehensive picture of the intended physical form of Melvin Street South and Edgbaston Road, or to find out information or controls for a specific site.

There are three main parts, these being:

- 6.3.2: written information; and
- 6.3.3: graphic information, including reference and controls plans; and
- 6.3.4: illustrations of different building typologies.

What does section 6.3.2 tell me?

Section 6.3.2 contains:

- Useful background information such as a description of Plan Objectives and Design Principles.
- Specific information on controls and requirements such as for car parking (number of spaces) and outdoor living spaces (minimum area).
- Definitions and explanations of important terms such as “Compulsory Building Line”.

What do sections 6.3.3 and 6.3.4 tell me?

These sections contain:

- A comprehensive map of the Town Centre area showing overall permitted building heights and types for Melvin Street South and Edgbaston Road.
- Specific controls i.e. the “building envelope” for your block or site, illustrated on detailed plans.

Section 6.3.4 contains the “block studies”, indicative sketches of different building types which relate to the building envelopes specified.

How do I use this Section to find out information about a specific site?

By following the easy steps below, you can look up information on any individual site in the Town Centre. The following example is based on No. 14 Melvin Street South.

- (a) Locate the site you're interested in on the appropriate block on the comprehensive map in Section 6.3.3.2. This will tell you:
- the type of development permitted (eg. Thin Apartments);
- (b) Go to Sections 6.3.3.2 and 6.3.4 for graphic information and control plans. Information presented on the control plans is explained in greater detail in Section 6.3.2 of this section, and should be read in conjunction with this. The Control Plan provides setbacks, heights, landscaped areas, etc.

DIAGRAMMATIC OUTLINE: Steps to using the Plan

Step 1

Built Form

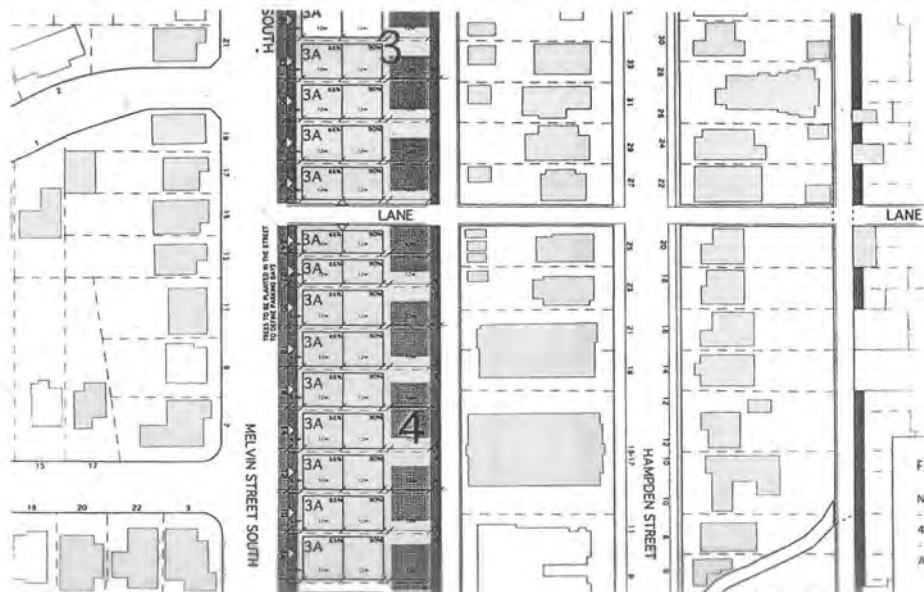
Locate your site within the relevant block on the comprehensive map in Section 6.3.3.2 (this tells you its block number, permitted height and development type type).



Step 2

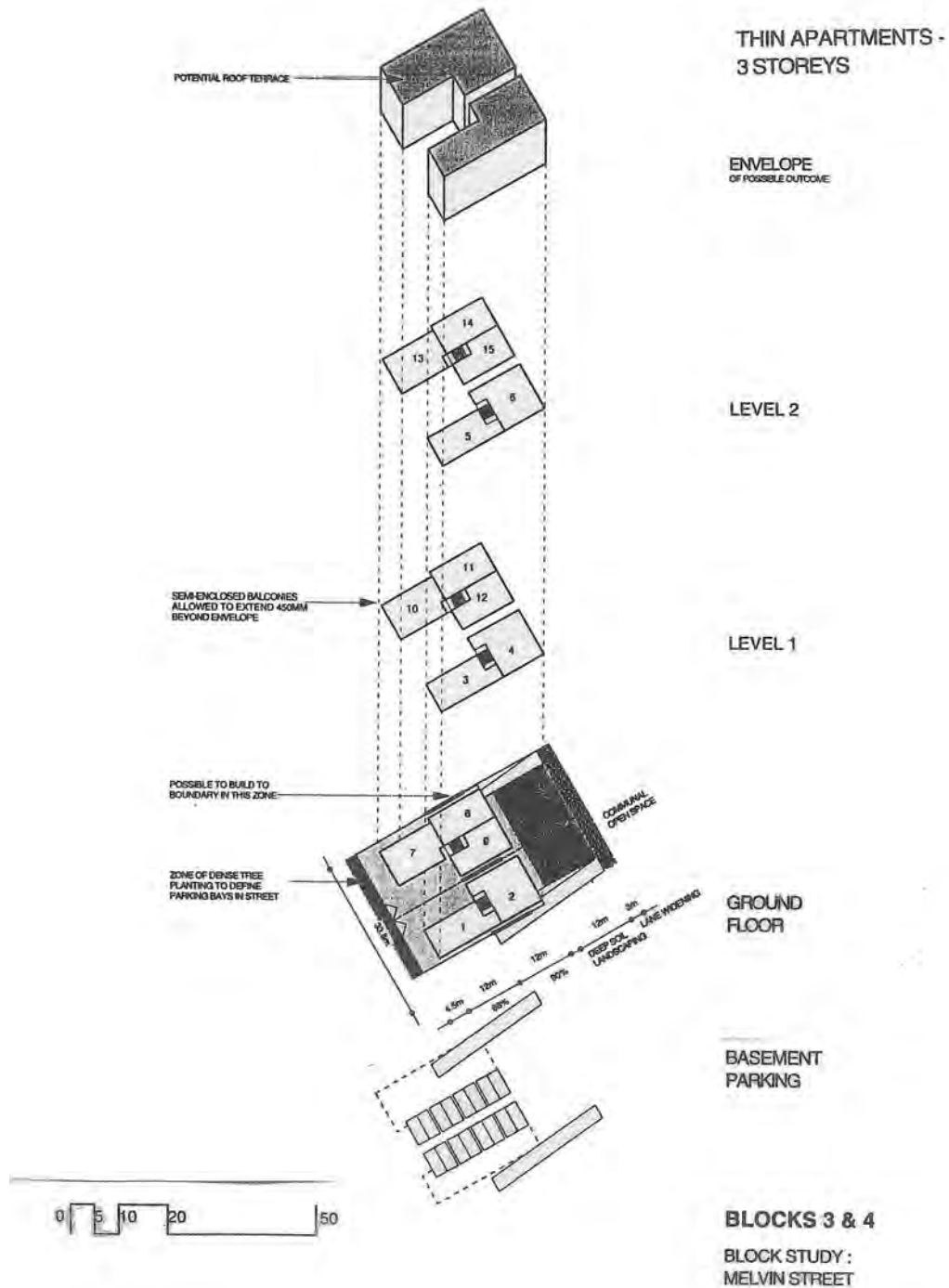
Check the controls for your site by going to the control plan for your block number in Section 6.3.3.2 (for explanations of what these mean, refer to the legend and Section 6.3.2).

Building Envelope/Set Backs etc.



Step 3

Check the Block Study for that building type in Section 6.3.4. This is an illustration of what is possible under the controls.



6.3.2 The Plan (Text)

This part contains general and specific written information and controls for elements such as setbacks, parking and landscaping. This should be read in conjunction with Part 6.3.3.

6.3.2.1 General Information

Land To Which This Section Applies

This section applies to all land within the City of Hurstville, identified as Melvin Street South and Edgbaston Road, Beverly Hills, as shown on the Plan contained in section 6.3.3.

The zoning of land to which this Plan applies is R3 Medium Density Residential under the Hurstville LEP 2012.

How To Use This Plan

This section provides information on Council's requirements for the Melvin Street South and Edgbaston Road, Beverly Hills, only.

6.3.2.2 Detailed Information and Controls

Beverly Hills is located approximately 14 kilometres from Sydney. It is well served by rail and bus and shops. This Section is designed to ensure that increased densities in housing in Melvin Street South and Edgbaston Road will enhance Beverly Hills as a special place.

Objectives

The objectives of these controls are to:

- reinforce Beverly Hills as a place with the town centre as a focus;
- develop housing forms which are appropriate for the variety of lot sizes and shapes;
- ensure that the new dwellings receive adequate sun and ventilation;
- ensure that the new dwellings have well proportioned facades which relate in scale and materials to existing heritage dwellings;
- protect the amenity of the existing dwellings;
- protect the vegetation corridors at the rear of sites;
- protect pedestrian amenity;
- create legibility and variety through the spatial system.

Principles

Landscape and Public Spaces Design Principles

- (a) Maintain and enhance landscape quality in residential areas.
 - Spacing and siting of residential buildings creates consolidated areas of landscape which allows retention of significant trees and rationalisation of drainage systems.
 - Retain and supplement significant trees on private land, particularly on major ridgelines and drainage lines.
 - Create a register of significant trees and remnant bushland.
- (b) Improve public landscape amenity.
 - Increase recreation opportunities by providing a diverse range of landscape types in public spaces, from urban squares in the main street to passive 'natural' spaces and active open spaces in parks, particularly in areas where the population density is to increase.
 - Upgrade the Edgbaston Road Reserve and provide tree canopies to perimeter parking and more diverse facilities to increase public usage.
 - Improve connections to public spaces.
- (c) Integrate drainage systems into the landscape.
 - Improve the relationship between the drainage system and the parks system of Beverly Hills, to create an integrated network of public recreation spaces – of various types – distributed along the natural drainage system.
 - Reinstatement of the natural drainage systems of creeks and ponds through Beverly Hills park and near Tallawalla Street to enhance the stormwater system and create new recreation opportunities.
 - Integrate stormwater detention systems for new developments into consolidated landscape areas.
 - Upgrade existing surface drainage systems to increase recreation potential.
 - Investigate the potential of upgrading the main drainage line where it passes through private land.

Residential Development Design Principles

- (a) Encourage a variety of housing types.
 - Provide a range of good quality housing for future generations.

- Create a variety of housing types to cater for diverse needs.
- Encourage increased density, and in proximity to the town centre, major transport routes and existing concentrations of medium density housing.
- Ensure that the housing typology suits the site characteristics.

(b) Subdivision patters.

- Encourage a variety of building types which correspond with Beverly Hills' mix of subdivision patterns.
- Adapt existing deep lots by concentrating development at the street to:
 - Reinforce the streetscape;
 - Retain rear gardens as a continuous landscape zone;
 - Avoid overlooking into rear gardens from adjacent development; and
 - Create quality outdoor living spaces.

(c) Relationship to the street.

- Create a coherent alignment of building frontages to reinforce the streetscape.
- Create a coherent street character through the concentration of particular compatible building types.
- Provide a clear street address to each building.
- Collectively create attractive streets.

(d) Privacy

- Encourage privacy to and from living spaces both within each development and to other buildings.
- Provide useable private outdoor living spaces such as balconies, verandas, courtyards, roof terraces and gardens.
- Orient living/bedroom areas primarily to the rear garden and the street so that side windows are minimised.
- Allow flexible internal planning depending on orientation, exact site conditions, etc.

(e) Environmental issues/quality internal environment

- Building form, spacing and layout to maximise good solar orientation to both the internal and external living spaces.

- Thin cross section design achieves good natural ventilation and avoids the need for internal rooms (including bathrooms).
- Provide higher density around parks and reserves to maximise the opportunity for park reviews.
- Optimise the use of land: rationalise the built footprint, and maximise defensive side set backs.
- Leave a range of flexible good quality housing stock for future generations.

(f) Car Parking

- Access to and impact of carparking on the site and streetscape to be handled discreetly.

Building Controls

The building controls are in the form of building envelopes for each particular site. The building envelopes show set backs and heights expressed as two or more bands of maximum densities. This is to encourage the development of particular well tried building types, whose configuration may be wider at the front for example, with one or two smaller limbs at the back, such as T, U or L-shaped buildings.

The desired building types' compatibility does not rely on side setbacks, which are typically wasteful and problematic in terms of privacy and solar access. Dwellings are focussed instead to the street or to rear gardens, with only minor openings required at the sides.

A "compulsory building line" is sometimes shown. This is to encourage particular emphasis of desirable urban features such as corners, regular alignments, public space frontage, etc. or in the promotion of the particular characteristics of specific building type which may depend on a regular alignment.

Three dimensional representations of appropriate generic building types have been provided with the control drawings. These have been drawn to illustrate the basic configuration of potential housing types, showing how they can work in terms of circulation, layout, orientation, massing and parking. Compatibility between new developments or with existing houses is emphasised through the control of alignments, heights, setbacks and the promotion of specific building types. These shall remain issues to be addressed through design and judged on performance.

While some notes and illustrations may address issues of language and architectural character of new developments, this control plan cannot dictate issues of language over and above the generic, without risking the remarkable range of styles and variations that characterises Beverly Hills as we know it. Without wanting to create rules that may prohibit very good individual solutions, this control plan has instead promoted rational and articulate architectural solutions that may be interpreted and enhanced in a number of ways. This being said, the engagement of a competent architect is encouraged for all medium density developments for the area.

The Building Controls are shown on the control drawings.

(a) Building Envelope

Note:

Building envelope is a three dimensional volume in which a building can be designed.

Objectives

- Provide some direction and certainty of outcome in relation to built form to ensure:
 - a coherent street scale which responds to the Melvin Street South and Edgbaston Road Precinct street hierarchy, and proximity to significant urban elements such as parks, Beverly Hills Station and King Georges Road;
 - a variety of building types across Beverly Hills;
 - a high level of environmental amenity by providing thin cross section buildings to achieve good natural light and ventilation to interiors, and appropriate spacing between buildings to ensure privacy and adequate garden areas.

Design Principles

- Orientate buildings to address the streets, lanes, and park frontages.
- Maximise controlled solar access particularly to main living spaces.
- Incorporate courtyards to allow solar access and ventilation.
- Encourage natural ventilation by regulating the plan depth, and decisively locating openings, preferably oriented to pick up local breezes.
- All dwellings are to be cross ventilated.
- Provide windows to all rooms, including kitchens and bathrooms, to facilitate natural light and ventilation. Minimise the necessity of mechanical ventilation or air conditioning to dwellings.
- Ensure privacy by providing adequate distance between opposite windows of neighbouring dwellings where direct view is not restricted by screening or planting.
- Where indicated encourage occupied roof areas designed to protect the privacy of neighbours.
- Site building to create positive exterior garden and courtyard spaces.

Permissible Elements + Controls

- The maximum percentage of the building envelope which can be developed is site specific, and is given on the control drawing provided in this Plan.

Floor Space Calculations

Floor Space Ratio controls are contained within Clause 4.4 and the associated Floor Space Ratio maps of the Hurstville LEP 2012.

The maximum floor space ratio is not “as of right”. They are an indication of the floor space possible for a particular site.

Clause 4.5 of Hurstville LEP 2012 identifies how to calculate floor space ratio and site area.

Height

Maximum Height of buildings is contained within Clause 4.3 and the associated Height of Buildings Maps of the Hurstville LEP 2012.

- Please refer to Clause 3.12 of this DCP for the maximum number of storeys for development.
- Commercial storeys are set at a maximum 3.3 metres floor to ceiling
- Residential storeys are set at a maximum 3 metres and a minimum 2.7 metres floor to ceiling

(b) Setbacks

Notes:

Distance from a site boundary to the external wall of a building, or furthest extent of landscaped area.

Front setbacks vary according to location, building type, orientation, and lot depth, and are generally either 0m or 4.5m. While they are often shown as 4.5m, they are shown for each site.

Side setbacks have generally been minimised.

Side setbacks for class 2 buildings are principally 0m, 1.5m or 3m, and 0m for class 4, 5 and 6 buildings.

Rear setbacks vary according to lot depth, are generally either 8m, 10m, 12m or 15m.

Construction will vary depending on setback and is to be in accordance with the Building Code of Australia (BCA).

Objectives

- Front setbacks are designed to:

- promote coherent street elevation;
- accentuate significant street corners;
- facilitate solar access;
- accommodate a second car parking space if required.
- Side setbacks are minimised to:
 - protect privacy to adjoining buildings by directing principal orientation front and rear;
 - protect access to natural light and ventilation.
- Rear setbacks are generally maximised to:
 - provide consolidated landscaped areas at the centre of residential blocks;
 - maximise natural infiltration of stormwater;
 - protect privacy to adjoining buildings and gardens;
 - facilitate solar access.

Design Principles

- Protect privacy and encourage integrated outdoor living spaces by orienting primary openings in living areas to the street and/or rear garden.

Permissible Elements + Controls

The following elements are permissible within the setback zones.

- Driveways, surface car parking and car parking structures.
- Elements allowed in the corresponding landscaped zone.

(c) Building Resolution

Note:

Building envelopes are not to be 'packed', but rather modulated within the envelope to produce housing which meets the objectives.

Objectives

- Promote modelled building facades that contribute to the character of the street.
- Promote buildings of articulated design and massing, with useable private external spaces.

- Ensure the building responds to environmental conditions such as noise, sun, breezes, privacy and views.
- Promote energy efficient design principles for solar access by orienting larger private external spaces towards the north.
- Promote integration of building and private open space.

Design Principles

- Entries should be legible from the street.
- Private open spaces should be designed to ensure visual and acoustic privacy of occupants and neighbours.
- Where direct access to ground level open space is not available, provide at least one balcony, terrace, veranda, loggia, roof terrace or deck, with a minimum area of 8sqm and minimum depth of 1.8m and preferred depth of 2.4m, for every dwelling.
- This element should be accessible from a principal living space.
- Balconies should be predominantly north, east and west facing.
- Unless noted otherwise on the control drawings, balconies can extend one metre beyond the building envelope.
- Appropriate sun protection should be provided for large glazed areas facing north, west and east.

(d) Compulsory Building Line

Note:

Defined as a line to which a specified proportion of the building must be built.

Objectives

- Utilise the architectural design of building elements to reinforce the importance of certain urban places, promoting a memorable and legible urban fabric, by:
 - providing a uniform street alignment in designated public domain locations; and
 - defining important corners.

Design Principles

- Coordinated building frontage to define alignment to public domain.
- Articulation can occur within building alignment by use of elements such as inset balconies, porches, wall modulation and the like.

- Consider the corner design in relation to street geometry, topography and sight lines.
- Consider appropriate scale of building elements to relate to street prominence and visibility.

Permissible Elements + Controls

- The Compulsory Building Line is indicated by a heavy line to one or more edges of the building envelope.

(e) Public Domain Elements

Note:

Defined as structures that relate to the shared public areas such as streets, including footpaths and paving, street trees, street furniture, lighting and signage.

Objectives

- Improve pedestrian amenity and safety.

Permissible Elements and + Controls

- The pavement materials and levels should be continuous across the footpath.
- The location of street trees and street furniture should comply with the design.
- Street tree selection should be consistent with Council Policy.

6.3.2.3 Parking Controls

(a) Parking

Note:

On-site parking including surface parking areas, car parking structures, integrated garages, and basement parking areas.

Objectives

- Ensure that development complies with Section 3.1 Car Parking.
- Provide discreet access to, and reduce the impact of car parking on the site and streetscape by minimising the number of driveway crossings.
- Ensure the design of on-site car parking is safe and efficient, and integrated with the overall site and building design.
- Minimise the impact of ramps to underground car parking.

- Investigate the use of softer ground surfaces for on grade parking to maximise natural infiltration of stormwater.

Design Principles

- Concentrate underground parking areas under building footprints so as to maximise deep soil landscaping.
- Design driveways to underground car parks so as to minimise the visual impact on the street, and maximise pedestrian safety. Pedestrian access to the development should be separate and clearly defined.
- Locate access ways to underground car parking away from doors or windows to habitable rooms wherever possible.
- Minimise driveway widths.

Controls

- Rates: as per Section 3.1 Car Parking.
- Car parking must be accessed via a rear or side lane where such access is available as shown on drawings.
- Where front only access is available car parking must be incorporated within the building, integrated with the design of the building, and behind the front alignment.
- Enclosed garages are not permitted within the front setback zone. Open car parking structures such as carports, pergolas and the like are recommended for any secondary parking requirements.
- Driveways, surface parking and car parking structures may only occupy that percentage of the front or side setback zone which is not required to be landscaped. For example, if the required area of front garden is 60%, then only 40% can be occupied by a driveway, surface parking area or car parking structure.
- Surface parking and car parking structures within the front or side setback zone are only permitted as secondary parking spaces.
- Driveways, surface parking and car parking structures must be located in alignment with the garage.
- Solid doors to car parking structures within the front or side setback zone are not permissible. Slatted or open types are preferred.
- Commercial and apartment buildings are to have basement car parking which can only extend one metre above natural ground level.
- Provide a minimum of 300mm of soil above underground car parking areas for planting.
- Opportunities for natural ventilation to such car parking should be maximised.

- All underground car parks are to have security doors.
- Driveway crossings must preserve existing street trees.

(b) Vehicular Access Frontage

Definition

Frontage along which vehicular access is permitted.

Objectives

- Maximise pedestrian safety and amenity by minimising conflicts.
- Minimise kerb crossings.

Controls

- Provide one single driveway per dwelling or per apartment building if it can meet safety requirements. If not provide a two-way driveway.
- If adjacent sites are redeveloped at the same time consideration should be given to shared car park access.

(c) Portion of Land Dedicated as Public Accessway

Note:

Defined as areas of privately owned land to be amalgamated by Council to create a new local street system or improve the existing system e.g. Laneways.

Objectives

- Improve the permeability of the urban structure for enhanced pedestrian, cycle and local vehicle movements.
- Improve local access to existing parks, retail areas and transport within neighbourhoods.

Design Principles

- Extend existing street and lanes alignments to create new local streets where possible, and generally create consistent frontages.
- Clear lines of sight should be achieved between existing lanes in designated locations to allow improved footpaths, vehicle movement and parking.
- Ensure that buildings address new local streets, lanes and pathways, in order to provide surveillance and define the alignment of the public domain.

Permissible Elements + Controls

- Incorporate and amalgamate private driveways as new local streets, including little streets, lanes and pathways, as indicated on the control drawings.

The following elements are allowed in the public accessway zone.

- Footpaths, street signage and lighting.
- Pavements and drainage, in compliance with Council's engineer's specification.
- Street planting, in compliance with Council's Street Tree Policy.

6.3.2.4 Privacy

Objectives

Protect the visual and acoustic privacy of residents in nearby buildings and their private open space.

Controls

- Windows and balconies in habitable rooms are to be directed to the front and rear of the site.
- Where this is not possible, windows and balconies are to be offset from the windows of the neighbour.
- Dwellings must be designed to control adverse external noise. Council may require an applicant to provide a report by a qualified acoustic engineer where noise is identified as a likely problem, such as:
 - adjoining a railway line;
 - fronting arterial or state roads; or
 - under the airport flight path.

6.3.2.5 Solar Design and Energy Efficiency

Objectives

Develop ecologically sustainable residential environments which reduce household use of fossil fuels and encourage the use of renewable energy.

Controls

- Dwellings are to have adequate daylight to habitable rooms and adequate sunlight to private open spaces.
- Rooms generally used during the daytime should be capable of receiving adequate sunlight.

- Allowing for the lot orientation, dwellings should be sited so that the northern façade of the dwellings will receive the maximum amount of sunshine in winter.
- New buildings should not unreasonably obscure sunlight to habitable rooms, solar collectors or open space of adjoining development during the winter months.
- Buildings are to incorporate window shading devices where necessary to minimise exposure to direct summer sun. Alternatively, windows may be shaded by the planting of large trees, including deciduous species.
- Ceiling insulation must be provided with a minimum rating of R2. Information on suitable ways of meeting this requirement is available from Council's Environmental Health and Building Department.
- All dwellings in new developments are to be cross ventilated.
- It is desirable for all rooms, including kitchens and bathrooms, to have a window.
- Council may require an applicant to prepare shadow diagrams showing the impact of a proposal on adjoining residential buildings and their private open space. Such diagrams must be prepared by an architect or surveyor and be based on an accurate survey of the site and adjoining development.

6.3.2.6 Fences at the Front Boundary

Objectives

Maximise the surveillance of the street from dwellings and create semi-private spaces at the front of dwellings.

Controls

Fences should:

- Relate to the design period and style of the dwelling.
- Be part of the suite of fences in the street.
- Not have a detrimental or overbearing appearance.

6.3.2.7 Landscaping

(a) Landscaped Area

Note:

Defined in Hurstville LEP 2012 as a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

General

- A landscape plan prepared by a qualified person is a required part of the Development Application. The landscape plan must be implemented prior to the buildings being occupied.
- Trees selected must complement the streetscape. Applicants may refer to Appendix 1 for a list of recommended trees and discuss with Council about the particular requirements for their site.
- The site layout must retain the maximum number of existing trees. The removal or lopping of trees requires Council consent under Clause 5.9 *Management of Trees and Vegetation* of the Hurstville LEP 2012. Further information is available from Council's Tree Management Officer.

(b) Front Garden Landscaped Zone

Objectives

- Retain and supplement existing landscape elements to strengthen the street character.
- Ensure street surveillance is possible to assist safety.

- Assist in stormwater control by maximising on-site infiltration through the use of permeable surfaces.

Design Principles

- Design front gardens to help enhance the existing pleasant and green streetscapes.
- Design front gardens for security by providing adequate lighting to entrances. Avoid planting which may obscure the entry.
- Fences should highlight building entrances, and allow for outlook and street surveillance.

Permissible Elements + Controls

- In front gardens 100% of the area must be deep soil landscaped, except where otherwise indicated on the control drawing.

The following elements are allowed in front garden landscaped zones.

- all types of vegetation particularly local native species;
- gravel and paved surfaces where paving is semi-porous or graded to maximise on-site infiltration of stormwater;
- external lighting; and
- driveway/s.

Driveways, kerb crossings and parking areas must be sited to have minimum impact on the root zone of existing street trees.

(c) Rear and Side Garden Landscaped Zone

Objectives

- Preserve and enhance existing landscape character by retaining elements such as significant trees and natural water courses.
- Assist in stormwater control by maximising on-site infiltration through the use of permeable surfaces, and by providing stormwater detention in the consolidated landscape areas.
- Use planting to assist in energy conservation in buildings and comfort of outdoor living areas.
- Assist in providing privacy to dwellings and private outdoor space through screening.

Design Principles

- Create consolidated areas of vegetation at the centre of residential blocks (and along laneways) to enable retention of significant trees now growing in rear gardens, and to allow new planting of large trees.
- Integrate stormwater detention into the landscape; detention basins should be multifunctional where possible.
- Provide trees and pergolas to shade external areas and control sunlight into buildings.

Permissible Elements + Controls

- Swimming pools and ponds may only be permitted within the rear garden landscape zone if an additional deep soil area equal to the area of the pool, is provided.
- Paved area and external structures must be sited to have minimum impact on existing significant trees.
- Basement parking is not permitted within the rear garden landscaped zone.
- Surface parking and car parking structures are not permitted within the landscaped zone.

The following elements are allowed in rear and side garden landscaped zones.

- All types of vegetation, particularly local native species;
- Gravel and paved surfaces where paving is semi-porous or graded to maximise on-site infiltration of stormwater;
- External structures such as fences, pergolas, gazebos, clothes lines and play equipment;
- External lighting.

6.3.2.8 Site Services

Objectives

- To ensure site services and facilities are designed:
 - to enable easy access;
 - in an aesthetically sensitive way;
 - to require minimal maintenance.

Controls

- The design, location and construction of utility services must meet the requirements of both the relevant servicing authority and Council.

- Electricity and telephone lines must be underground. Where there is the connection of electricity and telephone lines directly from the service pole to the fascia of the front dwelling, these lines may be above ground.
- Prior to the submission of the building application, the developer must present details of the development in writing to Sydney Electricity and obtain that authority's requirements.
- Allotment drainage must discharge to the roadway gutter or an approved stormwater system. Depending on site requirements Council may require:
 - an easement over adjoining land to be obtained;
 - an easement to permit drainage of adjoining land across the site, and/or;
 - on site detention of stormwater.
- Other drainage systems may include:
 - Provision of on-site stormwater retention by draining to a gravel filled retention pit. This will reduce peak loadings as well as allow seepage to ground water. Storage basins or tanks could provide a source of water for gardening.
 - Use of perforated pavement material such as paving with wide bands of gravel aggregate to allow the water to be absorbed into the ground water.
- Mail and garbage collection areas must be integrated into the overall design.

6.3.2.9 Storage

- All developments must provide space for the storage of recyclable goods within the curtilage of each dwelling.
- A space of six cubic metres per dwelling must be set aside exclusively for storage. This space may be an extension of a carport or garage, or may be part of an attic or internal cupboard.

6.3.2.10 Clothes Drying

Objectives

To minimise use of energy by providing outdoor drying.

Controls

- Outdoor clothes drying facilities must be provided and visually screened from the street where necessary.

6.3.2.11 Rail Noise & Vibration

Objectives

- To ensure appropriate noise and vibration attenuation measures are implemented to alleviate adverse (rail) noise and vibration.
- To ensure that residential development adjoining the (railway line) is sited and designed in a manner which minimises adverse noise and vibration effects.
- To ensure development adjoining railway lines are suitably screened with visually significant landscaping.

Controls

Residential development shall be designed and constructed so that the noise and vibration level within dwellings does not exceed State Rail Noise and Vibration Guidelines.

6.3.3 The Plan (Graphic): Maps and Control Drawings, Site Specific Controls, Building Envelopes

The Building Envelopes and other controls – eg. Compulsory Building Lines – for each site are illustrated on the following pages.

The comprehensive map provides the key to individual block maps, which illustrate site specific controls. This should be read in conjunction with section 6.3.2 for written explanations, and section 6.3.4 for illustrations of indicative building types.

6.3.3.1 Comprehensive Map

Read in conjunction with section 6.3.4.

6.3.3.2 Detailed Block Studies – Building Envelopes.

Capacity

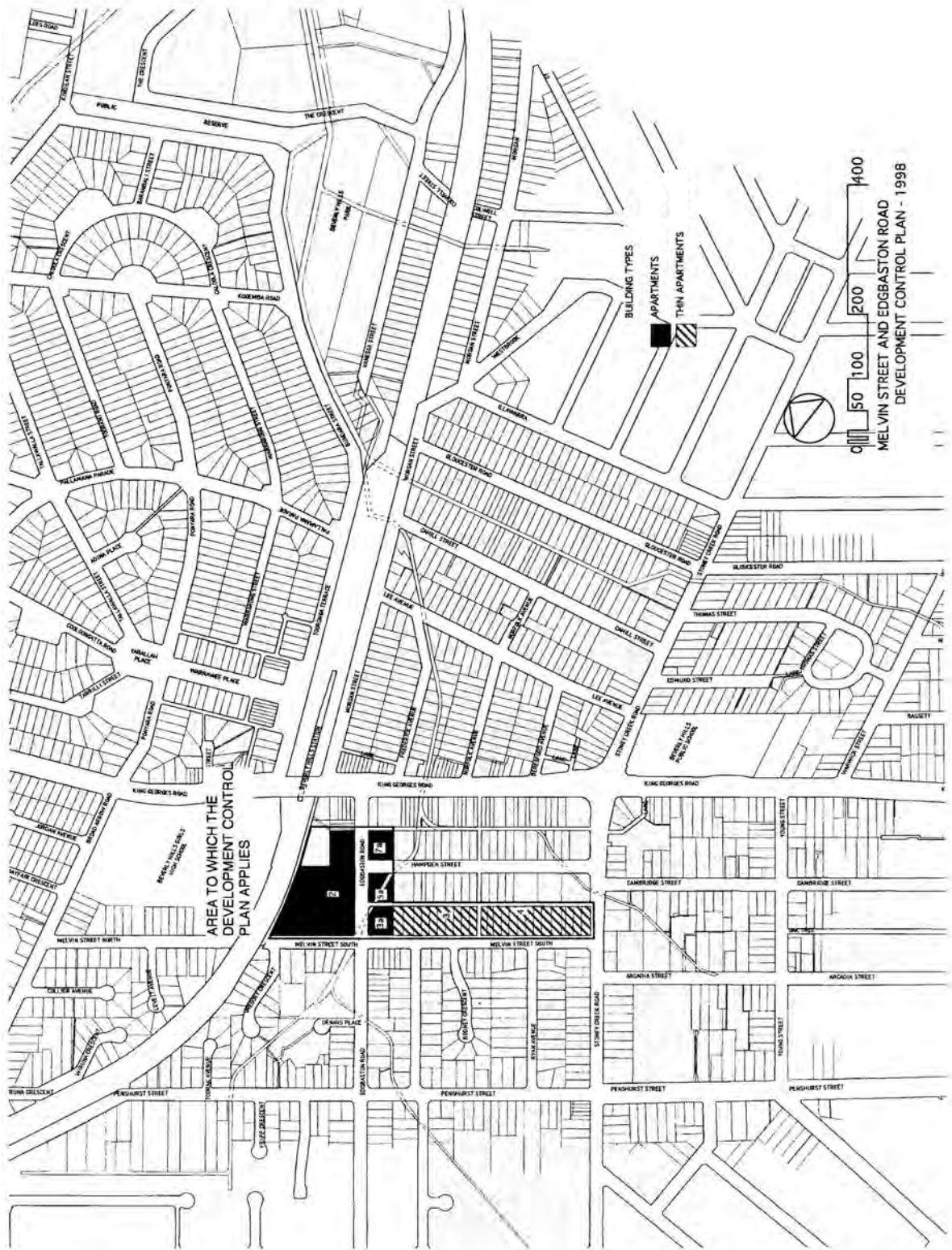
The maximum allowable floor space ratio is contained within Clause 4.4 and the associated Floor Space Ratio maps of the Hurstville LEP 2012.

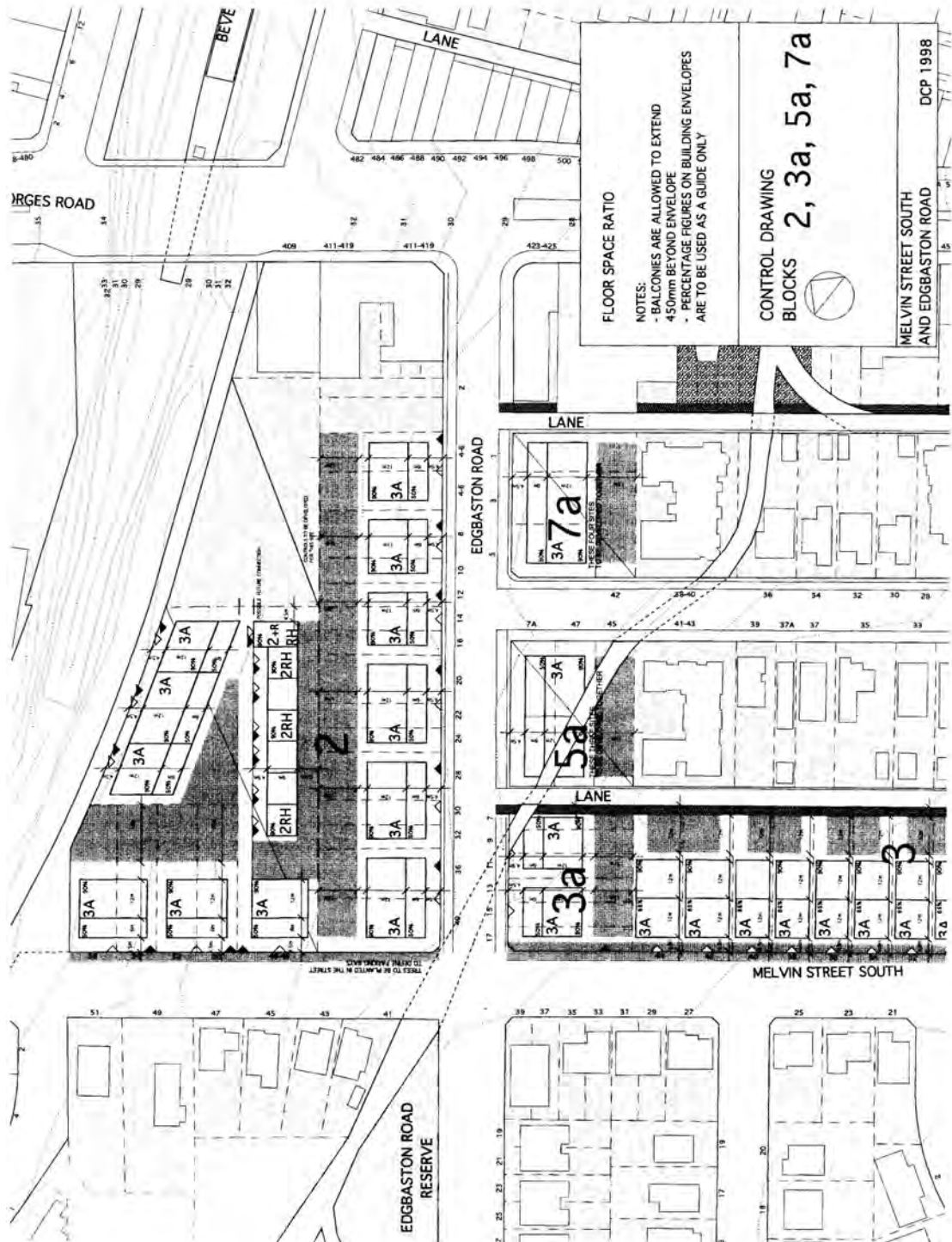
This can only be achieved providing the objectives of the code are met:

- Slim buildings
- Three storey
- Pairs of units served by one stair
- Cross ventilation

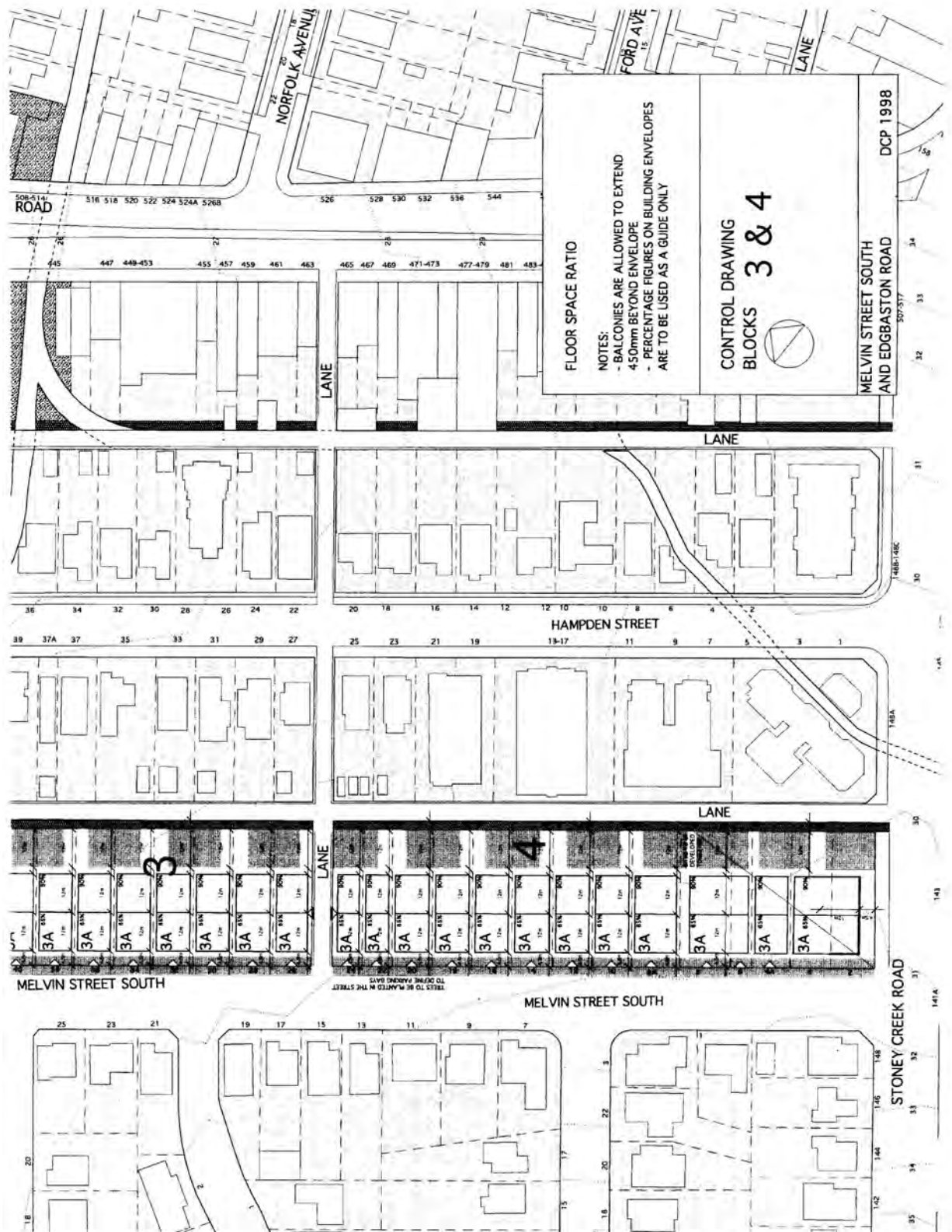
- Front courtyards
- Rear Deep Soil Planting Zone
- 12 metre rear setback and other setbacks as shown
- Floor to ceiling height 2.7 metres
- Window head height at 2.4 metres in living and bedrooms.







Note: For floor space ratio, please refer to Floor Space Ratio Map of Hurstville LEP 2012.

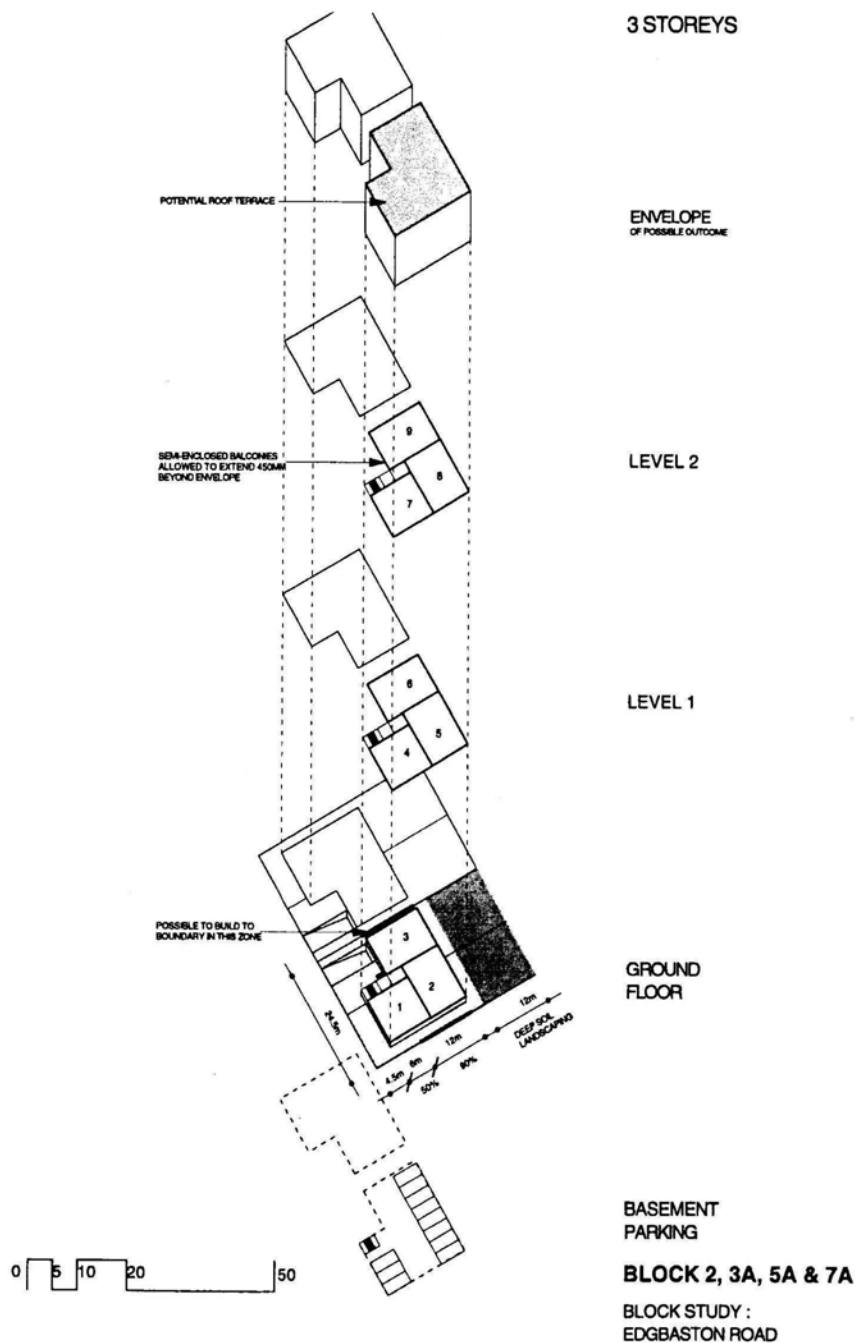


Note: For floor space ratio, please refer to Floor Space Ratio Map of Hurstville LEP 2012.

6.3.4 Block Studies: Indicative Illustrations of Building Typologies

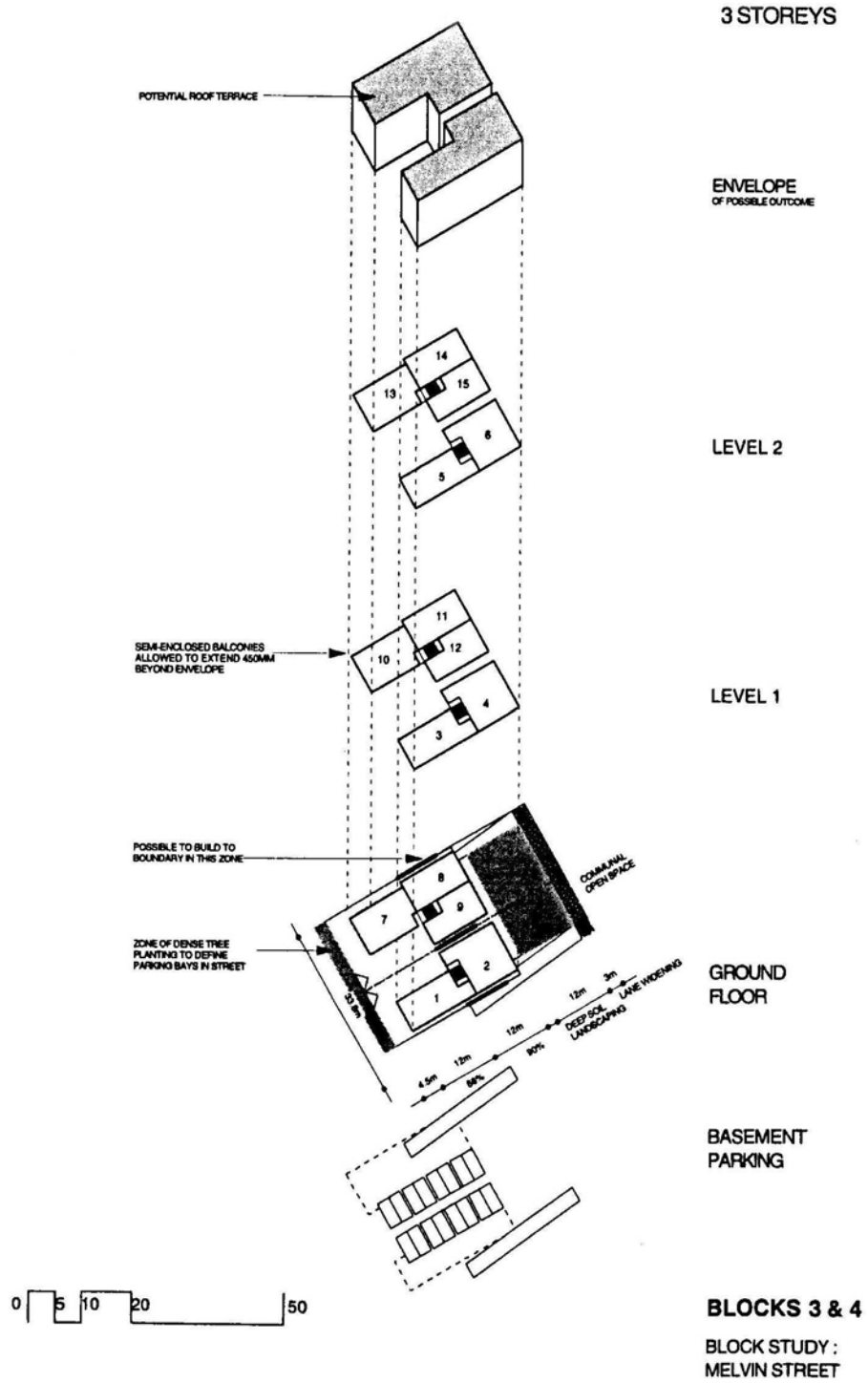
The part provides illustrations of appropriate housing types.

It should be read in conjunction with the comprehensive map at Part 6.3.3.2.



6. Controls for Specific Sites and Localities

6.3 Melvin Street South & Edgbaston Road, Beverly Hills



6.3.5 Architectural Resolution

The following drawings and photographs illustrate ways in which the building envelopes can be resolved.



6. Controls for Specific Sites and Localities

6.3 Melvin Street South & Edgbaston Road, Beverly Hills



MELVIN STREET
Beverly Hills NSW

Architectural Resolution	M 7
Drawing No.	Streetcape Perspective 3
Title	November 1988
Date	PH
Drawn	RAHNDLES HILL ARCHITECTS
Level 11	11 Apple Street
Phone	(02) 8511 4008
Facsimile	(02) 8512 1718

6. Controls for Specific Sites and Localities

6.3 Melvin Street South & Edgbaston Road, Beverly Hills



MELVIN STREET
Beverly Hills NSW
Architectural Resolution
M 5
Draughtsman
Title
Date
Drawn
HARDLES HILL ARCHITECTS
Level 1,
11 Macleay Street
Sydney NSW 2000
Phone (02) 9212 1716
Fax (02) 9212 1716

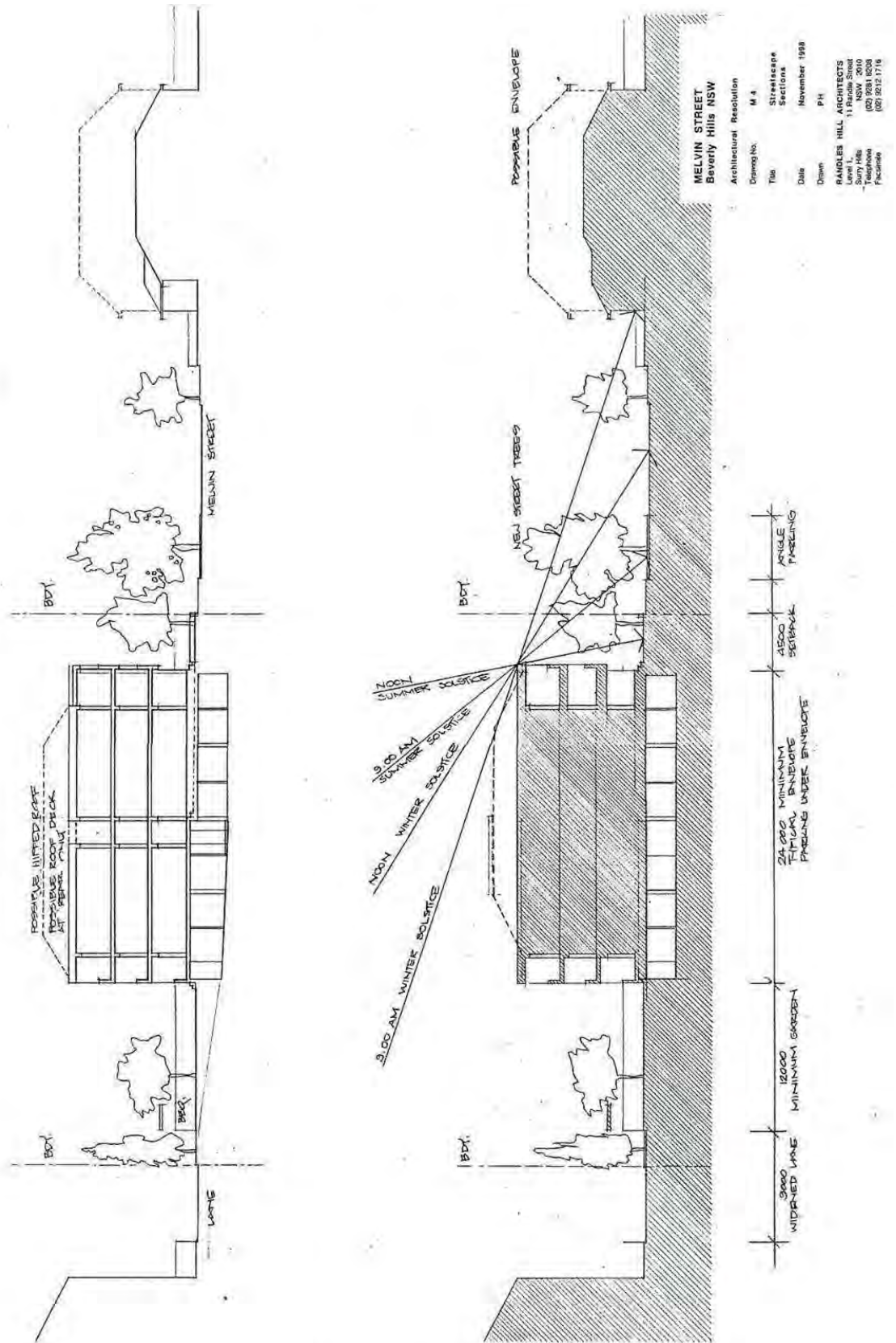


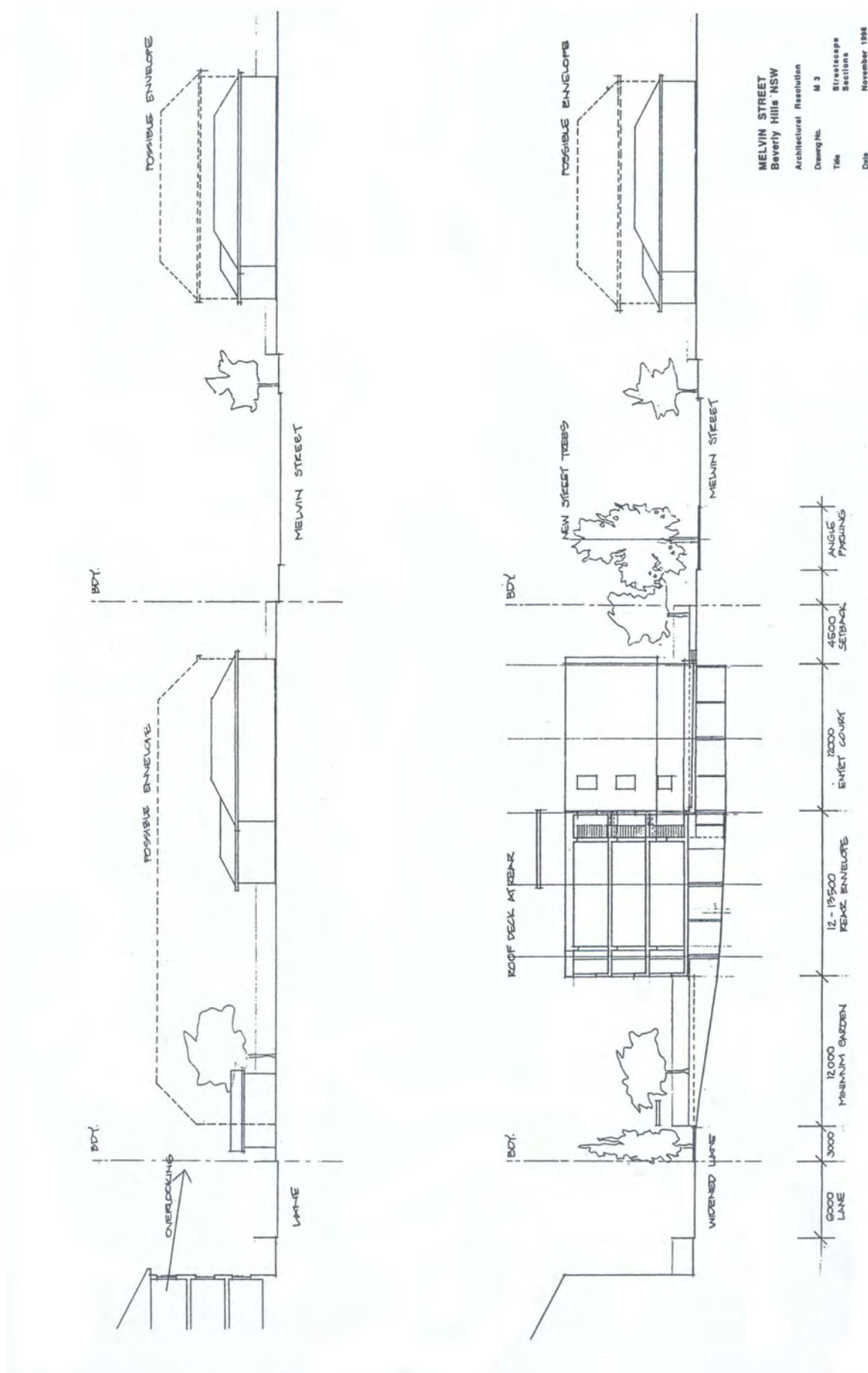


MELVIN STREET
Beverly Hills NSW

Architectural	Resolution
Drawing No.	M 5
Title	Streetscape Perspective 1
Date	November 1998
Drawn	PH

RANDLES HILL ARCHITECTS
Level 1,
11 Hecker Street,
Beverly Hills NSW
1586
Telephone
(02) 9212 1716
Facsimile
(02) 9212 1716





APARTMENT TYPES

Note: massing, modulation, landscape, windows, balconies, articulation, materials, entries



APARTMENT TYPES

Note: massing, modulation, landscape, windows, balconies, articulation, materials, entries



APARTMENT TYPES

Note: massing, modulation, landscape, windows, balconies, articulation, materials, entries



APARTMENT TYPES

Note: massing, modulation, landscape, windows, balconies, articulation, materials, entries



DETAILS

Note: massing, modulation, eaves, parapets, brick detailing, balconies, architectural articulation, windows



DETAILS

Note: massing, modulation, eaves, parapets, brick detailing, balconies, architectural articulation, windows



STREETSCAPE

Note: landscaping, massing, modulation, balconies, architectural articulation, materials, entries



STREETSCAPE

Note: landscaping, massing, modulation, balconies, architectural articulation, materials, entries



STREETSCAPE

Note: landscaping, massing, modulation, balconies, architectural articulation, materials, entries



6.4 The Former Narwee High School Site

6.4.1 General Information

6.4.1.1 Name of Section

This section is known as “The Former Narwee High School Site” and has been prepared in accordance with the requirements of the Environmental Planning and Assessment Act, 1979.

6.4.1.2 Land to which this Section applies

This section applies to land known as the former Narwee High School site, Broad Arrow Road, Mountview Avenue and Chamberlain Street, Narwee. The site comprises 14 parcels of land is legally described as:

- | | |
|----------------------|----------------------|
| ▪ Lot 1 in DP 122565 | ▪ Lot B in DP 339023 |
| ▪ Lot 1 in DP 122566 | ▪ Lot E in DP 340451 |
| ▪ Lot A in DP 339023 | ▪ Lot F in DP 340451 |
| ▪ Lot A in DP 326495 | ▪ Lot 19 in DP 3658 |
| ▪ Lot A in DP 327229 | ▪ Lot 20 in DP 3658 |
| ▪ Lot B in DP 327229 | ▪ Lot 26 in DP 3658 |
| ▪ Lot B in DP 326495 | ▪ Lot 27 in DP 3658 |

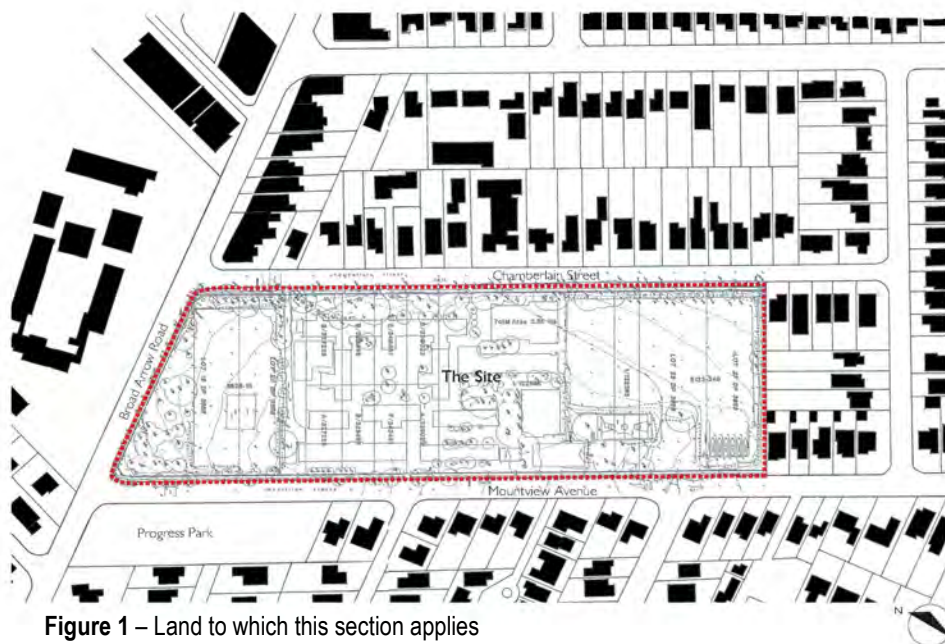


Figure 1 – Land to which this section applies

6.4.1.3 Aims of this section

The aims of the section are to produce a detailed guide for the development of the land and through this to ensure:

- A high standard of development that relates to the surrounding area.
- A high quality and amenity for the new neighbourhood and protection of amenity of existing residents.
- Development that is environmentally sustainable, especially in terms of water use and energy efficiency.
- Retention and enhancement of a large area of the former school's playing fields for the use of residents of the surrounding area and residents of the new development.

6.4.1.4 Relationship to other Plans

This section is to be read in conjunction with the following plans and policies:

- Hurstville Local Environmental Plan 2012;
- Satellite Dish Policy (Appendix 2);
- Underground Electricity Cabling to Developments Policy(Appendix 2);
- Hurstville Section 94 Developer Contributions Plan 2012.

Where this DCP is inconsistent with other plans and policies of Council, this DCP prevails to the extent of the inconsistency.

The following sections of this DCP do not apply to the site:

- Section 3.1 Car Parking;
- Section 3.2 Subdivision;
- Section 4.1 Single Dwelling Houses;
- Section 4.2 Dual Occupancy Housing;
- Section 4.3 Multiple Dwellings; and
- Section 4.4 Small Lot Housing;

6.4.1.5 How to use this Section

This section is arranged into several parts. Each part contains objectives and controls.

Objectives state what Council is seeking to achieve.

Controls are standards for achieving the desired objectives. Development that does not comply with the controls may be approved if a DA demonstrates that it still meets the objectives of this Plan.

The development controls work together to achieve the desired objectives for the site. No single control is more important than another and it is crucial that the controls be considered as a whole, so that the relationship between them is understood.

Compliance with the development controls does not guarantee that a DA will be approved. The objectives must be achieved in each case, and each DA will be considered on its merits and within the provisions of this DCP.

Council can approve a DA that does not meet all of the controls in this plan where it can be demonstrated that due to specific site conditions or where the relevant objectives have been satisfied, variation is likely to yield a better or comparable planning solution for the site. Written justification is required for any proposed variation to the DCP.

6.4.1.6 Lodging a Development Application

Before lodging a Development Application, applicants should consult the guide produced by Council titled "Development Application Guide – 5 Steps to Preparing a Development Application".

6.4.1.7 Development Objectives for the site

The development objectives for the site are to:

- Create a high quality medium density residential development which will fit in with and complement the surrounding residential character.
- Create a permanent area of public open space for use by existing and new residents.
- Create a development which will have high standards of environmental sustainability, particularly with regard to energy and water use.
- Provide a range of housing types including dwelling houses, attached dwellings and loft houses.
- To provide an appropriate provision of car parking and access and a safe and efficient access network.

6.4.2 Public Domain

6.4.2.1 Principles

- Create a principal area of open space in the general location of the existing school playing fields (located on the southern side of the school grounds) as the focal of public activity and community interaction.

- Ensure the public open space is designed principally to retain its use for active recreation.
- Integrate existing trees within the public open space where practicable.
- Generally establish, where practical, fronting uses onto the public open space.
- Design the street network to allow the reasonably free flow of traffic with built-in speed controls to regulate traffic flows.
- Design the street network to encourage walking and promote neighbourliness.

6.4.2.2 Site Layout

Objectives

- To create an attractive, efficient and sustainable development with a mix of residential development, open space and streets.

Controls

- Development is to be carried out generally in accordance with the Concept Plan at Figure 2.
- Development Applications for subdivision are to demonstrate how the development principles of this DCP have been responded.
- The location of the various housing typologies shown at Figure 2 is indicative and is subject to detailed resolution at the stage of the relevant DA.

6.4.2.3 Streets

Objectives

- To provide for one main east-west vehicular connection between Chamberlain Street and Mountview Avenue.
- To incorporate on street parking where appropriate.
- To provide “Park Edge Streets” which will connect to either the main or existing streets to provide local access to smaller clusters of dwellings.
- To provide laneways to provide rear access to allotments.
- To provide for the safe and efficient circulation of traffic.
- To integrate the pedestrian network with streets to provide pedestrian through-site links.

Controls

- New Streets and laneways are to be located generally in accordance with the layout shown on the Concept Plan at Figure 2.
- New streets are to be designed and constructed generally in accordance with the sections shown at Figure 3.
- Park edge streets are to incorporate bollards (or similar) within the verge on the park side of the street to prevent vehicles parking on and/or accessing the park (refer to Figure 3).
- The footpath on the park side of the Park Edge Street is to be located within the open space as a winding path with a width of between 1.2 and 1.5 metres (refer to Figure 2).
- The design standard for park edge streets may be varied for the purpose of retaining existing mature trees.
- Alternative street designs incorporating reduced roadway widths that preserve the functional objectives of the street typology may be considered by the Council.
- The developer is to be responsible for all costs and procedures associated with naming of each new public road within the site.

6. Controls for Specific Sites and Localities

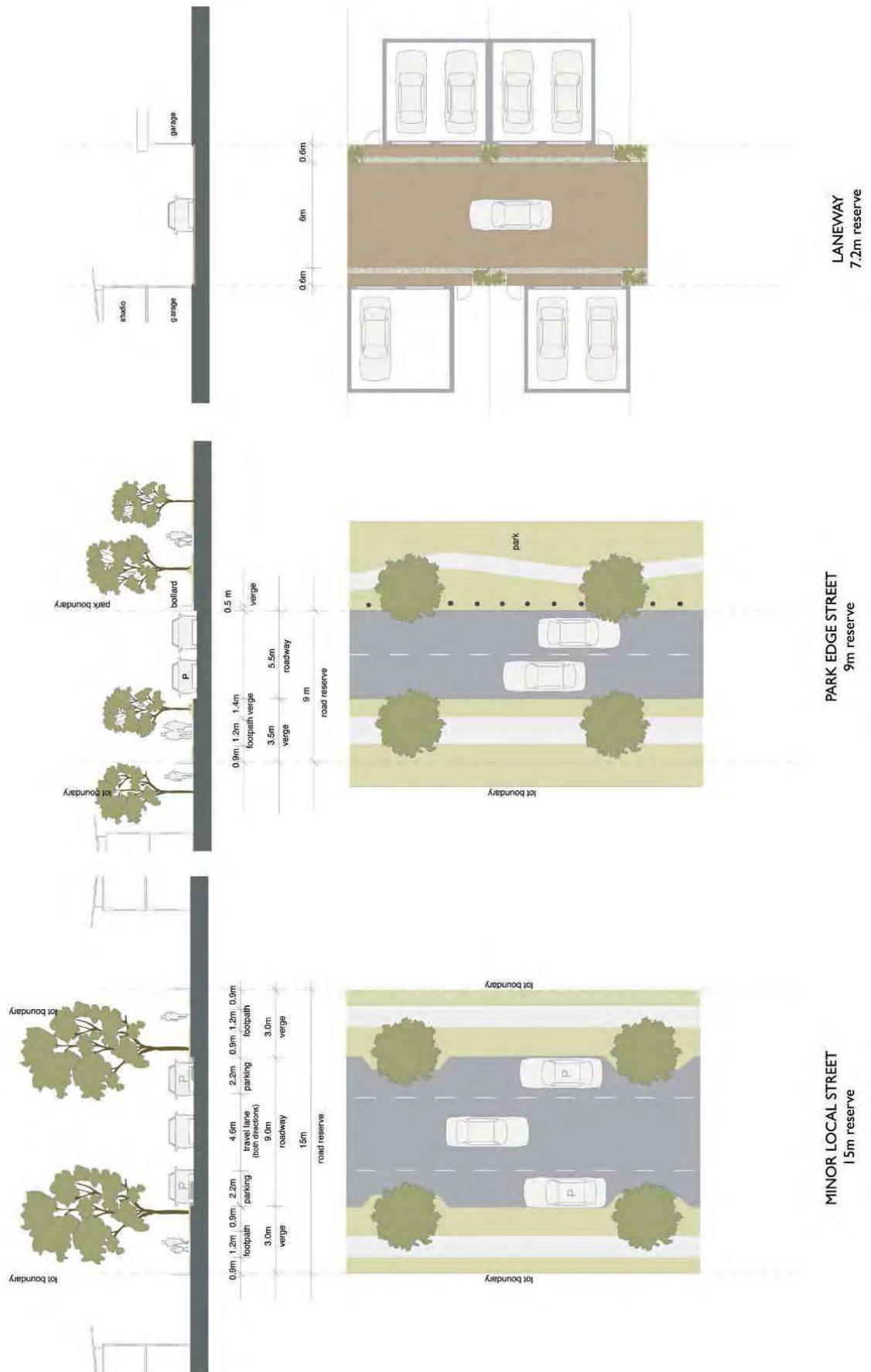
6.4 The Former Narwee High School Site



Figure 2 – Concept Plan illustrating the indicative location of the predominant housing types in each block

6. Controls for Specific Sites and Localities

6.4 The Former Narwee High School Site



6.4.2.4 Through-site Links

Objectives

- To ensure that the development is integrated into the local community through the provision of a permeable, safe and efficient vehicle and pedestrian through-site links.

Controls

- New streets and laneways are to be located generally in accordance with the layout shown on the Concept Plan at Figure 2.
- The provision of streets and laneways in accordance with the layout shown on the Concept Plan at Figure 2 and the provision of footpaths in accordance with the cross sections shown at Figure 3 will provide a permeable development for both pedestrians and vehicles.

6.4.2.5 Public Open Space

Objectives

- To meet the public open space and recreational needs of existing and future residents.

Controls

- An area of approximately 7,400sqm of public open space is to be provided generally in the location shown in the Concept Plan at Figure 2. The open space is to be dedicated to Council.
- Public open space is to be designed and enhanced in accordance with a Landscape Plan submitted as part of the subdivision DA.

6.4.2.6 Street Tree Planting

Objectives

- To provide an attractive and habitat – enhancing public domain environment.

Controls

- Existing mature trees are to be retained unless required to be removed for safety/healthy, dwelling construction, road construction or other development purpose.

- The removal or lopping of trees requires Council consent under Clause 5.9 of the Hurstville LEP 2012. If you require further information, please contact Council's Tree Management Officer.
- Trees with low watering requirements should be used in all street planting.

6.4.2.7 Water Sensitive Urban Design

Objectives

- Use of water, especially potable water, is to be minimised in the development.

Controls

- Development Applications for subdivision are to be accompanied by a Water Sensitive Urban Design Strategy.
- Priority is to be given to the use of non-potable water sources for public domain irrigation.

6.4.2.8 Electricity and Telephone Cabling

Objectives

- To minimise the visual impact of electricity and telephone cabling to the development.

Controls

- Electricity and telephone wires are to be located underground where possible, except where direct connection is available from a pole in the street to the façade of a dwelling.



Figure 4 – Site design and housing layout principles

6.4.3 Building Envelope and Site Requirements

6.4.3.1 Principles

- Achieve a site layout that provides a pleasant, attractive and energy efficient living environment.
- Ensure development minimises impact on neighbouring properties with regard to building bulk, shadows, privacy and outlook.
- Ensure dwellings are sited to maximize solar access.
- Allow for and encourage a variety of dwelling types to cater for a diverse range of potential residents.

6.4.3.2 Housing Types

Redevelopment of the site offers the opportunity to provide a variety of housing on a site well served by public transport.

Figure 4 illustrates the site design and housing layout principles used to guide the location of the different housing types proposed.

Future residential development will provide the following types of 'dwelling houses':

- Standard housing;
- Courtyard housing
- Attached (zero allotment line) housing; and
- Townhouses.

Future residential development will provide the following types of 'dwellings':

- Loft houses; and
- Studios.

A key principle for the future development of the site is the establishment of housing choice and diversity. The dwelling styles proposed are low scale to fit in with the surrounding residential character.

Housing choice builds into the site the opportunity for various levels of affordability, house size and family structure to be accommodated.

The design principles and controls for each type of housing type are set out in the following sections.

The subdivision layout principles contained within the concept plan has been developed based on these housing typologies.

Table 1 shows the number of houses and breakdown of housing types to be constructed on the site.

Table 1 – Summary of housing types

Dwelling	Number and % of total
Standard House	7 (7.8%)
Courtyard House	9 (10.0%)
Attached (zero allotment line) House	32 (35.5%)
Townhouses	24 (26.7%)
Loft Houses	18 (20.0%)
Separately Titled Houses	90 (100%)
Studios	5

Note: The maximum permissible number of Loft Houses and Studios is restricted by the relevant Local Environmental Plan.

Standard Houses

Standard houses are generally 2 storey, 4 bedroom dwellings with a double garage. The allotment size is generally between 400 sqm and 450 sqm (refer to Figure 5 and 6).

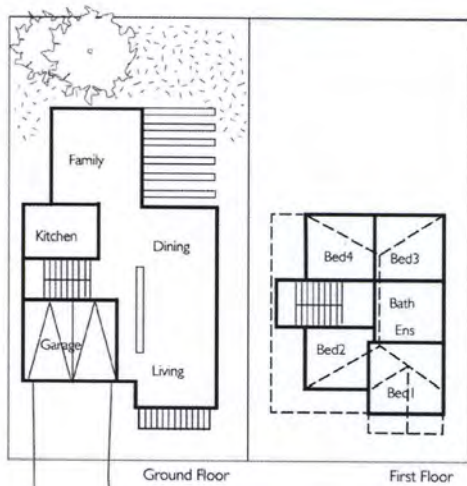


Figure 5 –Typical Standard House floor plan (indicative only)



Figure 6 –Typical Standard House

Courtyard Houses

Courtyard houses are generally 2 storey, 3 bedroom dwellings with a study (refer to Figure 7 and 8). They have a double garage which is accessed from either the front boundary, side boundary or rear boundary. The allotment size is generally between 315 sqm and 400 sqm.



Figure 7 – Typical Courtyard House

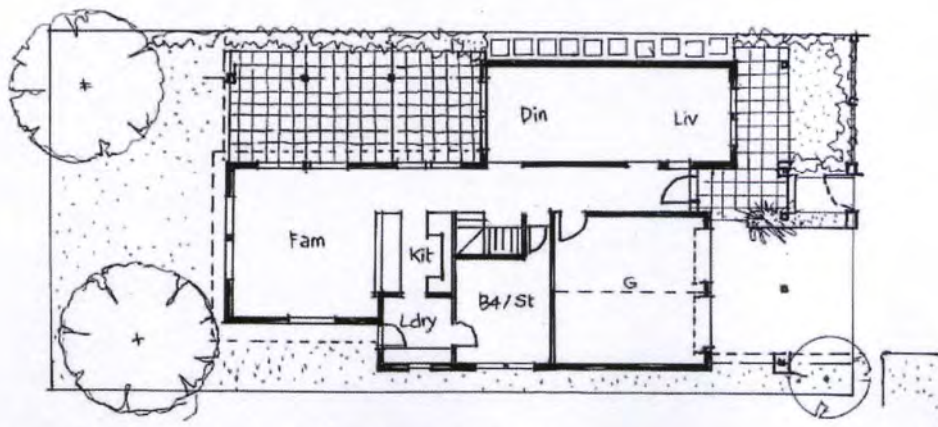
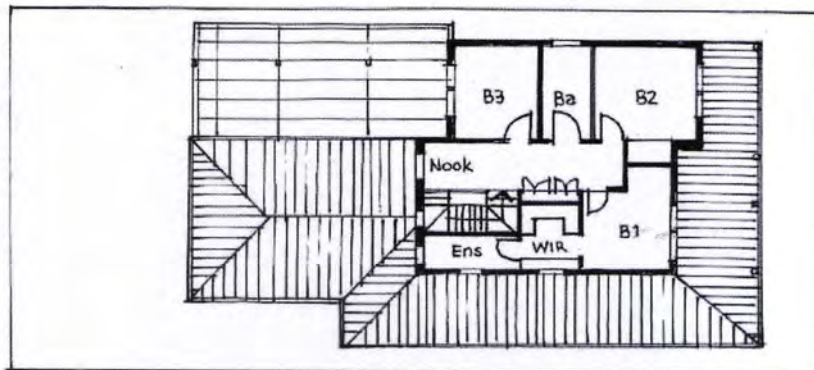


Figure 8 – Typical Courtyard House floor plan (indicative only)

Attached (zero allotment line) House

Attached (zero allotment line) houses are generally 2 storey, 3 bedroom dwellings with either a double garage or a single garage with stacked parking. The allotment size is generally between 235 sqm and 405sqm. Attached (zero allotment line) houses are generally built on a zero allotment line to one side.

Attached (zero allotment line) houses with double garages accessed from a laneway may also have a studio above.



Figure 9 – Typical Attached (zero allotment line) Houses

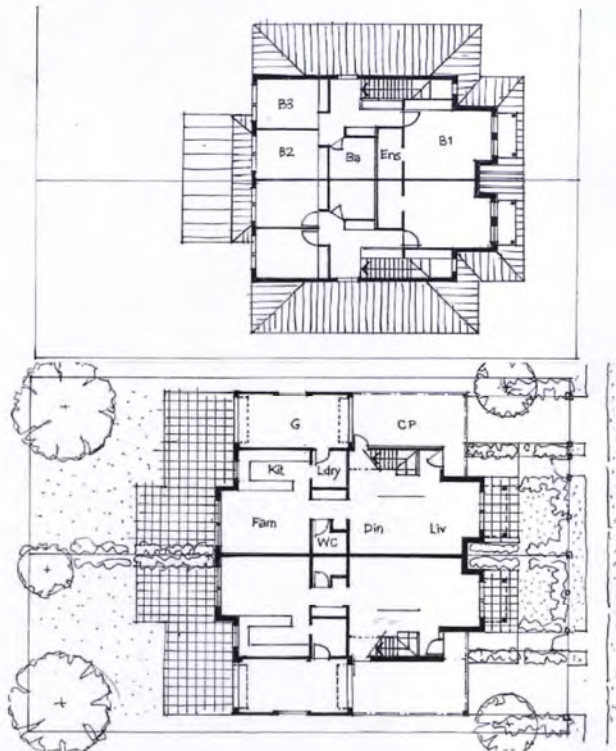


Figure 10 – Typical Attached (zero allotment line) House floor plan (indicative only)

Townhouses

Townhouses are generally 2 storey dwellings with an additional attic level comprising 3 bedrooms (refer to Figure 11 and 12). The allotment size is generally between 155 sqm and 280sqm. Townhouses are generally built on a zero allotment line to either side.

Townhouses may have either a rear double garage or a rear single garage and carport. Townhouses with rear double garages may also have a studio above.



Figure 11 – Typical Townhouses

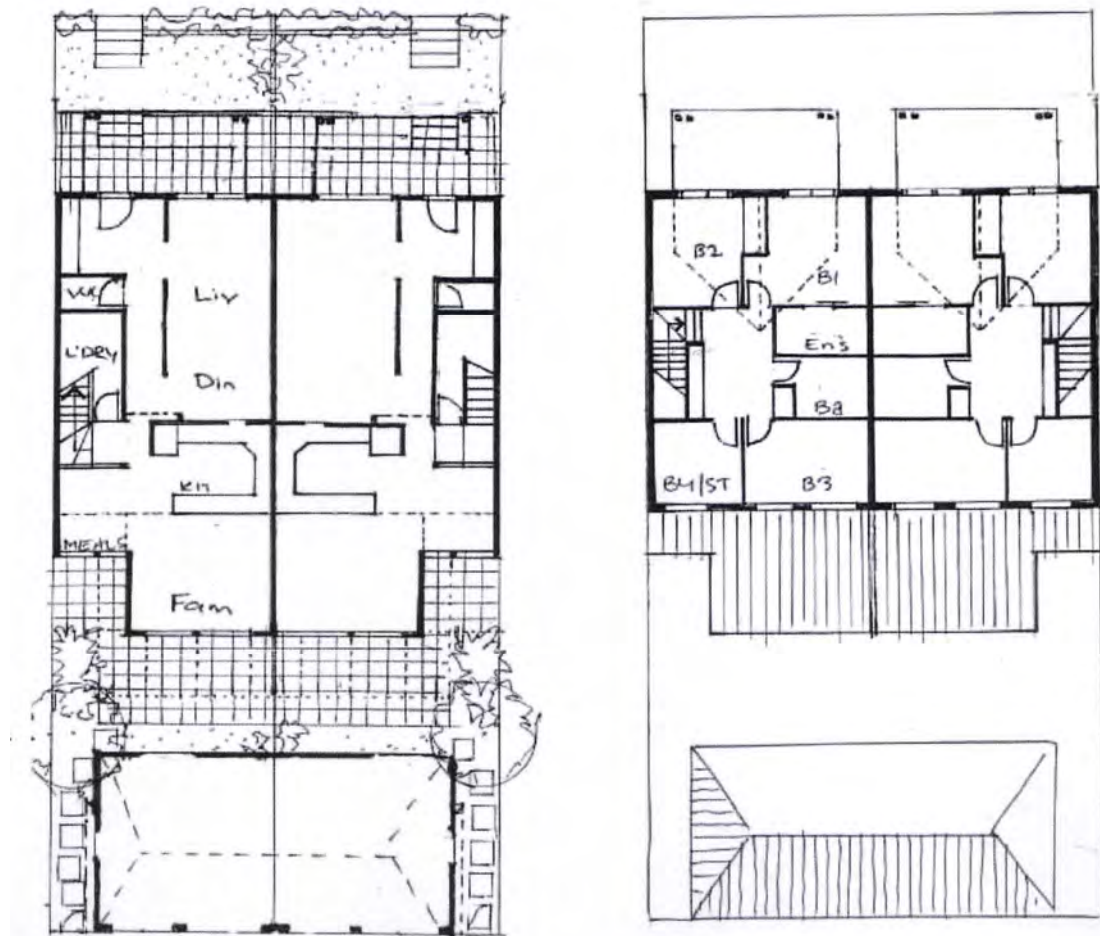


Figure 12 – Typical Townhouse floor plan (indicative only)

Loft House

Loft houses are a unique feature of the development that will provide an affordable housing choice with high amenity.

Loft houses are separately titled self contained dwellings. Loft houses are located above three garages, being the double garage of the dwelling located at the front of the allotment and the single garage of the loft house. The loft house is accessed via a set of stairs at the rear of the garage adjacent to the rear boundary. The loft houses address the rear street/laneway providing activation and passive surveillance of the street.

Loft houses are generally single storey dwellings above a garage. A loft house may have an attic level.

Each loft house has a private balcony which wraps around two sides of the loft house, fronting the rear street/laneway and the communal driveway court (refer to Figure 13, 14 and 15).

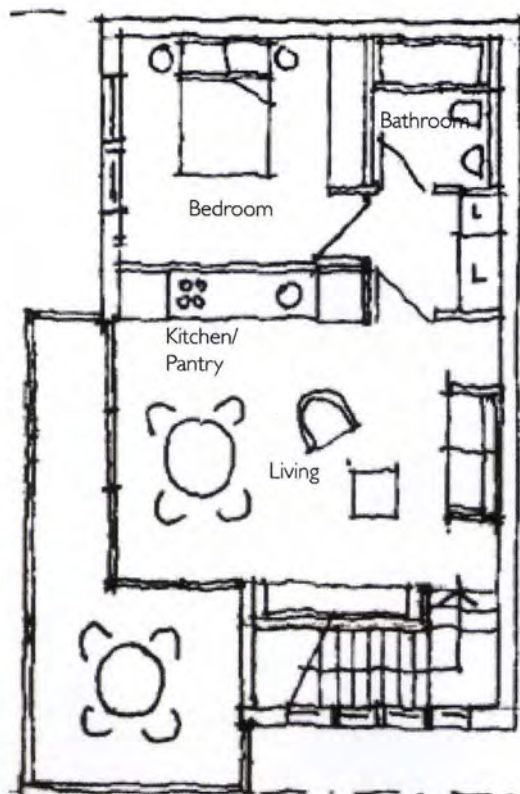


Figure 13 – Typical floor plan of Loft houses (indicative only)

Studios

Studios are single storey dwellings located above garages. Studios are on the same title as the principal dwelling and are designed as ancillary accommodation. Studios are generally associated with either Townhouses or Attached (zero allotment line) Houses.



Figure 14 – Typical floor plan of garages and car courts located below the Loft houses (indicative only)



Figure 15 – Perspective of Typical Loft houses fronting rear street/lane (indicative only)

6.4.3.3 Lot Size and Dimensions

Objectives

- To achieve a site layout that provides a pleasant, attractive and energy efficient living environment.
- To allow for lot sizes and dimensions which will ensure sufficient supply of housing while protecting the amenity of the area and future residents of the development.

Controls

All Dwellings

- Lot sizes and orientation are to optimize solar access.
- Lot layout is to facilitate a living environment with a high level of amenity.

Standard Houses

- Minimum lot size is to be 400sqm.
- Minimum width is to be 9m.
- Minimum depth is to be 26m.

Courtyard Houses

- Minimum lot size is to be 234 sqm.
- Minimum width is to be 9m.
- Minimum depth is to be 26m.

Attached (zero allotment line) Dwellings

- Minimum lot size is to be 235 sqm.
- Minimum width is to be 6m.
- Minimum depth is to be 24m.

Townhouses

- Minimum lot size is to be 144 sqm.
- Minimum width is to be 6m.
- Minimum depth is to be 24m.

Loft Houses

- Loft houses are to be minimum 50 sqm in size.
- A maximum of 18 loft houses are to be construction on the ground.

Studio

- Studios are to be a maximum gross floor area of 42 sqm.
- A maximum of 5 studios are to be constructed on the site.

6.4.3.4 Height

Objectives

- To ensure that development is of a similar scale to the existing residences surrounding the site.
- To allow for the development of 2 storey dwellings with attic spaces.

Controls

- Maximum height is to be 2 storeys, to a maximum height in any part of the building of 9m (refer to Figure 16).
- An attic space constructed predominantly in the roof space is not counted as a storey provided the maximum height does not exceed 9m.

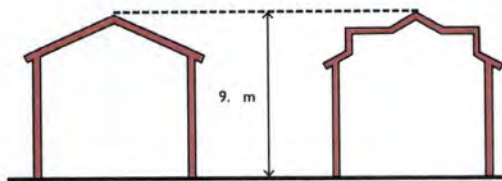


Figure 16 – Maximum Height

6.4.3.5 Setbacks

Objectives

- To ensure potential impact on neighbouring properties with regard to building bulk, shadows, privacy and views is minimised.
- To provide specific controls for dwellings at the southern end of the site to ensure impact on adjoining properties is minimised.
- To establish a streetscape of a scale and design appropriate for the locality.

Controls

Standard and Courtyard Houses

- Front principal setback is to be as shown on Figure 17.
- Front setback for verandah, porch, pergola or the like to be a minimum 2m.
- Secondary setback (for corner lots) is to be a minimum of 1m, with an additional 1m setback required for any length of wall in excess of 10m.
- Side setback is to be a minimum of 0m to one side for zero lot line dwelling and minimum 1m to the other side.
- Rear setback is to be a minimum of 3m.

Attached (zero allotment line) Houses

- Front principal setback is to be as shown on Figure 17.
- Front setback for verandah, porch, pergola or the like to be a minimum 1.5m.
- Secondary setback (for corner lots) is to be a minimum of 1m, with a maximum unbroken side wall length of 10m.
- Side setback is to be a minimum of 0m on one of the dwelling only.
- A minimum setback of 1m is required to the 'other' side of the dwelling.
- Rear setback is to be a minimum of 3m.

Townhouses

- Front principal setback is to be as shown on Figure 17.
- Front setback for verandah, porch, pergola or the like to be a minimum 1.5m.
- Secondary setback (for corner lots) is to be a minimum of 1m, with a maximum unbroken side wall length of 10m.
- Side setback is to be a minimum of 0m.
- The maximum number of attached townhouses is 10.
- Rear setback is to be a minimum of 3m.

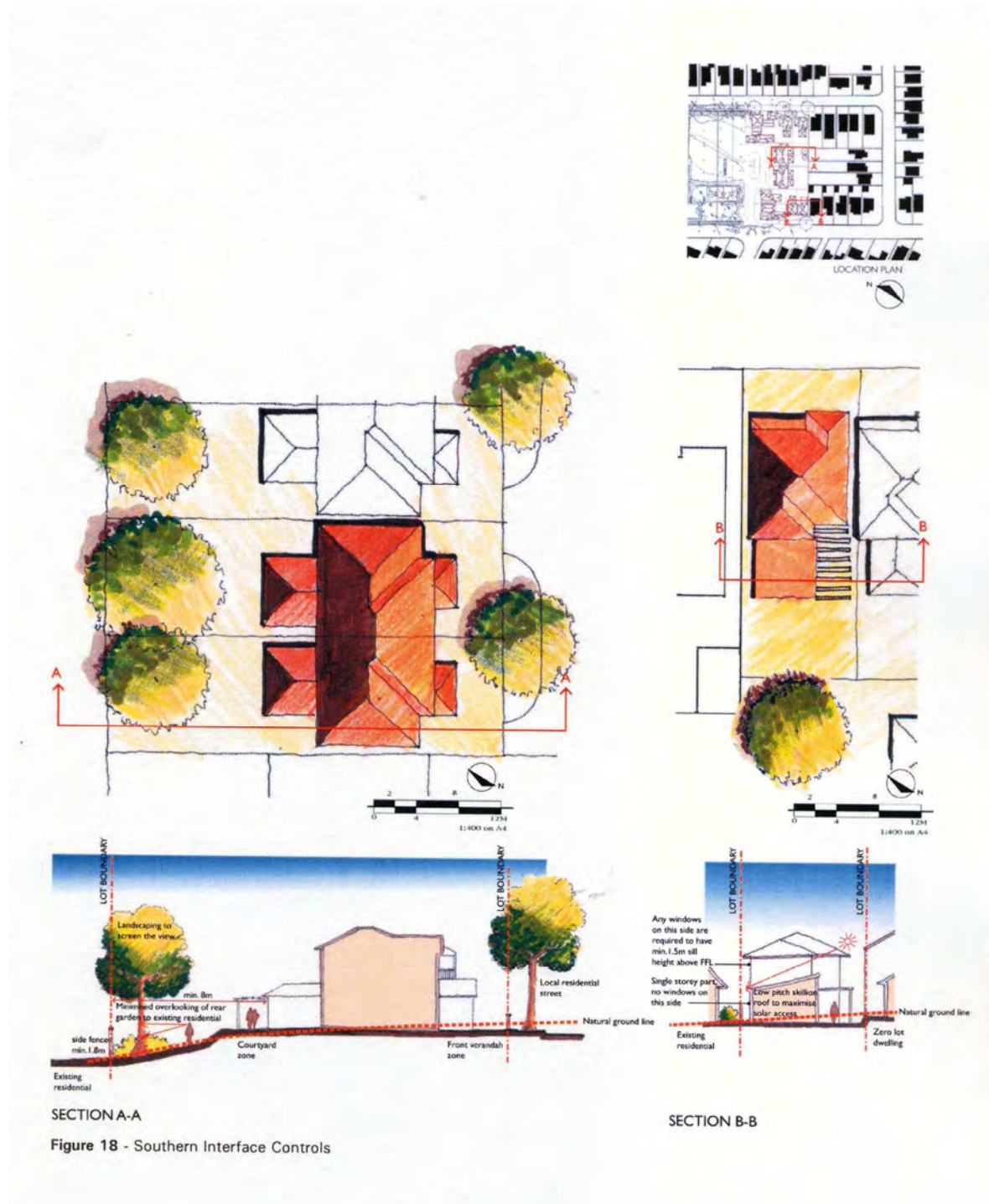
Loft Houses and Studios

- There are no minimum setbacks for loft houses or studios and their associated garages.
- A minimum setback of 3m is required between the rear of any dwelling house and the associated loft house or studio.

Southern Interface Controls

- Dwellings at the southern interface are to comply with the special setback and other controls contained in Figure 18.





SECTION A-A

SECTION B-B

Figure 18 - Southern Interface Controls

6.4.3.6 Private Open Space

Objectives

- To ensure the provision of high quality private open space which meets future residents needs for outdoor activities, privacy, outlook and amenity.

Controls

Dwelling Houses

- Each dwelling to be provided with at least 24 sqm of private open space.
- Principal private open space to be a minimum dimension of 6m x 4m.

Attached (zero allotment line) Houses, and Townhouses

- Each dwelling to be provided with at least 16 sqm of private open space.
- Principal private open space to be a minimum dimension of 4m x 4m.

Loft Houses

- Each dwelling to be provided with at least 10 sqm of private open space which may be in the form of a private open space which may be in the form of a private deck, balcony and/or private courtyard.

6.4.3.7 Vehicular Access and Parking

Objectives

- To provide convenient and safe parking which is adequate for residents and visitors and which is not visually obtrusive.
- To ensure development does not significantly increase demand for on-street parking.
- To ensure development does not adversely impact on Chamberlain Street through vehicle access.
- To ensure the safety of pedestrians, cyclists and vehicles.

Controls

- Car Parking for residents is to be provided at the rate of:
 - 1 space per 1 bedroom dwelling;
 - 1 space per 2 bedroom dwelling;
 - 2 spaces per 3 bedroom dwelling;
 - 2 spaces per 4 or 5 bedroom dwelling.
- Resident car parking can be provided for in a tandem arrangement or in a side by side arrangement and does not have to be provided for undercover.
- Car parking for visitors to be provided at the average rate of 1 space per 4 dwellings (when averaged across the total number of separately titled 'dwelling houses' and Loft Houses that are to be developed on site).
- Visitor car parking spaces may be provided on street.
- Vehicular access to lots fronting Chamberlain Street to be via internal streets to the maximum extent practicable.
- A minimum 6 parking spaces to be provided at the southern boundary of the area of public open space for use by users of the park.
- Open parking spaces are to be a minimum of 2.5m x 5.5m.
- Constrained car parking shall be of dimensions consistent with the relevant Australian Standard.

6.4.3.8 Garages

Objectives

- To ensure garages are treated as an important element of the total building design and interface to the public domain.
- To locate garages on internal streets to the maximum extent possible.
- To ensure garages, in particular garage doors, do not visually dominate the streetscape.

Controls

- Garages are to be integrated into the design of the dwelling and constructed from similar materials and similar finish.

- Garages are to be preferably located at the rear of dwellings but may also be located at the front or side provided design issues are well resolved.
- Garages to be accessed from internal streets to the maximum extent possible.
- Garages and carports which are visible from a street or public place are to be compatible with building design and streetscape.
- Garages are to be setback a minimum of 5.5m from the front boundary and a minimum of 0m to the rear boundary.
- Front garages are to be setback a minimum 1m behind the front building line of the dwelling.
- Driveways are to be designed to comply with the Hurstville City Council Design guide for driveway profiles.
- Garage floor levels are to be designed so as to be accessible at grade from street level (in line with relevant Australian Standard or Council Code).
- Garages are to be designed so that car parking spaces comply with the relevant Australian Standard.

6.4.3.9 Landfilling

Objectives

- To minimise the amount of any filling of land on the site.
- To ensure development at the southern end of the site does not adversely impact on the amenity of adjoining residences.

Controls

- Fill to be limited to a maximum of 1m above existing ground level.
- Fill, except for that associated with the remediation of the site, is not permitted adjacent to the existing dwellings at the southern end of the site.
- Fill (associated with the remediation of the site) adjacent to the existing dwellings at the southern end of the site is limited to the height of the existing ground level (i.e. the height of the ground level prior to remediation).

6.4.4 Building Design

6.4.4.1 Principles

- Ensure a safe environment by promoting crime prevention through good urban design.
- Design houses to facilitate a safe environment.
- Provide for active frontage to streets and laneways.
- Maximise street level activity by limiting the height of front fences.
- Provide interesting, articulated and welcoming building facades.
- Design for appropriate levels of visual and acoustic privacy.

6.4.4.2 Streetscape

Objectives

- To create attractive, human-scale streetscapes.
- To encourage innovative designs which enhance and reinforce the built form, landscape and character of the neighbourhood.

Controls

Presentation to the Street

- The street elevation of dwellings is to incorporate entrances, verandahs, porches, balconies and the like to provide articulation and visual interest.
- Landscaping is to be provided within the front setback zone to break-up the built form and to provide clear definition between private and public domain.

Corner Allotments

- Building facades on corner sites shall address both streets and incorporate elements within the roof and wall such as gables, corner elements and wrap around verandahs to create an articulated appearance.

6.4.4.3 Materials and Finishes

Objectives

- To ensure buildings are constructed from compatible materials and finishes which enhance the streetscape.

Controls

- Dwelling colours, materials and finishes are to create a harmonious streetscape.
- A variety of complementing materials should be used to provide diversity and interest in the new development.

6.4.4.4 Fences and Walls

Objectives

- To enhance the streetscape, amenity, setting and outlook of dwellings.
- To provide a clear distinction between private and public space and to provide for casual surveillance of the street.

Controls

- All front fencing is to be consistent in design and style with its dwelling.
- The front boundaries of dwellings are to be clearly defined through the use of low front fences and walls, landscaped retaining walls, hedges or other landscape features.
- On corner allotments, front fencing is to be continued along the secondary street frontage for at least 3m behind the front building line of the dwelling.
- Front fences and walls are to be a maximum of 1m in height.
- Front fences and walls are not to impede safe sight lines for traffic.
- All side and rear fencing behind the building line on an allotment is to be a maximum 1.8m high.
- Retaining walls are to be kept to a minimum to reduce earthworks. All retaining walls to be clearly identified on plans. Use of materials that complement the natural environment is encouraged.

6.4.4.5 Visual and Acoustic Privacy

Visual Privacy

Objectives

- To ensure buildings are designed to achieve an appropriate level of visual and acoustic privacy.

Controls

- Habitable room windows that have a direct outlook to habitable room windows or the principal private open space of an adjacent dwelling within 9m are to:
 - be offset from the edge of one window to the edge of the other window by a distance sufficient to limit views into adjacent windows, or
 - have sill heights of 1.5m above floor level, or
 - have fixed obscure glazing in any part of the window below 1.5m above floor level.
- Privacy screens of 1.8m in height are to be utilized to prevent overlooking from the loft house balconies to the private living areas and open space areas of the dwelling located on the front portion of the allotment.
- Loft house windows that face either the dwelling located on the front portion of the allotment or adjacent dwelling houses are to have fixed obscure glazing in any part of the window below 1.5m above floor level.
- Dormer windows are to be designed and located to minimise direct overlooking of the private outdoor space of any neighbouring property.
- Building to the maximum permitted dimensions for each dwelling type will only be considered where it can be demonstrated that the proposed neighbouring developments will only comply with the visual and acoustic privacy controls in this Section.

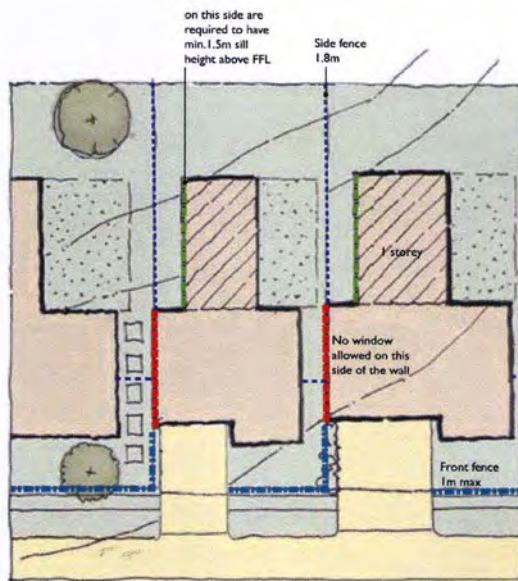


Figure 19 – Techniques for providing visual privacy between dwellings

Acoustic Privacy

- The design of attached dwellings must minimise the opportunity for sound transmission through the building structure, with particular attention given to protecting bedrooms and living areas.
- In attached dwellings, bedrooms of one dwelling are not to share walls with living spaces or garages of adjoining dwellings, unless it is demonstrated that the shared walls and floor meet noise transmission and insulation requirements.
- Living areas and service equipment must be located away from bedrooms of neighbouring dwellings.
- Loft houses floors are to be constructed in such a way as to ensure transmission of noise from garages to loft houses is minimised.

6.4.4.6 Safety and Surveillance

Objectives

- To ensure that the siting and design of buildings and spaces decreases the opportunities for committing crime.
- To ensure that development encourages people to use streets, parks and other public places without fear of personal risk.

Controls

- Dwellings should be designed to overlook streets and any public areas to provide casual surveillance. Living areas, windows, access ways and balconies should be arranged to overlook the street.
- Dwelling entries must be oriented to the street.
- Pedestrian and public areas are to have sufficient lighting to ensure a high level of safety. These areas must be designed to minimise opportunities for concealment.
- All developments are to incorporate the principles of Crime Prevention Through Environmental Design (CPTED).

6.4.5 Sustainability and Environmental Performance

6.4.5.1 Principles

- Incorporate best practice energy management.
- Promote energy efficient housing orientation and envelopes.
- Incorporate best practice energy management.
- Maximise source controls for runoff quantity and quality.
- Minimise the net increase in pollutant load exported from the site.
- Link water cycle management to the design of the public open space.
- Promote efficient and visually unobstructive waste management.

6.4.5.2 Solar Access

Objectives

- To optimize solar access to habitable rooms and private open spaces.
- To minimise overshadowing of neighbouring properties.

Controls

- Wherever possible the main internal living area of each dwelling is to receive at least 3 hours of sunlight between 9.00am and 3.00pm on the winter solstice (21 June).
- Wherever possible the principal private open space of each dwelling is to receive at least 3 hours of sunlight to 50% of its area between 9.00am and 3.00pm on the winter solstice (21 June).
- Dwellings to be designed to minimise overshadowing of adjacent properties and to protect sunlight access to any habitable room or private outdoor living space of adjacent buildings.
- Building to the maximum permitted dimensions for each dwelling type will only be considered where it can be demonstrated that the proposed and neighbouring developments will comply with the minimum required solar access controls in this DCP.

6.4.5.3 Energy and Water Efficiency (BASIX)

Objectives

- To ensure developments are environmentally sustainable in terms of energy efficiency and water demand.

Controls

- All applications for dwellings are to be accompanied by a BASIX certificate showing how energy and water use area to be minimised.
- Developments are to incorporate all measures stipulated in the BASIX certificate.

6.4.5.4 Water Conservation, Drainage and Stormwater Management

Objectives

- To control rainwater to minimise local flooding, soil erosion and siltation of streams and waterways.
- To encourage the collection and re-use of rainwater.

Controls

- Water sensitive urban design practices to be incorporated as a fundamental part of the stormwater management system.
- All 'dwelling houses' are required to provide on-site detention (OSD).
- The configuration of the OSD must comply with Council's OSD design requirements including the stormwater runoff from all impervious area. This shall include roofs, paved areas and any road pavement surfaces.

6.4.5.5 Waste

Objectives

- To avoid the generation of waste through design, material selection and building practices.
- To plan for the types, amount and disposal of waste to be generated during excavation and construction of the development.
- To encourage waste minimization, including source separation, reuse and recycling.
- To ensure efficient storage and collection of waste and quality design of facilities.

- To ensure streetscape, building presentation and amenity of residents, building users and pedestrians is not compromised by the location of garbage facilities.

Controls

- A Waste Management Plan is to be submitted as part of any subdivision DA.
- Development must demonstrate that the design takes into account waste storage and collection without reducing the amenity of the dwelling or neighbouring lots.
- Storage areas for garbage bins are to be located away from the front of buildings in visually unobtrusive locations.
- Storage areas are not to result in any odours to adjoining sites.

6.4.6 Site Services and Facilities

6.4.6.1 Principles

- Ensure adequate provision of site facilities.
- Ensure site facilities are accessible, functional and unobtrusive.

6.4.6.2 Telecommunications Infrastructure

Objectives

- To ensure telecommunications infrastructure such as satellite dishes and antennae are located in a visually unobtrusive manner.

Controls

- All proposals for satellite dishes are to comply with Council's Satellite Dish Policy.

6.4.6.3 Mail Boxes

Objectives

- To ensure mail boxes are integrated into the overall design of the buildings and/or landscaping.

Controls

- A mailbox is to be provided for each dwelling which is integrated into the design of the dwelling and/or its landscaping.

6.4.6.4 Outdoor Clothes Drying Facilities

Objectives

- To ensure each dwelling is provided with an adequate outdoor clothes drying facility which is visually unobtrusive.

Controls

- An outdoor clothes drying facility is to be provided for each dwelling, except loft houses, where it is capable of being screened from the street and can be located in an area that will receive sunlight and breeze.

6.4.7 Alterations and Additions

6.4.7.1 Principles

- Ensure design quality of development is maintained in perpetuity.

Objectives

- To ensure alterations and additions to dwellings following construction do not result in significant changes to the character or scale of the development.

Controls

- Alterations and additions are to be in character with the built form and streetscape of the development.
- Alterations and additions are to comply with all controls in this Section, in particular 6.4.3.4 – Height, 6.4.3.5 – Setbacks and 6.4.4.5 – Visual and Acoustic Privacy.
- Alterations and additions are not to reduce areas of Private Open Space below those specified in 6.4.3.6 – Private Open Space.
- Garages associated with loft houses must be retained for car parking at all times. Conversion to a habitable room or otherwise will not be permitted.

6.5 Additional Controls for Development in the Foreshore

6.5.1 General Information

Hurstville covers about 20 kilometres of foreshore area. There are four peninsulas within this foreshore which surround the waterways of Edith Bay, Boggywell Creek, Lime Kiln Bay, Jew Fish Bay and Gungah Bay.

Hurstville LEP 2012 identifies a Foreshore Scenic Protection Area which includes the suburbs of Oatley, Lugarno, Peakhurst and parts of Riverwood and Mortdale. Generally speaking, this area has a higher amount of natural vegetation cover and views toward the waterways, unlike the rest of the LGA.

6.5.1.1 Land to Which this Section Applies

Note:

This section applies to land within the Foreshore Area which is defined in the Hurstville LEP 2012 as the land between the Foreshore Building Line and the mean high water mark of the nearest natural waterbody. The Foreshore Building Line is identified on the Foreshore Building Line Map within the Hurstville LEP 2012.

6.5.1.2 Objectives

- To minimise the visual impact of new development from the waterway and adjoining properties and public places and ensure building form is generally sympathetic with the scenic qualities and character of the foreshore area,
- To integrate new development into the foreshore environment and existing streetscape by using designs and materials which complement character of the locality and landscaped open space on the site,
- To ensure that building heights are sympathetic to the natural landform and topographical features of the site with minimal cut and fill,
- To ensure that new development does not result in excessive excavation and protects any natural rock formations, cliffs, canopy vegetation, or any other significant vegetation located on or adjoining the land,
- To ensure that new development does not adversely affect marine habitats, wetland areas or flora and fauna habitats or cause pollution or siltation of the waterway, and
- To contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management to reduce stormwater runoff.

6.5.1.3 Foreshore Building Line

Clause 6.3 of the Hurstville LEP 2012 limits development in the foreshore area, which is defined as the land between the foreshore building line and the mean high water mark of the nearest natural waterbody. The Clause identifies that development consent must not be granted for development on land in the foreshore area, with the exception of the following purposes:

- (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,
- (b) the erection of a building in the foreshore area, if the levels, depth or other exceptional features of the site make it appropriate to do so,
- (c) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails, picnic facilities or other recreation facilities (outdoors).

The Clause also sets out various considerations that the consent authority must be satisfied with prior to any development being granted.

To find out whether your property has a Foreshore Building Line affixed, please check with Council's Duty Officer. Alternatively a Section 149 Planning Certificate can be purchased for the property which will provide this information.

Land below Mean High Water Mark (MHWM) is generally zoned W2 Recreational Waterways Zone in Hurstville LEP 2012 and the objective of the zone is:

- *To protect the ecological, scenic and recreation values of recreational waterways.*
- *To allow for water-based recreation and related uses.*
- *To provide for sustainable fishing industries and recreational fishing.*

Where it is proposed to undertake development below MHWM or erect any structure over foreshore land, owner's consent is required from the Department of Lands **prior** to lodging a Development Application with Council.

For more information, refer to the Department of Lands website at www.lands.nsw.gov.au

6.5.2 General Controls

6.5.2.1 Jetty, Ramp and Pontoon Structures

Jetty, ramp and pontoon structures are designed to facilitate access to private recreational vessels where a reasonable depth of water is available. These structures are intended to be used for short stay embarking and disembarking of passengers and the transfer of personal goods. They are not intended to be used to moor or park a vessel permanently.

Objectives

- To ensure structures do not obstruct or interfere with navigation within the waterway and public access along the foreshore is not restricted,
- To ensure structures are designed to integrate into the natural environment, and

- To ensure the cumulative effect of waterfront structures is reduced, particularly in areas where it is difficult to attain reasonable water depths or adequate riparian rights.

Controls

- The jetty, ramp and pontoon structures must not exceed the maximum dimensions as illustrated in Diagram 1.
- These structures are to be treated in brown or dark tones to reduce the visual impact of the structure.
- Materials used for construction must not be deleterious to marine life, e.g. antifouling paints
- No foreshore structures will be permitted over *Posidonia australis* (Shapweed seagrass)
- Railings will not be permitted on jetties, ramps or pontoons.
- Council strongly supports the use of shared facilities for 2 or more adjoining residential waterfront properties. This particularly applies in confined bays and/or bays characterised by shallow water, which would otherwise tend to create a demand for long structures to attain reasonable water depths.

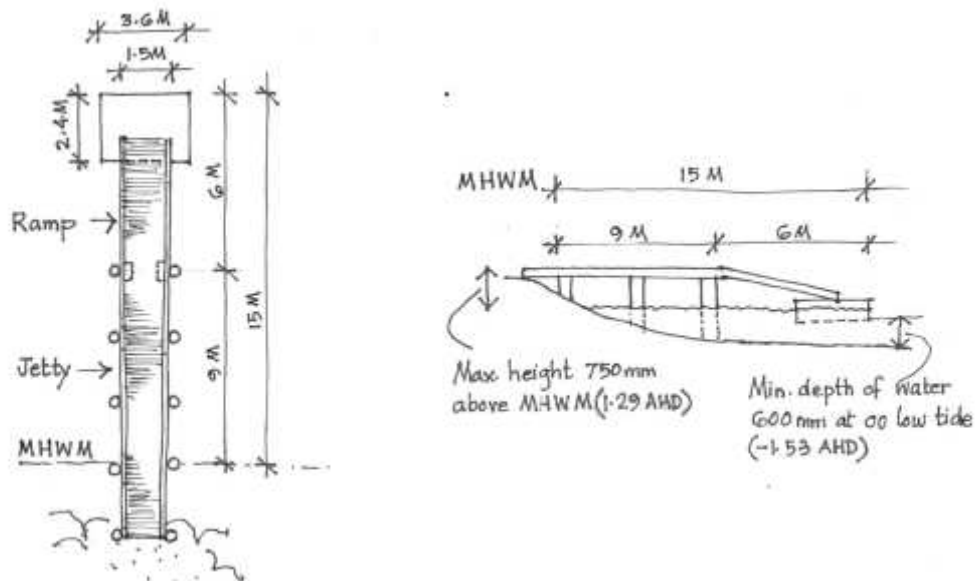


Diagram 1: Jetty, ramp and pontoon structures (Maximum dimensions)

6.5.2.2 Boatsheds

Boatsheds are specifically intended for the storage/maintenance of small boats and boating equipment only. They are generally permitted with development consent in the area between the FBL and MHW. Each proposal for a boatshed needs to be considered with regard to the local site conditions and visual impacts from the waterway and adjoining properties and public places.

Objectives

- To ensure that the visual impact of a boatshed is minimised when viewed from the waterway, adjoining properties and public spaces, and
- To ensure that the scale and character of a boatshed is sympathetic to the natural landform and topographical features of the site with minimal cut and fill.

Controls

- Boatsheds must have specific form and dimensions as shown in Diagram 2 and a maximum length of 7m. They must be single storey with a maximum floor level 900mm above MHWL.
- They must be designed to minimise excavation and constructed of timber, stone, brick or other material satisfactory to Council.
- Boatsheds must be setback a minimum 1.5m from the side boundary. Council may consider a variation where there is:
 1. No detrimental impact on the view from the waterway,
 2. No loss of an existing view to the water from the adjoining lands to the waterway, and
 3. A need to accommodate any significant vegetation, natural rock formations or other site features.

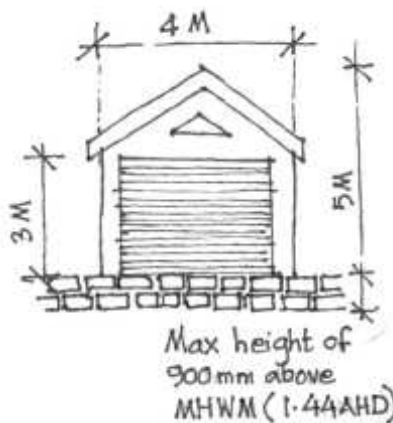


Diagram 2: Boatsheds Acceptable dimensions

6.5.2.3 Seawalls

Seawalls are required to protect the land from the waterbody or to stop accelerated erosion of the shoreline. However, where the foreshore is in its natural state, seawalls will generally not be permitted. The construction of seawalls is generally not favoured as these detract from the natural appearance of the foreshore and will only be considered where justified on the basis of avoiding flooding or for necessary retention works.

Objectives

- To ensure that seawalls are sympathetic to the natural character of the foreshore.

Controls

- Seawalls must be located wholly within private land above MHWL. Council may permit the replacement of an existing seawall below MHWL where there is an existing seawall and the reclamation has been authorised under a permissive occupancy.
- The height of the seawall must be flush with the retained ground level or the reclamation level located behind it.
- Vertical seawalls are discouraged as they offer little aquatic habitat. A sloping seawall with nooks and crannies for fish and invertebrates to hide in is preferred.
- Natural sandstone blocks or sandstone facing over concrete walls are preferred.

Note:

- For more information concerning permissive occupancy, refer to the Department of Lands website www.lands.nsw.gov.au

6.5.2.4 Landscaping

Vegetation in the form of bushland, remnant native species and cultural planting has important ecological and landscape values, and Council encourages this to be protected and enhanced in the context of the foreshore.

Objectives

- To retain and enhance native vegetation and ensure that any new landscaping complements the character of the foreshore area and landscaped open space on the site.

Controls

- Natural features like rock formations, trees and vegetation along the foreshore must be retained in the construction of landscaping as far as possible.
- Retaining walls must not be located between the FBL and MHWL or within 40 metres of MHWL. Where retaining walls are constructed in other areas, materials and colours that blend into the character and landscape of the area must be used.
- Vegetation along ridgelines and on hillsides must be retained and supplemented to provide a backdrop to the waterway.
- Development consent is required for **environmental facility** in Zone W2 – Recreational Waterways, to ensure that any development of land below the MHWL is carried out in an environmentally sensitive manner. This includes but is not limited to bush regeneration, wetlands restoration, erosion and sedimentation works, other drainage works or the like.

Note:

- *Environmental facility* is defined within the Dictionary of Hurstville LEP 2012.

6.5.2.5 Stairways and Inclinator

Stairways and inclinator may be required to enable pedestrian access on some steeply sloping sites. However, these should be constructed so as to minimise the removal of natural rock formations, trees and vegetation.

Objectives

- To minimise the impact of development on the natural landform of the foreshore, by integrating stairways and inclinator into the topography of the site.

Controls

- Stairways and inclinator are permitted between the FBL and MHW.
- Stairways and inclinator must be constructed as close as practical to natural ground level, with minimal cut and fill.
- Stairways must be a maximum of 1.2m wide and constructed in timber, masonry or stone.

6.6 Mashman Site, Kingsgrove

6.6.1 General Information

6.6.1.1 Name of Section

This section is known as the "Mashman Site, Kingsgrove" and has been prepared in accordance with the requirements of Section 72 of the Environmental Planning and Assessment Act, 1979 as amended.

This Plan was adopted by council on 25 March 2009 and took effect on 22 January 2010.

6.6.1.2 Land to which this Section applies

This section applies to land known as the former "Mashman Pottery Site, Kingsgrove" which is bounded by the East Hills Rail Line to the north, Mashman Avenue and Lane to the east and Colvin Avenue to the west. The site comprises two parcels of land and is described as:

- Lot 2 DP534643, 11 Mashman Avenue, Kingsgrove; and
- Lot 69 DP356823, 7 Colvin Avenue, Kingsgrove.

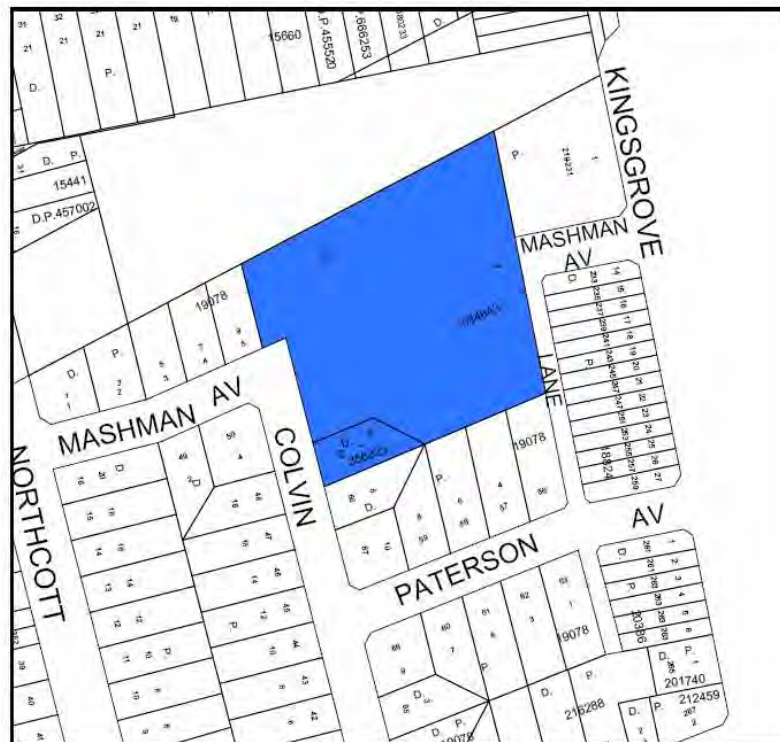


Figure 1: The Mashman Pottery Site, Kingsgrove

6.6.1.3 Aims of the Section

The aims of this Section are to produce a detailed guide for the development of the land and to:

- Provide high quality retail, commercial and residential development to serve the needs of the surrounding local community;
- Ensure that the development is of a scale and design to preserve the amenity of neighbouring residents;
- Ensure that the development of the site has a connection with, and enhances, the Kingsgrove Commercial Centre;
- Provide a open space and pedestrian link through the site and connecting both sides of Mashman Avenue; and
- Ensure that the development is environmentally sustainable.

6.6.1.4 Relationship to Other Sections

This Section is to be read in conjunction with the following plans and policies:

- Hurstville Local Environmental Plan 2012;

The following Sections of DCP No.1 also apply to the site:

- Section 2.2 Neighbour Notification and Advertising of Development Applications
- Section 3.1 Car Parking
- Section 3.2 Subdivision
- Section 3.3 Access and Mobility
- Section 3.4 Crime Prevention Through Environmental Design
- Section 3.5 Energy Efficiency
- Section 3.6 Rainwater Tanks
- Section 3.7 Drainage and On-Site Detention Requirements
- Section 3.8 Fences Adjacent to Public Roads
- Section 3.9 Waste Management
- Section 3.10 Development of a Heritage Item or in the Vicinity of a Heritage Item
- Section 5 Controls for Specific Non-Residential Development Types

Where this Section is inconsistent with other Sections of DCP No.1 or other plans and policies of Council, this Section prevails to the extent of the inconsistency.

6.6.1.5 How to Use This Section

This Section is arranged in several parts. Each part contains objectives and controls.

Objectives state what Council is seeking to achieve.

Controls are standards for achieving the desired objectives. Development that does not comply with the controls may be approved if a development application demonstrates that it still meets the objectives.

The development controls work together to achieve the desired objectives for the site. No single control is more important than another and it is crucial that the controls are considered as a whole, so that the relationship between them is understood.

Compliance with development controls does not guarantee that a development application will be approved. The objectives must be achieved in each case, and each development application will be considered on its merits and within the provisions of this DCP.

Council can approve a development application that does not meet all of the controls in this DCP where it can be demonstrated that due to specific site conditions or where the relevant objectives have been satisfied, variation is likely to yield a better or comparable planning solution for the site. Written justification is required for any proposed variation to the DCP.

6.6.1.6 Lodging a Development Application

Before lodging a development application, applicants should consult the guide produced by Council titled "Development Application Guide – 5 Steps to Preparing a Development Application".

6.6.1.7 Development Objectives for the Site

The development objectives are to:

- create a high quality mixed use commercial, retail and residential development which will fit in with and complement the residential and commercial character of the surrounding area;
- create pedestrian connections and a permanent area of public open space within the site;
- create a development which will have high standards of environmental sustainability; and
- provide an appropriate provision of car parking and access and a safe and efficient access network.

6.6.2 Background and Context

6.6.2.1 Urban context

The Mashman Pottery site is bounded on the eastern side by commercial land uses which extend along Kingsgrove Road. To the south and west of the site are predominantly detached residential dwellings with many bungalow style houses dating from the 1950s. Immediately to the north of the railway line and Kingsgrove rail station is Kingsgrove's industrial precinct.

The site has excellent access to public transport (bus and rail) and the M5 East motorway can be accessed from Kingsgrove Road providing direct connection to Sydney Airport, Port Botany and Sydney CBD.

An analysis of building heights in the area indicates a clear graduation of building height away from the Kingsgrove Road Railway Station from the office building on the corner of Commercial Road and Kingsgrove Road to the 2 storey commercial zone to the east and the 1 and 2 storey residential zone to the south and west.

An important feature of the site is the ability to provide pedestrian and cycle access connecting the eastern and western sides of Mashman Avenue. A large area of open space is also identified in the centre of the site which will assist in providing a visual link between both sides of Mashman Avenue.

6.6.2.2 Heritage Conservation

The site occupied by the Mashman pottery is of cultural significance because of its long association with the Mashman family's role in the manufacture of terra cotta products for building and drainage in New South Wales. Although its architectural and interpretive significance is compromised by the loss of key components such as the original kilns, the site nevertheless has historical and landmark value in an area otherwise characterised by low density suburban development.

A Conservation Management Plan has been prepared for the site and is included in Appendix 1. Controls to guide future development and use of the site in a manner that acknowledges past changes and cultural significance are included in Section 6.6.3.7.

6.6.2.3 Concept Masterplan

A Concept Masterplan (refer Figure 2 below) has been prepared for the site to provide general guidance on the overall form of development on the site.



Figure 2: Concept Masterplan

6.6.3 Development & Design Controls

6.6.3.1 Building Use

A mix of uses consistent with the zoning of land is encouraged; with retail or commercial uses on ground floor and possibly first floor levels and residential above.

Objectives

- To ensure that the site provides for a range of floorspace to cater for retail, commercial and residential uses.
- To retain and support the active frontages by requiring active retail or commercial uses on the ground level.
- To ensure that development adjacent to existing residential areas is consistent with the character of the area.

Controls

- The ground floor level of the development shall comprise a component of retail or commercial floor space that engages with the public realm. Some locations can benefit from multiple public addresses and where practicable they should be encouraged.
- Where residential floor space is included in the development, it is to be provided above ground floor level other than for development fronting the residential area of Colvin Avenue and Mashman Avenue (west) which may include residential floor space on the ground floor level.

6.6.3.2 Building Form

Building Height

The maximum height of buildings on the Mashman Site is contained within the Hurstville LEP 2012 Height of Buildings Map. Clause 3.12 of this DCP identifies the maximum number of storeys for development.

Objectives

- To provide a vibrant mixed use development that takes advantage of its proximity to the Kingsgrove Commercial Centre to the east.
- To ensure that height of the development responds to the desired scale and character of the adjacent residential areas to the west and south.
- To allow reasonable daylight access to all developments and the public domain.
- To increase amenity of the development by taking advantage of long distance views from the site while avoiding overlooking to adjacent residential areas.

Controls

- Maximum building heights for the site, as shown in Figure 3 below, are:
 - 4 storeys along the eastern boundary of the site fronting Mashman Lane;
 - 3 and 4 storeys along the northern boundary;
 - 2 storeys along the western boundary adjacent to Colvin Avenue and Mashman Avenue (west);
 - 3 and 4 storeys on the southern boundary adjoining residential uses fronting Patterson Avenue with setbacks from the site boundary.

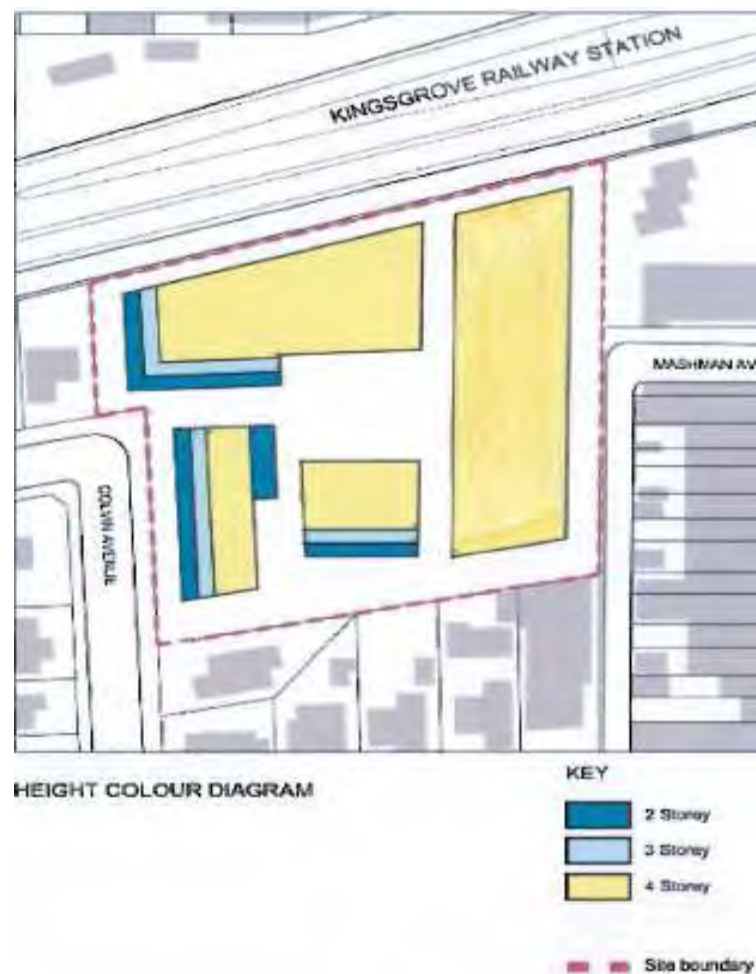


Figure 3: Height Diagram

- Floor to ceiling heights:
 - The minimum floor to ceiling height for ground level retail and commercial floorspace where active public uses are encouraged is 3.6 metres.
 - The minimum floor to ceiling height for upper level commercial floorspace is 3.0 metres.
 - The minimum floor to ceiling height for residential floorspace is 2.7 metres.
- The lift overrun is to be incorporated into the design of the building.

Floor Space Ratio

Floor Space Ratio controls are contained within the Hurstville LEP 2012 Floor Space Ratio Map. Also refer to Clause 4.4A of the Hurstville LEP 2012 for specific requirements for non-residential floor space ratio on land in Zone B1 Neighbourhood Centre or Zone B2 Local Centre.

Building Depth

Building depth is the horizontal cross section dimension of a building. It generally refers to the dimension measured from front to back (from the street to the inside of the block). Control over building depth is important as the depth of a building will have a significant impact on amenity for its occupants.

Building depth is also related to building use. Mixed-use buildings may have wider commercial/retail floors and narrower residential floors, to maximise the amenity of living spaces.

Objectives

- To provide viable and useable commercial, retail and residential floor space.
- To promote thin cross-section buildings, which maximise daylight access and natural ventilation.
- To provide adequate amenity for building occupants in terms of sun access and natural ventilation.
- To provide for dual aspect apartments.
- To reduce the apparent bulk and scale of buildings by breaking up expanses of building wall with modulation of form and articulation of facades.

Controls

- The maximum allowable depth of the commercial or retail floor space component within a development is 21 metres. The maximum depth can be increased by introduction of a light and ventilation space which is not less than 33% of the width of the building and 5 metres deep.

- The maximum allowable depth of the residential floor space component within a development is 15 metres. The maximum depth can be increased if a ventilation and light space is introduced, which is not less than 50% of the width of the building and 9 metres deep with provision of acoustic and visual privacy between habitable rooms of different units.

Setbacks

Setbacks create the relationship between neighbouring buildings, create opportunities for landscaped open space and are important contributors to visual and acoustic privacy. The spatial relationship of buildings is an important determinant of urban form. Buildings which are too close together create amenity problems inside the building, for the space between and for neighbouring buildings. These problems include lack of visual and acoustic privacy, loss of daylight access within the building and to private and shared open spaces.

Street setbacks establish the development's relationship with the surrounding area and create the address and proportions of the street and contribute to the public domain by enhancing streetscape character. The Mashman site has street frontages to the adjacent residential areas in Colvin Avenue and Mashman Avenue to the west, Patterson Avenue to the south and the Kingsgrove Commercial Centre and Mashman Avenue to the east. The East Hills rail line provides the northern boundary to the site and setbacks are required assist in reducing noise and vibration impacts.

Within the development, setbacks provide for separation distances to provide privacy and daylight access and also provide a potential area for landscaping.

Objectives

- To establish the desired spatial proportions of the street and define the street edge.
- To minimise the impact of development on light, air, sun, privacy, views and outlook for neighbouring properties and open space areas.
- To provide an area of landscape buffer between the development and adjacent residential and commercial landuses and the East Hills rail line.

Controls

- The minimum setback requirements at ground level, as shown on Figure 4 below, are:
 - 5 metres on the western boundary south of Mashman Avenue;
 - 6 metres on the western boundary north of Mashman Avenue;
 - 4 metres on the northern boundary adjacent to the East Hills rail line;
 - 6 metres on the eastern boundary north and south of Mashman Avenue;
 - 9 - 12 metres on the southern boundary; and
 - 1.5 metres on the southern boundary adjacent to the carpark entrance.
- All ground level setbacks are to be landscaped to ensure privacy for adjacent residents.
- The upper levels of any development are to be setback as shown on Figure 5.
- Vehicle access points and loading docks may be located within the setback area where they do not have a detrimental impact on adjacent residential areas. Note: the preferred access points to the site are shown below.

- All levels containing residential floorspace are to provide a building separation of 9 metres between habitable rooms and between habitable rooms and balconies/non-habitable rooms and 6 metres between non-habitable rooms.

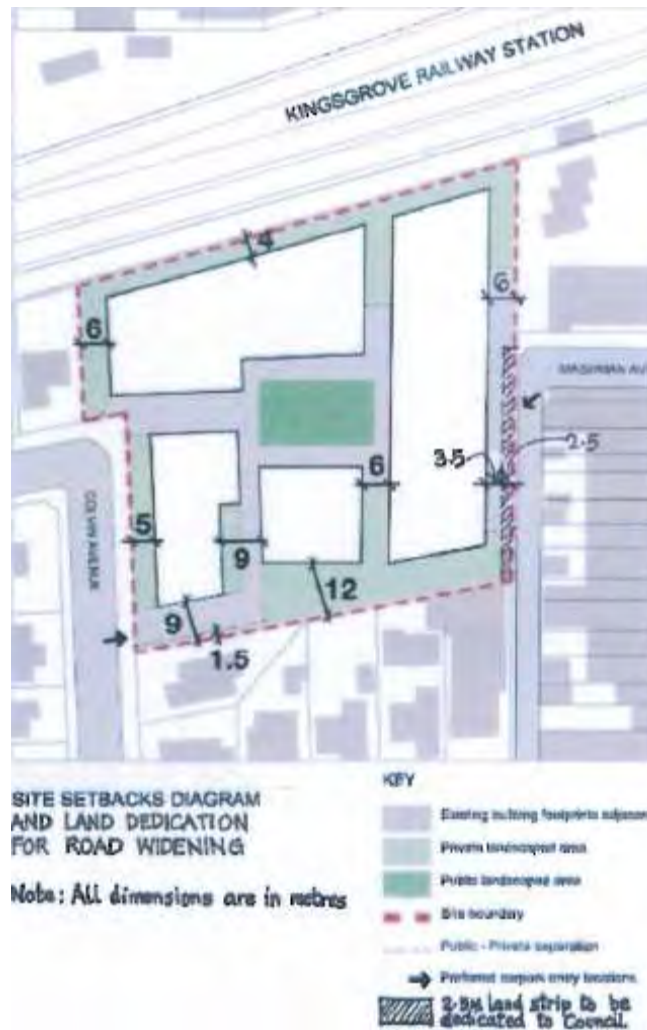


Figure 4: Ground Level Setbacks and Land Dedication for Lane Widening

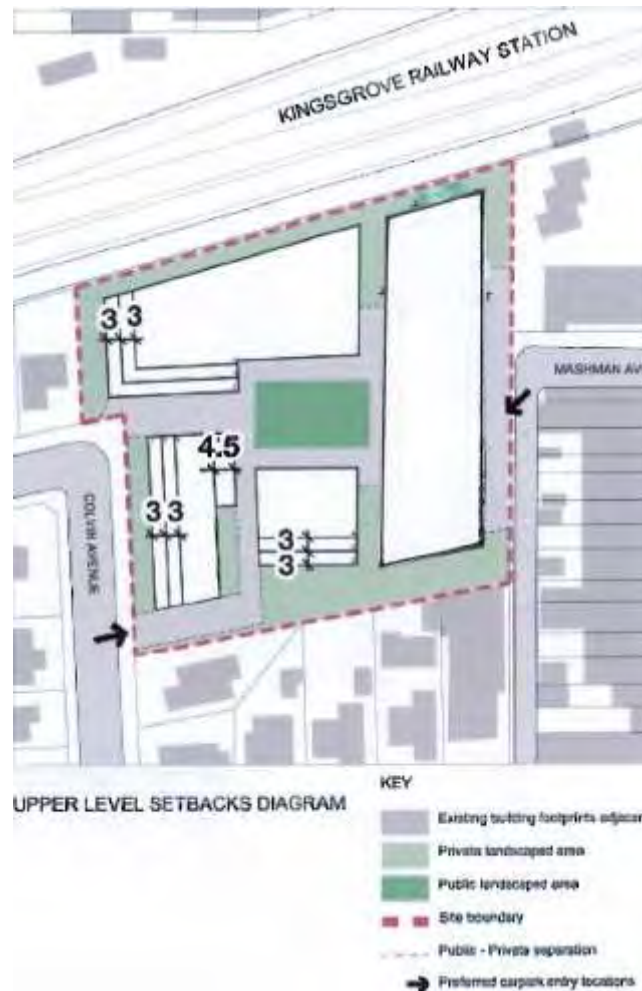


Figure 5: Upper Level Setbacks

Rail Corridor Impacts

Objectives

- To ensure that future development minimises its impact on the adjoining rail corridor and train services.

Controls

- Windows facing the rail corridor that are within 20m of the rail corridor are to contain mechanisms limiting their opening distance.
- Buildings shall be sited to ensure that they can be constructed and maintained without the need to intrude into the rail corridor.
- Buildings shall be sited to ensure that demolition, excavation and construction can occur without any intrusion or impact on the rail corridor.
- Buildings shall be sited to ensure that the use of any rock anchors or footings do not intrude into the rail corridor. Should rock anchors or the like be required within the rail corridor, prior approval of RailCorp needs to be obtained prior to the lodgement of any development application.
- Buildings shall be sited to ensure that there is no impact on rail infrastructure and services. A Services Search from RailCorp will be required prior to the lodgement of a development application to ensure that all adjoining rail services and infrastructure have been identified.

6.6.3.3 Traffic, access, parking and servicing

Traffic analysis and management

A detailed traffic model based on the design of the proposed development will be necessary to identify the most appropriate traffic management measures to alleviate potential impacts arising from development.

Objectives

- To assess the potential traffic impacts of the proposed development.
- To identify the most appropriate traffic and pedestrian management measures to alleviate potential impacts.

Controls

- A micro-simulation traffic model (Paramics or similar) is to be developed to assess the potential impacts of the proposed development and identify appropriate traffic and pedestrian management measure to alleviate potential impacts.

The study area for the subject model shall include all the streets in the vicinity of the site including Kingsgrove Road (between M5 Motorway and Stoney Creek Road) and consider all potential land use developments within the study area.

The model is to be undertaken in consultation with Council and the RTA and shall examine (at least) the following traffic management scenarios. Other scenarios may also be considered.

Scenario 1:

- Change the current two-way status of Mashman Avenue (eastern section only) to one-way eastbound. The phasing arrangement of traffic lights at the intersection of Mashman Avenue and Kingsgrove Road shall be changed as required.
- Install a marked pedestrian crossing in Mashman Lane at Mashman Avenue which connects with the through site pedestrian connection.
- Restrict parking on the northern side of Mashman Avenue (eastern section).
- Introduce a right-turning bay in Kingsgrove Road at Paterson Avenue with kerb-side parking restrictions on the eastern side of Kingsgrove Road. Assess the impact of the changed parking situation.

Scenario 2:

- Change the current two-way status of Mashman Avenue (eastern section only) to one-way eastbound. The phasing arrangement of traffic lights at the intersection of Mashman Avenue and Kingsgrove Road shall be changed as required.
- Install a marked pedestrian crossing in Mashman Lane at Mashman Avenue which connects with the through site pedestrian connection.
- Restrict parking on the northern side of Mashman Avenue (eastern section).
- Restrict peak time right-turn restrictions for traffic on Kingsgrove Road at Paterson Avenue.
- Introduce a right-turning bay in Kingsgrove Road at Morgan Street. Assess the impacts on the local streets in the vicinity of the site (including but not limited to Colvin Avenue and Paterson Avenue).
 - Mashman Lane is to be widened to accommodate a carriageway of 6.5 metres which will require a 2.5m wide strip of the Mashman Site adjacent to Mashman Lane to be dedicated to Council free of cost (refer Figure 4).
 - The developer shall bear the cost of implementing all traffic management measures and road works identified to alleviate potential traffic impacts of the development.

On site parking

Accommodating parking on site (underground or on-grade) has a significant impact on the site layout, landscape design, deep soil zones and stormwater management. The amount of parking provided is related to the size of the development, however, parking provision should also be

considered in relation to the local context. The location of public transport facilities, services and recreational facilities within walking or cycling distance may reduce the need for parking spaces.

Objectives

- To minimise car dependency for commuting and recreational transport use and to promote alternative means of transport (public transport, cycling and walking).
- To provide adequate car parking for the building's users and visitors, depending on building type and proximity to public transport.
- To integrate the location and design of car parking with the design of the site and the building.

Controls

- Carparking provision is to be in accordance with Section 3.1 (Car Parking).
- In addition to the requirements contained in Section 3.1, any on street carparking in Mashman Avenue and Kingsgrove Road lost as a consequence of identified traffic management measures is to be compensated for within the development.
- Parking for the development is to be accommodated underground.
- Ventilation grilles or screening devices of carpark openings are to be integrated into the overall façade and landscape design of the development.
- Safe and secure access is to be provided for building users, including direct access for residential apartments.
- Podiums above basement or sub-basement carparks are to be landscaped as private or communal open space.
- Parking and storage of bicycles (both resident and visitor) is to be provided at a convenient location in the underground carpark.

Vehicle Access

Vehicle access is the ability for cars and maintenance and service vehicles to access the development. The location, type and design of vehicle access points to a development will have significant impacts on the streetscape, the site layout and the building façade design. It is important that vehicle access is integrated with site planning from the earliest stages to balance any potential conflicts with streetscape requirements and traffic patterns and to minimise potential conflicts with pedestrians.

Vehicle crossings over footpaths disrupt pedestrian movement and threaten safety. The design of vehicle access to buildings also influences the quality of the public domain. Overly wide and high vehicle access points detract from the streetscape and the active use of street frontages. The design and location of vehicle access to the development should minimise both conflicts between pedestrians and vehicles on footpaths and visual intrusion and disruption of streetscape continuity.

Objectives

- To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety.
- To encourage the active use of street frontages.
- To make vehicle access to buildings more compatible with pedestrian movements and the public domain.

Controls

- Vehicle access to the site is to be from Mashman Avenue (east), Mashman Lane and Colvin Avenue in locations generally as shown in Figure 4.
- The vehicle access entrance off Mashman Lane and/or Mashman Avenue (east) to the Mashman Site is to be used for service and delivery vehicle entry to the site. No large trucks making deliveries to commercial or retail premises are to use the Colvin Avenue entrance.
- The vehicle access to the site from Mashman Avenue (east) is not to detrimentally impact on the pedestrian link through the site and pedestrian connections to Kingsgrove Road to the east.
- Potential pedestrian and vehicle conflict is to be minimised by:
 - ensuring clear sight lines at pedestrian and vehicle crossings;
 - utilising traffic calming devices; and
 - separating and clearly distinguishing between pedestrian and vehicular accessways (for example by using bollards, change of hard pavement in rear lane).
- Adequate separation distances are required between vehicular entries and street intersections.
- The appearance of carparking and service vehicle entries are to be improved by:
 - screening and locating garbage collection, loading and servicing areas within the development; and
 - avoiding black holes in the façade by providing security doors to carpark entries.
- Where doors are not provided, ensuring that the visible interior of the carpark is incorporated into the façade design and material selection and that building services pipes and ducts are concealed.
- Vehicle access points to the site are to provide a minimum 1.5 metres landscaped setback to neighbouring properties.

Pedestrian Access

Design for pedestrian access focuses on delivering high quality, safe and pleasant walking environments. Pedestrian access and through-site links assist in ensuring that the development is integrated into the local community. Pedestrian links also encourage ground level activity through the site. Pedestrian access should also be equitable access, which provides a barrier-free environment where all people who live in and visit the development can enjoy the public domain.

A pedestrian through-site link has been identified for the site which will link the eastern and western sides of Mashman Avenue and the residential areas to the east with the public transport, retail and commercial uses to the west on Kingsgrove Road.

Objectives

- To ensure that the development incorporates publicly accessible pedestrian paths that are well linked into the surrounding area.
- To provide a public through-site pedestrian accessway to link the eastern and western sides of Mashman Avenue.
- To ensure that the development is integrated into the surrounding area through the provision of a permeable, safe and efficient pedestrian through-site links.

Controls

- A public through-site pedestrian accessway is to be provided connecting the eastern and western sides of Mashman Avenue generally as shown in Figure 2.
- The public through-site pedestrian accessway is to be a minimum of 8 metres wide.
- All pedestrian links are to have appropriate levels of illumination.
- Provide high quality accessible routes to public and semi-public areas of a building and the site, including major entries, lobbies, communal open space, site facilities, parking areas and pedestrian pathways.
- Promote equity by ensuring the entrances to buildings are accessible from the street and integrating ramps into the overall building and landscape design.
- Design ground floor apartments to be accessible from the street, where applicable, and to their associated private open space.
- Separate and clearly distinguish between pedestrian accessways and vehicle accessways and utilise consistent paving treatments through the site.
- Pedestrian accessways are to have a minimum two storey height where they pass beneath a building.

6.6.3.4 Open Space & Landscaping

Open Space

Open space is a critical environmental resource as well as 'breathing space' for residential development. It may be public (accessible and usable by the general public), communal (shared by all residents of a development) or private (associated with a single dwelling and for the exclusive use of the occupants). The size, location and design treatment of open space will vary depending on the context of the site and scale of development. The primary function of open space is to provide amenity in the form of:

- Landscape design
- Daylight and ventilation access to apartments

- Visual privacy
- Opportunities for recreation and social activities
- Water cycle management.

Objectives

- To provide residents with passive and active recreational opportunities.
- To provide an area on site that enables soft landscaping and deep soil planting.
- To ensure that communal open space is consolidated, configured and designed to be useable and attractive.
- To provide a pleasant outlook.

Controls

Publicly accessible open space

- An area of approximately 500m² of publicly accessible open space is to be provided generally in the location shown on Figure 4.
- Publicly accessible open space is to:
 - Be located so that it forms a focus of the development and provides a landscape buffer between buildings.
 - Provides a pleasant outlook.
 - Be located so that solar access is maximised.
 - Be consolidated into useable areas; and
 - Demonstrate that its size and dimensions allow for a variety of uses.

Private open space

- All dwellings are to have access to a private, useable, functional area of open space directly accessible from the main living area.
- Private open space of apartments at ground level, or similar space on a structure (such as on a podium over a car park) is to have a minimum area of 25m² and a minimum dimension in one direction of 4 metres.
- Private open space of apartments above ground level is to be provided by at least one primary balcony with a minimum depth of 2.5 metres and a minimum area of:
 - 6m² for studio and 1 bedroom;
 - 12m² for two and three bedrooms;
 - 15m² for four or more bedrooms.

Landscape Design

Landscape design includes the planning, design, construction and maintenance of all utility, open space and garden areas. Landscape design builds on the existing site's natural and cultural features to contribute to a development's positive relationship to its context and site. Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity. It should also take into account practical establishment and long term management.

Objectives

- To add value to residents' quality of life within the development by providing privacy, outlook and views.
- To maximise absorptive landscaped areas for on-site infiltration of stormwater.
- To improve the microclimate and solar performance within the development.
- To ensure that landscaping is integrated into the design of the development and that the development fits in with the existing streetscape.
- To improve the overall appearance of the development when viewed from neighbouring sites.

Controls

- All applications are to include a landscaping plan prepared by a qualified landscape designer. The landscape plan is to include the location of services on the site to ensure that there is no conflict.
- The landscaping plan must outline how landscaped areas are to be maintained for the life of the development.
- Landscape design is to be in scale with the development and should relate to building form; facilitate stormwater infiltration through the use of permeable surfaces; and be easily maintained.
- Landscaping is to ensure amenity of private and publicly accessible open spaces by:
 - providing shade from the sun and shelter from the wind;
 - providing accessible routes through the space and between buildings.
- Landscape design is to improve the energy and solar efficiency of apartments and the microclimate of open spaces by:
 - locating trees for shading low-angle sun on the eastern and western sides of buildings;
 - using deciduous trees for shading of windows and open space areas in summer and allowing solar access in winter.

- Landscape design is to minimise water consumption by:
 - including local native plants with low water demand (refer list of tree species for landscaping in Appendix 1 Recommended Species for Landscaping);
 - using plants with low fertiliser requirements.
- Fencing and landscaping along the rail corridor should be designed to screen views of the rail corridor and exposure from passing trains.
- Landscaping and planting plan for land along the rail corridor is to be submitted to RailCorp for endorsement prior to lodgement of any development application to ensure that roots and foliage of trees do not have an impact on rail infrastructure and services.

Deep Soil Zones

Deep soil zones are areas of natural ground with relatively natural soil profiles retained within a development. Deep soil zones are areas of the site that are not to be built upon, and are not to have underground carparking located underneath. Deep soil zones have important environmental benefits including:

- promoting healthy growth of large trees with large canopies;
- protecting existing mature trees;
- allowing infiltration of rainwater and reducing stormwater runoff.

Objectives

- To improve the amenity of developments through the retention and planting of trees that are, or will, grow to a large or medium size.
- To assist with management of water quality and the water table.

Controls

- Deep soil zones are to be provided on the northern and eastern boundaries of the site as shown in Figure 6.
- Deep soil zones should accommodate existing mature trees, as well as allow for the planting of trees/shrubs that will grow to be mature trees.
- Deep soil zones are to have a pervious surface.
- Deep soil zones are not to be built upon or have underground carparking areas underneath.
- The area of approximately 500m² of publicly accessible open space (refer S.6.6.3.4) is to have a minimum soil depth of 1200mm to allow for deep soil planting. This may be accommodated fully or partly above ground level (ie. in a raised landscape bed).



Figure 6: Deep Soil Landscape Zone

Planting on Structures

An increasingly common scenario in urban areas is the establishment of landscape areas on top of basement car parks, on podiums and on roofs. Quality landscape design and open space amenity relies in part on the quality of health of the plants. The plants in these areas are grown in total containment with artificial soils, drainage and irrigation. Plants grown in such situations are subject to a range of environmental stresses that affect the health and vigour of the plants, and ultimately their survival.

Objectives

- To contribute to the quality and amenity of communal open space on roof tops, podiums and internal courtyards.
- To encourage the establishment and healthy growth of trees in urban areas.

Controls

- Plant growth is to be optimised by:
 - Providing soil depth, volume and area appropriate to the size of the plants selected;
 - Providing appropriate soil conditions and irrigation methods;
 - Providing appropriate drainage.
- Planters are to be suitable for plant selection and achievement of maximum mature plant growth and are to accommodate the largest volume of soil possible.
- Minimum standards for a range of plant sizes:

	Minimum Soil Volume	Minimum Soil Depth	Approx Soil Area
Large Trees (canopy up to 16m at maturity)	150 cubic metres	1.3m	10m x 10m or equivalent
Medium Trees (canopy 8m at maturity)	35	1.0m	6m x 6m or equivalent
Small Trees (canopy 4m at maturity)	9	800mm	3.5m x 3.5m or equivalent
Shrubs	--	500-600mm	--
Ground Cover	--	300-450mm	--
Turf	--	100-300mm	--

6.6.3.5 Buildings Exterior

The exterior elements of individual developments directly affect the quality and character of the public domain. The controls in this section aim to increase the vitality, safety, security and amenity of streets and laneways by mitigating adverse impacts on the street arising from driveway access crossings, advertising signage and the selection of building finishes and materials.

Active Site and Street Frontages

A successful commercial centre provides street level retail and commercial activities which satisfy the requirements of local residents and visitors and enliven the public area by day and by night. There is interactivity between commercial uses and the public domain which feels safe and designed for all to use.

Active frontages have a positive influence on the safety and security of an area by providing casual surveillance. Active frontage uses are defined as one of a combination of the following at street level:

- entrance to retail or shopfront
- café or restaurant if accompanied by an entry from the street
- active office uses, such as reception, if visible from the street

It is also important, considering the sites location adjacent to the Kingsgrove Commercial Centre, that there is ground level retail and commercial activity and that there there is a strong visual and activity connection to Kingsgrove Road from the site.

Objectives

- To provide a range of uses to engage and activate the site.
- To provide a walkable environment with visual interest and a feeling of security.
- To provide a visual and activity connection between the site and the Kingsgrove Commercial Centre.
- To maximise building openings and minimise the extent of blank walls on to the street, especially at ground level.

Controls

- Provide continuous retail or active commercial frontage on the ground floor of buildings within the site and encourage the site's connection with the Kingsgrove Commercial Centre.
- Active ground floor uses are to be at the same general level as the footpath and be readily accessible.
- Restaurants, cafes and the like are to consider providing openable shop fronts.
- Maximise street level activity eg. by wrapping shopfronts around corners.
- Minimise blank walls at ground level.
- Maximise glazing for retail uses on the ground floor.
- Do not use opaque or reflective glass on the ground floor.
- Use grilles or transparent security shutters with a minimum of 70% transparency on retail frontages. Solid shutters are not permitted.

Facades and Articulation

Objectives

- To ensure that new developments have well articulated and harmonious facades which define the public domain.

Controls

- Design buildings to address the street and the communal open space area and ensure that rear and side facades (where visible) also provide visual interest to the street and surrounding neighbours.
- Provide architectural features which give a human scale to the building, particularly at ground level.
- Ensure that the composition of a building façade or a series of facades forms a rhythm that complements and is harmonious with the streetscape.

- Avoid curtain walling, large expanses of glass and large expanses of concrete as these do not create well articulated and harmonious facades.

Building Entry

Entrances define the threshold between the public street and private areas within the building. Building entries provide a public presence and should contribute to the identity of the development. Using multiple entries helps to create a human scale along the street.

Objectives

- To create entrances which are clearly identifiable.
- To contribute positively to the streetscape and building façade design.

Controls

- Building entries are to be:
 - Oriented to, and clearly visible from the street;
 - Convenient for pedestrians;
 - A clearly identifiable element of the building in the street.
- Buildings facing Colvin Street may have separate entries for individual dwellings to fit in with the predominantly residential character of the street.
- Building entries must be designed to provide equal access to all people.
- Safe and secure access is to be provided by:
 - Providing a clear line of sight between one circulation space and the next;
 - Providing sheltered, well lit and highly visible spaces for building entry and for the collection of mail.
- Separate entries from the street are to be provided for pedestrians and cars.
- Entries, lifts and their associated circulation space are to be of an adequate size to allow movement of furniture between public and private spaces.

Balconies

Balconies are outdoor rooms which enhance the amenity and lifestyle choices of apartment residents. They provide open space and extend the living spaces of the apartment. Balconies are also important architectural elements, contributing to the form and articulation of apartment buildings.

Objectives

- To provide all apartments with private open space.
- To ensure balconies are functional, responsive to the environment and promote outdoor living for apartment residents.

- To ensure that balconies are integrated into the overall architectural form and detail of the building.
- To contribute to the safety and liveliness of the street by encouraging casual overlooking and address.
- To ensure the future development minimises its impact on the adjoining rail corridor and train services.

Controls

- Each apartment is to have at least one primary balcony (refer Section 6.6.3.4 for size requirements).
- Primary balconies are to be:
 - located adjacent to the main living areas (such as living room or dining room) to extend the living space; and
 - sufficiently large and well proportioned to be functional and promote indoor/outdoor living. Consideration should be given to supplying a water tap and gas point.
- Balconies are to be detailed and designed in response to the local climate and site context. This may be achieved by:
 - locating balconies facing predominantly north, east or west to provide solar access;
 - utilising sun screens, pergolas and shutters to control sunlight and wind;
 - the use of cantilevered, partially cantilevered and/or recessed balconies in response to daylight, wind, acoustic privacy and visual privacy;
 - ensuring that balconies do not prevent sunlight entering apartments adjacent or below.
- Balustrades are to be designed to allow views and casual surveillance of the street while providing for safety and visual privacy. Design considerations may include: detailing balustrades using a proportion of solid to transparent materials to address privacy, sight lines from the street, public domain or adjacent development. Full glass balustrades do not provide privacy for the balcony or apartment interior and are to be avoided.
- Balconies within 20m of the rail corridor are to be enclosed or contain louvers with mechanisms that limit their opening angle.

Awnings

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from sun and rain. They encourage pedestrian activity and contribute to the identity of a development.

Objectives

- To provide shelter for areas where pedestrian activity occurs.

Controls

- i. Continuous awnings are to be provided within the development on the main pedestrian activity pathways.
- ii. Provide under awning lighting to facilitate night use and to improve public safety.

Visual Privacy

Visual privacy measures protect residents' ability to carry out private functions within all rooms and private open spaces without compromising views, outlook, ventilation and solar access or the functioning of internal and external spaces. The consideration of visual privacy requires an understanding of the adjacent context, site configuration, topography, the scale of the development and the layout of the apartments.

Degrees of privacy are influenced by a number of factors:

- The activities of each of the areas where overlooking may occur;
- The times and frequency these spaces are being used; and
- The occupants' expectations of privacy and their ability to control overlooking with screening devices.

Objectives

- To provide reasonable levels of visual privacy externally and internally, during the day and at night.
- To maximise outlook and views from principal rooms and private open space without compromising visual privacy.

Controls

- New development is to be located and oriented to maximise visual privacy between buildings on site and adjacent buildings by providing adequate:
 - building separation;
 - rear and side setbacks.

- Building layouts are to be designed such that direct overlooking of rooms and private open spaces is minimised in apartments by:
 - separating communal open space, common areas and access routes from windows of rooms, particularly habitable rooms;
 - changing the level between ground floor apartments (including their associated private open space) and the public domain or communal open space.
- Building and site design are to increase privacy without compromising access to light and air through:
 - offsetting windows of apartments in new development to windows in adjacent development;
 - recessing balconies and/or providing vertical fins between adjacent balconies;
 - using solid or semi-solid balustrades to balconies;
 - using louvres or screen panels to windows and/or balconies;
 - providing landscape screening;
 - incorporating planter boxes into walls or balustrades to increase the visual separation between areas;
 - using pergolas or shading devices to limit overlooking of lower apartments or private open space.

Solar Access and Overshadowing

Daylight consists of skylight (diffuse light from the sky) and sunlight (direct beam radiation from sun). It changes with the time of day, season and weather conditions. This variability contributes to pleasant environments in which to live and work. Within an apartment, daylight reduces reliance on artificial light, improving energy efficiency and residential amenity.

Objectives

- To ensure that daylight access is provided to all habitable rooms and encouraged in all other areas of residential development.
- To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.
- To provide residents with the ability to adjust the quality of daylight to suit their needs.

Controls

- Retail or commercial component of the development: Direct Solar access is not required, however natural daylighting is critical. Natural light can be gained from the street facing shopfront and from any light wells internally. Daylight should be calculated as achieving minimum 50 lux to 50% of the floor area. This does not apply to any underground retail development (eg supermarket).
- Ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.

- Living rooms and private open spaces for at least 70 percent of apartments in a development should receive a minimum of three hours direct sunlight between 9am and 3pm in midwinter.
- Limit the number of single-aspect apartments with a southerly aspect (SW-SE) to a maximum of 10 percent in the total units proposed.
- Developments which seek to vary from the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards and how energy efficiency is addressed.
- The proposed development should not increase overshadowing on adjacent dwellings.

Interface with Adjoining Rail Corridor

Objectives

- To safeguard against any possible impacts from stray currents from the adjoining electrified rail corridor.
- To ensure that any future development does not impact on the geotechnical and structural stability of the adjoining rail corridor.
- To ensure that lights and reflections do not distract train drivers.
- To ensure that there is no stormwater discharge into the rail corridor.
- To prevent any unauthorised entry into the rail corridor from the development site.
- To improve the overall appearance of the development when viewed from the rail corridor.

Controls

- An Electrolysis expert is to be engaged to prepare a report on the Electrolysis Risk and recommendations of this report are to be implemented in any development proposal.
- A geotechnical report should be prepared to evaluate the stability of the rail corridor from excavation and the impact of vibration from the rail corridor. The report shall meet RailCorp requirements and be submitted to RailCorp for review prior to the lodgement of any development application.
- The use of any external lights, signs and reflective materials, whether permanent or temporary, in the proximity of the rail corridor are to be approved by RailCorp prior to lodgement of any development application.
- Drainage from the site must not be allowed to be discharged into the rail corridor unless prior approval has been obtained from RailCorp.
- During excavation and construction extreme care must be observed to prevent water from collecting on or near RailCorp's infrastructure and services.
- Details of the type of fencing and the method of erection are to be submitted to RailCorp for review and comment prior to the fencing work being undertaken.

- Fencing along the rail corridor and parts of the building facing the rail corridor are to be coated with anti-graffiti paint or other coating.

6.6.3.6 Buildings Interior

Acoustic Privacy

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

Objectives

- To ensure a high level of amenity by protecting the privacy of residents within residential flat buildings both within the apartments and in private open spaces.
- To ensure that future residents and occupiers of the development are not adversely impacted upon by rail or road related noise and vibration.

Controls

- A noise and vibration assessment is to be undertaken and lodged with the development application. The assessment is to be undertaken in accordance with RailCorp's Interim Guidelines for Applicants. The assessment is also to take into account any noise emanating from the adjoining Kingsgrove Railway Station and Kingsgrove Road.
- Development should be in accordance with the EPA Criteria (The Environmental Criteria for Road Traffic Noise (May 1999)).
- The site and building layout are to maximise acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.
- Development is to be designed to minimise noise transmission between apartments by:
 - locating busy, noisy areas next to each other and quieter areas next to other quite areas, for example, bedrooms with bedrooms;
 - locating bedrooms away from busy roads and other noise sources;
 - using storage and circulation zones within the apartment to buffer noise from adjacent apartments, mechanical services or corridors and lobby areas and minimising the amount of party (shared) walls with other apartments.
- Noise transmission is to be reduced by common corridors or outside the building by providing seals at entry doors.

6.6.3.7 Heritage

The Mashman's Pottery and Tile Works is identified as a heritage item under the Hurstville LEP 2012 and the heritage provisions of the Hurstville LEP 2012 apply to the site. A Conservation Management Plan has been prepared for the site and is included in the Appendix below. The Conservation Management Plan provides detailed background to the operation of the Pottery and Tile Works and a statement of cultural significance of the site. Recommendations of the

Conservation Management Plan relating to conservation and recording of the site are included below.

Objectives

- To ensure that future development and use of the site is in a manner that acknowledges its past uses and cultural significance of the site as a pottery and tile works.

Controls

- i. Any development on items of heritage significance should be carried out in accordance with the principles of Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter).
- ii. The treatment of existing fabric, spaces and elements is to be related to the degree of significance as identified in the Conservation Management Plan (refer Appendix below) as follows:
 - Items of moderate to high cultural significance should be recorded before any further alterations, demolition or redevelopment of the site commences;
 - Representative items identified as culturally significant should be dismantled in a manner that facilitates their possible re-use in an appropriate context;
 - Items of low significance and intrusive items may be removed.
- iii. An adverse effect on any item or aspect of significance may be permitted provided that it helps to secure the viability of the site or the item and there is no feasible alternative.
- iv. The site should be photographically recorded for public archival purposes prior to any redevelopment of the site. The methods of pottery manufacture on the site should be documented prior to any closure or removal of major structures, plant and equipment.
- v. An archaeological assessment of the site should be undertaken prior to any redevelopment of the site, to assist in recording its industrial history. Archaeological site work may include the removal, documentation and preservation of any uncovered items of cultural significance.
- vi. In the event of the pottery's closure, the relocation of operational plant and equipment to other potteries will be permitted.
- vii. Redevelopment of the site is to include interpretive and design elements that acknowledge the site's past use and cultural significance as a 20th Century pottery that contributed to the growth of the area.

Appendix – Conservation Management Plan, Fred A Mashman Pty Ltd, St George Pottery

CONSERVATION MANAGEMENT PLAN

FRED A. MASHMAN PTY LTD ST GEORGE POTTERY

11 MASHMAN AVENUE KINGSGROVE



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February 2005

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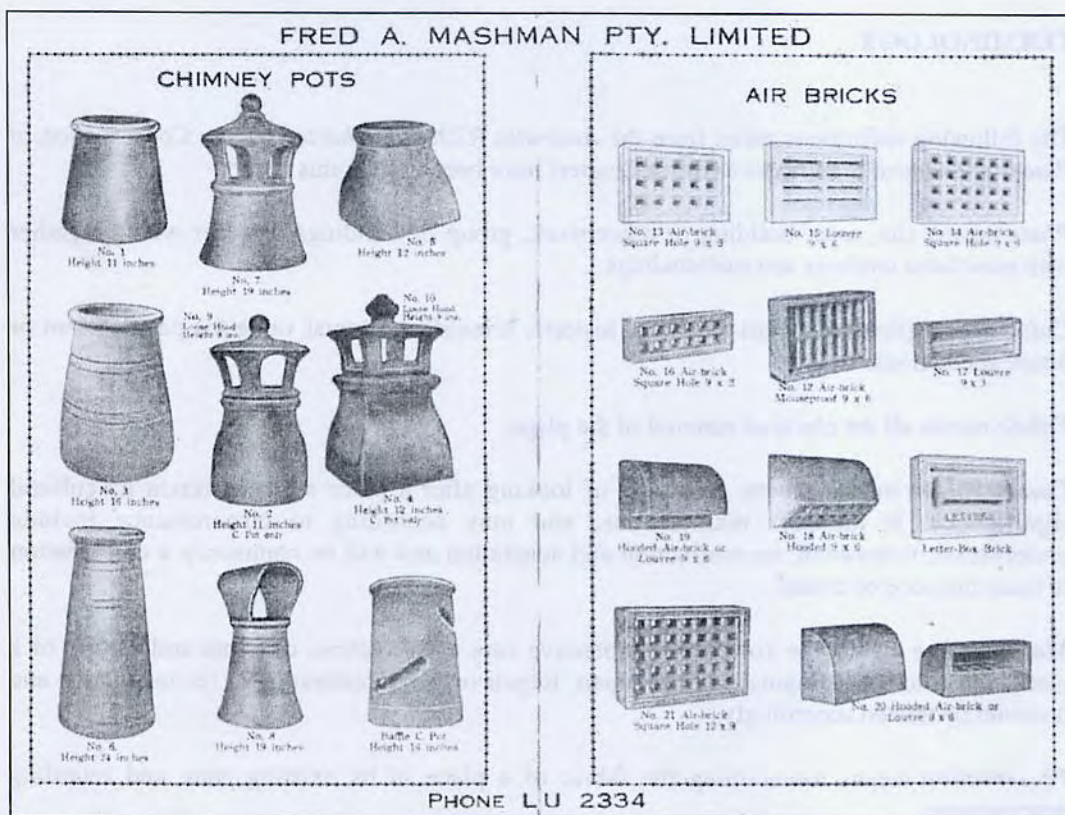


Fig. 1. An early product catalogue for Fred A. Mashman Pty Ltd.

ACKNOWLEDGEMENTS:

The historical research and report preparation were undertaken by Dr Bruce Adams under the direction of John Graham.

John Graham & Associates wish to acknowledge the management and staff of Fred A. Mashman Pty Ltd for their assistance with archival and site information. In particular we thank:

Michael Mashman, Managing Director
Trevor Watts, Production Manager
Ross Lyons, Clayworker

John Graham and Associates also thank Stephen Burns of Interbuild, Sydney.

TERMINOLOGY

The following definitions taken from the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance* (Burra Charter) have been used in this report.

Place means site, area, building or other work, group of buildings or other works together with associated contents and surroundings.

Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations.

Fabric means all the physical material of the place.

Conservation means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance, and may according to circumstance include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

Maintenance means the continuous protective care of the fabric, contents and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction and it should be treated accordingly.

Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

Restoration means returning the EXISTING fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Reconstruction means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the new fabric. This is not to be confused with either re-creation or conjectural reconstruction, which are outside the scope of this Charter.

Adaptation means modifying a place to suit proposed compatible uses.

Compatible use means a use that involves no change to the culturally significant fabric, changes that are substantially reversible, or changes that require a minimal impact.

1.0 INTRODUCTION

1.1 Purpose of this study

This Conservation Management Plan was commissioned by Interbuild of 350 George Street, Sydney, to identify the cultural significance of the Fred. A Mashman pottery and tileworks, located at 11 Mashman Avenue, Kingsgrove. The plan traces the evolution of land use on this site, in particular the property's historical development as a pottery from the early 20th century to the present day. It recommends policies for the future conservation and use of the site.

1.2 Site details



Fig. 2. The Fred. A. Mashman site (shaded in grey)

The site identified as Lot 2 DP 534643 (11 Mashman Avenue Kingsgrove) is an asymmetric block of 7209.5 square metres. It has a northern boundary of 98.34 metres onto the Tempe-East Hills railway line, and an eastern boundary of 92.755 metres facing both a lane from Paterson Avenue and the rear of Lot 1 DP 534643. The southern and western boundaries are irregular. The site has direct vehicular access to Mashman Avenue and the adjoining laneway on the east, and opens onto the corner of Colvin Avenue and Mashman Avenue on the west. It shares a southern boundary with local residences and the Kingsgrove police station.

Formed from a rural acreage that originally faced Croydon Road Hurstville (now Kingsgrove Road), the site occupied by Fred A. Mashman Pty Ltd is the largest privately owned block in the centre of Kingsgrove. It is adjacent to Kingsgrove Railway Station and the suburb's main shopping centre. Beyond the site to the south and west is low-density, bungalow-style housing typical of the Kingsgrove area. Local churches, banks and medical practices are within close walking distance. A Catholic school is nearby, and there are two state high schools and a public primary school along Kingsgrove Road.

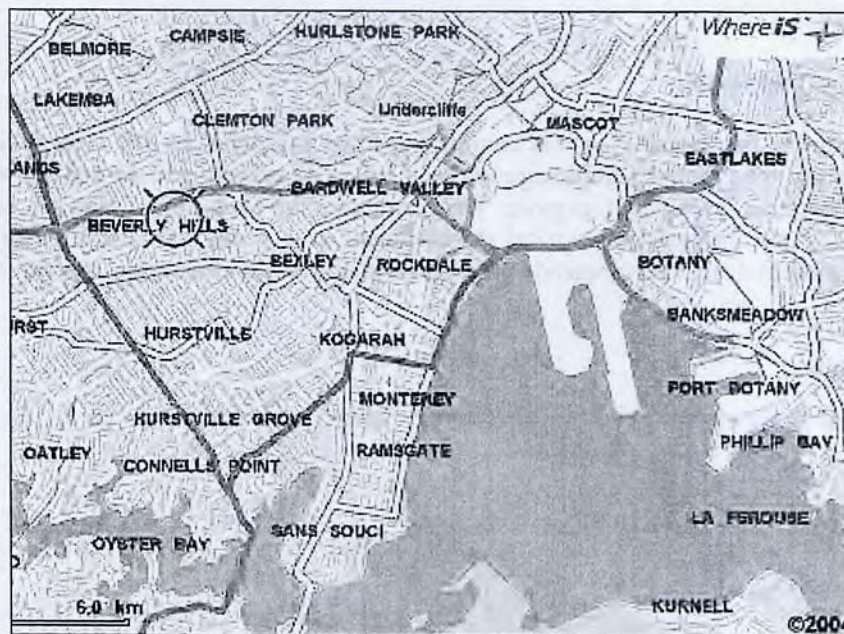


Fig. 3. Map showing the position of Kingsgrove (circled) on the M5 East motorway to Sydney Airport and Port Botany, connecting to the City, Eastern and Northern Suburbs.



Fig. 4. The location of Mashman Avenue (circled) in relation to Kingsgrove Road, the East Hills railway and the M5 East motorway.

Immediately north of the railway line is Kingsgrove's postwar industrial precinct situated in Commercial Road. The recently constructed M5 East motorway can be entered from Kingsgrove Road and provides a direct connection to Sydney Airport and Port Botany. (fig. 3). The area is also served by suburban bus routes along Kingsgrove Road. The Mashman site is thus accessible to an interconnecting transport hub, as well as a mixture of commercial and community facilities (fig. 4).

As a traditional pottery the site is an historical anomaly in its present residential setting. The site is currently zoned "Light Industrial" in recognition of its existing use.

1.3 Current heritage status

The site is not listed in the NSW State Heritage Register, nor in the Register of the Australian Heritage Commission.

It is recorded in the NSW Heritage Office's State Heritage Inventory (database no.1810096) as an item of local significance in Hurstville City Council's Local Environmental Plan, Schedule 2. (Gazetted 27 May 1994. Gazette no. 73, p. 2484).

The precincts of East and West Kingsgrove are both listed as Urban Conservation Areas in the Register of the Australian Heritage Commission. (The eastern precinct is ID: 102106; File No: 1/16/031/0014, and the western precinct from Kingsgrove Road to Beverly Hills is ID: 102091; File No: 1/16/018/0006.) These listings note the following attributes of the suburb:

- streetscape integrity, being an area developed in one period.
- uniformity of housing style including colour, form and architectural detail that gives the area an harmonious appearance.
- predominance of the Californian Bungalow housing type
- high proportion of individual home ownership representative of the class characteristics of the interwar period.



Fig. 5. A view looking south-west over the Fred A. Mashman site at Kingsgrove. Also shown is the industrial area north of the railway, the local shopping centre, and some of the streets of low density, brick and tile housing typical of the suburb.



Fig. 6. Aerial view of the Fred A. Mashman pottery looking west. The shops facing Kingsgrove Road (lower foreground) were built on land that was originally part of the Mashman site. To the right of Mashman Avenue are the Pacoma flats and shops, developed in 1941 by Fred A. Mashman Pty Ltd.

1.4 Title history

Since this Conservation Management Plan focuses on the cultural significance of the site's single use as a pottery, a full title history of Lot 2 DP 534643 has not been prepared.

In summary, the title dates back to a land grant of 175 acres to John Leadbeater that was transferred to James Oatley before it was formalised in 1828. The allotment from the subdivision of the Oatley Estate that Frederick Albert Mashman acquired in 1908 was over 8 acres. It ran from Morgan Street down to Wolli Creek, between modern Northcott Street and Kingsgrove Road. In 1919-20 Mashman supplemented it with several acres on the northern side of Wolli Creek, purchased from the Chard Estate as a source of clay. Two acres on the northern side of the original block were resumed for railway purposes in 1928. In anticipation of this, 7 acres of land with a cottage were acquired on the southern side of the site in February 1926.

In 1938-41 most of the land was subdivided by Fred A. Mashman Pty Ltd for residential and retail purposes, leaving the present block around the existing factory. Paterson, Colvin and Mashman Avenues (named after the company directors) were formed in these real estate developments. Similarly, Lot 1 of DP 534643 was divided off from the main site for the purpose of building the Pacoma flats and shops (also named after the three directors) in 1941. This was Kingsgrove's first block of flats (fig. 6).

2.0 THE LOCATION AND DEVELOPMENT OF THE POTTERY

2.1 Development of the suburb of Kingsgrove

Kingsgrove occupies a wide, shallow valley formed by Wolli Creek, which flows eastward through south-western Sydney into the Cooks River at Tempe. Surveys of the area undertaken in 1804-1807 indicated that the country then consisted of open eucalypt forest (ironbark, boxwood, blackbutt and stringybark), with an undergrowth of banksia and wattle trees. The slow-moving Wolli Creek was thick with melaleucas and casuarinas. The local soils were mostly Wianamatta shale, with sandstone ridges where the valley deepened towards the east. Prior to European settlement this land was part of the territory of the Dharug people. The freshwater creek and open forest were suitable to a hunter-gatherer economy, but according to local historians Ron Hill and Brian Madden, no archaeological evidence of Aboriginal occupation has been found around Kingsgrove itself.¹

The present-day suburb took its name from the area's first European land grant. King's Grove Farm, a rectangular parcel of 500 acres located on the eastern side of what is now Kingsgrove Road, was granted by Governor Philip King to Mrs Hannah Laycock on 11 August 1804. Mrs Laycock was the wife of Thomas Laycock, a Quartermaster in the NSW Corps, and King's Grove Farm was one of three grants in the same district given in recognition of Laycock's role in quelling the Irish convict rebellion at Vinegar Hill in March 1804. The other grants, to the north of King's Grove Farm towards Canterbury (an area then commonly known as the Kangaroo Ground), were 100 acres each to Laycock's two teenage sons. The Laycock grants were accessed by a track north through Canterbury Farm (a 1793 grant) to Parramatta Road.²

The original grant documents for Kings' Grove Farm described it as part of Bulanaming, an Aboriginal name for the broad tract of country to the south-west of Sydney Town. Bulanaming later referred specifically to the land north of Cooks River, and the area south of that waterway became part of the Botany Bay district. By 1830 the southern settlements between Cooks River and Georges River (including Kings' Grove Farm) were grouped for land title purposes into the Parish of St George.

In 1808, soon after the development of King's Grove Farm, a large grant of 250 acres was made on its western side to John Townson, an officer in the NSW Corps. Between 1810 and 1823 a series of smaller grants, all to the north-west of the Laycock grant, were allocated to various ex-convicts, free settlers and retired soldiers. The area where the Mashman Pottery now stands was part of the district's first actual land purchase. This was a block of 175 acres bought in 1828 by the emancipated convict and George Street clockmaker, James Oatley. He acquired it from John Leadbeater, who had been promised the land but sold it before the grant had been formalised. Bounded on the north by Wolli Creek, this estate extended west from the present Kingsgrove Station to what is now Beverly Hills, where Oatley's purchase of other adjoining grants enabled him to establish a 445 acre farm known as Snugsborough Park.

The subdivision of the Kingsgrove area into smaller farm allotments began in 1841 after the death of the emancipist businessman Simeon Lord, who had acquired Townson's grant and Kings' Grove Farm in 1812 and 1817 respectively. Lord's two properties were divided into 76 allotments of 5 to 24 acres each, described in the auction notices of 1841 as "suited to the purposes of Market Gardeners, cowkeepers, milkmen, husbandmen and all the industrial classes."³ The same notices also referred to the large stands of native forest that still survived

¹ Ron Hill and Brian Madden, *Kingsgrove: The First Two Hundred Years*, Campsie: Canterbury and District Historical Society, 2004, p. 9.

² For a full account of the Laycock family's pioneering role in the district, see Hill and Madden, pp. 1-8, 10-11.

³ Advertisement in *The Australian*, 11 May 1841, reproduced in Hill and Madden, p. 20.

in the area. For the next 20 years timber cutting was the main local industry, until it was replaced by dairying, fruit and vegetables, and general grazing on the cleared land. A tobacco and snuff factory established on Stoney Creek Road in 1854 was one of the earliest secondary industries. By that decade there were three hotels in Kingsgrove but almost no shops, since most produce was obtained directly from the farms. There were small church schools but no state school closer than the neighbouring settlements in Moorefields Road, Bexley, Hurstville, and Hurstville West (Beverly Hills). A public school eventually opened on the south-east side of Kingsgrove in 1918. With no shopping centre or post office or even an official name, the area remained a scattered rural community on the margins of the neighbouring suburbs.

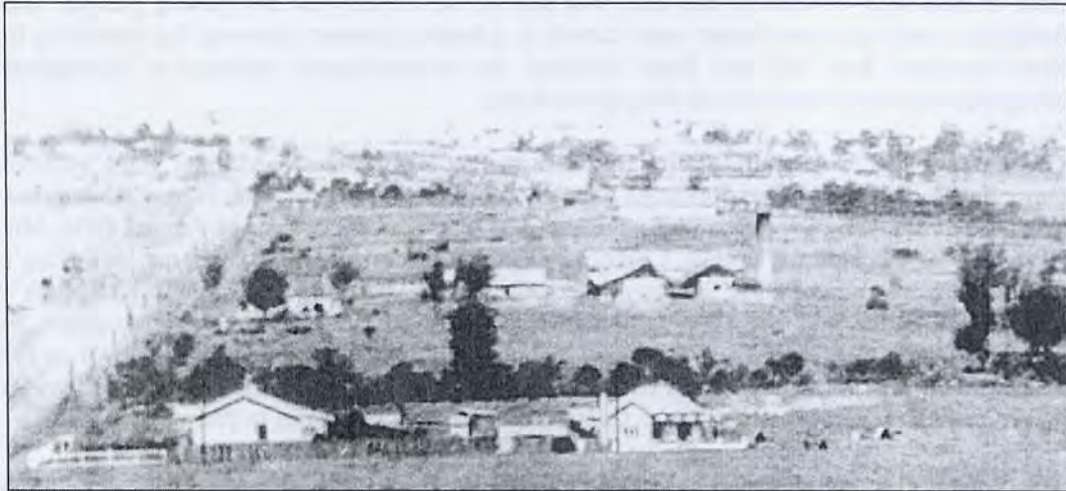


Fig. 7. A view of Kingsgrove looking south, c. 1925, showing the open land around the Mashman pottery. In the foreground, the line of trees indicates the position of Wolli Creek.

Kingsgrove's slow growth was partly attributable its late 19th century division into three separate municipal zones. The area north of Wolli Creek was attached to Canterbury Municipality in 1879, and the section south became part of Hurstville Municipality in 1887. In 1900 the area west of Kingsgrove Road split acrimoniously from Hurstville to become an independent Bexley Municipality, which was later absorbed into the Rockdale local government area.⁴ These boundaries were reflected in the separate names given to Kingsgrove's main thoroughfare. Before it became Kingsgrove Road in the interwar years, Canterbury Municipality's section was called Sharp Street, Belmore, while the southern part was Croydon Road, Hurstville. On some maps the whole route was described as Burwood Road.

The area's first large commercial enterprise began in 1902, when Ferguson's Nursery selected a bushland site at the corner of Kingsgrove Road and Stoney Creek Road for the propagation of citrus and garden plants. This was near C. J. Stone's slaughter yard, another thriving early business. Along with Mashman's Pottery, these remained isolated industries, for it was housing that drove the 20th century subdivisions that gave the suburb its present form.

In 1924 Kingsgrove had 300 homes for a population of 1200. Though interwar development was tempered by the Depression, these numbers expanded after the construction of the Tempe to East Hills railway, which was surveyed in the early 1920s and opened in 1931. The siting and naming of Kingsgrove Railway Station (fig. 8) gave the suburb an identifiable centre, encouraging a local shopping precinct to develop on the southern side of the station. To the north of the rail line, Wolli Creek was converted into a concrete stormwater canal as part of a

⁴ Hill and Madden, pp. 65-66

Depression work relief scheme, but the land in-between was little utilised until Hurstville Council developed it into a designated factory zone in the 1950s.



Fig. 8. Early view of Kingsgrove Railway Station (opened 1931).

By the 1950s, most of the current infrastructure of shops, parks, churches and schools was in place. Like much of the St George district, Kingsgrove had become a suburb of kerbed-and-guttered streets and neat brick housing. The typical Kingsgrove home of the interwar and early postwar periods was a two to three bedroom cavity brick house with glazed tiled roof and a brick front porch. The unassuming character of the housing stock was reinforced by the single dwellings and low-rise flats built by the NSW Housing Commission in 1948-49. The area between the Mashman site and Beverly Hills consisted of privately owned houses whose uniform appearance reflected the social homogeneity of that time. In recent decades, with new waves of migration into the area, the original housing stock has been altered and in some cases replaced by large two-storey residences of different design. There are some villa-style cluster developments, but no high-rise apartment blocks of the kind that are now concentrated in the centres of Hurstville and Rockdale. Also in contrast to other suburbs, Kingsgrove has retained its small but viable mid-20th century shopping centre. The opening of Australia's first major suburban retail mall at Roselands in the mid-1960s deflected such large-scale commercial growth away from Kingsgrove itself.

The two most notable late 20th century developments were both improvements to Kingsgrove's transport infrastructure. The East Hills railway was extended to become the main south-west commuter link between Sydney and the Campbelltown area. Along the same axis, the M5 motorway was brought eastwards across former greenbelt land in North Kingsgrove. Running parallel to Wolli Creek and the railway, part of the M5 East was put underground to reduce its impact on local housing and the district's last patches of bushland. Opened in December 2001, it took the heavy transport vehicles that previously congested Stoney Creek Road, and linked Kingsgrove into Sydney's wider expressway network. Entry to the M5 East from Kingsgrove Road connects the local industrial area with Sydney Airport and Port Botany, and provides commuter access to the city and suburbs further afield (see fig. 3, 4).

2.3 The role of the Mashman family in the manufacture of pottery products in Sydney

For four generations the Mashman name has been synonymous with clay products in Sydney. This dynasty of Australian industrial potters is historically linked to the famous Doulton Pottery in Lambeth, England. There the potter James Mashman (1824-1876) spent his entire working life after doing his apprenticeship under Henry Doulton. James Mashman's three sons followed him into the trade as apprentices at the Lambeth Pottery. William (1851-1912), Henry (1856-1922) and John Mashman (1858-1918) became specialists in different aspects of pottery throwing and turning. In 1876 William Mashman married and moved to Leigh-on-Sea in Essex, where he obtained work with a relative, George Day, in the small Victoria Pottery which made "Regal Pottery." His wife's family had been to the Victorian goldfields, and after her death in 1880 William decided to emigrate with his brother Henry to Australia. They arrived in Sydney on 10 July 1883 and found work at the Fieldsend pottery in Maitland. Looking around for opportunities, the brothers were attracted by the "excellent deposits of good clay" on Sydney's North Shore.⁵ Noting that the area seemed set for a building boom, they entered into a partnership in July 1885 with James Sandison, who was leasing a pottery in a former brickmaking site at North Willoughby, on the corner of Victoria Avenue and Jacques Street (now a residential part of Chatswood).

The firm of Mashman and Sandison initially produced salt-glazed stoneware, such as ginger beer bottles, bread crocks and jars, from clay excavated on the site. These early products were stamped "Mashman & Sandison Victoria Pottery Nt Willoughby." The acquisition of a horse-powered pipe-making machine enabled the production of vitrified drainpipes, and new claypits were acquired in East Roseville to help meet the growing demand from these goods. In 1890 the pipe-making operations were expanded and converted to steam power. Chimney pots, garden urns and fountains were among the other items the firm produced.

In 1887 William Mashman's two young sons joined their father in Sydney, and in 1888 John Mashman and his mother Harriet also came out from England. In 1889 John Mashman launched a second business in Auburn, taking over a pipe and redware works owned by Alfred Poulton on Parramatta Road near Short Street. Renamed the Carrington Pottery, this plant specialised in terra-cotta pipes and flower pots. The two businesses came under the joint management of the three brothers in 1892, when John Mashman purchased Sandison's share of the North Willoughby operations, which then became known as the Mashman Brothers Victoria Pottery. Around this time George Day and other members of the extended Mashman family came out from England to assist at North Willoughby. In 1894 Thomas Stevens, a craftsman at the Doulton factory, was brought out by William Mashman to develop a range of coloured saltglaze wares decorated with Australian flora, in the manner of Doulton's "Foliage Ware." Despite their technical accomplishment these decorative wares were not a commercial success, and the more prosaic sewerage and agricultural pipes continued to be the main lines of Mashman Brothers' Victoria and Carrington Potteries (fig. 9).

The geographic diversification that began with the Carrington Pottery at Auburn continued in the early 20th century, when William's two sons, Henry William (Harry) Mashman (1877-1961) and Frederick Albert (Fred) Mashman (1879-1964), started further plants in the developing south-west suburbs of Sydney. In about 1908, four years before his father's death, Fred Mashman purchased land for a new pottery in what was then known as Hurstville. This became the Fred A. Mashman St George Pottery at Kingsgrove. Around 1920, Fred formed a partnership with his elder brother Harry to buy the Enfield Pottery and Pipe Works, which Harry managed. In 1926 they also bought land at Sutherland and built the Sutherland Pottery

⁵ David Taylor, "Mashmans: Potters to the Gentry." Typscript, 19 July 1995. p. 1. See also the accounts of Mashman Brothers' history in Ernest Ungar, "The Mashman Bros Pottery," *Heritage Conservation News*, vol. 3, no. 3, 1986, and "Mashman, Ernest James Theodore (1895-1964)," *Australian Dictionary of Biography*, vol. 10, 1891-1939, pp. 430-431.

& Pipe Works, which was supervised by their cousin H. Trott. Soon afterwards, management difficulties at Enfield ended the partnership between Harry and Fred Mashman, and the latter took the new Sutherland plant as his share of the settlement. This business operated as Fred A. Mashman (Sutherland) Pty Ltd until 1980. Fred also tried to salvage the Enfield factory by taking it over in 1930, but the Depression soon forced him to close it down at a loss.

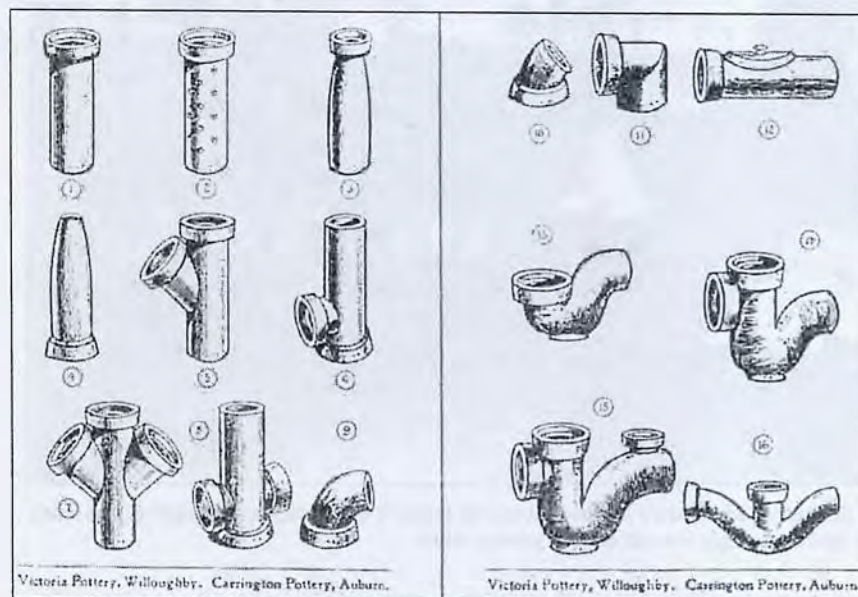


Fig. 9. Flanged drainpipes from a Mashman Brothers product catalogue.

After the death of Henry Mashman (Senior) in 1922, his son Ernest James Theodore (Theo) Mashman (1895-1964) became Managing Director of Mashman Brothers at Chatswood. In 1926 the firm restructured itself into a limited liability company and in 1927 rebuilt its premises with imported American machinery. In 1932 the company launched the "Regal Art" range of vases and ornaments, which it continued to make until 1939. It also started manufacturing "Bristol Gloss" sanitary ware and other white ceramic goods. While converting his factory to mass production methods in the 1930s, Theo Mashman helped to found the Clay Products Association of Australia, which lobbied to protect the industry against the incursion of concrete goods. In 1957 Mashman Brothers merged with the Royal Doulton Co. of England. A new plant was opened on the site in 1959, and Doulton took full control of the business in 1960. The Chatswood factory became Doulton Sanitary Potteries (Australia) Pty Ltd, and Caroma products were manufactured there until its eventual closure.

The Carrington Pottery at Auburn continued under Mashman family control until 1983. By then, all the Mashman potteries across Sydney had been closed or taken over, with the single exception of the St George Pottery at Kingsgrove. The increasing cost of energy and labour, and the competition from new standardised products such as PVC pipes, all but destroyed the local market for industrial pottery. Signifying the end of this era, the original Chatswood site has been redeveloped into a medium density residential complex. This process was preceded by archaeological investigations, and an interpretive park commemorating the former Mashman pottery is currently being completed along the Victoria Avenue frontage of the new development.



Fig. 10. Fred A. Mashman's children during his family's early years at Kingsgrove. The small fibro shed on the right was the original pottery office.

2.4 Establishment and development of the Fred. A. Mashman St George Pottery

In 1893, at the age of fourteen, Fred A. Mashman started work at Mashman Brothers. For a while his life seemed secure in Chatswood. He married Martha O'Connor, borrowed from his father to build a house in the area, and started a family. But by 1908 he felt so marginalised in the family business that he decided to start afresh "on virgin soil. I found a site two miles from Hurstville desiring to get as far as possible from the old ties."⁶ However he did not immediately remove himself from the parent company while setting up his new pottery, for in the minutes of Mashman Brothers' board meeting on 5 July 1910 he was listed as the secretary.⁷

To accommodate himself and his young family in Kingsgrove (fig. 10), Mashman built a small weatherboard cottage on the north-east corner of his land, before commencing the sheds and kiln that he needed for the pottery. The building now known as the stock shed (also recently described, perhaps incorrectly, as the old stable) was one of the simple vernacular workspaces that he built, using unsawn timber poles to support an unlined terra-cotta roof that facilitated natural ventilation. It was frequently said that Mashman cut his poles from trees on the site, but Mashman stated that he used second-hand timber picked up at sales. He bought bricks for his kiln from a brickworks in Hurstville and laid them himself. A second-hand engine from the Manly Electric Light works, an air brick press and an upright pugmill from an old brickyard in Bathurst enabled him to start business around 1910.

Mashman had originally intended to make sewerage pipes, but technical difficulties initially restricted him to such terra-cotta products as flower pots, garden edging, air vents, chimney pots and sill tiles. "Our first effort was to hand mould about 320 chimney pots, which were burnt and found a ready sale in those days. Gradually we made air bricks [and] employed some labour, increasing our turnover to one small kiln per fortnight."⁸ A wire-cut brick

⁶ Frederick Albert Mashman, memoirs, c. 1938. (Typescript courtesy Michael Mashman)

⁷ Geoff Ford, *Australian Pottery: The First 100 Years*, Wodonga: Salt Glaze Press, 1995, p. 112.

⁸ Frederick Albert Mashman, memoirs, c. 1938.

machine was imported from England in 1912, and arrangements were made for a regular source of clay from ground owned by the Chard family on the northern side of Wolli Creek. This clay pit (fig. 11), on 2 acres adjacent to Sharp Street (Kingsgrove Road), was eventually acquired in 1919-20 to assure the clay supply. In 1915 Mashman also bought some residential land in Donnan's Avenue, Bexley, and he commissioned the architects Peddle and Thorp to design a new family cottage, "Gresley." Built in the then fashionable Arts and Crafts style, this solid brick and tile residence affirmed Mashman's social standing in the district.



Fig. 11. The Mashman clay pit in North Kingsgrove. This land is now occupied by a service station and factories.

The interruption of international trade during World War One indirectly boosted the Australian terra-cotta industry by cutting off the supply of roofing tiles, which until then were imported from France. Fred Mashman, among others, seized this opportunity to begin manufacturing Marseilles-patterned tiles. To raise the additional capital for a tile works, Mashman floated his business as a limited company in 1918, with local builders and businesspeople as his co-directors. Mashman became Managing Director, and the two other main shareholders were Charles Christian Paterson and Brereton Joseph Colvin. Mashman estimated that with the addition of a tile press, two new coal-fired kilns and other equipment, the company could produce 6,000 roofing tiles per week, as well as other pottery. Bricks for the two new barrel-vaulted kilns were ordered in 1918, and new plant was acquired, including a second air brick press and a "disintegrator" to prepare the clay. In 1920 Mashman purchased "a number of poles towards erection of new sheds." By February 1921 he was able to report that the extensive building additions had been completed; all three kilns were operating and a new rotary tile press was due to be installed.

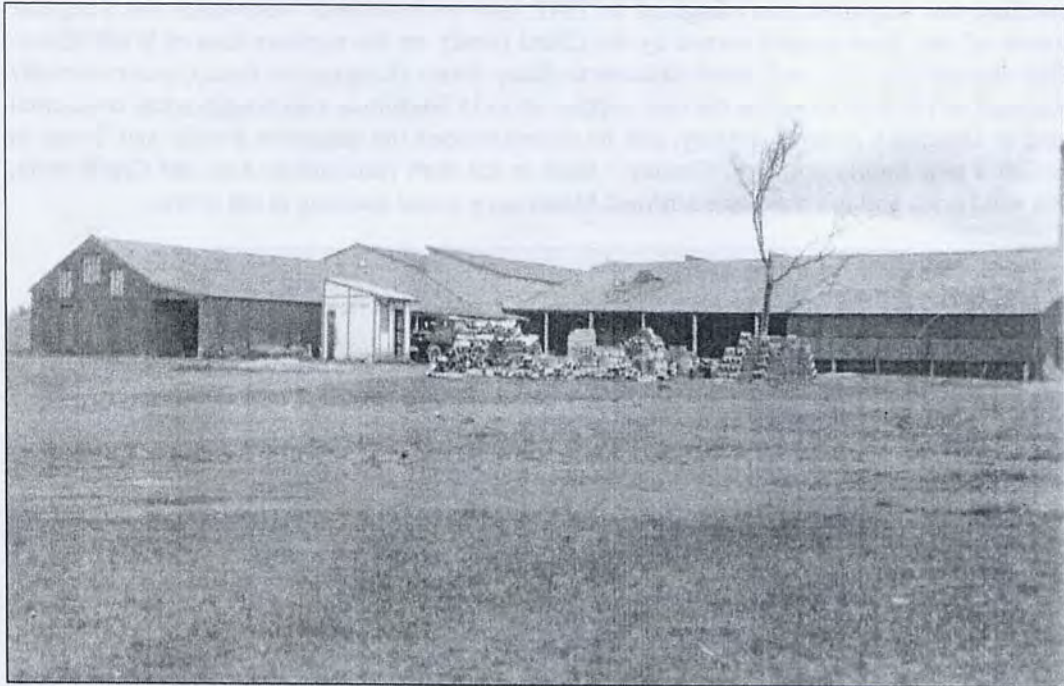


Fig.12. A view of the pottery buildings in the mid-1920s, showing the stock shed on the left and the fibro office.

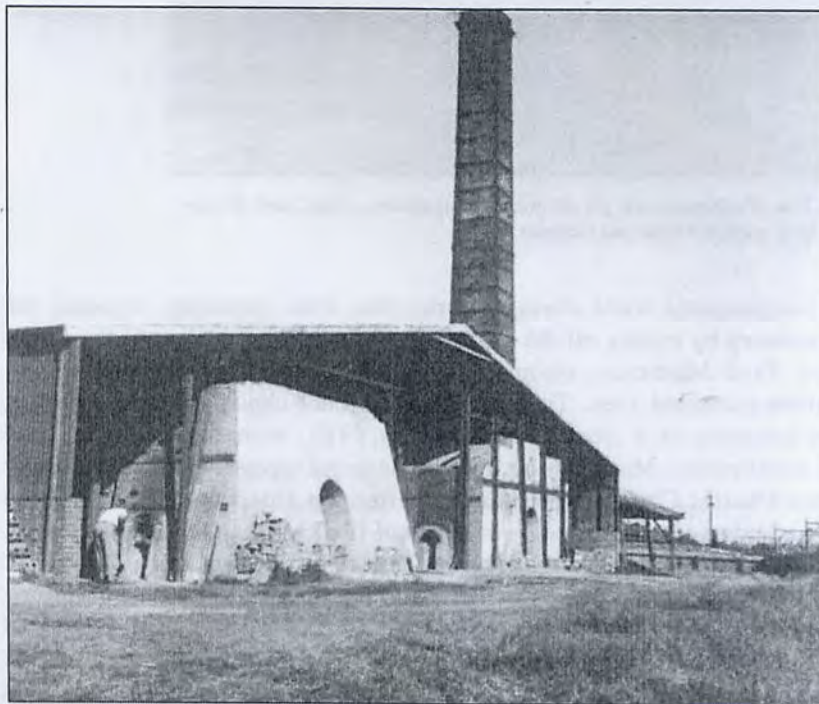


Fig. 13. A postwar view of the two downdraught kilns that were built in 1918-1920.

Shortly after this business expansion, Mashman was advised of plans to develop the new East Hills railway. He reported to his board on 23 June 1921 that "a survey had been made for a new railway, which, if constructed, would cut off a small portion of the land." The company received no compensation for the two acres that were eventually resumed on the northern side in 1927-28, the increase in land values being deemed sufficient reward. To make way for the new station the family's original timber home was relocated to the southern part of the

site—Frederick Francis Mashman (known as Tim) would later claim that he was one of the few people ever to be born “on Kingsgrove Railway Station.”⁹

The company’s minute books provided a detailed record of the growth and profitability of the firm. In its early years, it regularly returned a 10% dividend to its shareholders. Its unglazed terra-cotta tiles, stamped “Croydon Road Hurstville,” were well-regarded by local builders. The switch to glazed tiles in 1925 contributed to the distinctive red-brown colouring of local residential roofing between the wars. Mashman’s careful monitoring of market conditions helped the company to weather periodic downturns in the building industry. For example he recommended diversifying into agricultural pipes in 1923, and at the same time he saw the advantages of putting some of the business capital into land investments. In 1925 the company purchased 7 acres on Morgan Street. Mashman continually improved the pottery facilities—he erected a skillion roof over the main kiln in 1923; installed a new machine in 1926 for the large flower pots that were previously made by hand; and in 1928 added 25 feet to the brick chimney to prevent any smoke problems with the future railway. By then agricultural pipes had become a big factor in the business, and Mashman erected a new 150 x 50 ft drying shed (later destroyed by fire). He purchased 25,000 bricks to build a new dome-shaped salt-glaze kiln in place of the original kiln of 1910 (fig. 14, 15). The first firing of the new kiln was reported in February 1929. A brick office and showroom to replace the original fibro office shed was added in 1929, and in 1930, with the new railway imminent, a galvanised iron fence was erected around the factory site (fig. 8, 16).



Fig. 14. Internal lining of the dome-shaped salt-glaze kiln.

⁹ Frederick Francis (Tim) Mashman, interview 1989, quoted in Hill and Madden, p. 73. The cottage was relocated to the site of the present Kingsgrove police station.



Fig. 15. The salt-glaze kiln of 1928 (since demolished).

In the early 1930s the firm entered into collaborative arrangements with other potteries to offset the effects of the Depression. For example Mashman Brothers concentrated on small flower pots allowing the St George Pottery to make large pots, and the Kingsgrove factory also started to supply agricultural pipes to Bakewell Brothers and Fowlers. By 1936 clay was being sourced from as far away as Kemp's Creek, and a new steel-framed stock shed was added in 1937. Mashman was sufficiently confident of the business to spend ten months overseas in 1938, leaving the management to his son Lionel.



Fig. 16. Tennis court erected in 1933 on company land adjoining Kingsgrove Railway Station

Socially, an interesting addition to the Mashman site in the 1930s was a tennis court constructed on the north-east corner next to the new railway (fig. 16). Mashman explained to his board in September 1933 that the stationmaster had sought his permission to build this as a recreational facility for railway employees.

In 1938 the company shifted its focus to land development. Plans were drawn up for four shops facing Croydon Road (two lock-up shops and two with residences), but after Fred Mashman's return from abroad, the company decided upon three lock-up shops on the embankment to the station, and the residential subdivision of the land on the south and west that was not required for the pottery. These developments took place in 1939, the subdivision creating Paterson, Colvin and Mashman Avenues. In 1940 the board decided to proceed with a further development of shops and flats. In 1941, at a cost of £8000, it constructed Kingsgrove's first block of flats on the corner of Mashman Avenue, with shopfronts on the main road (fig. 17). The flats were named Pacoma in honour of the three directors. Also that year, on the death of Colvin, Lionel Mashman was appointed a director. By that time the company had sold all of the residential lots it had put on the market.



Fig. 17. Pacoma flats and shops, erected 1941 on the corner of Mashman Avenue and Kingsgrove Road.

The St George Pottery had a less active history after the war. The decline of its earlier markets meant that by 1968 its economic future was in doubt. This prompted proposals to rezone the site for home unit development—a plan that the Kingsgrove Chamber of Commerce promoted in its local newsletter, the *Grove Gazette*.¹⁰ The Westfield Corporation was one of the parties interested in the Mashman site, but nothing eventuated.

Around 1968, Tim Mashman took over the firm's management after the death of his brother Lionel. Just prior to this, in 1967, Tim's son Michael Mashman started work in the factory. Michael became a director in June 1973, and on the death of his father on 22 November 1993 he was appointed to his present position as Managing Director. Under Michael Mashman, the company revived its traditional product range to cater for the emerging home restoration market. While continuing to make the standard extruded and pressed items such as air vents, Mashman developed an extensive catalogue of Victorian and Federation finials, gargoyles, and other hand-moulded decorative objects. In 1994 the company hired the brothers Don and Kevin Buik, who learnt their trade from their father Norm, to hand-throw a variety of wares, from coffee cups, teapots and casserole dishes to large chimney and flower pots. These goods were stamped "FRED A. MASHMAN PTY LTD. KINGSGROVE, HANDCRAFTED" together with the potters' initials "DB" or "KB."¹¹ However this arrangement lasted just year

¹⁰ See Hill and Madden, p. 141.

¹¹ Geoff Ford, *Australian Pottery: The First 100 Years*, Wodonga: Salt Glaze Press, 1995, p. 116

or so, and the production of “fancy ware” thus never became representative of the output at Kingsgrove.



Fig. 18. Detail from a recent product catalogue for Fred A. Mashman Pty Ltd.

The company's current product range includes air bricks, agricultural pipes, channel pipes, chimney pots, Spanish caps, letter box bricks, sill tiles, quarry tiles, finials and crests, garden edging and sinkstones (fig. 18). It also supplies modelling clay to schools and craftspeople. Today however, Fred A. Mashman Pty Ltd is a small operation compared to its interwar growth as a tile and pipemaking works. Of necessity the pottery has changed its methods of production, eliminating some of the traditional technologies. For greater heat efficiency and reduction of pollution, the 1928 salt-glaze kiln and the two earlier coal-fired kilns of 1918-20 had been demolished at the beginning of the 1990s, and replaced by modern gas-fired kilns (fig. 19). Extruded products like quarry tiles were improved by the development in the 1980s of highly durable ceramic-lined extrusion dies. Pressed products such as air vents have continued to be made on the original machinery (fig. 20).

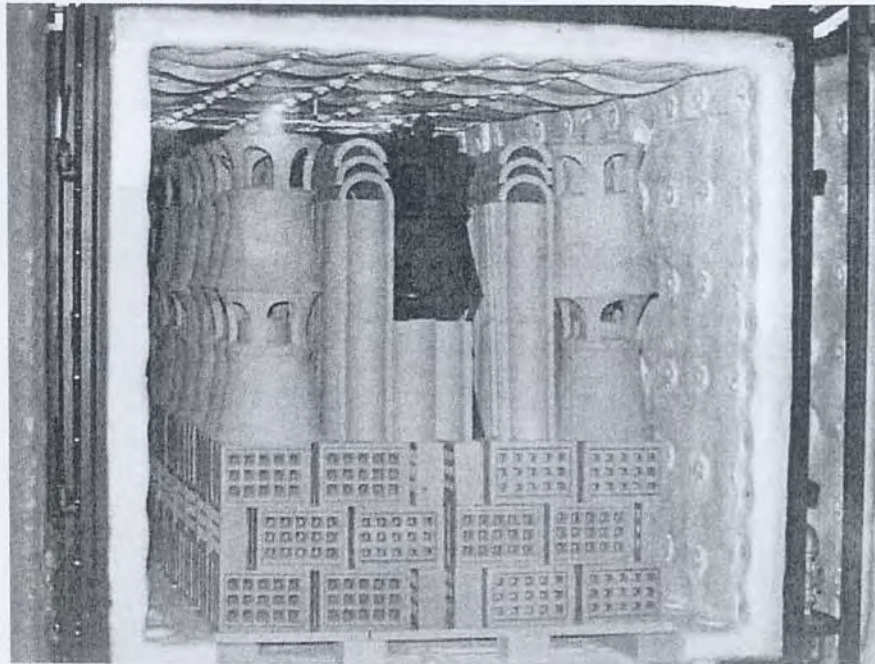


Fig. 19. First burn of new gas-fired kiln in the early 1990s. The firing includes such typical Mashman products as air vents, channel pipes and chimney pots.

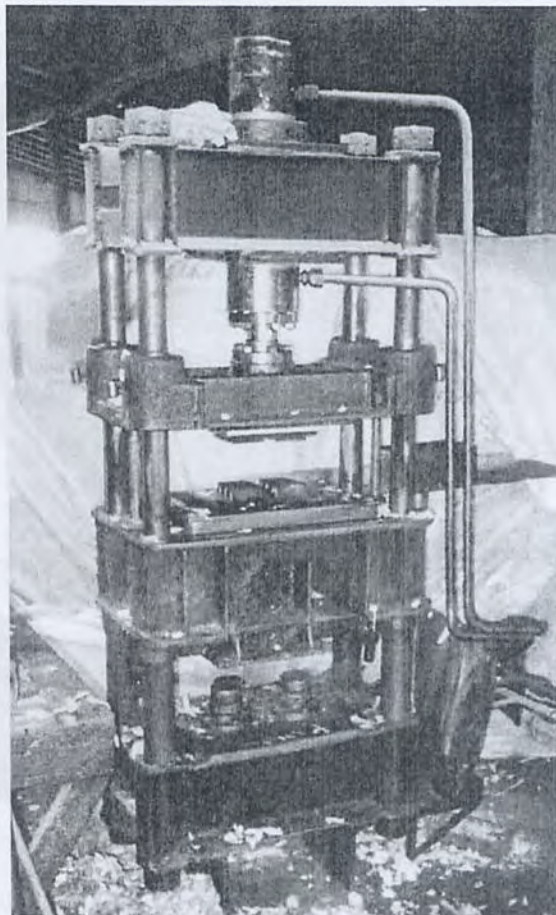


Fig. 20. An air vent press still in regular use.



Fig. 21. The eastern façade of the main factory. c. 1960.



Fig. 22. The roof forms of the main factory and sheds.



Fig. 23. Site plan of the Fred A. Mashman St George Pottery

3.0 A BRIEF DESCRIPTION OF THE PRESENT FABRIC

3.1 The main factory

Occupying the centre of the site (fig. 23), the main factory is a composite of several structures reflecting the different stages of the company's expansion. It has saw-tooth and hip-roof sections abutting each other to cover a large workspace spread over two levels (fig. 21, 22).

The earliest workspaces are pole-framed, with evidence of wood decay in some of the uprights. Later additions are steel-framed. Walls are painted corrugated iron with some brickwork, and the different roof sections have unglazed terra-cotta tiles or corrugated fibro sheeting. Modern roller-doors are fitted to the main entrances. Internally there are numerous ad-hoc features that show the evolution of use. For example the old fibro site office, still with its original sign but without its roof, is now built into the middle of the factory.

On the ground floor are all the components for the whole cycle of production. At the southern end is a covered clay storage area and a crusher for processing the raw earth. In the central work spaces are extrusion machines, vent presses, and areas for throwing and moulding.

Conveyors link the manufacturing and drying areas (fig. 24). Much of the upper level is occupied by drying racks, and all of this area has open timber floors to aid the circulation of air. The slatted floors, racks, and exposed structural elements contribute to the industrial-vernacular aesthetic of the factory complex.

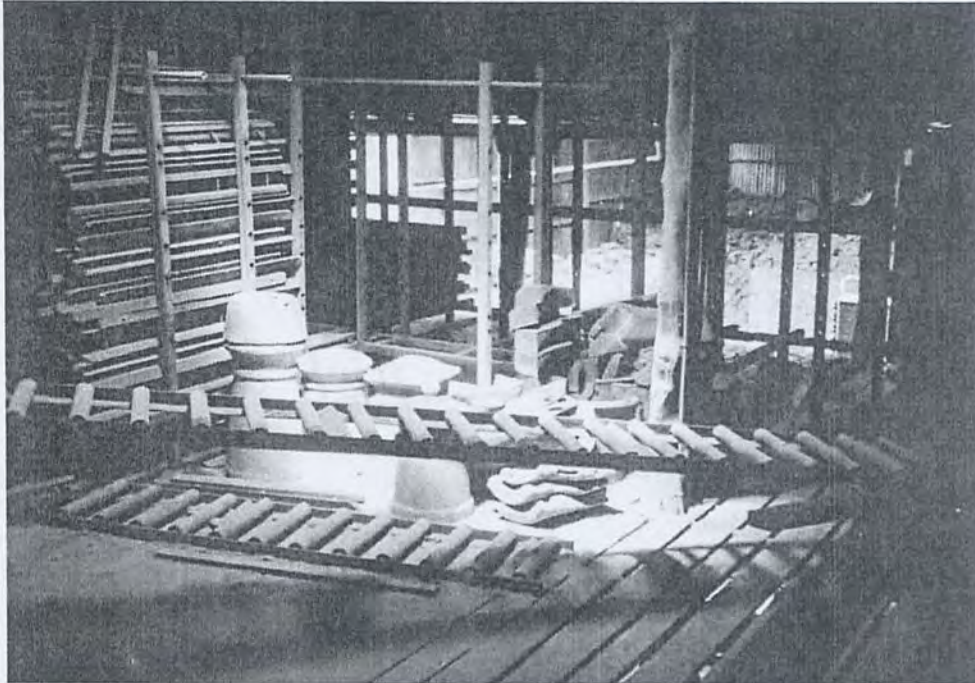


Fig. 24. Detail of the upper level of the main factory showing conveyors and drying racks.



Fig. 25. Pipes stored on drying racks in a later wing on the western side of the main factory.

All the firing facilities are on the northern side of the main factory, and most of the recent alterations to the building fabric have occurred in this area. Where the three large downdraught kilns have been demolished, it is still possible to trace the outline of the underfloor flues that connected them to the single brick chimney (fig. 26). The chimney currently ventilates a small glazing bench, but is otherwise disused. The damaged top section of the chimney has been dismantled for safety reasons. The external iron braces on the shaft have failed, and the accumulation of salts and acids from the firings have adversely affected the brickwork at the chimney's base.



Fig. 26. Detail of the chimney, showing the external bracing. The ladder is a temporary fixture that was erected in 2004, when workplace safety requirements necessitated the urgent removal of more than a metre of loose brickwork from the top of the chimney.

3.2 Auxiliary buildings

On the southern side of the eastern entrance is the oldest building on the site. It is a pole-framed, hip-roofed stock shed, with storage areas built into the main timber frame, the whole volume partially enclosed with iron and timber (fig. 27). This simple, naturally ventilated shed was probably one of the original facilities built by Fred Mashman around 1910. Because of its rusticity, its main eastern volume is presently a showroom, while the rest of the shed provides cover for goods awaiting delivery. Typical of a work building in continuing use, there is a mixture of early and modern fabric. The unlined roof is clad in the original unglazed terra-cotta tiles, but a north-facing awning has corrugated asbestos-cement roofing sheets. A surviving section of the original floor is lined with terra-cotta blocks similar to early stable paving, but the other structural evidence suggests that the building was always a pottery shed rather than a stable. The company did however use horse-drawn transport even after purchasing its first motor lorry in the 1920s.



Fig. 27. The early stock shed with the later truck shed behind it.

On the opposite side of the main entrance is the 1929 brick and tile bungalow-style office. Structurally it is in original condition, but externally its sober interwar appearance has been modified by its recent adornment with samples of the company's heritage range of terra-cotta finials and gargoyles.

Flanking the original stock shed on its southern side is a truck shed c. 1930s (fig. 28). It is a timber-framed, hip-roofed structure with corrugated iron cladding and an unaltered interior, now used for pottery storage. Behind it in the south-east corner of the site is a cottage-style brick and tile building, probably of 1940s construction, that serves as a staff area and amenity block.



Fig. 28. Interior of the interwar truck shed, now a pottery storage area.

3.3 Fences and grounds

The grounds around the main building provide parking and open storage for the company's fired products. A high brick fence decorated with terra-cotta products flanks the eastern entrance into Mashman Avenue. This brick wall and the associated gateposts and steel gates were erected in 1991. They form part of a courtyard display area adjacent to the company office. The western site boundary on Colvin Avenue has metal security fencing that is likely to be a remnant of the fence erected in 1930. Scattered around the site are stored items unrelated to the main operations, including a caravan and some long-disused machinery from the former Mashman Brothers site in Chatswood.

3.4 Archaeological potential of the site

The northern section around the former kilns has potential for industrial archeological investigations of traditional pottery-firing technologies, particularly the system of underfloor flues. The grounds generally are embedded with pottery rubble, but given the history of production this would be mostly broken tiles and extruded material. The main building contains substantial amounts of machinery, drying racks and other equipment that is characteristic of the industry. All of this has interpretive value, especially while the factory continues to operate. Thus any archaeological study preceding any new development would be best coupled to documentation of the working factory before any closure and dispersal of the existing plant takes place.

4.0 ASSESSMENT OF CULTURAL SIGNIFICANCE

4.1 Approach to assessment

The approach to assessing the significance of the place is set out in *The NSW Heritage Manual Part 2* (July 2001). An item will be considered to be of State (or local) heritage significance if, in the opinion of the Heritage Council of NSW, it meets one or more of the following criteria.

Criterion (a)

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (b)

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (c)

An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative or technical achievement in NSW (or the local area);

Criterion (d)

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;

Criterion (e)

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (f)

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);

Criterion (g)

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).

4.2 Grading of significance

<i>Grading</i>	<i>Justification</i>	<i>Status</i>
EXCEPTIONAL	Rare or outstanding element directly contributing to an item's local and State significance.	Fulfil criteria for local or State listing
HIGH	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance	Fulfil criteria for local or State listing

MODERATE	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Fulfil criteria for local or State listing
LITTLE	Alterations detract from significance. Difficult to interpret.	Does not fulfil criteria for local or State listing
INTRUSIVE	Damaging to the item's heritage significance	Does not fulfil criteria for local or State listing

4.3 Statement of cultural significance

The site occupied by the Mashman pottery is of cultural significance because of its long association with the Mashman family's role in the manufacture of terra cotta products for building and drainage in New South Wales. Although its architectural and interpretive significance is compromised by the loss of key components such as the original kilns, the site nevertheless has historical and landmark value in an area otherwise characterised by low-density suburban development.

Criterion (a) *Historical*

The site is historically acknowledged for its role in the manufacture and supply of terra cotta products throughout the twentieth century. It is linked to earlier pottery sites in Sydney that were operated by members of the Mashman family. *Moderate*

Criterion (b) *Association*

The site is associated with the pioneering role of the Mashman family in the development in Sydney of major industrial potteries based on English methods. It is also associated with the 20th century development of Kingsgrove and Hurstville municipality, being one of the first industries to be established in the area. *Moderate*

Criterion (c) *Aesthetic*

Aesthetically, the most significant features of the site are the early stock shed and the oldest parts of the main factory complex that show a similar rustic form of construction. They demonstrate industrial vernacular building methods utilising second-hand materials. Their unlined roofs are clad in terra-cotta tiles (many bearing the Mashman stamp) and the open-slatted timber floors create a naturally ventilated work area that is representative of its period and purpose. The well-shaded work spaces have a rustic, artisanal ambience typical of traditional potteries. *Moderate*

The aesthetic significance is compromised the loss of the two barrel-vaulted downdraught kilns and the dome-shaped salt-glaze kiln. The single chimney, which is the main landmark on the site, is structurally insecure. Its profile is compromised by the partial loss of fabric. *Little*

Criterion (d) *Social*

The history of the site is closely intertwined with the role of the Mashman family in the development of English methods of pottery manufacture in New South Wales. This criterion is limited by the fact that it was a second-generation development that did not embark on the decorative wares that Mashman Brothers produced in North Willoughby. At a local level the site is significant for the longterm employment it gave to men in the clayworking industry. *Moderate*

Criterion (e) *Potential to yield information*

Archaeological investigation of surface residues has some potential to reveal information about the industrial use of the site. Of greater potential for study are the underfloor flues linking the original kilns to the smokestack, and the range of operational equipment still being used in the factory. *Moderate/little*

Criterion (f) *Rare or endangered*

The site is one of only two traditional industrial potteries remaining in Sydney. *Moderate*

Criterion (g) *Ability to demonstrate the characteristics of a class of places*

The main factory accommodates all of the stages of terra-cotta manufacture, from the preparation of the raw earth to the baking of the extruded and hand-formed products. However key aspects of its operation have been modernised—notably the replacement of the original coal-fired brick kilns with gas-fired units—and this compromises the site's ability to demonstrate traditional terra-cotta technologies. *Moderate*

4.4 Summary of fabric of significance

Main factory: *Moderate* (representative value seriously compromised by loss of traditional kilns)

Early stock shed: *Moderate* (rarity value as a rustic pottery structure)

Truck shed: *Moderate/little* (representative value only)

Brick chimney: *Little* (compromised by loss of structural integrity and purpose)

Main office: *Little*

Staff amenity block: *Little*

Modern brick fencing and gates: *Little*

Old metal fencing: *Little*

Movable heritage: plant and equipment: *Moderate/little*. (Representative machinery such as the crusher and presses are most significant while they remain in an operational setting.)

Movable heritage: samples of terra-cotta products: *Moderate/little*. (Representative value as evidence of the products made on site.)

5.0 CONSERVATION POLICY

5.1 Explanation, terms and structure

John Graham & Associates believe that in the event of the pottery's closure due to economic imperatives, there are no long-term heritage issues that require the maintenance and preservation of the buildings beyond their present use by the current proprietors. Though the pottery has cultural significance while it remains operational, the existing buildings are structurally impermanent with limited scope for adaptation. The items of significance should be recorded and possibly kept in part, but they should not impede future changes of use to the site.

The purpose of the following conservation policies is to provide a guide to the future development and use of the site in a manner that acknowledges its past changes and cultural significance, and meets the planning objectives for Kingsgrove. The policies should be sufficiently flexible to allow the continuation of the existing use while ensuring that the character and significance of the place is recorded before there is any change of use, loss or alteration of fabric. Individual policies are set out in point form. To assist interpretation they are accompanied by explanations of the reasons why the policies have been adopted and recommendations suggesting ways the policies may be implemented.

5.2 Individual Policies

Policy 1

The policies outlined in this report should be endorsed by the property owners and statutory authorities as a guide to future work.

Policy 2

Any work on items of significance should be carried out in accordance with the principles of the *Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter)*.

Policy 3

The treatment of existing fabric, spaces and elements should be related to the degree of significance as follows:

- items of moderate to high cultural significance should be recorded before any further alterations, demolition or redevelopment of the site commences
- representative items identified as culturally significant should be dismantled in a manner that facilitates their possible re-use in an appropriate context.
- items of low significance and intrusive items may be removed.

Policy 4

In general terms, an adverse effect on any item or aspect of significance may be permitted provided that:

- it helps to secure the viability of the site or the item
- there is no feasible alternative.

The range of manufactures and new technologies for the building industry have evolved beyond the traditional methods and products of small, artisanal factories like the Mashman pottery. Production changes and efficiencies of scale in the clayworking industry will continue to manifest themselves, making the Mashman pottery increasingly unviable in its present location. The maintenance of the facilities on the existing site should not be encouraged if the pottery ceases to be a sustainable, safe workplace.

The site's vernacular structures are representative of their period and purpose. However the period value is compromised by the deteriorating condition of the main structural elements and the loss of significant components, notably the original kilns. The interpretive value of the remaining structures needs to be measured against their structural integrity and potential risk to the public. The retention of the chimney should not be mandatory, given its unremarkable profile, loss of fabric and likely instability. It would be preferable to acknowledge the site's history by planning the public spaces in any new development in a manner that evokes the artisanal qualities of the existing site.

Policy 5

The present group of buildings and structures is culturally significant as a surviving example of a working pottery under the same family management. However the preservation of the buildings, structures and equipment should not be required beyond the period of their existing use.

Policy 6

The future rezoning and redevelopment of the site for other purposes should be supported, providing it occurs in a manner that is sympathetic to the surrounding land uses and respects Kingsgrove's character as an urban conservation area.

Policy 7

The present site should be photographically recorded for public archival purposes. The methods of pottery manufacture on the site should be documented prior to any closure or removal of major structures, plant and equipment.

Policy 8

An archaeological assessment of the site should be undertaken prior to any redevelopment of the site, to assist in recording its industrial history. Archaeological site work may include the removal, documentation and preservation of any uncovered item of cultural significance.

Policy 9

In the event of the pottery's closure, the relocation of operational plant and equipment to other potteries should be permitted.

Policy 10

Any future redevelopment of the site should include interpretive and design elements that acknowledge the site's past use and cultural significance as a 20th century pottery that contributed to the growth of the area.

Redevelopment of the site offers an opportunity to commemorate its history—for example through landscaping that contains industrial artefacts from the site; through architectural references to the existing vernacular shelters; or through the use of Mashman terra-cotta products. In planning the public and interpretive spaces, continuation of the practice of reuse of fabric of significance would be desirable if it evokes the distinctive nature of the place.

Any redevelopment of the site should occur in a manner that is advantageous to Kingsgrove as a community. Redevelopment consistent with the planning objectives for the area will substantially improve the general amenity and streetscape in this central part of the suburb. Such a development should be encouraged, provided that:

- it respects the above policies concerning items of cultural significance
- the development of the site occurs in a way that encourages pedestrian movement, including public access to the interpretive elements.

6.0 List of references

Primary sources:

Minute books of Fred. A Mashman Pty Ltd, vols 1 & 2, 1918-1940. (Courtesy Michael Mashman)

Frederick Albert Mashman. Typescript copy of handwritten memoirs, c. 1938, found in the effects of Judith Dowling (née Mashman). (Courtesy Michael Mashman)

Product catalogues of Fred A Mashman Pty Ltd. (Courtesy of Michael Mashman)

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Ernest A. Ungar. "The Mashman Bros. Pottery." Typescript of an undated draft. (Courtesy Michael Mashman)

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Ernest A. Ungar, "Mashman, Ernest James Theodore (1895-1964)," in *Australian Dictionary of Biography*, vol. 10, 1891-1939, pp. 430-431

Appendix 1

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1. List of Amendments to this DCP

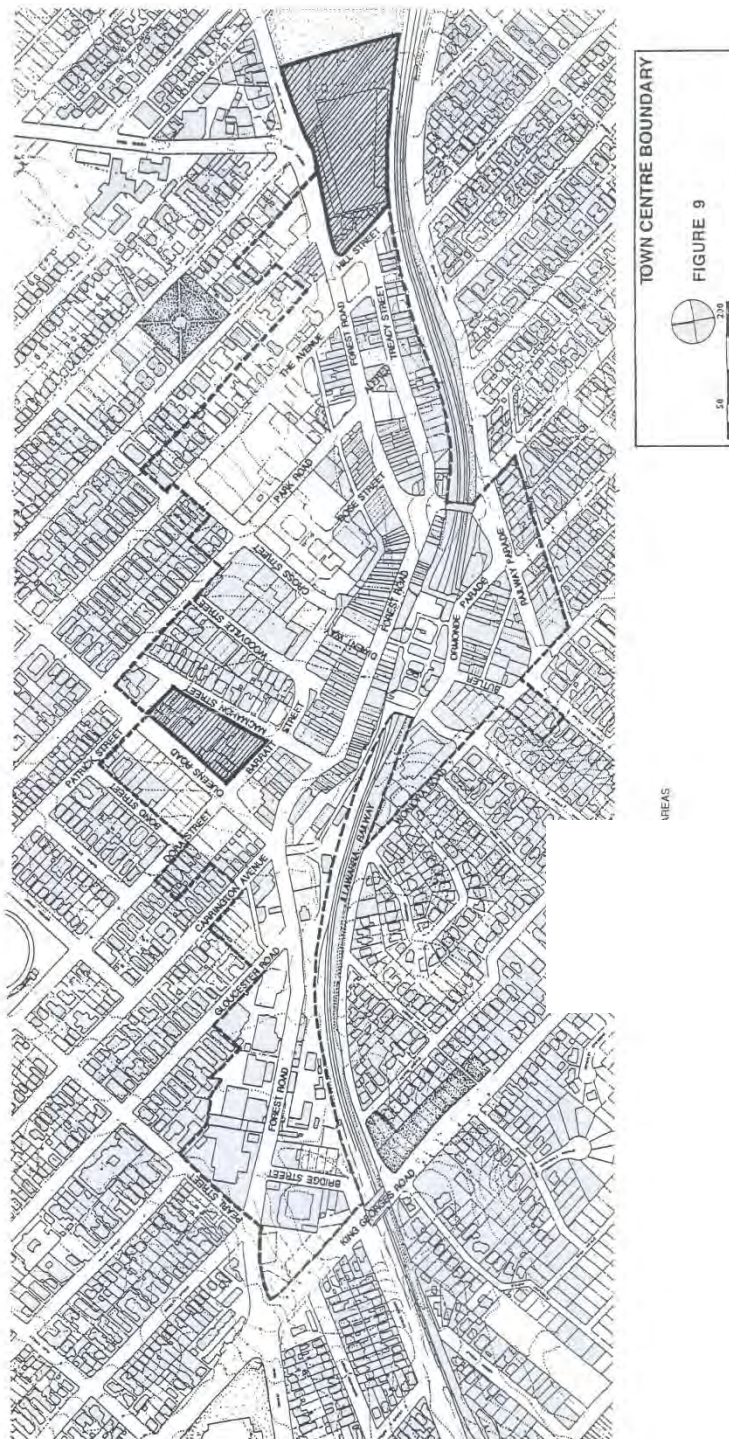
Amendment no.	Clause amended	Subject
Amd No.1. Adopted by Council 30 May 2007, effective 7 June 2007	5.4.1	Child Care Centre Provisions: -Required frontage increased from 13m to: -18m (where 2 separate one way ingress/egress vehicular access points proposed) and; -20m where a single vehicular access point is proposed -centres not permitted on land with a boundary to a state road (previously a "main road")
	5.4.5	-amendment to not permit centres on land with a boundary on a state road -remove industrial areas from list of undesirable features & include statement that centres are permitted within industrial areas subject to merits assessment -expand list of undesirable features to include hazardous & offensive development, bushfire and flood prone land, injecting rooms and drug clinics - remove requirement for demographic analysis and supply/demand analysis
	5.4.6	-insert new section regarding cumulative impacts
	5.4.7	-insert new section requiring consideration of child care centres within large developments
	5.4.8	-insert new section regarding size of centres & child age groups
	5.4.9	-Building form and appearance -amend objectives, height, setback and building colour controls
	5.4.10	Access & Parking - reduced parent parking rate & illustrative diagrams for preferred vehicular access arrangement of 2 separate one way ingress & egress points - require open stand car spaces setback behind 1m front landscape strip, physical separation between cars and pedestrians, neighbourhood parking policy, motor vehicle and pedestrian risk assessment report to be submitted, require all DA's to be referred to traffic committee
	5.4.11	Landscaping - require 1m wide front landscape strip and screen landscaping along side boundaries, non-residential zones merits based
	5.4.12	-shading of outdoor play area requirements amended, play areas not to be located in front of building
	5.4.13	-staff room requirement & number of cots required amended -Hours of operation extended for new centres and old centres with 18m frontage and separate ingress/egress
	5.4.14	-Acoustic report requirements amended, colour bond fencing now considered

Amendment no.	Clause amended	Subject
	5.4.15	-Occupant of dwelling to be associated with centre
Amd No.2. Adopted by Council on 24 February 2010, effective from 22 March 2010		
	1.12	Savings and Transitional Provision
	2.2	Neighbour Notification and Advertising of Development Applications
	3.1	Car parking
	Various	Development in Bushfire Sensitive Land
	Section 4	Sunlight and Solar Access
	4.1 (new)	Single Dwelling House Controls
	4.2	Dual Occupancy Solar Design, Water and Energy Efficiency
	4.3	Irregular Shaped Lots (new controls)
	4.3	Isolated Sites (new controls)
	4.6	Outbuildings
	6.10 (new)	Development in the Foreshore
	App. 3	Council Policies
	Various	Update legislation, cross-referencing and State policy references
	Various	DCP Formatting and Layout
Amd No. 3. Adopted by Council on 12 June 2013, effective from 24 June 2013		
	Various clauses throughout the DCP	<p>The primary purpose of Amendment No. 3 is to make DCP No.1 consistent with the land use zones, definitions, development standards and other clauses in the Hurstville Local Environmental Plan (LEP) 2012, which commenced on 7 December 2012.</p> <p>The amendments to DCP No.1 are contained throughout the DCP and include, but are not limited to:</p> <ul style="list-style-type: none"> • Update Savings and Transitional Provisions (Section 1) • Changes to requirements for neighbour notification and advertising of development applications (Section 2.2); • New section for 'Preservation of trees and vegetation' (Section 3.11); • New section for 'Height of buildings and indicative storeys' (Section 3.12); • Changes to certain controls for residential development (single dwellings, dual occupancy, multiple dwellings, residential flat buildings and small lot housing) including setbacks, landscaping, private open space, stormwater drainage and other controls (Section 4); • New controls for 'detached dual occupancy' (Section 4.2); • New section for 'secondary dwellings' (Section 4.5); • Deletion of certain DCP sections including but not limited to: Home

Amendment no.	Clause amended	Subject
		<p>Activities; Housing for Seniors or People with a Disability; Food Premises; Hair Dressing, Beautician and Skin Penetration Premises; Controls for certain Specific Sites; Contaminated Land; Development in bushfire sensitive land; Amusement Centres; Definitions, and Development Application checklists;</p> <ul style="list-style-type: none"> • Update all Hurstville LEP 1994 references to the Hurstville LEP 2012 land use zones, definitions, development standards and other LEP clauses; • Update references to legislation and state planning policies; • Minor and administrative amendments; • DCP formatting, cross-referencing and layout.
Amd No. 4. Adopted by Council on 4 June 2014, effective from 12 June 2014	1.4	<ul style="list-style-type: none"> • Minor administrative amendment to insert reference to the current amendment, being Amendment No.4.
	1.6	<ul style="list-style-type: none"> • Update Savings and Transitional Provision to only apply to Development Applications lodged on or after 2 April 2014.
	4.3.2.1	<ul style="list-style-type: none"> • Insertion of Residential Densities control for Multiple Dwellings, requiring a minimum site area of 315m² per dwelling for land zoned R2 Low Density Residential under Hurstville LEP 2012.
	4.3.2.10	<ul style="list-style-type: none"> • Minor amendment to clarify the application of the landscaped area control for Residential Flat Buildings.
	4.3	<ul style="list-style-type: none"> • Comparison Table - minor amendment to clarify that building envelope controls apply for the side setbacks of Multiple Dwellings and Residential Flat Buildings.

2. Land to Which DCP 2 Hurstville City Centre Applies

DCP 2 Hurstville City Centre applies to all land zoned 3(b) City Centre Business Zone under the Hurstville LEP 1994, located within the Hurstville LGA. This land is shown and marked by the dotted and fro block lines on the map below. (DCP 1 Hurstville LGA Wide DCP applies to all remaining land within the Hurstville LGA)



3. Map of the Canterbury Planning Proposal Land



4. Map of Foreshore Scenic Protection Area

Please refer to the Hurstville LEP 2012 for the Foreshore Scenic Protection Area Map.

<http://www.legislation.nsw.gov.au/mapindex?type=epi&year=2012&no=613>

4. The Kemp's Estate

The Kemp's Estate Station, Universal, Broughton, Crump and Kemp's Street, Mortdale (including parts of Morts and Boundary Roads)

Background – from Hatton, D.J., *"Mortdale in the Early Years"*, Hurstville Historical Society Monograph, No 8, 1981.

There were two main farms in the district between Mortdale and Penshurst. The Kemp's Farm, which had an orange orchard, encompassed the site of the present Mortdale township. The Parkes' Farm was further towards Penshurst near Victoria Avenue.

The development of Mortdale township followed the establishment of the Hurstville Steam Brick Company in 1844. The brickworks were built on Kemp's land on the eastern (Kogarah Council) side of the railway line.

The railway, constructed in 1884, cut across the farms. There was no provision for the train to stop between Penshurst and Oatley. The brickworks siding opened in 1886 and Mortdale Station was not opened until 1897.

The brickworks brought families to live in the area, and they originally settled on the eastern (Kogarah) side of the railway line.

The present business side of Mortdale, on the western side of the railway, was known as Newman's Paddock in the 1880s. Mr Newman was the only resident on that side of the railway line. His estate was subdivided and sold in 1893-94 as the Morts Township Estate, and in 1895 as Kemp's Estate.

Mort's Township Estate was bound by Morts Road, the railway line, Boundary Road and Station Street. It also included Oxford Street, Martin Place, Macquarie Street, Pitt Street, George Street and the Strand.

Kemp's Estate, to the west of Mort's Township Estate, was sold by the Universal Land and Deposit Bank Ltd., whose directors were Messrs. Crump and Broughton. Hence, the naming of Universal, Broughton, Crump and Kemp's Streets.

The Kemp's Estate Subdivision

A copy of the original subdivision is attached. The residential lots were available under Torrens Title. The majority of the sites had a 20 feet frontage with a depth of 120 feet. Each block was cut in half by a laneway, now called The Strand.

Typical of the subdivisions of the time, the layout of the Kemp's Estate bore no relationship to the terrain or to existing dwellings or structures, or for the provision of services.

Remaining pre subdivision structures and possibly the first houses constructed on the subdivision include: 41 Crump Street, 52 and 54 Broughton Street, 13 Broughton Street, and the brick building on The Strand between Station and Universal Street. 35 Kemp's Street is typical of a number of weatherboard cottages of this early period which remain in good condition.

Some substantial brick houses were constructed in the 1910-20s; a good example is 30 Kemp's Street.

The rate notices of 1926 indicate that although the subdivision had been sold, very few houses had been constructed. Landowners had bought two, three, or four adjoining lots and consolidated them for building sites. Many of the consolidated lots were listed as "vacant". Some owners were possibly purely investors, listed as living, for example, in Maitland and Gunnedah. The rate notices indicate that the consolidation of the lots were not accompanied by newly deposited plans, thereby retaining the original subdivision layout.

The 20' lots that were isolated under single ownership were listed as "vacant". The rate building on a 20' lot was listed as "humpy".

An aerial photograph of 1932 shows Kemp's Estate to be partially developed. It is believed that the Estate was not fully developed until after World War II.

The small dwellings that are now located on the 20' lots are possibly of post World War II construction. Fibro, although available from 1913 onwards, was not used as a major building material until the building boom following the building shortage of the late 1940's. The consolidated lots were then developed as individual lots and sold, possibly to veterans. Rate notices of 1926 show that 12A – 18 Crump Street were two larger lots that were broken up to regain the original narrow 20' lots that are now in existence.

Kemp's Estate Today

An examination of Council's orthographic maps No's 33, 34, 43, 44 and 54 show that the original lots of the Kemp's Estate subdivision are largely intact, except for Station Street, which has been re-developed as residential flats under Strata Title.

Site investigation reveals that the small lots are popular with small families. Kemp's Estate has many retired occupants and young couples that do not require large sites or large dwellings.

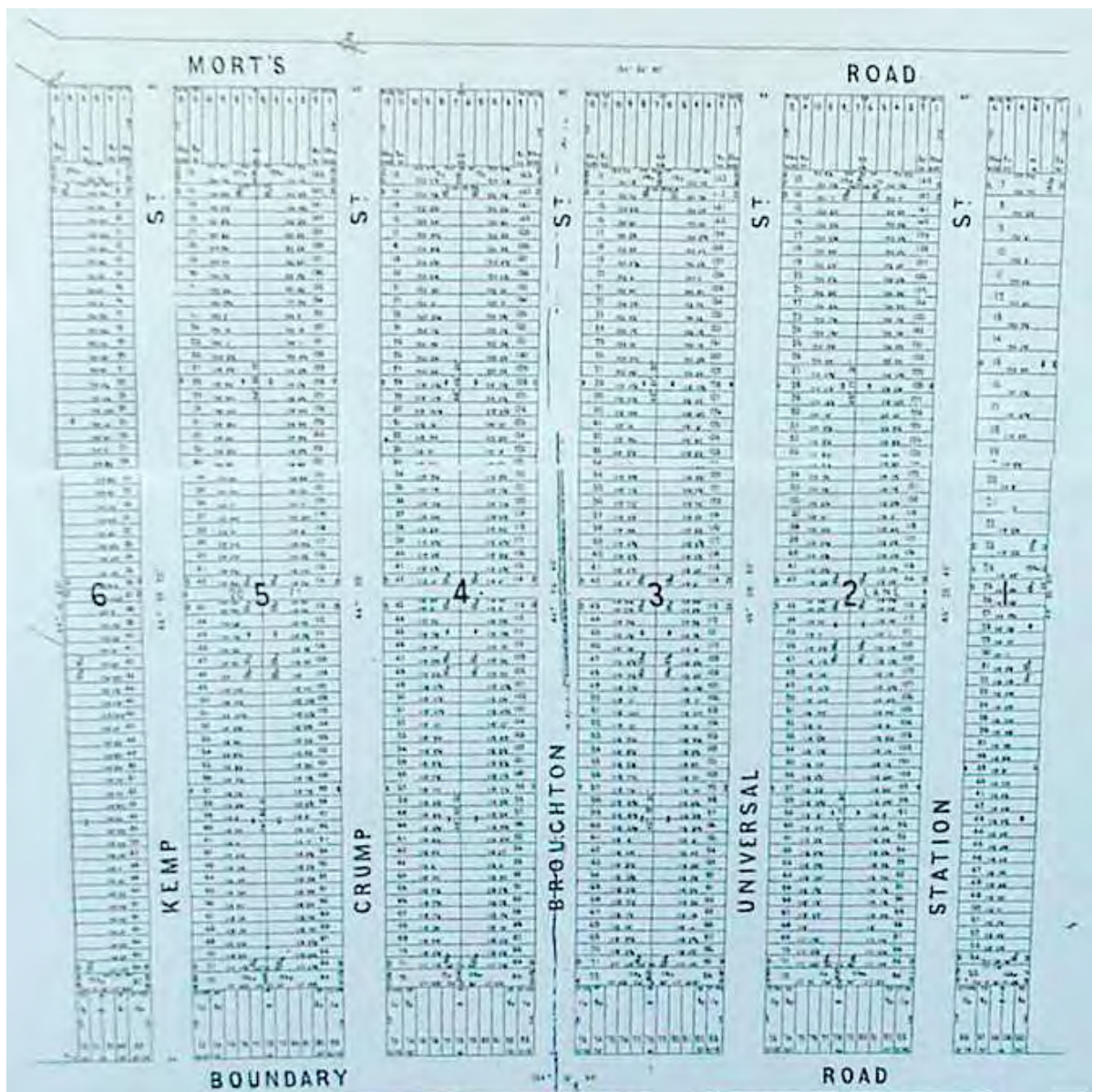
Significance

Kemp's Estate can be considered significant as it:

- Illustrates the history of residential settlement in the area;
- Has rare 6 metre residential lots under torrens title;
- Has good examples of pre WWII dwellings
- Has good examples of post WWII dwellings, and;
- Encapsulates the character of Mortdale.

There are currently 21 dwellings that are built on single narrow lots. Some of these are in original condition. There are a number of additional dwellings that were built for individual narrow lots that were later re-consolidated into double lots. These dwellings, although altered, retain the character of the Estate and the streetscape. All these buildings are worthy of further examination to determine that significance, and to use as a basis for planning controls.

A photograph based on the original Deposited Plan from 1895 is attached highlighting the subdivision pattern.



5. Recommended Species for Landscaping

Note: The guide to the size of the trees and shrubs indicated below are approximate only. The size guide has been approximated based on growing conditions in Hurstville. The growth of vegetation can be affected by many factors including restricted area for canopy and trunk spread, restricted area for root systems, soil type, exposure to light etc. Council recommends and encourages the use of indigenous species over others.

BOTANIC NAME	COMMON NAME	HEIGHT (Approx)	PREFERRED SOIL TYPE	COMMENTS
Indigenous Trees - (all wards)				
<i>Acmena smithii</i>	Lilly Pilly	7m	sheltered, sandstone	Rainforest tree
<i>Angophora bakeri</i>	Narrow-leaved Apple	2-10m	varied	
<i>Angophora costata</i>	Sydney Red Gum	15-20m	sandstone	
<i>Angophora floribunda</i>	Rough-barked Apple	12-20m	sandstone	
<i>Backhousia myrtifolia</i>	Grey Myrtle	3-4m	sheltered, fertile	
<i>Banksia serrata</i>	Old Man Banksia	4-8m	sandstone	Used as street tree
<i>Callicoma serratifolia</i>	Black Wattle	4-8m	sandstone/ varied	
<i>Callitris rhomboidea</i>	Port Jackson Pine	6m	sandstone, sheltered	Native conifer
<i>Casuarina glauca</i>	Swamp Oak	to 20m	estuarine	
<i>Ceratopetalum apetalum</i>	Coachwood	to 25m	sheltered	Rainforest tree
<i>Ceratopetalum gummiferum</i>	NSW Christmas Bush	5m	sandstone	
<i>Corymbia gummifera</i>	Red Bloodwood	12m	sandstone	
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	4-8m	fertile, well drained	Used as street tree
<i>Eucalyptus capitellata</i>	Brown Stringybark	10m	sandstone	
<i>Eucalyptus globoidea</i>	White Stringybark	15-30m	varied	
<i>Eucalyptus haemastoma/ Eucalyptus haemarac</i>	Scribbly Gum	8m	sandstone	
<i>Eucalyptus longifolia</i>	Woollybutt	to 25m	clay/shale	Rare species
<i>Eucalyptus maculata</i>	Spotted Gum	30m	varied	
<i>Eucalyptus moluccana</i>	Grey Box	to 30m	clay	
<i>Eucalyptus paniculata</i>	Grey Ironbark	30m	clay/shale	
<i>Eucalyptus parramattensis</i>	Drooping red Gum	8m	clay/shale	
<i>Eucalyptus pilularis</i>	Blackbutt	to 30m	sandstone	
<i>Eucalyptus piperita</i>	Sydney Peppermint	15m	sandstone	
<i>Eucalyptus punctata</i>	Grey Gum	16m	varied	
<i>Eucalyptus resinifera</i>	Red Mahogany	20m	sandstone	
<i>Eucalyptus tereticornis</i>	Forest Red Gum	30m	clay	
<i>Glochidion ferdinandi</i>	Cheese Tree	4-8m	sandstone/ rainforest	

BOTANIC NAME	COMMON NAME	HEIGHT (Approx)	PREFERRED SOIL TYPE	COMMENTS
Leptospermum attenuatum	Tea Tree	4m	moist	
Leptospermum polygalifolium	Tea Tree	to 5m	sandstone	
Melaleuca armillaris	Bracelet Honey Myrtle	5-8m	varied	
Melaleuca linariifolia	Snow in Summer	5-8m	varied	
Melaleuca styphelioides	Prickly Paperbark	6-15m	varied	Used as street tree
Myoporum acuminatum	Mangrove Boobialla	4-6m	sheltered	
Rapanea howittiana	Brush Muttonwood	to 10m	fertile, sheltered	Rainforest tree
Syncarpia glomulifera	Turpentine	to 25m	clay/shale	Used as street tree
Xylomelum pyrifforme	Woody Pear	4m	sandstone	
Native Trees - (all wards)				
Agonis flexuosa	Willow Myrtle	8m	varied	Used as street tree
Alectryon tomentosus	Red Jacket	8-15m	sheltered, fertile	Rainforest tree
Archontophoenix cunninghamiana	Bangalow Palm	15m	moist, sheltered	
Backhousia citriodora	Lemon Scented Myrtle	6-8m	fertile, sheltered	Rainforest tree
Banksia integrifolia	Coast Banksia	5-8m	sandstone	
Brachychiton acerifolius	Illawarra Flame Tree	12-15m	fertile, well drained	Deciduous
Buckinghamia celsissima	Ivory Curl Tree	6-10m	fertile, sheltered	
Callistemon salignus	Willow Bottlebrush	8-10m	alluvial, varied	
Cupaniopsis anacardioides	Tuckeroo	4-8m	coastal, sandy	
Eucalyptus ficifolia	Red Flowering Gum	8m	sandstone	
Eucalyptus maculata	Spotted Gum	15-30m	varied	
Eucalyptus scoparia	Willow Gum	10-20m	well drained	Used as street tree
Eucalyptus sideroxylon	Mugga Ironbark	12m	shale	Used as street tree
Hymenosporum flavum	Native Frangipani	10m	fertile, well drained	Perfumed flowers
Leptospermum laevigatum	Coast Tea Tree	3-5m	sandy	
Livistona australis	Cabbage Tree Palm	to 25m	moist, fertile	
Lophostemon confertus	Brush Box	10m	varied	Used as street tree
Macadamia integrifolia	Macadamia	5-8m	sandstone	Used as street tree
Podocarpus elatus	Plum Pine	12-25m	moist, fertile	Edible fruit
Stenocarpus sinuatus	Firewheel Tree	8-10m	fertile, sandy	Rainforest tree

BOTANIC NAME	COMMON NAME	HEIGHT (Approx)	PREFERRED SOIL TYPE	COMMENTS
Syzygium spp.	Lilly Pilly	3m+	sheltered/ sandstone	Rainforest tree
Tristaniaopsis laurina	Water Gum	4-7m	varied	Used as street tree
Exotic Trees - (Hurstville and Penshurst Wards only)				
Acer species	Maple	4m+	moist, fertile	Deciduous
Arbutus unedo	Strawberry Tree	6-8m	well drained	Edible fruit
Betula species	Birch	12-20m	sandy loam	Deciduous
Calodendrum capense	Cape Chestnut	8-15m	fertile	Semi-deciduous
Fraxinus griffithii	Himalayan Ash	5m	varied	Used as street tree
Ginkgo biloba	Maidenhair Tree	12-25m	fertile, alluvial	Ancient species
Gordonia axillaris	Crepe Camellia	3-5m	fertile, moist	Used as street tree
Lagerstroemia indica	Crepe Myrtle	6-8m	well drained, fertile	Deciduous
Liriodendron tulipifera	Tulip Tree	15-30m	fertile, sheltered	Deciduous
Jacaranda mimosifolia	Jacaranda	12-15m	fertile, well drained	Deciduous
Magnolia grandiflora	Bull-bay Magnolia	15m	well drained, fertile	
Metrosideros excelsa	New Zealand Christmas Tree	10-12m	sandy	
Michelia figo	Port Wine Magnolia	3m	well drained, fertile	
Pistacia chinensis	Chinese Pistachio	8-15m	well drained	Deciduous
Quercus species	Oak (various)	10-30m	fertile, moist	Deciduous
Robinia 'Mop Top'	Mop Top Robinia	6m	varied	Semi deciduous
Schinus areira	Peppercorn Tree	6-15m	sandy, moist	Deciduous
Ulmus species	Elm (various)	12m+	fertile	Used as street tree, semi-deciduous

6. State & Regional Roads Classifications

State Roads

Road	Section		2004 AADT Vehicles/day
Croydon Road	Forest Road	Queens Road	25,000
Queens Rd	Croydon Road	Forest Road	23,500
Forest Rd	Queens Road	Henry Lawson Dr	33,500
Henry Lawson Dr.	Forest Rd	Salt Pan Creek	25,500
Stoney Creek Road	Kingsgrove Road	Forest Road	29,000
King Georges Road	Bridge St	Pallamana Parade	54,500

Regional Roads

Road	Section		2004 AADT Vehicles/day
Belmore Road	Henry Lawson Dr.	Josephine St	15,000
Bonds Road	Josephine Street	Forest Road	17,000
Boundary Road	Forest Road	Railway Line	15,000
Lily Street	Forest Road	Railway Line	15,000
Forest Road	Lily Street	Croydon Road	8,000
Tooronga Terrace	King Georges Road	Bundara Street	6,500
Bundara Street	Tooronga Terrace	Vanessa Street	6,500
Vanessa Street	Bundara Street	Commercial Road	7,000
Commercial Road	Vanessa Street	Kingsgrove Road	7,000
Kingsgrove Road	Wolli Creek	Stoney Creek Road	25,000
Croydon Road	Stoney Creek Road	Queens Road	18,000
Gloucester Road	Stoney Creek Road	Forest Road	3,600
Broad Arrow Road	Bonds Road	Bryant Street	7,500
Penshurst Street	Bryant Street	Bridge Street	8,500
Bridge Street	Penshurst St	Forest Road	5,000

7. Waste Management

(a) Waste Management Plan

A Waste Management Plan defines the volume and type of waste that will be generated, how waste is to be treated and stored on site and how all waste types are to be disposed of. The following two tables are samples of model waste management plans. The space provided may not be sufficient for your requirements, therefore you will probably be required to develop your own tables including all of the information contained in the tables.

Both sections must be lodged with the development application. Section 1 describes the anticipated type and volume of waste and recyclable materials that will be generated during demolition and construction. It also describes the destination of these materials. Section 2 describes the waste management practices for the ongoing use of the premises.

Section 1 – Demolition and Construction				
Site Address:				
Applicant's Name and Address:				
Structures Currently on Site:				
Brief Description of Proposal:				
Materials on Site		Destination of Materials		
Type of Material	Estimated Volume (m ³)	Recycling and Reuse		Disposal
		On-site (specify proposed reuse or on-site recycling methods)	Off-site (specify contractor and recycling facility)	Off-site (specify contractor and landfill site)
Excavation Materials				
Green Waste (organic materials)				
Bricks				
Concrete				
Timber (specify)				
Plasterboard				
Metals (specify)				
Asbestos (specify)				
Other (specify)				

Note: Section 1 of the waste management plan must be submitted with plans that show:

- the location of areas that will be used for the sorting of construction recyclables/waste.
- the location of areas that will be used for the storage of construction recyclables/waste, including the location of associated containers/skips

- (c) the point at which vehicles removing construction recyclables/waste will access the site.

Source of Section 1 of above table: *Better Practice Guide for Waste Management in Multi-Unit Dwellings*, Resource NSW, February 2002.

Section 2 – Ongoing Use of Premises			
Site Address:			
Brief Description of Proposal:			
Type of Dwellings:			
Number of Dwellings on Site			
Garbage – Residential (Multi-Unit Dwellings) MUDs			
Number of Council red-lid garbage bins		Size of red-lid garbage bins	
Recycling – Residential (Multi-Unit Dwellings) MUDs			
Number of Council 240L yellow-lid garbage bins			
Garbage Generation – Non – Residential			
Type of waste	Volume of waste (m ³ or litres) per week	On-site storage facilities	Contractor and destination of materials
Recycling Generation – Non – Residential			
Type of waste	Volume of waste (m ³ or litres) per week	On-site storage facilities	Contractor and destination of materials
Describe arrangements for cleaning bins, bin storage areas and waste management equipment			
Describe arrangements for maintaining bin storage areas and waste management equipment			
Describe access to the bin storage area. If the area is a secure area access keys will need to be provided to Council's Contractor			

(b) Commercial Waste and Recycling Generation Rates

Premises type	Garbage Generation	Recyclable Material Generation
Backpackers' hostel	40L / occupant space / week	20L / occupant space / week
Boarding house, Guest house	60L / occupant space / week	20L / occupant space / week
Food premises: Butcher Delicatessen Fish shop Greengrocer Restaurant, Cafe Supermarket Takeaway food shop	80L / 100sqm floor area / day 80L / 100sqm floor area / day 80L / 100sqm floor area / day 240L / 100sqm floor area / day 10L / 1.5sqm floor area / day 240L / 100sqm floor area / day 80L / 100sqm floor area / day	Variable Variable Variable 120L / 100sqm floor area / day 2L / 1.5sqm floor area / day 240L / 100sqm floor area / day Variable
Hairdresser, Beauty salon	60L / 100sqm floor area / day	Variable
Hotel, Licensed club, Motel	5L / occupant space / day 50L / 100sqm bar area / day 10L / 1.5sqm dining area / day	1L / occupant space / day 50L / 100sqm bar area / day 50L / 100sqm dining area / day
Offices	50L / 100sqm floor area / day	10L / 100sqm floor area / day
Retail (other than food sales): Shop less than 100m2 floor area Shop greater than 100m2 floor area	50L / 100sqm floor area / day 50L / 100sqm floor area / day	25L / 100sqm floor area / day 50L / 100sqm floor area / day
Showroom	40L / 100sqm floor area / day	10L / 100sqm floor area / day

Source: Draft Marrickville Development Control Plan No. 27: Waste Management (Amendment No. 1)

(c) Residential, Commercial & Industrial (MGB) Bin Dimensions

Mobile Garbage Bins (MGB's) are generally categorized and sized according to the volume capacity of each bin. The size of the bins that are used in the provision of waste and recycling services in the Hurstville LGA are described in the following Table.

BIN TYPE & CAPACITY	HEIGHT	WIDTH	DEPTH
120 Litre MGB	945mm	505mm	555mm
240 Litre MGB	1100mm	580mm	740mm
1100 Litre MGB	1470mm	1370mm	1245mm

(d) Typical Bin Requirement for Residential Flat Buildings

The following Table provides details for the number of 240 litre bins for typical residential flat buildings.

Each RFB complex is provided with the following bins:-

- ONE 240L red-lid garbage bin shared between FOUR units, collected twice weekly; and,
- ONE 240L yellow-lid recycling bin shared between THREE units, collected weekly

TOTAL NUMBER OF SOLE OCCUPANCY UNITS	NUMBER OF 240 LITRE GARBAGE BINS REQUIRED (Red Lid)	NUMBER OF 240 LITRE RECYCLING BINS REQUIRED (Yellow Lid)
1 – 3 Units	1	1
4 Units	1	2
5 Units	2	2
6 Units	2	2
7 Units	2	3
8 Units	2	3
9 Units	3	3
10 Units	3	4
12 Units	3	4
14 Units	4	5
15 Units	4	5
18 Units	5	6
20 Units	5	7
21 Units	6	7
24 Units	6	8
28 Units	7	10
30 Units	8	10
33 Units	8	11
36 Units	9	12
40 Units	10	14
Over 40 Units	Check with Council for specific details	

Appendix 2. Council Codes and Policies

1.	Drainage and On-Site Detention Policy	2
2.	Fencing Adjacent to Public Roads Policy	4
3.	Balcony Enclosures in Residential Flat Buildings Policy	12
4.	Public Spaces Local Approvals Policy.....	14
5.	Satellite Dish Policy	15
6.	Code for the Erection of Private Tennis Courts.....	16
7.	Stencilling of Street Driveways Policy.....	19
8.	Underground Electricity Cabling to Developments Policy	20

1. Drainage and On-Site Detention Policy

Drainage requirements

1. All drainage to be designed for a 1:20 storm frequency except if the site is located in the Wolli Creek catchment, and for Hurstville area this gives 185mm/hour intensity for a six (6) minute storm.
2. In the Wolli Creek Catchment, all stormwater must be designed to provide an On-Site Detention (OSD) facility, except for single dwellings.
3. All grated pits; benched or streamlined, unless otherwise noted.
4. All outlet pipes from a grated pit: minimum of 150mm diameter.
5. All pipes: minimum sewer grade PVC.
6. Minimum grade to all pipes: 1%.
7. The last grated pit before entering a Council pipeline or kerb and gutter must have 150mm sump and galvanised mesh permanently fixed over the outlet pipes.
8. Two or three x 100mm PVC pipes from the last grated pit where connecting kerb and gutter.
9. Minimum cover over pipes: 150mm.
10. Cast in situ concrete, brick or precast concrete grated pits must be used in trafficable areas otherwise plastic pits can be used.
11. Grated drains to be installed across long driveways at the front boundary to prevent stormwater flowing across Council's footpath.

On-site detention (OSD) requirements

1. Applicants must submit (3) sets of drainage calculations and plans prepared by a qualified Drainage consultant.
2. Above ground OSD basins are required where possible in preference to tanks.
3. For OSD tanks in three (3) or more Unit/Villa developments, a Positive Covenant is required for the tank either by Section 88B Certificate, or by Form 55A which is obtainable from Land and Property Information (www.lpi.nsw.gov.au). This Covenant is to be worded as follows:
"It is the responsibility of the Owners Corporation to keep this on-site detention tank clean at all times and not modify it in any way. It is also subject to possible flooding during heavy storms."
4. An equivalent sized pipe is preferred to an orifice plate. Orifice plates may be used in underground OSD tanks only if the plate is permanently fixed to the walls of the tank.
5. A screw on type professionally made sign is required adjacent to the OSD tank/basin, reading as follows:

"This is an on site detention tank/basin and is subject to possible flooding during heavy storms."

6. The location of the OSD tank/basin is to be shown on the survey plans by the Surveyor and suitably tagged.
7. We require a letter from the Drainage Consultant certifying that the OSD has been constructed to his/her approval and in accordance with the Council approved drainage plans.

On-site detention design criteria

Applicants must provide details of a OSD facility designed by a professional hydrological/hydraulic engineer, showing computations of the inlet and outlet hydrographs and stage/storage relationships of the proposed OSD using the following design parameters:

- Dual Occupancy: 5%
- Villas and Units: 2%
- Commercial & Retail: 1%

Annual Exceedance Probability design event at relevant times of construction (design storm) as defined by the Australian Rainfall and Runoff (1987) , peak site discharge resulting from the development shall not be greater than the peak site discharge when the lots contained a single dwelling, garage, lawn and garden.

Where the stormwater discharge points are connected to the street gutter system, the peak flow from the site shall not increase the width of gutter flow by more than 200mm at the design storm.

The OSD facility shall be designed to meet all safety requirements and child proof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm.

Refer also to separate:

- Design rainfall intensity diagram (chart attached), and
- Wolli Creek/Georges River catchments map (1 x A4 page) which shows that Wolli Creek catchment includes the suburbs of Kingsgrove, Hurstville, Carlton and Beverly Hills, whilst Georges River catchment (drainage amplification area) included Lugarno, Oatley and Peakhurst Heights. For other suburbs refer to the map to determine catchment location

2. Fencing Adjacent to Public Roads Policy

1. PURPOSE

This code outlines Council's policy in respect of the erection of street boundary fences in excess of one (1) metre in height

2. AIMS OF CODE

To provide guidelines for the erection of fences and walls in excess of one (1) metre in height above footpath level.

To ensure that:

- Fences complement and are compatible with the development of the land.
- Adverse impact of fences on the streetscape and public places is minimised.
- Fences do not adversely affect the character or amenity of the locality by their visual impact, size, overshadowing or other factors.

To ensure that safe vehicular access is maintained at property entrances and street intersections.

To maximise recreational space, privacy and security of residential dwellings adjoining roads, and places of public congregation, (eg bus stops) and for residential developments, townhouses, villas and dual occupancy.

To encourage the use of a diverse range of fencing designs and materials.

3. CONSIDERATION OF APPLICATIONS

In any application for the erection of courtyard walls and/or fences the Council may consider the following:

- The purpose for which the fence or wall is required.
- The position of the fence or wall in relation to the boundaries of the allotment and building alignments.
- Height, materials and design of the proposed fence.
- The general scale and appearance of the fence or wall relative to the general streetscape and amenity of the neighbourhood and the existence of similar structures in the neighbourhood.
- Structural stability of the proposed work.
- The possible effects of the structure on the safety of pedestrians and traffic conditions in the adjoining road system.
- The landscaping, both existing and proposed, and its effect on the embellishment of the proposed structure.

- The effects of the proposed structure on drainage.
- Current open space and open space utilisation on site.
- Levels of traffic on adjoining roads.

4. APPROVALS AND REQUIREMENTS

4.1 APPLICATIONS/OBTAINING APPROVAL

To see if you need approval/what sort of approval you require refer to State Environmental Planning Policy (Exempt and Complying Codes) 2008. Some minor projects do not require approval under certain circumstances, some require a complying development certificate and others a development consent and construction certificate.

4.2 REQUIRED INFORMATION

Applications must be completed and signed by the owner, builder, architect or engineer and accompanied by documents as show on the relevant application form. Fees apply as listed in our Schedule of Fees and Charges which may be down loaded from our website.

Applications for enclosure of the site shall be accompanied by a statement setting out the reasons for the proposed wall.

5. PLANS

5.1 SITE PLAN

The site plan shall be drawn at a scale of 1:200 or 1:500 and include:

- (a) Boundaries and dimensions of the site including location of the proposed fence, with gate openings, offsets, splay corners and returns relative to boundaries and existing structures on the site.
- (b) Location and dimensions of any easements.
- (c) North point.
- (d) Location of vehicular crossings including obstructions such as power poles and gully pits.
- (e) Location of existing vegetation including trees having a girth in excess of 300mm.
- (f) Proposed landscaping including species and projected height at maturity.
A layout of proposed drainage lines, where necessary.
Foreshore Building Line, if applicable.

5.2 GENERAL PLAN

The general plan shall be drawn at a scale of 1:100 or 1:50 and include:

- (a) Elevations and plan view

- (b) Height, design, colours and construction of the fence
- (c) A sectional elevation of the wall including footings indicating adjoining ground levels and location of adjoining property boundaries, where relevant

6. SPECIFICATION

Specifications shall describe construction and materials of the fence, whether materials will be new or second-hand and include details of any proposed surface stormwater drainage or agricultural drainage.

7. GENERAL REQUIREMENTS

7.1 DIVIDING FENCES ACT

The provisions of the Dividing Fences Act, 1991, must be considered with the design of fences. This Act is not administered by Council. The provisions of this Act regulate the construction and repair of dividing fences between properties including procedures for the apportionment of costs between owners.

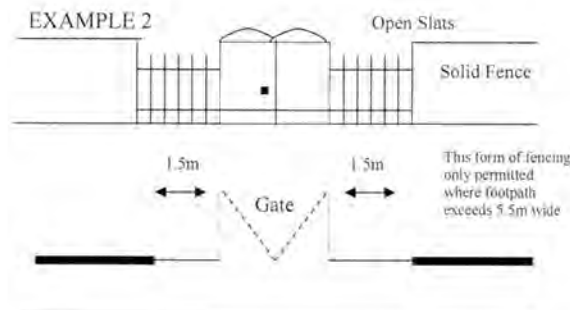
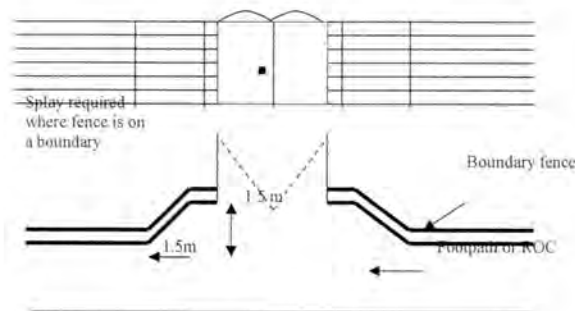
7.2 FENCE DESIGN

Fences shall be designed so as to be compatible with the adjoining buildings and fences and the natural surroundings.

The design should demonstrate architectural merit and relief from a mass of wall is encouraged by the use of vertical columns, brick capping, variable brickwork bonds, timber panel inserts and open metal or timber panels. Fences on premises with heritage classifications should be in harmony with existing building/s.

7.3 VEHICULAR ACCESS

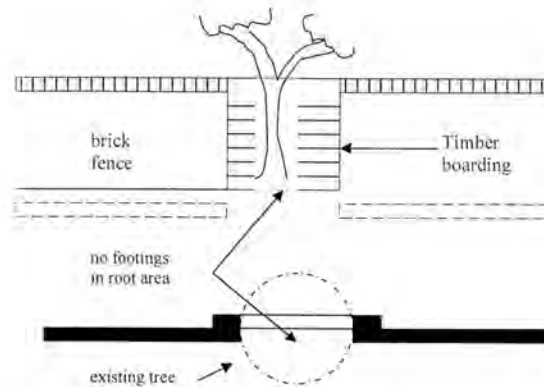
Openings for vehicular entries shall be designed to facilitate safe entry and exit conditions from the site and adjoining premises, i.e. visibility of pedestrians and ability to open gates with vehicles fully off the road (refer examples below). Gates shall open inwards to the property and provide a minimum unobstructed width of 2.5 metres. Consideration should be given to the location of access driveways to adjoining premises.



7.4 PLANTING

Where fences are required to be set back from the boundaries of the site, planting with species capable of reducing the visual impact of the fence shall be implemented. Plants and trees should be selected so that damage to the fence or footpath will not occur.

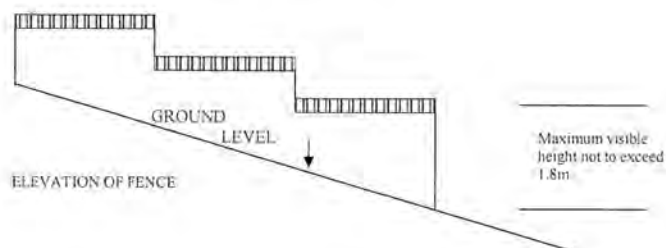
All existing trees subject to the Tree Preservation Order are to be preserved and provision should be made to prevent disturbance to root systems.



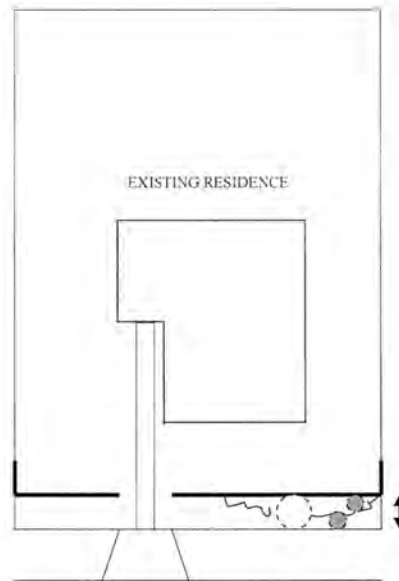
8. FENCING REQUIREMENTS - PRIMARY & SECONDARY BUILDING LINES

8.1 SOLID FENCES

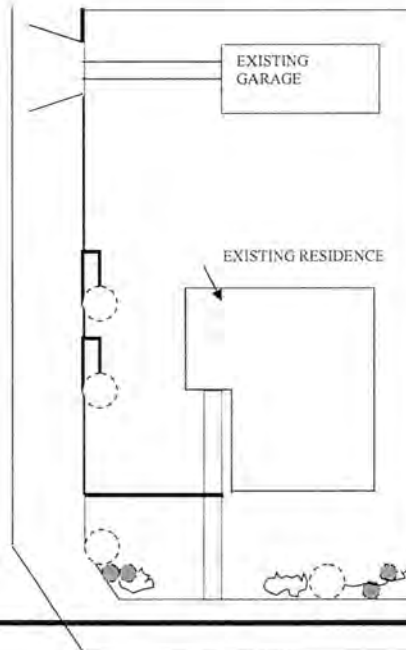
Solid fences such as block masonry, paling, brushwood and sheet or panelled fences shall not exceed 1.8m in height at any point when measured above Council's footpath level.
(Note: concessions as expressed in Clause 4.1),



Solid fences to the primary frontage should be set back a minimum distance of 1.5m from the boundary. The setback area shall be landscaped to soften the appearance of the wall when viewed from the street. Solid fences of architectural merit utilizing columns, capping, variable brick bonds, etc. may be approved by Council on the boundary alignment.



Solid fences to secondary frontages on corner allotments may be constructed on the allotment boundary providing they do not extend forward of the front alignment of the dwelling.



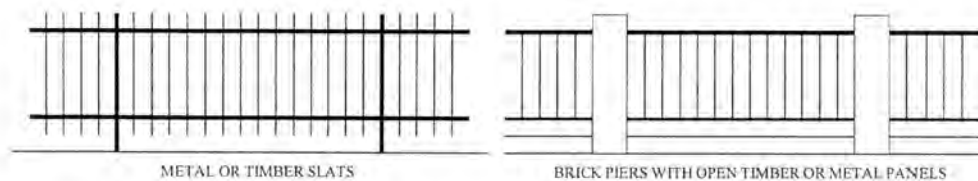
Hurstville City Council

Fences Adjacent to
Public Roads Code

8.2 OPEN TYPE FENCES

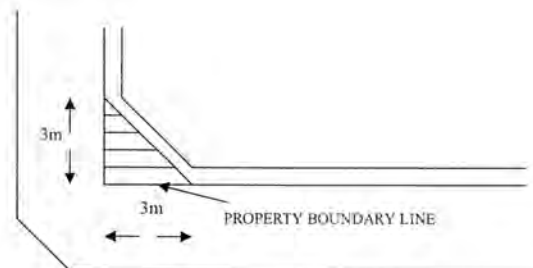
Open fences are those that are designed so that visibility to the enclosed area is not substantially restricted.

Open type fences must not exceed 1.8m in height above natural ground level but may be erected on the boundary alignment.



8.3 SIGHT LINES AT INTERSECTIONS

Where a solid fence is proposed at a road intersection, special consideration must be given to providing satisfactory sight distances for traffic. A 3m by 3m splay will normally be required in these locations.



Planting in the splay area should be trees with high foliage or low profile shrubs to maintain sight lines.

8.4 FENCING IN FORESHORE ZONES

Fencing in foreshore areas shall be designed to preserve views and to minimise disturbance to the natural landscape. Preference will be given to open type fences that are unobtrusive and do not restrict views.

Generally, solid fences will not be permitted between the Foreshore Building Line and Mean High Water mark.

8.5 BRICK FENCES

8.5.1 Footings.

Footings shall be reinforced concrete founded on a sound foundation and excavated to such a depth that the top of the footing will be 50mm below finished ground level, except for footings on a road boundary whereby the top of the footing must be 170mm (two brick courses) below finished ground level. No part of the footing shall encroach over the allotment boundary.

Where there is no existing kerb and gutter, Council must be consulted to obtain appropriate levels so that footings will be set below future footpaths.

8.5.2 Stability.

Stack bond or brick on edge will not be approved unless designed by a Consulting Structural Engineer. Properly bonded supporting piers are to be provided at not greater than 2m centres to single brick walls.

Free standing ends of brick fences shall be adequately supported by return walls that are a minimum length of half of the height of the wall and carried to the full height of the fence in matching bond.

8.6 DRAINAGE

Satisfactory provision shall be made for drainage lines to collect and discharge surface and seepage water to prevent damming of water on adjoining sites and to not interfere with the natural flow of surface water.

9. DIVIDING FENCES LAW

This law is administered by the Chamber Magistrate at your Local Court, and not the Council. You can obtain more information in the Department of Local Government publication "Dividing Fences Law" which explains issues like shared costs, recovering costs, fencing notices, and disputes. This publication may be downloaded from the Forms/Fees/Charges page of our website. For more information contact the Chamber Magistrate at your Local Court.

10. THE BUILDING CODE OF AUSTRALIA

For information on the Building Code of Australia (BCA): www.abcb.gov.au

11. TO CONTACT US

Hurstville City Council (Customer Service or the Duty Officer)
Tel: 9330 6222 Fax: 9330 6223
PO Box 205 Hurstville BC NSW 1481
DX 11310 Hurstville ABN 24782671133
hccmail@hurstville.nsw.gov.au
www.hurstville.nsw.gov.au

Hurstville City Council

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*Fences Adjacent to
Public Roads Code*

3. Balcony Enclosures in Residential Flat Buildings Policy

Note:

The Balcony Enclosures Residential Flat Buildings Policy was originally adopted by Council on 28 February 2001

1. The full enclosure of balconies required by Council's Code to provide private open space for dwelling units in residential flat buildings be discouraged unless all of the following criteria can be satisfied:
 - The dwelling unit has an alternative (ie, second balcony) which satisfies the open space requirements of Council's Codes.
 - The enclosure does not cause the gross floor plan area to exceed the permissible floor space index for the allotment on which the building stands.
 - The external appearance of the building is not degraded when visible from a public place.
 - The building is recessed within the line of the external walls or is framed by solid walling, piers or columns and is under the main roof line of the building.
 - The deemed to satisfy requirements of the Building Code of Australia are satisfied relating to vertical fire separation between storeys and with respect to fire exposure to boundary or other building fire source features, and the requirements for the safe cleaning of windows within acceptable reach from within the building.
 - The outdoor amenity of a balcony due to its exposure to the elements or to a significant noise source is so adverse for the majority of time and seasons that it is rendered totally unusable for recreational purposes.. The actual exposure to elements such as wind, rain, noise be documented by an appropriately qualified person in a Statement of Environmental Effects.
 - The enclosure is subject to no blinds or curtains being installed behind glass to provide sun shading or tinting to reduce heat build up on the balconies and the Owners Corporation of the Strata Plan be required to endorse and enforce this requirement through its By-Laws.
 - Glare and rogue reflections to traffic (pedestrian or road traffic) can be shown not to be significant for enclosures involving more than 50% glass area compared to the area of the respective elevation of the balcony.
 - The building alterations are designed by a qualified architect in accordance with urban design guidelines.
2. The enclosure of balconies which project outside the main external wall line be not approved.
3. The enclosure of balconies with full storey height glazing be not approved.
4. The piece-meal enclosure of balconies be not approved, but the balcony enclosures may only apply to one side/section of a building.
5. For balcony enclosures which satisfy the criteria in (1) above an overall scheme shall be implemented with the Concurrence of the Owners Corporation of the Strata Plan using the

3. Balcony Enclosures in Residential Flat Buildings Policy

same materials or materials which will harmonise with the materials existing in the building façade.

6. Partial enclosure of balconies be allowed on the same terms and conditions as specified in 5 above.
7. The enclosure of balconies on landmark buildings be denied, i.e. those buildings which are both clearly visible when seen on a viewing axis towards Hurstville and clearly distinguishable from other buildings (eg. 323 Forest Road (Meriton), 109 Forest Road (Forest View)) but not those which are simply visible when a fair distance from Hurstville (eg. 2 original Meriton towers).

4. Public Spaces Local Approvals Policy

Please refer to Council's Public Spaces Local Approvals Policy on Council's website

<http://www.hurstville.nsw.gov.au/Public-Spaces-Local-Approvals-Policy.html>

5. Satellite Dish Policy

Note:

The Satellite Dish Policy was originally adopted by Council on 28 July 2004.

Objective:

To minimise the visual impact of satellite dishes in residential areas that may adversely affect the visual amenity of neighbours and the public domain.

Guidelines:*General*

This policy is applicable to all residential dwellings. The following guidelines need to be considered when assessing an application to erect a satellite dish:-

Satellite dishes are;

- Not to be located on the front façade of buildings, or in front setback areas visible from the street.
- Located so as not to cast glare or interfere with neighbours views.
- To be consistent with the surrounding residential environment in terms of height, scale, colour and location.
- To be complementary to the design and character of the existing residential building.
- Restricted to one per building regardless of the number of units.
- Not to be located on balconies or carports.

A roof mounted satellite dish shall;

- Be located below the ridgeline of the roof (on a pitched roof).
- Not be placed on the dwelling if the diameter is in excess of 1.5 metres.
- Be of a colour consistent with the roofing material.
- Not to be installed on a flat roof (unless on a residential flat building).
- Not front the street.

A ground mounted satellite dish shall;

- Not exceed a maximum height of 1.8 metres.
- Be setback from the side and rear boundary by at least three (3) metres. All parts must be within property boundaries and must not encroach onto any adjoining property or over any public space including a road.
- Be adequately screened (for eg; by vegetation).

6. Code for the Erection of Private Tennis Courts

Purpose

This Code has been established to outline Council's policy in respect of private tennis courts on residential land.

Each application will be considered on its merits, having regard to the aims and guidelines detailed in this Code.

Aims of Code

- a) To provide guidelines for the erection of private tennis courts on residential land.
- b) To permit the reasonable enjoyment of land by recognising the rights of individuals to develop their land.
- c) To ensure that private tennis courts do not adversely affect the amenity of the locality by their visual impact.
- d) To control the use of private tennis courts so there is no adverse impact on the neighbourhood due to loss of privacy, excessive noise or spill or artificial light.
- e) To maintain, where possible, existing trees that are subject to Clause 4.9 Management of Trees and Vegetation, of the Hurstville LEP 2012.

Approvals and Requirements

A development consent and a construction certificate must be obtained for all private tennis courts on residential land.

Required Information

Application for approval must include 6 copies of plans and specifications and the following information:

- a) Details of proposed hours of operation
- b) Details of proposed artificial lighting including any shields
- c) Details of proposed court surface
- d) Details of proposed perimeter landscaping, acoustic screens or similar
- e) Details of site filling or excavation works, including retaining walls

Plans

Site Plan

The site plan must include:

- a) location and dimensions of the site including location of the proposed tennis court relative to boundaries and existing structures on site.
- b) location of structures on adjoining properties.
- c) location and dimensions of any easements.
- d) north point.
- e) location, size and type of existing vegetation on site including any species to be removed.
- f) existing drainage lines and proposed stormwater drainage system for the tennis court.
- g) location of any proposed lighting.

General Plan

The general plan shall show the elevation from adjoining properties, including details of height and construction materials of proposed fencing and details of artificial lighting, including any shields.

Design and Siting of Private Tennis Courts

Location

Private tennis courts must comply with the following setbacks:

- a) The tennis courts must be sited to provide a minimum separation of 1.5m from site boundaries and 6 metres from adjoining dwellings.
- b) The tennis court must comply with the Building Line adopted by Council. Details may be obtained from Council.
- c) Tennis courts are not permitted between Mean High Water Mark and the Foreshore Building Line.
- d) Tennis courts must be located to maintain existing substantial trees and shrubs where possible.

Design

To minimise impact on adjoining premises the following guidelines must be used in the design of private tennis courts.

- a) Fencing shall not be solid – black or green PVC costed wire fencing is preferred.
- b) Extensive planting must be provided between the tennis court and site boundaries to provide a dense screen.
- c) Site excavation and filling must be kept to a minimum. Retaining walls may be required where cut or fill exceeds 600mm.

- d) Tennis courts in Foreshore Scenic Protection Areas must be designed to be unobtrusive and complement the surrounding area, maintain water views and to minimise the visual appearance from waterways.
- e) Artificial lighting will not be considered unless lighting is shielded to prevent the spill of light onto adjoining properties. Technical details of the lighting shall be submitted by a lighting consultant expert in that field of design. Glare from lighting to adjoining neighbours is to be eliminated.

Drainage

Surface water must be connected by way of 100mm PVC pipeline to:

- a) The street gutter; or
- b) An existing common drainage line; or
- c) Council stormwater drainage line subject to the approval.
- d) Water storage tanks with drip feed water irrigation system. Overflows of water storage tanks are to be directed to the street gutter where possible; or
- e) To a minimum 3000mm long x 600mm deep absorption trench, located at right angles to the fall of the land and a minimum of 3m from boundaries and other building boundaries. This method will only be permitted where it is not possible to use any of the above methods and conditions favour on-site disposal.

A kerb or dish drain must be provided to the lower side of the tennis court to collect and channel stormwater to a 450mm x 450mm by 600mm deep gully pit.

Hours of Operation

Use of tennis courts will be limited to between the hours of 7.00am and 10.00pm, except where varied by conditions of approval.

7. Stencilling of Street Driveways Policy

**Adopted by Council
20 March 2002**

- (1) THAT Council affirms the policy that all driveways in Hurstville are finished in plain concrete, and
- (2) FURTHER, THAT in streets which have brick paved surfaces, driveways are constructed to Council's Engineering Specification including a concrete base with matching brick paving surface.

8. Underground Electricity Cabling to Developments Policy

Adopted by Council
6th July, 1978

THAT in all future roaded subdivisions, electricity supply be undergrounded.

Minute Number 626

Adopted by Council
12 November 1997

- 1) For all developments in the Hurstville CBD –
 - Developer to pay full costs of undergrounding low voltage cables adjacent to the development.
 - Developer to provide conduits only for future undergrounding of high voltage cables.
- 2) For all commercial/industrial and medium high density residential developments elsewhere in the City –
 - Developer to provide conduit for future undergrounding of low voltage cables only.
 - Developer to provide connection to future underground supply to development.