

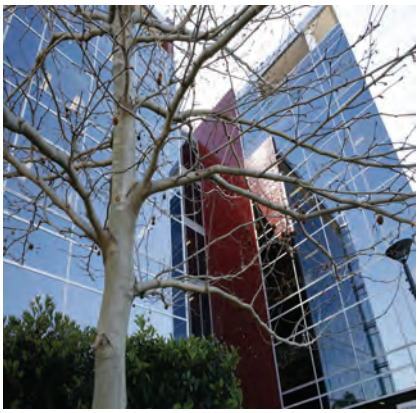


CITY OF CANADA BAY DEVELOPMENT CONTROL PLAN

Adoption Date: 7 May 2013
Effective Date: 2 August 2013



City of Canada Bay

List of Amendments

Amendment No.	Description	Adopted	Effective	DCP Reference
1.	Amends car parking requirements in relation to restaurant, cafe, take away food and drink premises	5.2.2008	7.3.2008	Part 7.7 Parking
2.	Minor amendments including typographical errors, definitions, clarification of controls and general housekeeping	4.8.2009	19.8.2009	
3.	Minor amendments regarding development on Sydney Harbour	15.2.2011	15.2.2011	Part 5.2.2 Part 6.3.2
4.	Inclusion of guidelines for Bibby Street industrial precinct, western side of Victoria Road (between Church and Day Streets) and 186 Great North Road	7.5.2013	Upon gazettal of Canada Bay LEP	Part 6.6.1 Part 6.6.2
5.	Notification and Advertising	20.11.2015	23.11.2015	Part 2.2

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Contents

Background information on this document

What is a Development Control Plan?

A development control plan (DCP) is a commonly used town planning document which provides detailed guidance for the design and assessment of new development.

What does this DCP attempt to do?

The DCP provides town planning controls which aim to produce a high standard of design to improve the overall environmental amenity and liveability to the residents of Canada Bay.

The DCP is intended to advise residents, applicants, developers and their agents at an early stage of the design process and will be applied by the Council when considering the impact of development proposals.

Compliance with the provisions of this DCP does not necessarily guarantee that consent to a Development Application (DA) will be granted. Each DA will be assessed having regard to the City of Canada Bay Local Environmental Plan (LEP), this DCP, other matters listed in Section 79C of the Environmental Planning and Assessment Act 1979 (the Act), and any other policies adopted by the consent authority.

Consistent application of the provisions of this DCP will be given high priority by Council.

How to work through this document

Each topic contains an explanation, objectives and controls that should be complied with.

Objectives outline what the controls aim to achieve. Applicants should demonstrate that the proposed development fulfils the relevant objectives of each element and complies with the relevant minimum standards.

The DCP consists of ten (10) parts:

PART 1
Introduction

Part 1 contains the legal basis of how the document was prepared, the plan's main objectives and how it relates with other Council planning documents.

PART 2
Notification and advertising

Part 2 sets out the procedures for determining under what circumstances persons are to be notified of proposed development and when advertisements will be placed in the newspaper.

PART 3
General information

Part 3 contains general controls which are relevant to all sites for which Council is the consent authority. The following matters are addressed in this part:

- Sustainable development;
- Equity of Access;
- Stormwater, Detention & Sediment Control;
- Site Contamination;
- Acid Sulfate Soils;
- Telecommunications and Radiocommunications;
- Bicycle Parking and Storage facilities;
- Preservation of Trees and Vegetation.

PART 4
Heritage conservation

Part 4 establishes the relevant criteria for heritage items, conservation areas and development within the vicinity of a heritage item and conservation areas.

PART 5
Residential: controls for houses and attached dual occupancies

Part 5 sets out the relevant controls for dwelling houses and attached dual occupancy development.

PART 6
Residential: controls for detached dual occupancies, multi dwelling housing and **residential flat buildings.**

Part 6 relates to multi-unit development such as detached dual occupancies, multi dwelling housing and residential flat buildings.

PART 7
Mixed use areas and neighbourhood centres

Part 7 contains controls for development in commercial zones.

PART 8
Industrial development

Part 8 contains controls for industrial development.

PART 9
Signs and advertising structures

Part 9 contains controls for signs and advertising structures.

PART 10
Child care centres

Part 10 contains specific controls in relation to Child Care Centres.

DEFINITIONS

Contains the definition of words for the purpose of this DCP as identified in the City of Canada Bay LEP.

SCHEDULE 1

Schedule 1 contains sites that are covered by site or precinct specific DCP's

APPENDICES

Contains useful information that is referred to in the DCP.

Monitoring and review

The Council is required to keep the local environmental plans and development control plans under regular and periodic review (see section 73 of the Act). The Council is committed to this process to ensure that the Plans continue to be useful and relevant planning instruments. It is considered vital that the Council regularly appraises the implementation of the Plans to assist in the identification of necessary amendments to be made to the Plans.

Making an application

Before commencing detailed design work, applicants are advised to make themselves familiar with the relevant LEP and DCP controls. Applicants should discuss proposals with Council staff prior to lodging a development application. This can save time and money and enable Council officers to explain the contents of this plan, address potential conflicting issues and consider solutions to achieve the best outcome.

Variation to Controls

Where any controls within this DCP have not been satisfied, it should be demonstrated that the intent of the controls has been satisfied in the Statement of Environmental Effects (SEE) by referring to the relevant objectives of each design element.

For all other enquiries on the lodgement of applications such as the necessary forms and fee assessment procedures, please contact the Council's Customer Service Centre on (02) 9911-6555 or view Council's website http://www.canadabay.nsw.gov.au/.

part 1

Introduction

1.1 The purpose of this Development Control Plan

The Development Control Plan (DCP) has been prepared in accordance with Section 74 Division 6 of the Environmental Planning and Assessment Act 1979 (the Act) and with clauses 16 to 23 of the Environmental Planning and Assessment Regulation 2000. The DCP provides more detailed provisions than in the Canada Bay Local Environmental Plan (LEP) for development in Canada Bay.

Under Section 79(c) of the Act, the consent authority is required to take into consideration the relevant provisions of this DCP in determining an application for development in Canada Bay.

1.2 Name of Plan

This plan may be referred to as the City of Canada Bay Development Control Plan.

1.3 Land covered by this Plan

This Plan applies to all land within the Canada Bay Local Government Area except for the sites listed in Schedule 1 to this Plan, which are covered by site-specific or precinct specific Development Control Plans.

It should be noted that in certain circumstances site and precinct specific DCPs adopt some of the provisions of this DCP in accordance with Section 74(c) (3) of the Act.

1.4 Relationship of this DCP to the LEP

The provisions contained in this DCP are in addition to the provisions of the LEP. If there is any inconsistency between this DCP and the LEP, the LEP will prevail.

1.5 General aims and objectives

One of Council's primary objectives is to achieve a high level of environmental quality through the development control system. This document sets out objectives aimed at creating a better environment. In applying these objectives at a local level the improvement of local amenity and environmental conditions will be a major consideration in assessing development proposals. At a wider level sustainable development has now become a necessity to combat environmental degradation and global warming and for the protection of the environment for future generations.

The General Objectives of this DCP are to:

1. Build upon the City of Canada Bay Local Environmental Plan by providing detailed objectives, and controls for development;
2. Foster ecologically sustainable development;
3. Ensure development responds to the qualities of the subject site;
4. Ensure development responds to the character of the surrounding neighbourhood;
5. Minimise negative impacts of development on the amenity of adjoining properties;
6. Encourage innovative housing, commercial and industrial design;
7. Maintain and enhance the natural, built and cultural significance of heritage items; and
8. Ensure future developments will provide for a community that considers the needs of all people who live, work and visit Canada Bay, including those people with disabilities.

part 2

Notification and advertising

The aim of this part of the DCP is to set out the procedures for determining under what circumstances persons are to be notified of proposed development and when advertisements will be placed in the local newspaper.

2.1 Notification procedures

2.1.1 Exempt development

What is exempt development?

Exempt development is development that does not require Council's consent. Development that is included as exempt development is set out in Schedule 2 of the Canada Bay LEP and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It includes development that has minimal environmental impact such as barbecues, sheds, fences etc as long as particular conditions are met.

Who will be notified?

No one will be notified because consent is not required for exempt development.

Is exempt development advertised in the local newspaper?

Exempt development is not advertised in the local newspaper.

Does exempt development require a sign to be placed on the development site?

Exempt development does not require a sign to be placed on the development site.

2.1.2 Complying development

What is complying development?

Complying development is small scale, low impact, routine development that is capable of prompt certification by an accredited certifier or Council. It is defined by reference to fixed standards for a range of development such as alterations and additions, swimming pools and carports and garages behind the building line. The development types and standards are contained in the Canada Bay LEP, Schedule 3 and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Who is notified of complying development?

No one is formally notified of an application for complying development.

Is complying development advertised in the paper?

Proposed complying development is not advertised in the local newspaper. However, the Council places a public notice in the local newspaper when a complying development certificate is approved. Information on complying development applications is available on Council's website http://www.canadabay.nsw.gov.au.

Does Complying development require a sign to be placed on the development site?

Complying development does not require a sign to be placed on the development site.

Can residents make submissions?

Residents do not have a right to make submissions or to raise objections about the complying development. They can only make a legal challenge to whether or not the assessment as complying development was correct in terms of the criteria and standards that apply to that type of development (Judicial Review).

Can complying development certificates be amended and is anyone notified?

Yes, complying development certificates can be amended provided the amendment also satisfies the criteria and standards contained in Schedule 3 of the Canada Bay LEP and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

There is no notification of neighbours for amendments to complying development certificates.

2.1.3 Local development

What is local development?

Local development for the purposes of notification is development that requires Council consent and does not include exempt, complying, designated or State significant development. The majority of development applications to Council fall into this category.

Who will be notified?

Notice, in writing, is sent to owners and occupiers of adjoining and nearby land (including properties opposite) if in the opinion of Council (or a person having delegated authority to determine the application), the enjoyment of the adjoining land may be affected by the proposed development after construction. Council will assess the extent of the notification based on the size, nature and impact of the proposed development.

Where application is made to Council for a major development, a newspaper advertisement will give public notification of same.

Notification will not generally be made for internal alterations and additions where the height or external configuration of the existing building is not altered.

Is local development advertised in the local newspaper?
Advertisements for proposed local development will not normally be placed in the local papers except in the following circumstances:

- the size, nature or impact of the proposed development is considered by Council or delegate to warrant broader notification by way of a newspaper advertisement.

Development consents will be publicly notified in the local newspaper and those people who lodged a submission will be advised of Council's decision, as well as being available on Council's website.

Is local development advertised on line?
Yes. Development proposals will be available on council's web site http://www.canadabay.nsw.gov.au.

Does Local development require a sign to be placed on the development site?
Site notices will be required for local development with the exception of change of use proposals which in the opinion of Council are of such an intensity as to not give rise to a significant impact, strata subdivisions, subdivision of existing multi-unit housing developments and internal alterations and additions where the height or external configuration of the existing building is not altered.

2.1.4 Designated development

What is designated development?
Designated development is development that is declared to be designated development by an environmental planning instrument or by the Environmental Planning and Assessment Regulation 2000.

Who will be notified and will an advertisement be placed in the local newspaper?
The application together with its accompanying material (ie plans and the Environmental Impact Statement) will go on public exhibition for a minimum of 30 days. Council will place a notice on the site where the development is proposed and will advertise the application in the local newspaper as required by the Regulation.

Immediate neighbours of the proposed development and in addition other persons, who, in the Council's opinion may be affected by the development, will be notified by letter.

Those being notified will be informed of the address and description of the proposed development, name of the applicant and consent authority, where and when the application can be inspected, how submissions can be made and whether there is a right of appeal for those who make a submission. Information will also be available on Council's website http://www.canadabay.nsw.gov.au.
Development consents will be publicly notified in the local newspaper and those people who lodged a submission will be advised of the decision. Consents will also be available on Council's website http://www.canadabay.nsw.gov.au.

Does designated development require a sign to be placed on the development site?
A site notice will be required for all designated development.

2.1.5 State significant development

What is State significant development?
State significant development is development that is declared by the Minister, a State or a Regional Planning Policy to be of State significance.

Who will be notified and will an advertisement be placed in the local newspaper?
The notification and advertising process is the same as for designated development (see above).

Does State Significant development require a sign placed on the development site?
The notification and advertising process is the same as for designated development (see above).

2.1.6 Integrated development

What is integrated development?
Integrated development is development (not being complying development) that requires approval under other Acts.

Who will be notified and will an advertisement be placed in the local newspaper?
As integrated development can be either local or State significant development, the standard notification and advertising procedures of local and designated development outlined above, respectively, apply.

Does integrated development require a sign placed on the development site?
As integrated development can be either local or State significant development, the standard notification and advertising procedures of local and designated development outlined above, respectively, apply.

2.1.7 Section 96 modification of consent

What is a s96 modification?
Section 96 of the Act makes provision for a Council to agree to modify development consents. The modified development should be substantially the same as the approved development.

Who will be notified?
There are three types of Section 96 modifications:

- applications under Section 96(1) are concerned with correcting minor error, misdescription or miscalculation. Notification is not necessary under the Act;
- applications under Section 96(1A) are concerned with minor alterations involving minimal environmental impact. The same criteria will apply to notification of applications as apply to local development.

- applications under Section 96(2) are for all other modifications. The same criteria will apply to notification of applications as apply to local development.

No notification is given for internal changes where the modifications have no impact on the external façade or building footprint.

What form will the notification take?

Notification is by letter and will include the address, description of the proposed development, name of the applicant and consent authority, where and when the application can be inspected, how submissions can be made and if there is a right of appeal. Information will also be available on Council's website http://www.canadabay.nsw.gov.au

Will an advertisement be placed in the local newspaper?

Notice of the proposed s96 modification will not be placed in the local newspaper.

Do Section 96 applications require a sign to be placed on the development site?

Section 96 applications do not require a sign to be placed on the development site.

2.1.8 Right of review

The Act makes provision for the applicant to request a review of a determination made by Council.

Who will be notified and will an advertisement be placed in the newspaper?

The standard notification and advertising procedures of local development outlined above apply.

2.1.9 Tree permits

Permits and development applications in relation to trees

A permit authorises the pruning or removal of a tree.

Who will be notified?

There is no notification for the pruning or removal of trees under a Tree Permit.

Will a sign be placed on the site?

No, a sign is not required to be placed on the site to notifying pruning or removal of a tree authorised by a tree permit.

2.2 General information

Where can the development application plans be inspected?

Plans can be inspected at the Canada Bay Civic Centre, Drummoyne.

Generally plans are available for inspection for a minimum of 21 days from the date of notice of the application. However to cater for the Christmas period when applications are lodged from mid December the exhibition will be 28 days, returning to 21 days for applications lodged from mid January.

In special circumstances these periods may be extended by the Council's Director, Planning & Environment.

Who will provide the Notification sign?

Council will provide and erect the Notification sign.

Where should the Notification sign be placed on Development sites?

The sign is to be prominently placed on the main frontage(s) of the site(s) able to be read from a public place.

When can submissions be made?

Submissions must be lodged within the time specified in the notification letter. This period may be extended by the Council's Director, Planning and Environment.

Submissions must be made in writing and addressed to the General Manager and should state the application number and the specific areas of concern. You are welcome to offer any ideas on how the application could be altered to take your concerns into account.

Are submissions confidential?

No, submissions are not confidential. It is Council's policy to provide details of submissions to the public. If you want your personal details to remain confidential, you must clearly state this in writing, along with the reasons.

Please note that if you choose for your personal details to remain confidential your concerns may not be adequately addressed.

Who can inspect the plans?

Any person can inspect the plans whether the person has or has not been notified.

Consideration of Submissions

Council, or its delegate, will consider all written submissions made, within the notification period, before it determines the application. Comments will be considered in conjunction with Council's legal responsibilities to assess applications under Section 79C of the Environmental Planning and Assessment Act.

Quite often Council is required to resolve a number of competing interests in most decisions it makes. In particular circumstances, Council may convene a meeting between the applicant and local residents so that both parties might better understand the proposal and issues raised.

Notice of determination of the application

All people who prepared a submission will be advised of Council's determination of the application. Where a petition has been submitted the first signatory only will be advised.

part 3

General information

3.1 Sustainable development

3.1.1 What is sustainable development?

Sustainable development is that which meets the needs of the present generation without compromising the ability of future generations to meet their own needs. It includes all aspects of environmental change: social as well as physical. Two major aspects of sustainability that need to be considered include:

- Ecological sustainability (the control of the extent of modification and fragmentation of natural habitat and reduced environmental carrying capacity caused by factors such as land clearing, pollution and waste disposal); and

- Resource sustainability (which recognises the limitations to development resulting from the supply of non renewable resources such as fossil fuels, the need to conserve renewable resources, and the importance of the reduction and re-use of waste).

Development has an important role to play in achieving ESD principles. The residential development sector in Australia produces approximately 17% of Australia's Carbon dioxide emissions. On average, each Australian home produces 8 tonnes of carbon dioxide each year. Australia has one of the highest levels of carbon dioxide emissions in the OECD, because energy consumption in the average home relies on fossil fuels.

As well as reducing carbon dioxide emissions, energy efficient development provides a more pleasant and comfortable living environment, which is cheaper to run, with little additional cost to build relative to the overall cost of development.

Our reliance on the private car contributes significantly towards carbon dioxide emissions. New development in Canada Bay should increase transport choice and reduce reliance on the private car.

The rate of growth in water demand in Sydney cannot be sustained without enormous cost to the general public. The disposal of stormwater and wastewater places an enormous strain on public infrastructure and pollutes our waterways.

The Canada Bay Development Control Plan is built upon ESD principles.

The principles of ESD should be clearly demonstrated throughout all phases of the development process, including project design, approval, construction and maintenance.

Integration of ESD principles into the design and planning process can make a significant contribution to the efficient use of natural resources.

3.1.2 Energy and water efficiency

Canada Bay Council's Energy efficiency guidelines aim to promote ecologically sustainable development by minimising greenhouse gases and the consumption of non-renewable resources. Energy efficiency can also lead to efficient building design and can be achieved by incorporating different combinations of the following principles.

Orientation

Building orientation can significantly influence amenity, internal temperatures and demand for heating and air conditioning. Living areas should be orientated to north for maximum solar access.

Glazing

Glazing in north facing rooms maximises solar penetration to dwellings during cooler months. Glazing should be kept to a minimum on south, east and western aspects.

Shading and Landscaping

Wide canopied deciduous trees and deciduous vines grown on the north side of dwellings will provide shade during warmer months and allow sunlight penetration during cooler months. Evergreen trees planted to the west and east of dwellings will prevent glare and heat during warmer months.

Air Movement

The size and location of windows can influence cross ventilation. Maximum air movement can be obtained by locating smaller air movements low on the windward side and large openings high on the leeward side.

Insulation

Insulation and weather sealing are critical determinants of heat loss and gain. Walls, ceilings, roofs and hot water pipes should be insulated.

Appliances

Major appliances including hot water heaters, dishwashers, air conditioning units, cookers etc, can greatly influence energy consumption. The choice of energy efficient appliances helps reduce overall energy use.

Objectives

O1 To promote energy efficiency in the design, construction and use of buildings.

O2 To encourage the use of passive solar design.

O3 To reduce the pressure of new development on domestic water supplies.

O4 To ensure building and landscape design incorporates methods for conserving mains water.

O5 To encourage reduced water consumption.

Controls

C1 Buildings should incorporate the use of recycled and recyclable building materials.

C2 Buildings should maximise energy efficiency, through measures such as the use of high efficiency lighting systems, insulation, natural ventilation, and low embodied energy materials.

C3 Where necessary, new development must be accompanied by a BASIX (Building Sustainability Index) Certificate when lodging a Development Application.

C4 Hard surfaces such as driveways should be minimised to reduce stormwater runoff.

C5 Water consumption for landscaping should be minimised through the use of drip irrigation, recycled and run off water from roofs and by minimising the use of high water dependency plant species.

C6 Plants should be located and grouped to reduce water use.

3.2 Equity of access

3.2.1 Introduction

In 1998, the Australian Bureau of Statistics (ABS) conducted a Survey of Disability, Ageing and Carers. The survey showed that one in five people in NSW have a disability and that 88% of those with a disability have a specific core restriction affecting one or more daily activities such as self care, mobility and communication. It is expected that this number will increase as the population lives longer and people acquire disabilities as they age.

It is therefore important that access issues are considered during the development process to assist in providing access to the City of Canada Bay and the services that it provides regardless of disability.

Canada Bay's access and mobility provisions are structured into five sections. An outline of each section is given below.

- The introduction outlines the specific objectives and its application within the City of Canada Bay.
- Legislative framework outlines the legal framework applicable to providing equitable access.
- Development Assessment outlines what information should be submitted with a development application and development assessment issues.
- Design Criteria contains the specific design provisions for accessible development which need to be considered at the development assessment stage. Issues which affect structural and spatial elements will be given higher consideration at the DA assessment stage, whereas more technical requirements such as lighting specifications will be checked for compliance at Construction Certificate stage.
- Adaptable Housing stipulates when adaptable housing will be required and what should be considered in the design and assessment of such development.

Objectives

The City of Canada Bay is committed to creating a city where people with disabilities are afforded the same access opportunities as the broader community. This DCP aims to provide non-discriminatory, equitable and dignified access for all people who use the City of Canada Bay, regardless of disability.

The objectives of this access and mobility provisions are:

O1 To provide equitable access within all new developments and ensure that substantial building work carried out on or intensified use of existing buildings provides upgraded levels of access and facilities for all people.

O2 To provide a reasonable proportion of residential units in multi-unit developments which are designed to be flexible and easily modified to cater for occupants with existing disabilities or progressive disabilities.

O3 To ensure that the public domain of new development provides permeability, legibility, flexibility, consistency, integration and clarity to allow for equitable and safe access for all people.

O4 To encourage consideration of access issues early in the design process.

O5 To raise awareness and understanding of access issues for people with disabilities through investigation of best practice.

Application of the DCP to new development

All new Class 3, 5, 6, 7, 8 and 9 buildings and some Class 10 developments are required to comply with all the provisions of the Building Code of Australia (BCA) and relevant Australian Standards regarding the provisions of equitable access.

New Development refers to a new building or public domain interface – whether it be completely new or substantially new.

Application of DCP to existing development

Where an applicant proposes alterations or a change of use that involves substantial building works, the applicant will be required to comply with the provisions of this plan i.e. a continuous accessible path of travel to and within the building so that access is provided through the main entrance and to all public areas. If the applicant can demonstrate an alternative design solution that is different to a control set in this DCP but still satisfies the intent of the control then the proposal will be assessed on its merits in accordance with Part 3.2.3 of this DCP.

The provisions of the plan will particularly apply where the proposed change of use, involves alterations and results in occupation of a building by a public authority or service, such as a health service, post office, legal service and the like or any other service that the public is entitled to use such as a restaurant, hotel or clothing outlet.

These provisions of the plan apply to substantial alterations and additions to an existing building or substantial intensification of use of an existing building involving building works.

Exemptions

The following development is exempt from complying with this DCP:

1. Work that merely preserves the value or use of an existing asset e.g. work maintaining, repairing or replacing – unless the maintenance involves works on an existing access barrier which can be easily modified to provide equitable access.
2. Work on a system that does not affect access e.g. a ventilation system.
3. Development that does not require building work and is not a significant public use that involves a public authority, service or function such as a health service, post office, legal service, shopping centre, church, restaurant or hotel e.g. small change of use with no associated work.
4. Development that does not require a development application and which BCA approval is not required.
5. Class 1 and Class 4 developments.

3.2.2 Legislative framework

The Disability Discrimination Act 1992

The Federal Government passed the Disability Discrimination Act (DDA) in 1992. The legislation aims to eliminate, as far as possible, discrimination against persons on the ground of disability in areas of:

- work, accommodation, education, access to premises, clubs and sport;
- the provision of goods, facilities, services and land;
- existing laws; and
- the administration of Commonwealth laws and programs.

Under the DDA, any area, legally accessible to the public should also be accessible to people with a disability. The DDA covers both new and existing buildings as well as places under construction. Applicants proposing to undertake a development should be aware of the requirements of the DDA, the Environmental Planning and Assessment Act (EP&A Act) and the BCA.

More information on the DDA can be obtained from the Human Rights and Equal Opportunity Commission website www.humanrights.gov.au

The Building Code of Australia

The BCA and the Australian Standards are the basic tools used in respect of access. Both prescribe the minimum standards that should be achieved in new development in order to provide equitable access for people with disabilities. However, where substantial alterations are proposed, the consent authority has the discretion to enforce the provisions of the BCA on existing development.

The BCA operates on a performance-based basis which allows for a broader range of solutions making it easier to deal with the specialised needs of particular buildings, such as heritage buildings. Within the BCA are “Deemed to Satisfy” provisions which provide one possible building solution that is considered to satisfy the performance based provisions. Alternative solutions, proposed by an applicant, to those described in the BCA may be considered if the applicant can show that the alternative method achieves the same outcome as a “deemed to satisfy’ provision.

Australian Standards

The BCA makes reference to some of the Australian Standards applicable to the design of equitable access. However, it is suggested that designers and planners consider the relevant and most up to date provisions of both the referenced Australian Standards and relevant non referenced Australian Standards in respect to any development. The most up to date Australian Standards will be referenced during the assessment of any development proposal. At the time of the preparation of this DCP the following standards apply:

- AS 1428 Design for Access and Mobility;
- AS 1428.1 (2001) General Requirements for Access – New Buildings;
- AS 1428.2 (1992) Enhanced and Additional Requirements – Buildings and Facilities;
- AS 1428.3 (1992) Requirements for children and adolescents with physical disabilities; and

- AS 1428.4 (2002) tactile ground surface indicators for orientation of people with vision impairment.
- AS 1735.12 (1999) Lifts, escalators and moving walks. Part 12: Facilities for Persons with Disabilities;
- AS2890.1 (1993) Parking facilities. Part 1 Off street parking;
- AS 4586 (2002) Slip resistance classification of new pedestrian surface materials;
- AS 4663 (2002) Slip resistance measurement of existing pedestrian surfaces;
- AS 4299 (1995) Adaptable Housing; and
- Draft DDA Disability Standard to Access to Premises (2004).

A copy of the Australian Standards can be obtained from:
Standards Australia
286 Sussex Street
SYDNEY NSW 2000
Ph: (02) 8206 6000
www.standards.org.au

Legal liabilities

It remains the responsibility of the owner or occupier to comply with the requirements of the DDA and to investigate their own personal legal liabilities under the DDA.

3.2.3 Development assessment

In some cases compliance with access provisions may not be possible and an alternative solution may be desirable. This section of the plan outlines where alternative solutions may be considered and how these proposals will be assessed. It also contains information as to where a variation to an access provision may be accepted and what information should be submitted to justify the variation.

Variation to access provisions

Section 23 of the DDA outlines where access to premises should be provided in order to avoid discrimination. However, Section 23 of the DDA also recognises that it may not be possible or fair to enforce the requirement of access to premises in all situations. Accordingly, the DDA provides for claims of Unjustifiable Hardship. In determining what constitutes unjustifiable hardship all relevant circumstances of the particular case are to be taken into account. These may include:

- technical limits; or
- topographical restrictions; or
- financial circumstances; or
- heritage issues.

Only the Federal Court can make a binding decision in terms of an unjustifiable hardship claim, however the consent authority does have the ability to apply discretion in enforcing the provisions of this DCP and the BCA in terms of access to existing buildings.

Should it be the case that the provision of access for people with disabilities is not possible, a “statement requesting variation” should be submitted with the development application. The statement requesting a variation should address the following issues as a minimum:

- all design options explored;
- the costs of each design option, including the percentage of the total development cost required for providing access;
- the physical design constraints of each option; and
- any reasoning for non-compliance with an Australian Standard or the BCA.

Included with the statement requesting variation should be other supporting documents relevant to the case such as a topographical survey of the site, carried out by a registered surveyor, a structural certificate completed by a qualified structural engineer or a cost summary report carried out by a qualified quantity surveyor.

Applicants should be aware that a variation in one situation may not necessarily be accepted in another. It may also be the case that a partial solution may be preferred rather than a total exemption. Access should be provided to the maximum level possible without causing unjustifiable hardship.

The consent authority will consider whether or not the case provided in the statement requesting variation is reasonable and whether or

not it should be supported. Each case will be assessed on a merits basis and will consider the possibility of providing partial solutions as submitted in the statement requesting variation.

Applicants should note that the granting of consent by the consent authority to a development that is non-compliant with the BCA or this DCP due to reasons such as technical limits, topographical restriction or heritage significance does not protect the applicant against a complaint being made against them under the DDA.
More information on what constitutes unjustifiable hardship in the Australian Building Codes Board "Access Protocol" which is available online at www.abcb.nsw.gov.au

Access to heritage items

Heritage items are often public places that are of historic, scientific, cultural, social, architectural, natural and/or aesthetic significance and should be accessible to everyone. However, as most heritage items were constructed at a time when consideration for people with disabilities was not a high priority many heritage items do not provide equitable access.

The main approach or entrance to an item in many instances is significant and also the most desirable entrance for the accessible path of travel. The provision of equitable access thus often involves the modification of significant fabric of the heritage item, which may be in direct conflict with its heritage values.
Development proposals involving heritage items will therefore be assessed on a merit basis. However, the proposal should follow these basic principles:

1. The provision of access for people to and within heritage items should have minimal impact on the significant fabric of the item and, as far as possible, be reversible;
2. Where such access is likely to have a major adverse impact on significant fabric, alternative solutions should be considered;
3. Alternative solutions may include a temporary ramp, access though a side entrance or the like. However, applicants should note that these solutions will only be acceptable as a "last resort" and that every effort should be made to ensure that equitable access is provided through the principal entrance of the building.

The alteration or removal of a highly significant fabric in order to provide access to the heritage item could constitute an argument of unjustifiable hardship. However, in doing so, it should be clearly established that there are no other suitable alternative solutions to provide access to the building. Should development be proposed in a heritage item that is currently, or proposed to be, publicly accessible, Council will require the submission of a heritage impact statement or conservation management plan which addresses access issues. Where a heritage impact statement is submitted, a separate statement requesting variation is not required.

The heritage impact statement should be prepared by a suitably experienced and qualified heritage practitioner and identify the following points as a minimum:

- assess the significance of the place;
- identify and rank the significant elements;
- determine the existing and required levels of accessibility (this will usually require the input of an access expert);
- identify the potential impacts (both positive and negative) of providing access to the item;
- identify and assess the possible design alternatives; and
- assess the heritage impact of the preferred design solution.

Alternative solutions

As mentioned above, alternative or partial solution will be preferred to a total exemption from the policy. An alternative solution may be accepted if it can be demonstrated that is satisfied the performance criteria of either the relevant Australian Standard or provisions of the BCA.

Details of alternative solutions should be addressed in the statement requesting variation or a heritage impact statement. The consent authority will then assess the proposal on its merits in accordance with the design criteria of this DCP.

Submission of a development proposal

A development subject to the provisions of this plan should submit a completed and signed checklist stating that the proposed development complies with the provisions of this plan. Where the proposal does not comply, the applicant should submit a Statement Requesting Variation or a Heritage Impact Statement which addresses the issue of access.

3.2.4 Design criteria

Detailed access provisions

The BCA provisions and Australian Standards will be referred to in the assessment of development proposals. Applicants should refer to these documents to ensure that they comply with all the relevant provisions (Note: not all of the provisions of the Australian Standards or BCA are included in this document).

Continuous accessible path of travel

Relevant Standard

Australian Standard 1428.1 Clause 5
Australian Standard 1428.2 Clause 7

Definition

Continuous accessible path of travel – an uninterrupted path of travel to or within a building providing access to all required facilities. For non-ambulatory people, this accessible path should not incorporate any step, stairway, turnstiles, revolving door, escalator or other impediment which would prevent it from being safely negotiated by people with disabilities.

Objectives

O1 To ensure that all public spaces are accessible to people with disabilities via a continuous accessible path of travel.

O2 To ensure that the main path of access for people with disabilities is equitable and dignified.

Controls

C1 Continuous Accessible Paths of Travel are to:

(a) Be provided from both the street alignment, transport stops, passenger loading zones and from designated accessible car spaces to all public areas and facilities within and around a building, unless provision of access to an area or facility would be inappropriate because of the particular purpose for which that area or facility is used;
(b) Be well lit and sheltered from the weather where possible;
(c) Incorporate rest stations if the travel route is long;
(d) Have a firm, smooth and non-slip paving surface with a cross camber of no more than 1:40;
(e) Provide for the physical separation of pedestrian traffic from vehicular traffic;
(f) Have the shallowest possible gradient for the distance available; and
(g) Incorporate walkways, ramps, step ramps or lifts at changes of level along the path of travel.

C2 For non-ambulatory people, the accessible path of travel should not incorporate any step, stairway, turnstile, revolving door, escalator, or other impediment which would prevent it from being safely negotiated by people with disabilities.

Refer to Illustrations 3.1 and 3.2.

Parts of a building required to be accessible

Relevant Standard

Building Code of Australia Volume 1 – Part D3

Objective

O1 To ensure that appropriate areas of a building are accessible and located along the accessible path of travel.

Control

C1 Access to buildings and their facilities should be provided in accordance with Table D3.2 of the BCA (Appendix A) unless it can be shown that access to an area would be inappropriate because of the particular purpose for which the area is to be used.

Walkways and landings

Relevant Standard

Australian Standard 1428.1 – Clause 5
Australian Standard 1428.2 – Clause 8

Definitions

Walkway – any access way with a gradient not steeper than in 1 in 20.
Landing – a flat or crowned surface with gradient not steeper than 1 in 40.

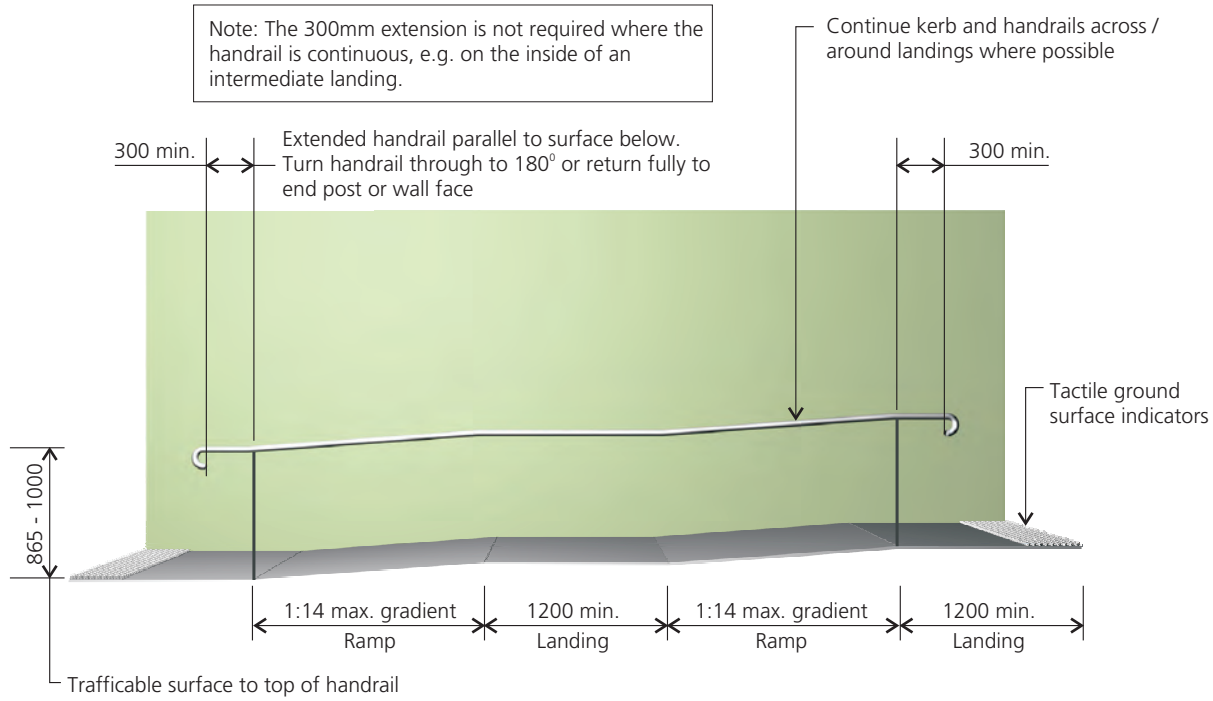
Objective

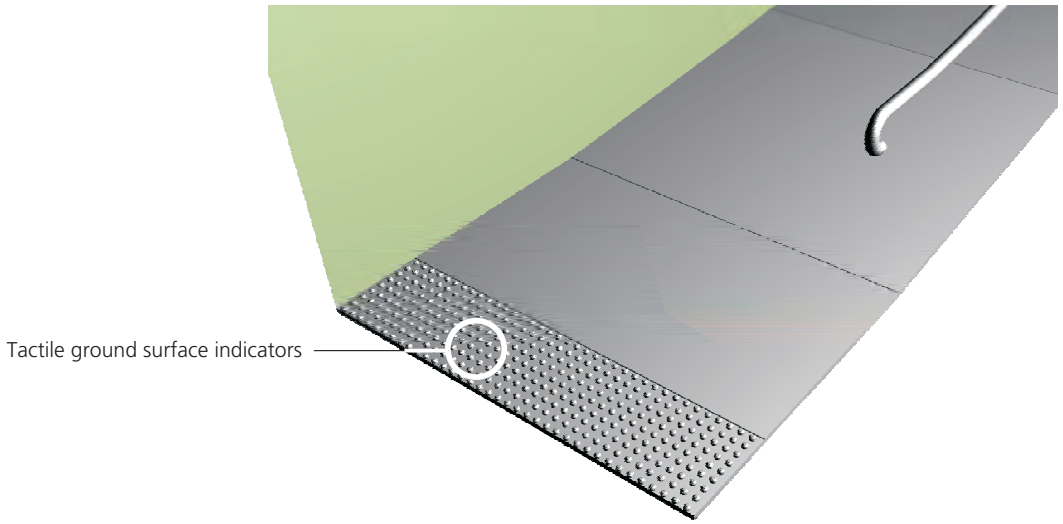
O1 To ensure that walkways and landing provide smooth transitions between sections of different gradients allowing for equitable access to public places for both ambulant and non-ambulant people.

Control

C1 Walkways, paths and landings should be designed and constructed to comply with the following:

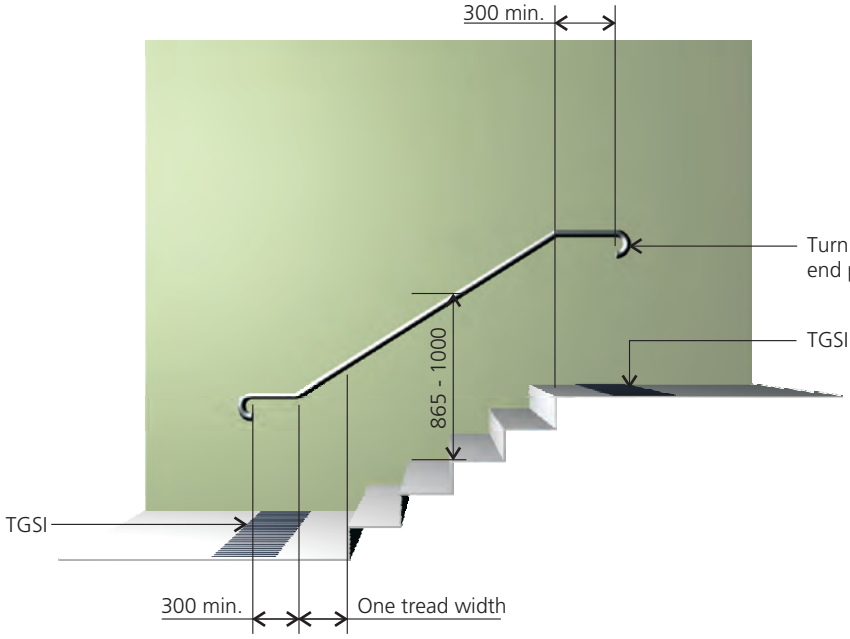
(a) Walkways and paths should have a minimum unobstructed width of 1200mm (except at doors) and an unobstructed vertical clearance of not less than 2000mm;
(b) Walkways should be provided with landings or rest areas:
  (i) Every 25 metres for gradients of 1:33
  (ii) Every 15 metres for gradients of 1:20
  (iii) For gradients in between 1:33 and 1:20, intervals will be obtained by linear interpolation
  (iv) These intervals may be increased by 30% where at least one side of the walkway is bounded by a kerb and handrail or a wall and hand rail as specified in AS 1428.1 Clause 5.3;
(c) Landings should have a length of not less than 1200mm;
(d) Landings are not required for walkways where gradients are flatter than 1 in 33.

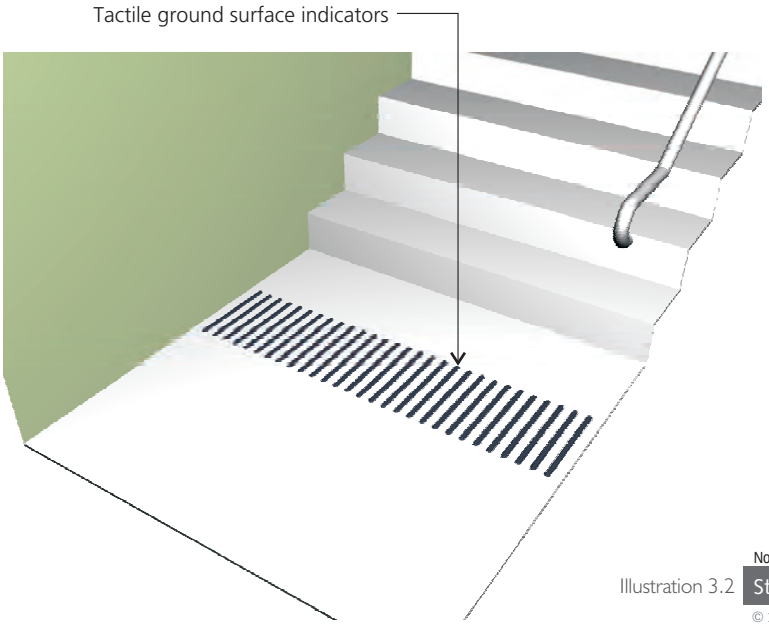




Note: All dimensions are in millimetres

Illustration 3.1 Ramp complying with AS1428





Notes

- The dimensions indicating the heights of handrails are taken vertically from the stair tread nosing to the top of the handrail.
- The 300mm extension is not required where the handrail is continuous, e.g. on the inside of an intermediate landing.
- Where tactile ground surface indicators are not required, domed buttons should be used at a distance of 150mm + or - 10mm from the end of the handrail.
- See AS 1428.4 for guidance on installation of TGSI's.

Note: All dimensions are in millimetres

Illustration 3.2 Stair case complying with AS1428

(e) Walkways, paths and landings should not protrude on the public way unless prior agreement has been reached between the applicant and the City of Canada Bay;
(f) Where applicable, walkways, ramps and landings should be "filled in" underneath in order to avoid people with vision impairments walking into the underside; and
(g) Accessways, walkways, ramps and landings shall be constructed with no lip or step at joints between abutting surfaces.

Ramps, step ramps and landings

Relevant Standard
Australian Standard 1428.1 – Clause 5
Australian Standard 1428.2 – Clause 8

Definitions
Kerb ramp – an inclined access way with a length not greater than 1520mm and a gradient not steeper than 1 in 8, located within a kerb.
Landing – a flat or crowned surface with gradient not steeper than 1 in 40.

Ramp – an inclined access way with a gradient steeper than 1 in 20 but not steeper than 1 in 14.

Step ramp – an inclined access way with a length not greater than 1520mm and a gradient not steeper than 1 in 8, located in, or instead of, a step other than a kerb.

Objectives

O1 To ensure that ramps and step ramps are designed correctly to provide sharp transitions between sections of different gradients to allow for access to public places for both ambulant and non-ambulant people.

O2 To ensure that landings are provided in appropriate places to function as both resting points and circulation spaces.

Controls

C1 All ramps and landings should have a minimum unobstructed width of 1200mm and a minimum unobstructed vertical clearance of 2000mm.

C2 The maximum gradient of a ramp exceeding 1,520mm should be 1:14.

C3 Ramps should be provided with landings or rest areas:
(a) At each change of direction;
(b) At the top and the bottom of the ramp; and
(c) Every 9 metres for gradients of 1:14
(d) Every 14 metres for gradients of 1:19
(e) For gradients in between 1:19 and 1:14 at intervals which should be obtained by linear interpolation.

C4 Ramps should be provided with kerbs and handrails on both sides.

C5 Kerb and step ramps should not
(a) Rise more than 190mm;
(b) Be longer than 1520mm;
(c) Be steeper than 1 in 8.

C6 The ramp and any sloping sides should be slip resistant and of a colour that contrasts with the adjoining surfaces.

C7 The height of the kerb should comply with the provisions of 'Disability Standards for Accessible Public Transport 2002'.

Circulation space

Relevant Standard
Australian Standard 1428.2 – Clause 6

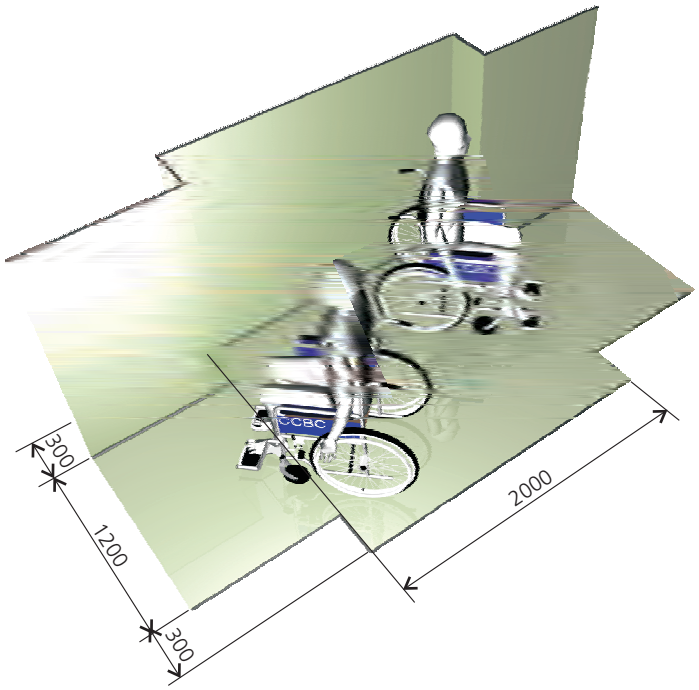
Objective

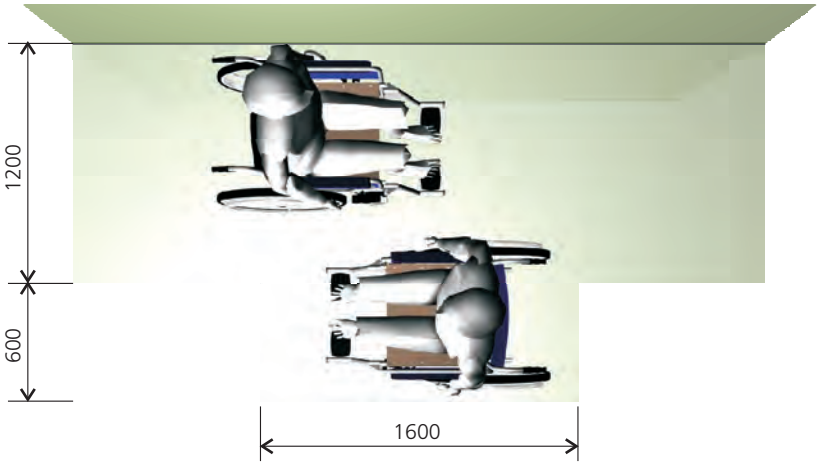
O1 To ensure that adequate circulation spaces, which allow the easy manoeuvrability of wheelchairs, and rest spaces are provided and positioned so that they do not impact on the circulation space.

Control

C1 Circulation spaces are:
(a) Wide enough to allow an ambulant person to pass a wheelchair;
(b) Wide enough to allow a wheelchair to make a 90 degree turn through a door;
(c) Provided with passing spaces when the width of the corridor is less than 1800mm wide;
(d) Provided with rest spaces when long in distance. The rest spaces are positioned so that they do not impact upon the circulation space.

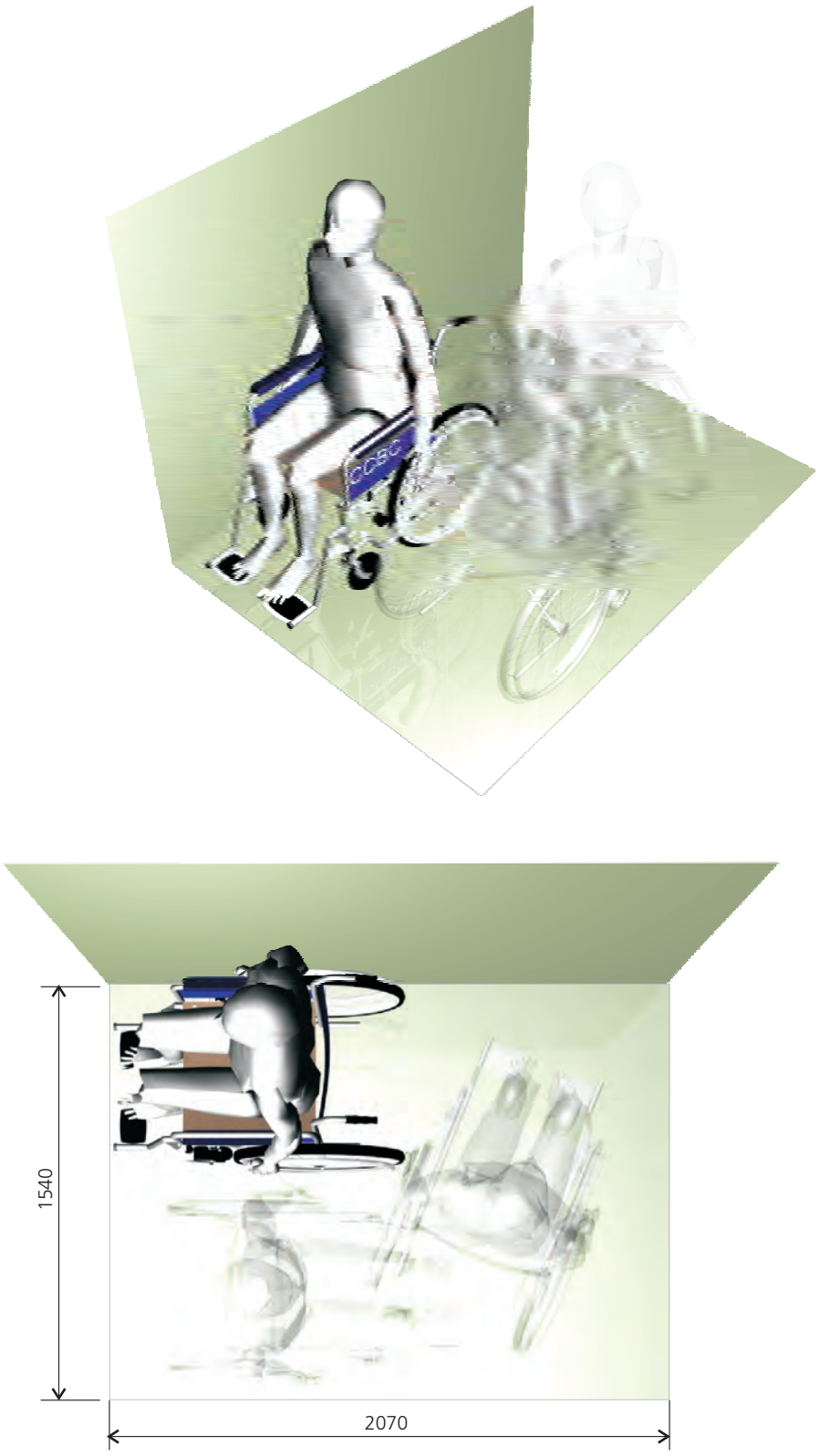
Refer to Illustrations 3.3 and 3.4





Note: All dimensions are in millimetres

Illustration 3.3 Circulation space required for adequate passing space



Note: All dimensions are in millimetres

Illustration 3.4 Circulation space required for 180° turn

Doorways

Relevant Standard
Australian Standard 1428.1 Clause 7
Australian Standard 1428.2 Clause 23

Objective

O1 To ensure provision for accessible entrances is made.

Controls

C1 The minimum clear opening of a doorway on a continuous path of travel shall be 800mm.

C2 The force to open and push the door shall be 2.0kg maximum.

C3 Automatic doors should be use for large main entrances.

Signs

Relevant Standard
Australian Standard 1428.1 Clause 14

Objective

O1 To ensure clear and legible signage is provided for people with disabilities.

Controls

C1 The size type and layout of lettering on signs shall be clearly legible and easily comprehensible.

C2 Where the international symbol of access is used, it shall comply with the requirements of AS1428.1.

Lifts

Relevant Standard
Australian Standard 1428.1 – Clause 8
Australian Standard 1428.2 – Clause 12
Australian Standard 1735.12 – Lift Facilities for persons with Disabilities

Objectives

O1 To ensure that accessible lifts are installed in public buildings which have more than one level, including parking levels, and are required to be accessible.

O2 To ensure that the accessible lift forms part of the continuous accessible path of travel.

Controls

C1 Accessible lifts should be installed in new buildings which are required to be accessible in accordance with AS1735.12, this includes both commercial and residential buildings.

C2 In an existing development where the installation of a lift complying with AS 1735.12 would cause unjustifiable hardship a “stairway wheelchair platform lift” complying with AS 1735.7 may be considered.

C3 Lift lobbies should:
(a) Be designed to permit the turning of wheelchairs for the purpose of entering and exiting lifts and to permit the easy passage of other persons;
(b) Be provided with seating.

Sanitary facilities

Relevant Standard
Australian Standard 1428.1 Clause 10
Australian Standard 1428.2 Clause 15

Note: Substantial changes are proposed regarding the provision and design of sanitary facilities in the draft Premises Standard.

Objectives

O1 To ensure that adequate sanitary facilities catering for people with disabilities are provided in accessible buildings.

O2 To require the provision of unisex toilets so that a person can be assisted by an attendant of the opposite sex.

Controls

C1 Where equitable access is provided to building, sanitary facilities for people with disabilities should be provided in accordance with requirements of Part F2.4 of the BCA.

C2 Where accessible toilets are to be provided they should comply with the following provisions:
(a) The route to the toilet should be part of the continuous accessible path of travel. The floor approach should be level, and approach corridors and doorways adequate for the circulation of wheelchair users;
(b) The toilet should be provided with a separate entrance (ie. Not entered from the male or female toilet areas) so that a person can be assisted by an attendant of the opposite sex;
(c) Accessible toilet facilities should be designed in accordance with AS1428.2;
(d) Where a staff facility (reception, front desk, office etc) is provided, an emergency call button which complies with

AS1428.2 should be installed in each accessible sanitary facility; and

(e) Where possible provide baby changing facilities.

C3 Where accessible showers are required, they should comply with AS1428.2

C4 Combined sanitary facilities may be provided where there is adequate circulation space, refer to AS1428.

Car parking facilities

Relevant Standard

Australian Standard 1428.1 – Clause 13
Australian Standard 1428.2 – Clause 14
Australian Standard 2890.1 – Off-street car parking

Objectives

O1 To ensure in providing access for people with disabilities, parking spaces designated for people with disabilities are located as near as possible to the main accessible entrance of the building, and are linked by an accessible path of travel.

O2 To ensure that where adaptable housing is required, one accessible parking space is provided for every adaptable dwelling.

Control

C1 Designated accessible car parking facilities should:

(a) Be located at the closest point to each accessible public entrance;
(b) Be linked to an accessible entrance to the building or to a wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover;
(c) Accessible car parking spaces should be provided at the rates specified in table D3.5 of the BCA (Appendix A);
(d) Have a minimum width of 3.8 metres. An overlap allowance of a maximum of 500mm may apply when, parallel to the parking space, there is an adjoining walkway or similar surface which:
  (i) Is at the same level as the car parking space;
  (ii) Is firm and level, with a fall not exceeding 1 in 40 in any direction;
  (iii) Is not another car parking space; and
  (iv) Is not less than 1000mm in width
(e) Have a minimum vertical clearance of not less than 2500mm and a minimum length of 5.5 metres;
(f) Both the designated parking space and the continuous accessible path of travel should be clearly signposted;
(g) The signage for the actual parking space will be painted on the surface of the paved space and signposted at a height of not less than 1500mm centrally located at the end of the space.
(h) The provision of accessible parking should also be signposted at the entrance of the car park; and
(i) In addition to the table below, one accessible car parking space should be provided for every adaptable unit.

Accessible parking is not required in a car park or car parking area where a parking service is provided and direct access to any of the car parking spaces is not available to the general public or occupants. Where there are a total of 5 or less car parking spaces the designated spaces are not required to be signed to restrict their use only for people with disabilities.

Refer to Illustration 3.5

The public domain and street furniture

Relevant Standard

Australian Standard 1428.2 Clause 27

Definition

Street furniture – includes objects such as seats, tables, drinking fountains, planter boxes, rubbish bins and the like.

Objectives

O1 To ensure that street furniture is placed so that it does not obstruct the accessible path of travel.

O2 To ensure that street furniture is designed so that it is accessible by both pedestrians and wheelchair users.

Controls

C1 Materials used in the public domain should be slip resistant.

C2 Pathways should have clear sightlines, be well lit and colour contrasted where appropriate to assist people with vision impairments.

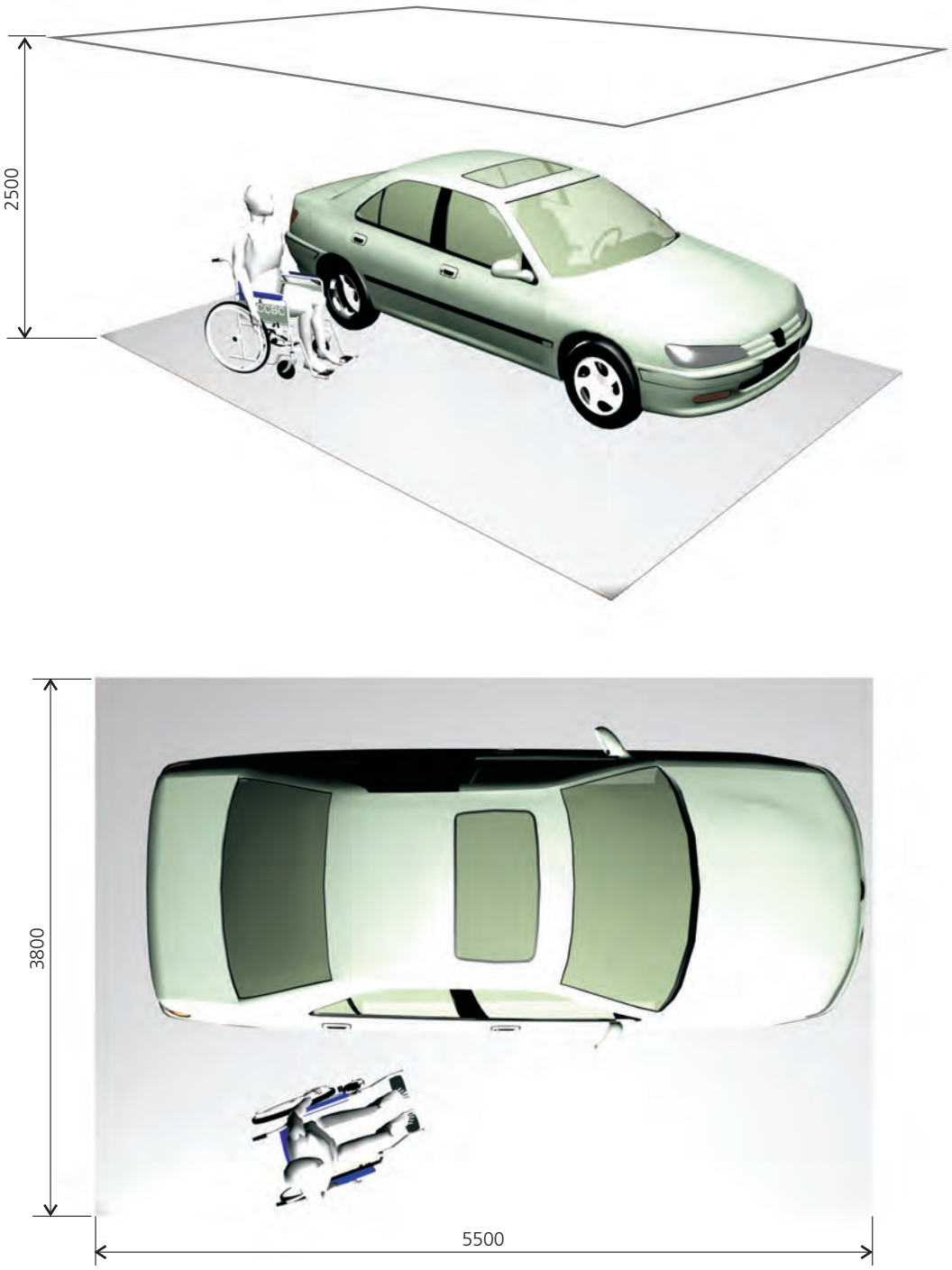
C3 Hazard warnings such as tactile indicators should be used where appropriate, although the design should aim to avoid hazards and thus the use of warning mechanisms.

C4 Street furniture should:

(a) Not protrude into the accessible path of travel; and
(b) Be of a colour that provides a contrast with their background and have a luminance factor of not less than 0.3 (30%).

C5 Unstructured Outdoor Environments should have a shoreline incorporated such as a concrete edge around garden beds, or simply a grass edge, which can be followed by a person who isi blind and uses a cane.

Public telephones



Note: All dimensions are in millimetres

Illustration 3.5 Dimensions required for an accessible car parking facility

Relevant Standard
Australian Standard 1428.2 – Clause 30

Objective

O1 To ensure that where payphones are provided, at least one accessible payphone should be at an accessible floor level.

Control

C1 The accessible phone should be:
(a) Located along the accessible path of travel, but not obstructing it in any way. And
(b) Designated by signage.

Fire safety

Relevant Standard
There are no specific requirements in the BCA at this time for egress for persons with a disability; however the Australian Building Codes Board has suggested that specific provisions will be prepared in the future.

Objective

O1 To ensure that consideration is given to additional needs of people with disabilities when designing egress routes and warning systems.

Control

C1 Fire Safety issues have considered the following:
(a) Accessible fire rated egress routes or waiting spaces for people with mobility impairments;
(b) Warning systems have both audible and visual warnings; and
(c) Preparation of an emergency management plan which identifies strategies to facilitate emergency egress for people with a disability.

Provision of access to temporary structures and during temporary events

Relevant Standard
Local Government (Approvals) Regulation 1999

Objective

O1 To ensure that consideration is given to additional needs of people with disabilities when planning events and festivals and when designing temporary structures.

Controls

C1 Where a temporary festival or event is proposed:
(a) Access should be provided where a place is proposed for use as a place of public entertainment or assembly. Where the event is to be held in an existing building access should be provided to the greatest extent possible;
(b) Accessible sanitary facilities should be made available; and
(c) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities.

C2 Where a temporary structure is proposed:
(a) The structure should not reduce the existing level of accessibility;
(b) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities; and
(c) If applicable, an accessible path of travel should be incorporated to and within the temporary structure.

Issues to be considered for compliance at the Construction Certificate Stage

In assessing a development application planners will need to be satisfied that the proposal can comply with the access provisions of the BCA without major structural or design changes prior to the issuing of development consent. Following this, the principal certifying authority will need to be satisfied that the proposal complies with the more technical requirements at the construction certificate stage.

The more technical issues to be considered at the construction certificate stage include:

Compliance with the required ratios and dimensions for:
- walkways and landings;
- ramps and step ramps;
- doors, doorways, and entrance lobbies;
- circulation spaces;
- lift type and operation;
- stairways and steps; and
- sanitary facility fit outs.

Provision of:
- signs and symbols at appropriate locations;
- seating in auditorium areas;
- hearing and augmentation listening systems;
- appropriate lighting;
- non-slip floor surfaces; and
- tactile indicators and other warning mechanisms.

3.2.5 Adaptable housing

What is adaptable housing and why ahould it be provided?

Adaptable Housing is accommodation that is specifically designed to enable easy modification in the future for occupation and visitation by people with disabilities or progressive frailties. It is designed in accordance with the minimum standards for accessibility but is not specially built for special purpose housing such as institutional care. Adaptable housing therefore can suit the needs of many different people, including people with a current disability and people who will acquire disabilities gradually as they age. Adaptable housing is also often attractive to people who prefer open plan type living, or those with children.

The ABS disability survey conducted in 1998 showed that there has been a consistent increase in the rates of people living in households rather than institutional style accommodation. In order to accommodate this trend, adaptable housing needs to be more prevalent in our society. By requiring adaptable housing to be provided in new residential complexes, the city of Canada Bay hopes to create greater opportunities for people with disabilities to live in the city with close access to all the facilities and services provided.

Typically, the provision of adaptable housing has been perceived to be onerous on developers. However, it has been demonstrated that the additional cost of incorporating adaptable features is in most cases not more than 5% - in fact nil in many cases. This initial cost is more than outweighed by the benefits of providing adaptable housing which include:

- reduced costs of future modifications, which are often costly, to suit people with disabilities or increasing frailties;
- a wider range of people are able to access adaptable homes, thereby making them more visitable;
- residents are able to stay in their homes and use the same services as well as maintain the same support networks despite their changing needs; and
- many adaptable features make homes safer for people of all ages and abilities.

Australian Standard 4299 – Adaptable Housing

Australian Standard AS4299 – Adaptable Housing provides guidelines for the design of adaptable dwellings. 119 design features are listed in AS4299 Adaptable Housing which are sorted into 3 different categories – essential, first priority desirable and desirable.

All adaptable housing units constructed in the City of Canada Bay are required to meet the essential design criterion as listed in AS4299 which includes the following:

- provision of plans showing the housing unit in its pre-adaptation and post-adaptation stages;
- a continuous accessible path of travel;
- provision of accessible parking spaces;
- manoeuvrability both internally and externally;
- adjustable bathroom facilities; and
- adjustable laundry facilities.

Where adaptable housing units are required, access to and within all of the public areas (ie. common facilities such as a laundry, bbq, garden etc) should be provided in accordance with the AS1428 standard.

Rates of adaptable housing units and parking spaces to be provided

Adaptable housing units should be constructed to meet the performance requirements and are to include the essential features as required by AS4299 at the rates specified in Table 1 for developments do include a lift. Where the total number of adaptable housing units to be provided is not a whole figure, the figure is to be rounded up to the next whole figure.

Table 1 Adaptable housing ratios for developments including a lift

Total number of dwellings	*Number of adaptable dwellings to be provided*
Between 0 and 7 inclusive	Nil
Between 8 and 14	1 dwelling
Between 15 and 21	2 dwellings
Between 21 and 29	3 dwellings
30 or more	15% of total dwellings

Where a residential development provides adaptable housing units in accordance with this plan, one accessible car parking space should be provided for every adaptable unit. This is in addition to any accessible parking required by this DCP.

Issues to be considered in the provision of adaptable housing

Issues which should be considered in the assessment of adaptable housing:

Compliance with AS1 28.1 and AS1 28.2

Access to and within the adaptable housing unit complies with the requirements of the relevant provisions of the Australian Standards. This includes access to at least one type of each common facility or service provided in the development eg. BBQ areas, swimming pools, common laundry facilities etc.

Location

Adaptable housing units should be provided in convenient locations that are close to facilities such as public transport, community facilities and public services. Within the development they should be located along the accessible path of travel, preferably close to the main entrance of the building.

Bathroom facilities

Bathrooms should be large allowing for wheelchair access and manoeuvring. A bath need not be provided, but the shower should allow for chair access. The hand wash basin and any shelving should be provided at a height that is accessible at both a standing or seated position.

Laundry facilities

The laundry should also be large to allow for wheelchair access and circulation around the appliances. Washing machines and dryers should be front loading, a wall mounted dryer is also preferable.

Circulation spaces

Bedrooms and living areas should be an adequate size to allow for ease of movement around furniture. Doorways and entrances are wide enough to facilitate wheelchair access and circulation.

Kitchen facilities

The kitchen should be of a flexible design so that modifications can be made if required in the future. Cupboard and pantry shelf heights should be adjustable to make them easy to reach.

Flooring

Tiles or timber flooring is preferable to carpet. However, if carpet is to be provided it should be low pile with no underlay. Non-slip tiling should be provided in wet areas.

Walls

Walls located along main travel paths and in bedrooms and bathrooms should be reinforced to allow for installation of grab rails if necessary.

Windows

Windows should be operatable with one hand (preferably sliding) and located no higher than 700mm from the floor.

Landscaping

Outdoor areas should be designed to be low maintenance, with no lawns and a drip irrigation system. All paving should be even and be wheelchair accessible.

Assessment of adaptable housing units

As a minimum requirement, all Adaptable Housing Units should provide the design elements listed as 'essential' in AS4299. The plans submitted for assessment should provide detail of the housing unit/ dwelling in its pre-adaptation stage and post-adaptation stage.
In order to grant development consent, Council will need to be satisfied that the proposal can comply with the design requirements of AS4299 without major structural or design changes. As part of the development consent, a condition will be imposed requiring the checklist of AS4299 to be completed and submitted with the subsequent construction certificate application. The principal certifying authority will then be required to check that the proposal complies with the technical components of AS4299.

3.3 Stormwater, detention & sediment control

This section deals with the requirements relating to the important issue of managing stormwater.

Council's stormwater Controls provide guidelines for the management of stormwater runoff from all types of developments within the City of Canada Bay Council Local Government Area.

Erosion and sediment control

Accelerated erosion and sedimentation is a major issue affecting the landscape amenity of urban areas. The effects of sedimentation are evidenced by:

- blockages of stormwater drainage systems;
- increased flooding due to reduced channel capacity;
- infilling of water bodies and water courses;
- increased algal blooms and nuisance aquatic plant growth;
- diminished water clarity; and
- adverse effects on fishery habitats.

This section also contains guidelines for erosion and sediment control for building construction activities associated with all development.

Objectives

O1 To provide uniform guidelines and application of systems to achieve consistency in the assessment and conditioning of development applications in relation to stormwater runoff from all developments.

O2 To minimise any adverse impact on properties caused by stormwater runoff from developments.

O3 To ensure that the water quality of receiving waterways is not adversely affected by pollutants such as nutrients, pathogens, and siltation, resulting from development sites.

O4 To ensure that uniform stormwater controls are applied throughout the whole of the City of Canada Bay Council Local Government Area.

O5 To ensure development does not have an adverse effect on water quality or drainage systems, particularly during the construction phases.

O6 To ensure appropriate sediment and erosion controls are in place throughout construction and stabilisation.

O7 To protect existing vegetation and significant trees.

Controls

Stormwater

C1 The provision of safe overland flowpaths within developments and on public land.

C2 The definition of floodways for major storms within developments and on public land.

C3 The provision of controls such as on-site stormwater detention, community basins and the like and on-site retention systems to reduce and control stormwater runoff.

C4 The application of alternative methods of merit based stormwater control and conveyance devices.

C5 The removal of flood effected development from known floodways and the prohibition of future developments in such floodways.

C6 The provision of minimum free-boards for assigning floor levels to reduce the risk of flood damage to property.

C7 The installation of pipe/channel systems to minimise hazard to pedestrian and vehicular traffic caused by uncontrolled surface stormwater runoff.

C8 The installation of water quality control devices such as trash screens, gross pollutant traps, water quality ponds and the like to protect the quality of receiving waters.

The guidelines to achieve the above controls are provided in the **City of Canada Bay "Specification for the Management of Stormwater" document.**

The Specification is to be used when preparing development applications and can be obtained on Council's website http://www.canadabay.nsw.gov.au or from Council's Customer Services Centre.

Erosion & sediment control

C9 Applications involving site disturbance, excavation or filling must be accompanied by details of the proposed method of erosion and sediment control on site. Industrial and commercial developments may require the submission of a more detailed Erosion and Sediment Control Plan.

C10 Details shall be submitted to Council showing how it is proposed to prevent the deposition of soil, silt etc. from the site onto Council's road reserve and into its drainage system.

C11 All construction and maintenance associated with erosion and sediment control measures must be supervised by personnel with relevant training and/or demonstrated knowledge in erosion and sediment control.

C12 All sediment control measures must be maintained at a workable capacity until permanent rehabilitation measures have been successfully completed.

C13 Erosion and sediment control measures are to be implemented on site, while sediment trapping measures are to be located at all points where stormwater can enter inlet pipes or leave the activity or development site.

C14 Where possible, all vehicular site access should be provided by a single vehicle entrance point.

C15 Topsoil within the potential area to be disturbed shall be stockpiled (at least 2 metres away from drainage lines) and respread on all exposed areas after final land shaping.

C16 Stockpiles of topsoil, sand, aggregate, spoil or other material must be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.

C17 Drains, gutters, roadways and accessways shall be kept free of sediment and to the satisfaction of Council.

C18 All ground shall be stabilised, topsoiled and revegetated as soon as final ground sloping or trimming has been completed. Disturbed areas must be stabilised within 14 days of completion or as approved by Council.

C19 Sedimentation controls are to be maintained until stabilisation has been completed.

C20 All sewer, water, power, communications and drainage trenches shall be backfilled, compacted up to the adjoining ground level and topsoiled within 24 hours of inspection and then stabilised to prevent erosion.

C21 Surface waters released from the site during demolition and construction phases shall not be released to Council's road reserve without first passing through an effective, Council approved silt removal facility. Details shall be submitted in the Sediment and Erosion Control Plan.

3.4 Contamination

Contamination

In some situations, land can be contaminated by chemicals, posing a risk to human health and the environment. Contamination occurring on or adjacent to the site can result from previous land uses, such as former industrial developments, which need to undergo a process of remediation or risk assessment prior to their future development. Decisions need to be made whether the land requires remediation, or its use restricted, in order to reduce risk to people and the environment.

A contaminated site is a site containing chemicals at concentrations that are above those naturally present and that pose a risk to human health or the environment. An assessment of the risk is usually undertaken by considering either past, current or proposed uses that took place or will take place on or adjacent to a site. Contamination can be remediated to remove risks to health and the environment, and to restore the site to a productive use.

When Council carries out planning and development functions, it needs to consider the possibility that previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination. Decisions must be made as to whether the land should be remediated or its use restricted, in order to reduce risk. The type of land uses and activities that pose significant risk of contamination are listed in Table 2.

Table 2

Some activities that may cause contamination:

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosive industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- pharmaceutical formulation and manufacture
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

Source: ANZEXX & NHMRC 1992 The Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites, From DUAP & EPA 1998 Managing Land Contamination.

This section of the DCP provides a clear procedure for applicants dealing with potential or known contaminated sites. The procedures are based on Department of Environment and Conservation (DEP) and Department of Planning Best Practice Guidelines and the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land.

Objective

O1 To ensure that the redevelopment of contaminated or potentially contaminated land does not pose a risk to public health or the environment, is suitably assessed to determine the extent of contamination and is remediated so that any change of use or other development is appropriate.

Control

The following criteria apply to all development applications. Applicants should also refer to the particular requirements of SEPP 55 – Remediation of Land and the City of Canada Bay Contaminated Land Policy.

C1 *Initial Evaluation*

For all development applications involving industrial, commercial, more than 2 residential dwellings or major redevelopment of sites, an initial evaluation for potential contamination must occur. The evaluation must address the following:

(a) was or is the site currently zoned for industrial or defence purposes;
(b) Do existing records held by Canada Bay Council show an activity listed in Table 2;
(c) Is the site currently used for an activity listed in Table 2; and
(d) Is Council aware of information concerning contamination impacts on land immediately adjacent the site which could affect the subject land?

If after carrying out the above initial evaluation none of the enquiries suggest that the land might be contaminated, the planning process should continue in the normal way.

If contamination is, or may be present, the applicant must investigate the site and provide Council with the information it needs to carry out its planning functions.
It should be noted that Council may at any stage in the process, require a preliminary investigation to be undertaken if Council believes there is a possibility of contamination on the site.

Other Information

Applicants should also refer to requirements of the following documents:

- Department of Urban Affairs and Planning & EPA (1998) Managing Land Contamination Planning Guidelines;
- Contaminated Land Management Act, 1997; and
- Environment Protection Authority Guidelines relating to land contamination and remediation.

3.5 Acid sulfate soils

Acid sulfate soils are soils containing high levels of iron sulfides that are found in low lying land that form part of the flood plains of rivers and creeks. These soils were created by the last major sea level rise at which time seawater mixed with land sediments containing iron oxides and organic matter. The resulting chemical reaction produced large quantities of iron sulfides in the waterlogged sediments. The water in the soils of low-lying land prevents oxygen in the air reacting with the iron sulfides, which, when exposed to air, cause acid sulfates in the soil to oxidise producing sulfuric acid.

The sulfuric acid produced by acid sulfate soils can corrode concrete, iron, steel and certain aluminium alloys. It has caused the weakening of concrete structures, including the corrosion of concrete slabs, steel fence posts, foundations of buildings and underground concrete water and sewerage pipes. There are also significant environmental effects associated with the exposure of acid sulfate soils including the effects on waterways from runoff containing acid sulfate soils in the form of fish and plant kills.

Due to the serious implications that disturbing these soils can have on buildings and the environment, governments have introduced planning and building controls to minimise any adverse effects from acid sulfate soils. Planning maps have been prepared showing land that has potential acid sulfate soils based on its elevation in relation to watercourses within the Canada Bay local government area.

Objective

O1 To ensure that the redevelopment of land affected or potentially affected by acid sulfate soils does not pose a risk to the environment.

Control

C1 If your property is within a potential acid sulfate area (Check Council's Acid Sulfate Soil Maps) and you intend to undertake building works that could disturb acid sulfate soils (i.e. if excavation at or below the ground water table is required) an evaluation of whether or not acid sulfate soils are present will need to be undertaken. Where acid sulfate soils are found to exist, an acid sulfate soils management plan will be required detailing the means which will be employed to minimise the impacts of the development on the wider environment from the soil.

Reference is made to the Acid Sulfate Soil Manual 1998 (prepared by the Acid Sulfate Soil Management Advisory Committee) All investigations should be carried out in accordance with the manual.

Reference should also be made to the City of Canada Bay Council LEP for controls in relation to acid sulfate soils.

3.6 Telecommunications and radiocommunications

This provisions in this section apply to telecommunications and radiocommunications infrastructure (including broadcasting infrastructure covered under the Telecommunications Act 1997 and the Radiocommunications Act 1992), within the City of Canada Bay Council Local Government Area (LGA).

The City of Canada Bay Council (Council) is the consent authority for facilities that require development consent under the terms of the Environmental Planning and Assessment Act 1979. These are the facilities that are referred to as "not low impact facilities".

Council does not have regulatory control over "low impact facilities". These are facilities described in the Telecommunications (Low Impact Facilities) Determination 1997 (LIF Determination), which exempts low impact facilities from State and Territory planning and environmental laws.

A copy of the LIF Determination may be viewed at:
http://www.dcita.gov.au/communications_and_technology/policy_and_legislation/carrier_powers_to_install_telecommunications_infrastructure/legislation_and_standards

The Telecommunications and Radiocommunication controls of this DCP provide:

- controls for the siting, design and installation of telecommunications and radiocommunications facilities that require development consent from Council, and
- guidelines for telecommunications carriers for the siting, design and installation of "low impact" facilities.

3.6.1 To what facilities does this Part apply?

This Part of the DCP applies to any fixed transmitter, its supporting infrastructure and ancillary development under the following legislation:

- Telecommunications (Low-impact Facilities) Determination 1997 [LIF Determination];
- Telecommunications Act 1997, and
- Radiocommunications Act 1992.

This DCP provides:

- controls for the siting, design and installation of telecommunications and radiocommunications facilities that require development consent from Council, and
- guidelines for telecommunications carriers for the siting, design and installation of other, including "low impact", facilities.

The DCP does not apply to temporary emergency services.

For guidance on the nature of facilities classified as "Low Impact" under the LIF Determination 1997, see:
http://www.dcita.gov.au/communications_and_technology/policy_and_legislation/carrier_powers_to_install_telecommunications_infrastructure/legislation_and_standards

3.6.2 What is the purpose of this Part?

The purpose of this Part is:

- to provide a consistent and integrated planning framework that addresses the community's interests in the effective and efficient provision of telecommunications and radiocommunications infrastructure so that it achieves environmental, economic and social sustainability in the short, medium and long term;
- to provide a consistency of approach which benefits carriers, community and councils;
- to balance the needs of different stakeholders, including the community/ industry/ local, state and federal governments, and
- to provide guidance to carriers about council's requirements for:
    (a) site selection
    (b) lodging an application
    (c) conducting community consultation.

3.6.3 Objectives

The objectives of this plan are:

O1 Social

- to apply a precautionary approach to the deployment of radiocommunications infrastructure;
- to minimise EMR exposure to the public;
- to avoid community sensitive locations;
- to ensure that the general public and local communities have access to telecommunications technology;
- to achieve equity for the various stakeholders by endeavouring to balance their various needs;
- to enable members of the public to adequately identify infrastructure and the agencies responsible for them;
- to 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;

O2 Environmental

- to help implement principles of urban design in respect to telecommunications and radiocommunications infrastructure;
- to promote good industrial design of infrastructure;
- to provide infrastructure that is visually compatible with surrounding character and locality/visual context with particular regard to heritage buildings/areas and cultural icons;
- to minimise adverse impacts on the natural environment;
- to assess whether the proposed infrastructure is consistent with the amenity of the area;
- to restore the site after discontinuation or removal of infrastructure;

O3 Economic

- to identify the type of land use areas suitable for infrastructure in a local government area;
- to accommodate the planning requirements of new technology;
- to provide equitable availability of locations to carriers;
- to assess whether the proposed infrastructure is consistent with permitted development in adjacent areas;
- to ensure reasonable access to telecommunications technology; and
- to provide certainty for stakeholders and a consistent approach to the implementation/assessment of telecommunications infrastructure, and

O4 Administrative

- to ensure that Council obtains information about existing and proposed infrastructure to assist with strategic planning.

3.6.4 How do the provisions of this plan relate to other plans/legislation?

Commonwealth legislation

Telecommunications Act 1997

The Telecommunications Act establishes a regime for Carriers' rights and responsibilities when inspecting, maintaining or installing telecommunications facilities.

This DCP clarifies the expectations of Council on carriers who operate under the Act.

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 Council on carriers who operate under the Act.

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 Council in respect to land-access situations.

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.

Code for the Deployment of Radiocommunications Infrastructure (ACIF, 2002)

This Code 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 and not-low impact facilities.

A copy of the ACIF Code may be found at:
http://www.acif.org.au/ACIF_documents/codes/C564

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 infrastructures, including those operating under the Radiocommunications Act 1992.

New South Wales State Government

Environmental Planning and Assessment Act 1979 (as amended)

To meet Council's obligations to achieve environmental, economic and social sustainability.

Local Government Act 1993 (as amended)

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.

Department of infrastructure, planning and natural resources draft telecommunications guidelines

The Department of Planning have 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.

Relevant standards

Facilities are required under this DCP to comply with relevant Australian standards.

3.6.5 Does your proposal need council consent?

- by law, new infrastructure requires Council approval unless it is exempted by other legislation such as the LIF Determination or is classified as exempt or complying development in Council's planning instruments and policies; and
- development consent is not required for low-impact facilities. However, as part of a carrier's consultation obligations, Council requires a written submission demonstrating compliance with the relevant sections of the ACIF Code and provision of the information listed in the checklist attached to the Developement Application form.

3.6.6 Making an application

Lodgement requirements

- the infrastructure provider is to provide information as requested by Council about the applicant's existing infrastructure in the area to assist with consideration of this application;
- the applicant is to provide Council with:
  (a) its rationale for deciding whether the proposal is low or a non-low-impact facility;
  (b) an EMR assessment in accordance with the ARPANSA prediction methodology and report format as described in the ACIF Code;
  (c) a 360o prediction map of exposure levels at 1.5m above publicly accessible surfaces within 300 m and listed as a likely community sensitive location at 5.1(c) in the ACIF Code, or for other sites upon request;
  (d) the information listed in the checklist;
  (e) photo montage of the proposed facility in context of the location;
  (f) the results of any community consultation process, consistent with requirements in the ACIF Code for a low impact facility;
  (g) statement of environmental effects;
  (h) site and locality analysis.
- upon request, the applicant is to provide extra documentation such as a heritage report/impact statement, should the site be identified as located within an area of environmental significance; and
- the mobile providers should provide compliance evidence that indicates that exposure details contained in the application are true and accurate, consistent with the ACIF Code. Other radiocommunication infrastructure providers should provide an EMR compliance certificate as to exposure details in the application.

Site and locality analysis

A site and locality analysis establishes the development context by showing graphically the constraints and opportunities of the proposed site in relation to existing land uses and existing buildings in the immediate surroundings and the environment generally. It should influence the suitability of the proposed location and the design.

A site and locality analysis plan is to be submitted with all applications and should indicate in relation to the proposed site for a radius of 300 metres:

- existing vegetation;
- site boundaries and dimensions;
- topography;
- location of existing buildings;
- views to and from the proposed site; and
- location of any sensitive land use within the adjacent area.

The site and locality analysis should be to scale.

Statement of Environmental Effects

A written statement is to be prepared and should explain how the proposed radiocommunications or telecommunications facility has responded to the site analysis and the objectives of this DCP.

This statement is to demonstrate how the precautionary principle has been applied in the siting, design and operation of the proposed facility, included in Sections 5.1, 5.2 and 5.7 of the ACIF Code.

3.6.7 Public notification/consultation

- development applications should comply with Council's Notification and Advertising of Development Applications controls contained within this DCP;
- for facilities covered by the LIF Determination, the carrier is to consult with affected community, irrespective of Council boundaries, as required by the ACIF Code;
- the applicant is to consult with Council about a consultation strategy;
- consultation should be commensurate with the anticipated impact of the facility;
- the applicant should make reasonable endeavours to conduct consultation in such a way that local ethnic communities are informed about the proposal and able to comment on it;
- for each facility, a permanent and legible weatherproof sign should be publicly visible in the immediate proximity of the facility and visible to the general public, to identify the name and contact details of the operator or site manager, consistent with the ACIF Code;
- for each facility, a sign should be erected notifying the intention of the carrier to erect infrastructure on site and providing the name and contact details of the carrier, consistent with the ACIF code; and
- the applicant should provide council with the results of its community consultation undertaken for facilities covered by the LIF Determination.

3.6.8 Design controls

Visual amenity

C1 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.

C2 Within the local context, the infrastructure design should take account of:
- (a) Colour;
- (b) Texture;
- (c) Form; and
- (d) Bulk and scale.

C3 Infrastructure should:
- (a) Be well-designed;
- (b) Be integrated with the existing building structure unless otherwise justified in writing to Council;
- (c) Have concealed cables where practical and appropriate;
- (d) Be unobtrusive where possible, and
- (e) Be consistent with the character of the surrounding area.

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/mcf

C4 Infrastructure should be removed when no longer being used.

C5 The site should be restored following construction of the infrastructure.

Co-location

C6 Co-location is the practice of locating a number of different telecommunication facilities, often owned by different carriers, on one facility or structure.

C7 Co-location may not always be a desirable option where:
- (a) Cumulative emissions are a consideration;
- (b) It may be visually unacceptable;
- (c) There are physical and technical limits to the amount of infrastructure that structures are able to support, or
- (d) The required coverage cannot be achieved from the location.

C8 Carriers should demonstrate a precautionary approach and effective measures to minimise the negative impacts of co-location.

Location

C9 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.

C10 Preferred land uses (as determined by this council) include:
- (a) Industrial areas;
- (b) Low-use open space, and
- (c) Commercial centres.

C11 The application should demonstrate particular consideration of likely sensitive land uses. Sensitive land uses may include areas:
- (a) Where occupants are located for long periods of time (eg residences);
- (b) That are frequented by children (eg schools and child care centres), and
- (c) Where there are people with particular health problems (eg hospitals, aged care facilities)

C12 Applicants should locate proposed facilities at least 300 metres away from heritage conservation areas and heritage items and any of the following sensitive land uses:
- (a) Areas that are frequented by children (eg schools and child care centres); and
- (b) Where there are people with particular health problems (eg hospitals, aged care facilities).

Further information can be found in the ACIF Code at Section 5.1.4.

Heritage and environment

C13 Infrastructure proposed for areas of environmental significance (as defined in LIF Determination) require:
- (a) Development consent under the LIF Determination and Council's planning instruments and policies;
- (b) 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 and conservation areas;
- (c) The applicant is to provide a heritage report/impact statement in accordance with Council's planning instruments and policies,
- (d) The applicant to have regard to avoiding or minimising the physical impact of any proposed facility on endemic flora and fauna; and
- (e) For proposals within heritage conservation and/or special character areas consideration should be given to the impact of the proliferation of telecommunication facilities on the integrity of the heritage conservation and/or special character areas.

Facility physical design controls

C14 Infrastructure should be of high quality design and construction.

C15 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.

C16 The plan for the facility should include measures to restrict public access to the antenna(s). Approaches to the

antenna(s) should contain appropriate signs warning of EMR and providing contact details for the facility(ies) owner/ manager.

C17 The minimum requisites that should 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 should provide Council with certification about the standards with which the facility will comply.

Facility health controls

C18 The applicant is to demonstrate the precautions it has taken to minimise EMR exposures to the public.

C19 The applicant is to provide documentation to show that the proposed facility complies with the relevant Australian exposure standard as specified by the ACA.

C20 The applicant is to provide a mapped analysis of cumulative EMR effect of the proposal.

3.6.9 Conditions of DA approval

The applicant is advised that the approval may be subject to a number of conditions, including but not restricted to the following:

(a) The applicant is responsible for the maintenance and upgrading of infrastructure and the maintenance of the site;

(b) The applicant, should any emissions other than electromagnetic radiation arise from the installation and operation of the infrastructure, is to notify Council and the EPA and to recommend a preferred strategy of amelioration;

(c) Infrastructure should be removed when it is no longer in use; and

(d) For each facility, a permanent and legible weatherproof sign should be publicly visible in the immediate proximity of the facility to identify the name and contact details of the operator or site manager.

3.7 Bicycle parking and storage facilities

There are a number of reasons why Canada Bay Council promotes bicycle riding, parking and storage facilities.

Equity and accessibility

Providing for cycling improves access for those in the community who do not have alternative forms of transport readily available.

Transport and economic efficiency

Cycling helps reduce peak period road congestion, which has high community costs. It can reduce car use for short trips, such as to local schools and shops. Encouraging cycling helps defer public expenditure on new road and car parking facilities.

Environment

If a greater proportion of people cycled this would combat global warming by helping to reduce greenhouse gas emissions. It helps us to contribute to national goals to reduce our dependence on non-renewable fossil fuels.

Health

Cycling offers a wonderful opportunity to improve health and fitness in a pleasurable way. The cumulative effect benefits both the individual and society, by reducing health-care costs.

Tourism

Leisure cycling has great potential for growth and can be a stimulus to tourism. It is a high-quality way to enjoy the city and is also a good way to introduce people to cycling for their everyday transport needs and provides spin-off health and environmental benefits.

Urban liveability

Increased cycling can help reduce traffic intrusion into residential areas, improving the amenity and liveability for residents.

Objectives

O1 To encourage the use of bicycles by residents, employees and visitors of Canada Bay for recreational use and as an alternative mode of transport.

O2 To ensure that residential developments with more than 3 dwellings and non residential developments, contain sufficient and adequate bicycle parking and storage facilities.

O3 To ensure bicycle parking and storage facilities are designed and located to provide easy, convenient and safe access to buildings.

O4 To ensure bicycle parking and storage facilities are designed and located to minimise conflict with pedestrians and other traffic.

O5 To ensure that bicycle storage and parking facilities are provided at end of trip for cyclists.

Controls

C1 Bicycle parking and storage facilities should be provided to allow parking or storage of a minimum number of bicycles, in accordance with the following table.

For all residential, commercial and industrial development, fractions should be rounded up in the calculation of the required number of spaces.

Council may waive the requirement for bicycle storage facilities for other non residential development if it is satisfied that the requirement presents an unreasonable burden on the development.

References to areas are to gross floor area, unless stated otherwise.

Residential development (Including boarding houses and serviced apartments)		
Development type	*Bicycle storage facility*	*Bicycle parking facility*
Residential development with 3 or more dwellings	1 space for every dwelling	1 space for every 12 dwellings (minimum 1 space)
Other development providing longer term residential accomodation such as boarding houses and serviced apartments	1 space for every 4 lodgings/apartments	1 space for every 16 lodgings/apartments

Commercial and industrial development		
Type development	*Bicycle storage facility*	*Bicycle parking facility*
Cafe		1 per 25m^2 public area
Consulting Rooms	1 per 8 practitioners	1 per 4 practitioners
Hotel		1 per 25m^2 bar floor area and 1 per 100m^2 lounge or beer garden
Heavy Industry	1 per 150m^2	See note 2
Light Industry	1 per 100m^2	See note 2
Motel	1 per 40 rooms	See note 2
Office/Commercial	1 per 200m^2	1 per 750m^2
Restaurant	1 per 100m^2 public area	2
Shop	1 per 300m^2	1 per 500m^2
Showroom	1 per 750m^2 sales area	1 per 1000m^2 sales area

Note 1: The above requirements only apply to new commercial and industrial developments. They do not apply to developments which are changes of use or which are extensions of existing development or which could have been undertaken as Exempt or Complying development but for criteria such as heritage listing and the like.

Note 2: Where the table does not provide a standard, the Council will make an assessment of the required number of spaces based on:

(a) Expected number of employees, and their likely or desired use of bicycles for travel to and from work; and
(b) Expected number of visitors, and their likely or desired use of bicycles to visit the development.

Other non-residential development

Council may waive the requirement for bicycle storage facilities for other non-residential development if it is satisfied that the requirement presents an unreasonable burden on development.

C2 Bicycle storage facilities may be provided as fully enclosed individual lockers (referred to in AS 2890.3 as Class 1 facilities) or as locked compounds (referred to in AS 2890.3 as Class 2 facilities), depending on the type of development and practicality of access to the facility. Compounds should be fitted with a sufficient number of devices to which stored bicycles can be secured (referred to in AS 2890.3 as Class 3 facilities). Bicycle storage facilities should be covered to provide weather protection. A private garage is deemed to be the equivalent of an individual locker space.

C3 Showers and lockers should be provided close to secure bicycle storage facilities within new commercial and industrial developments.

C4 Bicycle storage facilities should generally be designed in accordance with paragraph 2.2 of AS 2890.3.

C5 Bicycle parking facilities on private land should be located so that the minimum clearance between a parked bicycle and the edge of a motor vehicle traffic lane is 600mm and 100mm where the average traffic speed exceeds 60km/h.

C6 Bicycle parking facilities should be located so that the minimum clearance (for a pedestrian pass) between a parked bicycle and any other obstruction is 1200mm.

C7 Bicycle parking facilities should generally be designed in accordance with figure B3 in AS 2890.3. The provision of weather protection for bicycle parking is encouraged.

C8 Access paths to bicycle storage or parking facilities should be provided so that the envelope shown in figure 3.1 in AS 2890.3 will fit when projected along the access path.

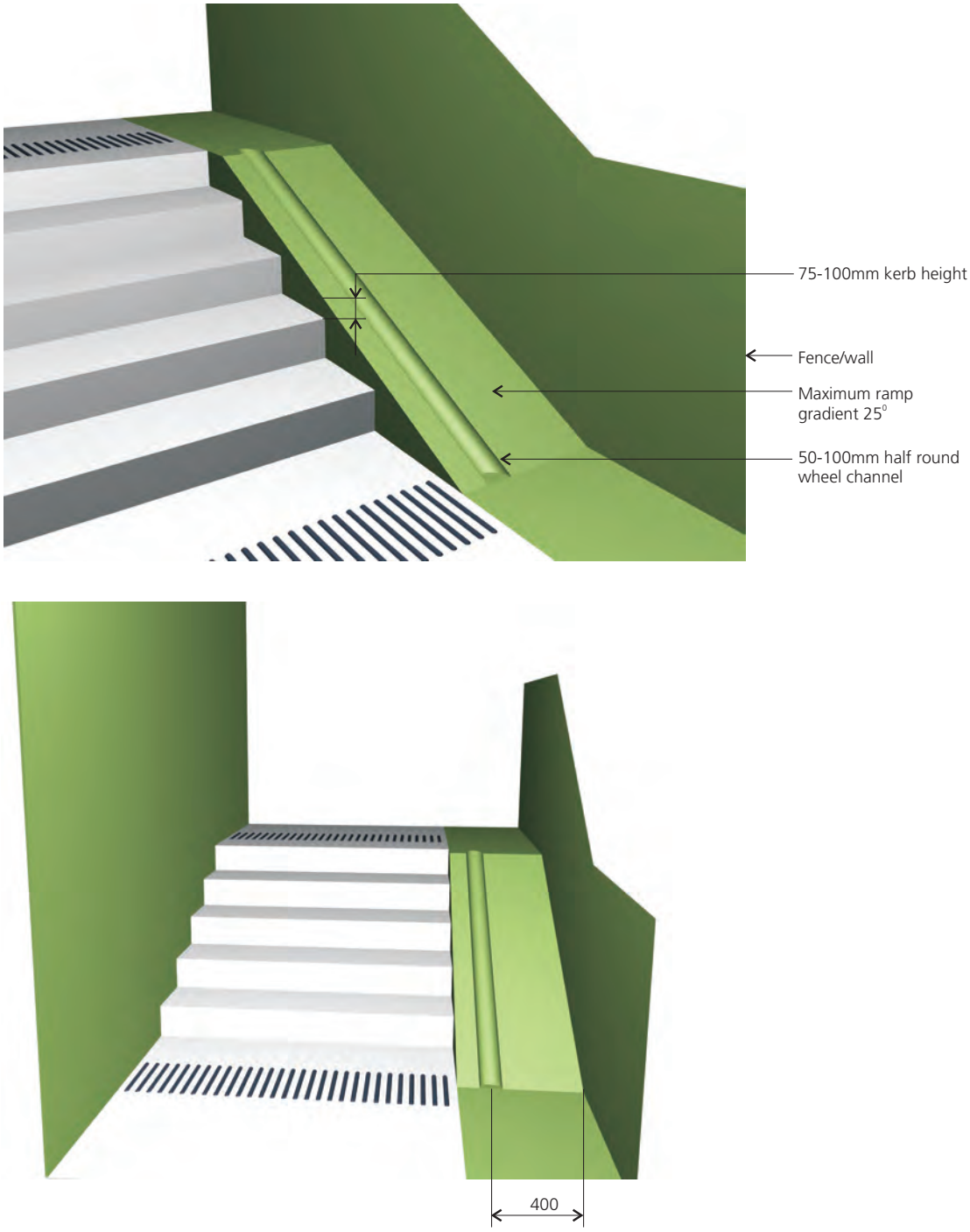
C9 Where an access path to a bicycle storage or parking facility includes stairs, such stairs should include a bicycle wheeling ramp in accordance with figure 7.12 in the Austroads Guide to Traffic Engineering Practice (Part 14 Bicycles). The gradient of the ramp should not exceed 25%.

C10 Unacceptable bicycle parking and storage facilities are facilities where:

(a) Only a wheel can be secured but not the bicycle frame;
(b) The device does not provide stability for the bicycle and may result in damage to the bicycle; and
(c) The device has a slot in the ground which may get dirty and difficult to use over time.

C11 Directional signs advising the public of the location of bicycle parking and storage areas should be harmoniously designed and erected to assist both the facilitation and promotion of the use of these facilities.

Refer to Illustration 3.6



Note: All dimensions are in millimetres

Illustration 3.6 Bicycle wheeling ramp

3.8 Preservation of trees and vegetation

3.8.1 Pruning and removal of trees

Objectives

O1 The aim of the DCP is to conserve and enhance the tree scape and environmental amenity of the City of Canada Bay.

Controls

C1 A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which this development control plan applies if:

(a) The tree has a height of, or greater than, four (4) metres;

(b) The tree has a trunk girth of, or greater than, 500mm at any point; or

(c) The tree is a cycad or mangrove, irrespective of its dimensions

without a permit granted by the Council.

C2 If the tree or other vegitation is or forms part of a Heritage Item or is within a Heritage Conservation Area, then development consent is required.

Refer to clause 5.9 of the Canada Bay LEP.

C2 *Exemptions*

A person will be exempt from the prohibition stated in C1 above with respect to particular tree works if Council establishes that:

(a) The tree was dead or that the works were limited to the removal of dead branches;

(b) The tree was one of the following exempt species (provided the tree is not listed as a Heritage Item in an environmental planning instrument – in which case the prohibition applies):

(i) Alnus jorullensis	Evergreen Alder
(ii) Bambusa spp	Bamboo
(iii) Celtris occidentalis	Sugarberry
(iv) Erythrina x sykesii	Indian Coral
(v) Erythrina crista-galli	Coral Tree
(vi) Ficus elastica	Rubber Tree
(vii) Ligustrum spp	Privet
(viii) Nerium oleander	Oleander
(ix) Olea Africana	African olive
(x) Populus spp	Poplar
(xi) Salix spp	Willow
(xii) Schefflera spp	Umbrella Trees
(xiii) Syagrus romanzoffianum	Queen/Cocos Palm
(xiv) Toxicodendron spp Rhus Tree	
(xv) Cinnamomum camphora (Camphor Laurel) or Liquidamber spp (Liquidamber) where the outside edge of the trunk of such tree is located within 3 metres of any single storey dwelling (not being an out building eg. Garage, carport, shed, etc).	
(xvi) A fruit tree grown for the purposes of fruit or fodder production except Acmena spp (Lilly Pilly), Syzygium spp (Lilly Pilly) or Elaeocarpus spp (Blueberry Ash).	

(c) The tree is a declared noxious weed in the local government area of the City of Canada Bay under the Noxious Weed Act 1993; and

(d) The tree works were limited to the maintenance of a minimum clearance of five hundred (500) millimetres from domestic service leads as specified by Energy Australia, provided that the works were carried out by a qualified or experienced Arborist or Tree surgeon, in accordance with the Australian Standards for the Pruning of Amenity Trees AS 4373-1996.

C3 *The prohibition does not apply to with respect to the following works:*

(a) Emergency Works - any works carried out by Council, the State Emergency Services, the Rural Fire Service of NSW, or a public authority in response to an emergency;

(b) Works carried out by State and Federal Government departments or Authorities under current legislative requirements;

(c) Tree works carried out by Council or its agents on land owned or under the care and control of Council, provided that assessment of the tree work has been carried out in accordance with this DCP.

Note: Definitions for Council, Injuring, Removal/Cutting down and Tree are contained within the definitions.

Refer to the clause 5.9 of the Canada Bay LEP.

3.8.2 Assessment of trees

Council's Tree Management Officer will determine if the work you wish to undertake is appropriate. Council aims to preserve trees and vegitation where possible and the circumstances for removal would need to be significant. Dropping of leaves, flowers, fruit or twigs will not generally justify removal.

Objectives

O1 Providing a guide to the regulatory framework for the preservation of trees;

O2 Helping in establishing a coordinated approach to the assessment and management of trees.

Controls

C1 Council may issue a permit or development consent for the removal of tree(s) if the following criteria are met:

(a) The tree is a poor specimen and is in decline and or inappropriate for the location;

(b) The tree has caused significant structural damage and supporting documentation is provided i.e. structural engineer's report; and

(c) It can be demonstrated that there is an on-going problem with the tree and no other course of action will rectify the problem.

C2 Council may issue a permit or development consent for the pruning of tree(s) if the following criteria are met:

(a) The tree(s) have structural defects and or disease and remedial pruning (to AS 4373-1996), will improve the health of the tree; and

(b) The tree(s) require crown thinning (no reduction in height permitted) to reduce weight within the tree if the tree is overhanging property or for other areas deemed appropriate i.e. access issues etc. A percentage no greater than 15% is generally issued.

In some circumstances it may be necessary for you to supply, at your cost, an independent arborist's, structural, plumber's and or pest report. A comprehensive report must meet the criteria as outlined in Council's Guidelines for the Preparation of Reports available from Council. The Tree Management Officer will determine if such reports are necessary and such circumstances may include those where there is the possibility that the tree has been deliberately tampered with or extra supporting information is needed.

C3 *Emergency Procedures*

(a) Where a tree(s) pose a potential hazard to property, the applicant should identify this on the application form. Council may expedite the assessment time to less than twenty (20) days. No responsibility shall be taken by Council should a tree fail and cause damage or injury prior to inspection and the issue of the Tree Preservation Permit; and

(b) Emergency Permits may be issued to applicants if deemed necessary by Council's Tree Management Officer(s); and

(c) In respect of potential hazard situations, tree problems do not usually occur in the short term, (except in the event of physical/mechanical damage i.e. storm activity etc).

3.9 Completed and settled Masterplan Estates

3.9.1 Background

There are a number of residential estates within the Canada Bay area that have been developed as part of a masterplan or site specific development control plan. These plans contain detailed design controls that contemplate a final development outcome after which no further development is envisaged.

3.9.2 Council Resolution

Council resolved on 19 April 2011 that the following principle be applied when considering future development in completed and settled Masterplan Estates:

> "In completed and settled Masterplan Estates there is a general presumption of no further building development via additions or knock down/rebuilds. Where a DA is received for building additions or knock down/rebuilds, the assessment of the impact of the proposed development on the public interest will include the general presumption that in such estates, building additions or knock down/rebuilds will not occur. "

This resolution applies to the following precincts:

- Cape Cabarita
- Edgewood and Kendall Inlet
- Liberty Grove
- Abbotsford Cove
- Kings Bay
- Pelican Point, Pelican Quays and Phillips Landing
- Tuscany Court
- Sydney Wire Mill Site

Refer to Schedule 1 for a map of the precinct areas.

part 4

Heritage

Heritage

This section of the Development Control Plan establishes controls for development affecting places of heritage significance.

The heritage of the City of Canada Bay includes a wide variety of places including industrial buildings, landmark waterfront sites, commercial precincts, parks, large Victorian and Federation period residential precincts and large Inter-War residential precincts. These places contribute to the character of the local government area and help to make the City of Canada Bay an attractive place to live and work.

Development that affects places of heritage significance, whether an individual heritage item or a conservation area, needs to be carefully designed to minimise negative impacts on the heritage significance. Negative impacts may occur due to actions such as removal of original fabric, loss of important design features, loss of important views, unsympathetic bulk and scale of new development and inappropriate selection of materials.

This section of the Development Control Plan includes policies for:

Development of heritage items;

Development in the vicinity of heritage items; and

Development in the vicinity of conservation areas.

Appendix B of the Development Control Plan includes detailed statements of significance, analysis and maps of the Conservation Areas. The maps will indicate if a property in a Conservation Area is considered to contribute to the heritage value of the Conservation Area, is a neutral element in the conservation area, or is considered to be infill development.

Places can be affected by statutory listings as heritage items or in conservation areas under a Local Environmental Plan, a Regional Environmental Plan or on the State Heritage Register. To be certain of whether a property is affected by a heritage listing under a Local Environmental Plan or Regional Environmental Plan, whether as a heritage item or a conservation area or in the vicinity of a heritage item or a conservation area, you should obtain a Section 149 Certificate. A small number of places in the City of Canada Bay are considered to be of state heritage significance and are listed on the State Heritage Register. To be certain of whether a place is listed on the State Heritage Register, you will need to submit a Section 167 form to the NSW Heritage Office (Department of Planning).

Council has a Heritage Advisor who can assist with preliminary advice on development affecting heritage items and conservation areas.

4.1 Heritage reports to accompany development applications

The following notes are taken from the publication Conservation Management Documents by the NSW Heritage Branch.

Decisions affecting a heritage item or place within a conservation area need to be based on a clear analysis of why a place is significant and how proposals affecting the place have been designed to minimise the impact on the significance of the place. Depending on the significance of the place, strategies or policies to ensure the retention of the significance of the place might need to be developed. For this reason, different types of reports will be required for development proposals affecting places in a conservation area and heritage items.

The following outlines the different types of reports and when they will be required.

4.1.1 Statement of heritage impact

A statement of heritage impact analyses and justifies the impact of any proposal to alter a heritage item (which includes carrying out work within a heritage conservation area). It is prepared with reference to a conservation management plan, a conservation policy and/or a statement of heritage significance for the item. Where the proposed work departs from stated policies, or the impact is detrimental to the heritage significance of the item, a statement of heritage impact must clearly argue why such work is required for the item's long term viability. Ideally, the impact would be such that the significance of the heritage item is not compromised, but rather enhanced by, for example, its stabilisation or repair and, where appropriate, restoration, reconstruction, adaptive re-use or sympathetic new development.

A statement of heritage impact may be required to accompany a building or development application. It should be succinct. Pertinent documents, such as physical condition reports, can be attached. Evidence may be included as to why alternative solutions are not viable.

Further information is available in the publication Statements of Heritage Impact published by the NSW Heritage Branch and available online at www.heritage.nsw.gov.au (Follow the links to Publications and Forms).

4.1.2 Conservation policy

A conservation policy explains the principles to be followed to retain or reveal an item's significance. The aim is to show how the heritage significance of the item can be enhanced and maintained. This relies on a full understanding of the item's significance and a review of the constraints and opportunities arising out of that significance.

The policy should be a positive set of guidelines for enhancing a heritage asset and its significance — not a set of restrictive rules. Heritage items that are restrained by inappropriate policies are in danger of having no viable use and are therefore likely to be neglected, falling into disrepair. The policy should be closely-related and cross-referenced to the statement of significance and to the significance of various elements of the item. Some parts of a heritage item, for example, might be more adaptable to a new use; or it may be essential to retain and enhance some views to, and from, the heritage item.

A conservation policy should be concise, and acceptable to all the parties involved in managing the item's future.

4.1.3 Conservation management plan

A conservation management plan states the conservation policy and the statement of significance and looks in more detail at achieving the future viability of the item and retaining the maximum heritage significance in future development proposals.

4.1.4 Requirements for heritage reports

The following table outlines what type of Heritage Report is required for a development application.

Heritage listing	*Type of development*	*Type of heritage report required*
Site within a Conservation Area	Demolition – partial or complete	Statement of Heritage Impact
	Change of Use	Statement of Heritage Impact
	Additions and Alterations	Statement of Heritage Impact
	New Development	Statement of Heritage Impact
	Subdivision	Statement of Heritage Impact
	Change of external material (re–roofing, re–cladding, rendering, replacement of windows or joinery)	Statement of Heritage Impact
	Installation of new services	Statement of Heritage Impact
	Landscape work including new fences and driveways, tree removal	No report required
	Change of colour scheme	No report required
	New signage	No report required
Heritage item of local significance	Demolition – partial or complete	Statement of Heritage Impact
	Change of Use	Statement of Heritage Impact
	Additions and Alterations	Statement of Heritage Impact
	New Development	Statement of Heritage Impact
	Subdivision	Statement of Heritage Impact
	Change of external material (re–roofing, re–cladding, rendering, replacement of windows or joinery)	Statement of Heritage Impact
	Installation of new services	Statement of Heritage Impact
	Landscape work inlcuding new fences and driveways, tree removal	Statement of Heritage Impact
	New Signage	Statement of Heritage Impact
	Change of colour scheme	No report required
Heritage item of state significance	Demolition – complete or major partial	Conservation Management Plan
	Demolition – minor partial	Conservation Policy
	Change of Use	Conservation Management Plan
	Minor Additions and alterations	Conservation Policy
	Major Additions and alterations	Conservation Management Plan
	Subdivision	Conservation Management Plan
	Change of colour scheme	Conservation Policy
	New development adjacent to heritage item	Statement of Heritage Impact
	New development on the site of a heritage item	Conservation Management Plan
	Change to external material (re–roofing, re–cladding, replacement of windows or joinery)	Conservation Policy
	Installation of new services	Conservation Policy (a Conservation Management Plan might be required if the building is undergoing a major services upgrade)
	Fire Upgrade	Conservation Policy
	Landscape work – minor	Conservation Policy
	Landscape work including new fences and driveways, tree removal	Conservation Management Plan
	New Signage	Conservation Policy

4.2 Development of heritage items

Heritage items have been identified as places that should be retained and conserved for future generations. The heritage significance of these places must be understood and respected when designing future development. The following controls assist in designing alterations and additions to places of heritage significance.

4.2.1 Setting

Setting is the area around a heritage item that contributes to its heritage significance and may include the visual catchment of a heritage item. Topography, trees, gardens, fencing, and pavement can all contribute to the setting of a heritage item. Where a heritage item has importance as a landmark, it is particularly important that new development does not obscure its visual presence in the streetscape and/or townscape.

Objectives

O1 To provide an appropriate visual setting for heritage items, including landscaping, fencing and carparking.

O2 To ensure that new development respects the contribution of a heritage item to the streetscape and/or townscape.

Controls

C1 Original elements that contribute to the setting of a heritage item such as landscaping, fences, driveways, seawalls etc should not be removed.

C2 Additions and alterations should be located so that they do not impact on the setting of the heritage item.

C3 New structures at places of heritage significance such as swimming pools and outbuildings should be located so that they do not impact on the setting of the heritage item.

C4 Cut and fill or other work that changes the landform around a heritage item should generally be avoided.

4.2.2 Scale

Scale is the size of a building and its relationship with its surrounding buildings or landscape. It is important that new development at places of heritage significance respects the scale of the existing buildings and/or landscape elements that contribute to the significance of the place.

Objective

O1 To ensure that additions to a heritage item and new buildings on the site of a heritage item are of a scale consistent with the heritage item.

Controls

C1 Alterations and additions to a heritage item should not be larger in scale than the heritage item.

C2 Development of a larger scale than the heritage item is allowable only if it can be demonstrated that the new development will not detract from the aesthetic quality and important views of the heritage item.

4.2.3 Form

The form of a building is its overall shape and volume and the arrangement of its parts. The rooflines of buildings, and elements such as chimneys, parapet walls, verandahs etc are often important elements of the form of a heritage item.

Objectives

O1 To ensure that important elements of the form of a heritage item are not obscured or destroyed by alterations and additions.

O2 To ensure that the form of a heritage item retains its importance in the streetscape and/or townscape.

Controls

C1 Important elements of the form of a heritage item such as main roof forms, chimneys, parapet walls, verandahs etc should not be demolished or obscured by alterations and additions.

C2 Verandahs on the front and sides of a heritage item should not be infilled.

C3 Additions and alterations to a heritage item should not detract from important aspects of the form of the heritage item.

4.2.4 Materials and colours

The selection of materials and colours is very important to the aesthetic qualities of most built heritage items. Development that includes changing roof materials, re-skinnning of brickwork, rendering or painting of face brickwork and inappropriate textured finishes can degrade the character of a heritage item.

Additions and alterations on the site of a heritage item should take into consideration the original materials of the heritage item. While it is not always necessary to match the materials of the original building, new materials should be carefully selected to ensure they complement the original building.

Objectives

O1 To ensure that original materials that contribute to the significance of heritage items are not obscured.

O2 To ensure that colours of paintwork on heritage items are consistent with the significance of the heritage item.

O3 To ensure that external materials and colours on alterations and additions to heritage items relate well to the materials and colours of the heritage item.

Controls

C1 Original materials of heritage items should not be replaced with different materials or materials of different colour.

C2 Non-original materials of heritage items that are being replaced shall, if possible, be replaced with material that matches the original material as closely as possible.

C3 Painting, rendering or bagging of original face brickwork and/or stonework is not permitted.

C4 The texture of original rendered finishes should not be changed.

C5 Materials for additions and alterations to heritage items should be harmonious with the original materials of the heritage item.

C6 Colour schemes for heritage items should have a hue and tonal relationship with traditional colour schemes for the period and style of the heritage item.

C7 The use of fluorescent paint and primary colours on heritage items is not permitted.

C8 The use of modern finishes including stencilled concrete for driveways associated with heritage items is not permitted.

4.2.5 Doors and windows

The spacing, proportions and detailing of doors and windows of heritage items usually contributes greatly to their aesthetic appeal. Altering windows and doors or adding new openings can dramatically affect the character of a building.

Objectives

O1 To retain original windows and doors that contribute to the aesthetic quality and/or significance of a heritage item.

O2 To reinstate lost details that contributed to the aesthetic qualities and/or significance of a heritage item.

O3 To retain the proportions of walls and openings that contribute to the aesthetic quality of a heritage item.

Controls

C1 Original window and door openings in important elevations of a heritage item should generally be retained.

C2 Where original windows and doors in important elevations of a heritage item have been removed and replacement of the new joinery is proposed, the original windows and/or doors should be reconstructed.

C3 New window and door openings in important elevations of a heritage item must be:
(a) Carefully located to retain the original relationship of solids and voids; and
(b) Of proportions, materials and details similar to existing windows and door openings in the building.

C4 New dormer and roof windows of a house should, if possible, be located on rear roof slopes in preference to roof slopes visible from the street.

C5 New dormer windows visible from the street must be:
(a) Located to complement the original design of the building; and
(b) Of proportions and details to complement the original character of the building.

C6 Extensive areas of glazing are not permitted unless this feature was a feature of the original design of the building visible from the public realm.

C7 New skylights are not permitted in roof slopes visible from the public realm.

4.2.6 Carparking

Garages and carports can have the greatest detrimental impact on the aesthetic qualities of heritage items. Garages and carports in front of the building line obscure views of the buildings and break the rhythm and pattern of the streetscape. The proportions of garage doors do not relate to the smaller and more vertical proportions of windows and doors that are usually found on heritage items.

Objective

O1 To ensure that, where possible, garages and carports are designed to minimise the visual impact on views of heritage items.

Controls

C1 Garages and carports must be located as far behind the front building alignment as possible.

C2 Garages should generally not be incorporated into the front façade of a heritage item.

C3 Where a new garage or carport is on the same side of a building as a front verandah, the garage or carport must be located entirely behind the verandah.

C4 Garages will not be allowed in front of the front building alignment unless they can be built into an existing retaining wall on the street boundary. Gardens are not to be built up to allow the construction of garages behind a retaining wall.

C5 Refer to the Controls for Garages and Carports in the Residential section of this Development Control Plan for general provisions regarding garages and carports.

4.2.7 Fencing

Fencing, particularly fencing facing the street, is of particular importance in establishing the setting of a heritage item. Fencing should complement the style and scale of the house.

Objective

O1 To conserve gates and fences that are contemporary with heritage items.

O2 To ensure that new fences and gates are in keeping with the character of the heritage item.

O3 To ensure that the aesthetic quality of the heritage item is not diminished by inappropriate fencing

Controls

C1 Fencing and gates that are contemporary with a heritage item should not be demolished.

C2 New fencing and gates to a heritage item should be of a style and scale that is consistent with the style of the building.

C3 Unless documentary or physical evidence is provided to establish a greater height, fencing forward of the building line constructed of solid material such as masonry should not be greater than 900mm in height above the adjacent public footpath level.

C4 Unless documentary or physical evidence is provided to establish a greater height, fencing forward of the building line constructed of material such as timber pickets, metal pickets or wrought metal panels or a combination of masonry and one of the above materials should not be greater than 1.2m in height above the adjacent public footpath level.

C5 Original face brick or sandstone fencing to a heritage item should not be painted.

C6 Refer to the Controls for Fencing in the Residential section of this Development Control Plan for general provisions regarding fencing.

4.2.8 Landscape elements including paving and driveways

Landscape elements are of great importance in contributing to the aesthetic quality of heritage items. The design of front gardens usually provides a setting for the building and reinforces the character of the heritage item.

Objectives

O1 To retain important landscape elements that contribute to the significance of heritage items.

O2 To reinforce the qualities of the heritage item through appropriate landscaping.

Controls

C1 Original driveways and footpath crossings that relate to a heritage item should not be relocated.

C2 Double driveways and footpath crossings will generally not be permitted for houses listed as heritage items.

C3 Original or early garden layouts that contribute to the significance of the heritage item should not be altered.

C4 Established trees and shrubs that contribute to the significance of the heritage item should not be removed unless it can be established by an arborist that the health of the tree or shrub is such that it must be removed.

4.2.9 Outbuildings

Outbuildings such as garden sheds, outhouses, gazebos, pool pavilions can easily detract from the setting of heritage items. The location and setting of these must be carefully considered so that they have minimal impact on important views of heritage items.

Objective

O1 To minimise visual intrusion on views of heritage items due to outbuildings.

Controls

C1 Outbuildings should be located in the rear yard of heritage items.

C2 Outbuildings should be single storey and designed so that they have negligible if any impact on important views of heritage items and are not greater in height or bulk than the heritage item.

4.2.10 Modern technologies

Modern technologies can include fixtures such as solar electricity collectors, television aerials and satellite dishes. These are usually large elements and are often intrusive elements in a roofscape.

Objective

O1 To ensure that modern technologies do not impact on important views of heritage items

Controls

C1 Modern technologies such as solar electricity collectors, television aerials and satellite dishes are to be located on roof slopes facing the rear yard of heritage items and in a position to ensure they are not visible from the public realm.

C2 Modern technologies should not be higher than the main ridge line of a building that is or is part of a heritage item and shall be located so that they are not visible from the public realm.

4.2.11 Demolition

Full demolition of heritage items is generally not permissible. Partial demolition of heritage items is possible subject to the merits of

the proposal. Outbuildings that relate to heritage items can be demolished if the demolition does not impact on the significance of the heritage item.

Objective

O1 To retain buildings that are of heritage significance or contribute to the significance of a heritage item.

Controls

C1 Buildings that are listed as heritage items or contribute to the significance of a heritage item should not be demolished.

C2 Partial demolition of a heritage item should only be allowed when it can be established in a Statement of Heritage Impact that the partial demolition will not have a substantial impact on the significance of the heritage item.

C3 Outbuildings associated with heritage items can only be demolished where a Statement of Heritage Impact has established that the outbuilding does not contribute to the heritage significance of the place.

4.2.12 Subdivision

The grounds associated with a building are often of high importance in providing a setting to a heritage item. The grounds of a heritage item can also ensure that important views to or from a heritage item are available. Subdivision can result in the loss of the setting of a heritage item and should only be done if an adequate curtilage can be retained.

Objectives

O1 To ensure that subdivision of heritage items does not result in a loss of appropriate curtilage for the heritage item.

O2 To ensure that subdivision of heritage items does not potentially result in development that would obscure important views to or from the heritage item.

Controls

C1 Subdivision of an allotment that includes a heritage item should not be allowed unless it can be demonstrated in a Statement of Heritage Impact that an adequate curtilage of the heritage item is retained.

C2 Subdivision of land that includes a heritage item should not be allowed unless it can be established in a Statement of Heritage Impact that proposed or future development on the created allotments will not impact on important views to or from the heritage item.

4.2.13 Signs

Many commercial buildings built in the late nineteenth and early twentieth century incorporate areas on the main façade designed for

locating a sign to identify the business operating within. This allows for appropriate signage while the unity of the streetscape is retained. Residential heritage items can be obscured by inappropriate signage. For most late nineteenth century and early twentieth century buildings House names are often incorporated into the building or placed on a small sign fixed to a wall near the front door.

Objectives

O1 To allow for appropriate signage on heritage items

O2 To ensure the original details of heritage items are not obscured by inappropriate signage.

Controls

C1 Signage on commercial buildings is to be confined to:
(a) An under-awning sign of appropriate size;
(b) A window sign in the ground floor shopfront of appropriate design; or
(c) A first floor sign contained within a purpose designed panel on the building façade.

C2 The façade of a heritage item is not to be painted in a corporate colour scheme.

C3 The architectural details of a building are not to be obscured by commercial signage.

C4 Signage for the use of residential buildings for professional rooms or commercial purposes is to be designed to have minimal impact on important views of the heritage item.

C5 Backlight signs and neon signs should only be allowed for under-awning signs on commercial buildings.

C6 Advertising structures should not obstruct or dominate important viewss of the building from a public place.

4.2.14 Adaptive reuse

Adaptive reuse of buildings is a process that changes a place that is no longer suitable for its original purpose to a place that can be used for a new purpose. It is desirable both for environmental sustainability and heritage conservation.

All buildings have “embodied energy”; the energy consumed by all the processes involved in producing materials, delivering them to site and constructing the building. New buildings have high energy costs. In 2001, new buildings accounted for about 40% of annual energy and raw materials consumption. According to the Australian Greenhouse Office, the reuse of building materials can save approximately 95%of embodied energy. Adaptive reuse of buildings is an important part of sustainable development.

Reusing historic buildings also has long term benefits for the community. Adaptive reuse allows buildings that are valued by the community to be retained for future generations. Sometimes it is the only way a place can be conserved for the future.
In many cases, adaptive reuse will involve few if any changes to a building. Where changes are needed to a building of heritage significance, it is important to first understand why the place is significant. Changes should then ensure that significant aspects of the place are conserved and that new development respects the significance of the place.

General

Objectives

O1 To encourage adaptive reuse of buildings which are no longer suitable for their original use.

O2 To ensure that adaptive reuse of heritage items respects the significance of the place.

O3 To ensure that the impacts of adaptive reuse on heritage items is minimised

Controls

C1 Adaptive reuse of a building should retain important architectural qualities of the building, particularly features that contribute to the townscape and streetscape.

C2 Adaptive reuse of a heritage item should involve minimal change to the significant fabric of the place.

C3 Adaptive reuse of a heritage item should respect significant associations and meanings of the place.

Building Design

Objectives

O1 To ensure that alterations and additions to a building as a

result of adaptive reuse relate to the architectural qualities of the existing building.

O2 To ensure that changes to the building as a result of adaptive reuse can be interpreted in the future as belonging to its applicable historical period.

Controls

C1 Additions to a building as part of adaptive reuse should be designed to respect the original architectural qualities of the building such as building form, façade articulation, fenestration pattern, parapet profile and detail, materials and colours.

C2 Retention of only the facades of the building is discouraged.

C3 New work necessary in the adaptive reuse of a heritage item should be distinguishable from original work.

Structure

Objectives

O1 To retain original building structure and fabric.

Controls

C1 Fire engineered solutions should be sought to allow retention of original structural systems that would otherwise not meet "deemed to comply" provisions of the Building Code of Australia.

4.3 Development in the vicinity of heritage items

Development near a heritage item can have adverse impacts on the heritage item. This may be as a result of blocking views to or from the

heritage item, affecting trees or landscape elements that are part of the heritage item. It can also have an adverse impact by obscuring the landmark qualities of a heritage item. New development in the vicinity of a heritage item should take into consideration the importance of that item in the local streetscape or townscape. It should also ensure that important views to and from the heritage item are not lost or compromised.

In most cases, development in the vicinity of a heritage item will only affect properties that share a boundary with or are opposite a heritage item. In a few cases, development in the vicinity of a heritage item might have wider impacts. An example of this might be where important views of a landmark building such as a church spire might be lost by a new development.

4.3.1 Setting

Setting is the area around a heritage item that contributes to its heritage significance and may include the visual catchment of a heritage item. Topography, trees, gardens, fencing, and pavement can all contribute to the setting of a heritage item. Where a heritage item has importance as a landmark, it is particularly important that new development in the vicinity of the heritage item does not obscure its visual presence in the streetscape and/or townscape.

Objectives

O1 To ensure the setting of heritage items is not compromised by development in the vicinity of the heritage item.

O2 To ensure that new development respects the contribution of heritage items to the streetscape and/or townscape.

Controls

C1 The setbacks of new development in the vicinity of a built heritage item should generally be equal to or greater than that of the heritage item.

C2 Development in the vicinity of a heritage item should not be of such bulk or height that it visually overshadows the heritage item.

C3 Important views to or from a heritage item should not be obscured by new development.

C4 Where a heritage item is part of a streetscape of buildings of consistent style, form and materials, development in the vicinity of the heritage item should incorporate elements of the dominant style, form and materials in the streetscape.

C5 Where trees are integral to the significance of a heritage item, development should not be allowed beneath the drip zone of the trees.

4.3.2 Scale

Scale is the size of a building and its relationship with its surrounding buildings or landscape. Buildings of inappropriate scale in the vicinity

of a heritage item can detract from its contribution to the streetscape and/or townscape.

Objective

O1 To ensure that new development in the vicinity of a heritage item is of a scale that does not undermine the significance of the heritage item.

Controls

C1 The scale of new development in the vicinity of a built heritage item should not be substantially greater than that of the heritage item.

C2 Development of a larger scale is allowable only if it can be demonstrated that the new development will not be seen in views of the heritage item from the public realm.

C3 New development that obscures important views of a heritage item, should not be permitted.

4.3.3 Siting

Siting relates to the position of the building on the site and includes the orientation of a building in relation to the street as well as the setbacks of the building from the boundaries.
Setbacks define the overall footprint of a building and the outer extremities of that building in relation to the front, side and rear boundaries.

Setbacks of buildings in the vicinity of heritage items can be of importance in ensuring the retention of important views to and from the heritage item. In some cases, it is also necessary to consider the potential impact of the building on important landscape elements associated with the heritage item.

Objectives

O1 To ensure new development in the vicinity of a heritage item is sited so that it does not obscure important views to or from the heritage item.

O2 To ensure that new development in the vicinity of a heritage item does not adversely impact landscape elements that are or are associated with a heritage item.

Controls

C1 The setback of new development (including alterations and additions) in the vicinity of a heritage item should ensure that important views to or from the heritage item are not adversely impacted on.

C2 The setback of new development in the vicinity of a heritage item should ensure that landscape elements associated with or listed as a heritage item are not adversely affected by the development.

4.3.4 Materials and Colours

New development should take into consideration the dominant original materials of heritage items in the vicinity of the development. Materials should be selected so that attention is not drawn away from

the heritage item to the new development.

Objective

O1 To ensure that new development in the vicinity of a heritage item does not detract from the importance of the heritage item in the streetscape.

Control

C1 Materials and colours for development in the vicinity of a heritage item shall be selected to avoid stark contrast with the adjacent development where this would result in the visual importance of the heritage item being reduced.

4.4 Development in and in the vicinity of Conservation Areas

Conservation Areas usually have a strong streetscape or townscape character resulting from development of similar style, scale, form and

materials during a relatively short period of time. For development within a conservation area, it is important to appreciate the character of that area when designing additions, alterations or infill development. An analysis of key aspects of each Conservation Area is given in Appendix B. Appendix B also provides maps indicating if a property is considered to a contributory item to the conservation area (i.e. it is considered to contribute to the heritage value of the Conservation Area) or whether it is considered to be neutral in the conservation area or whether it is considered to be infill development (i.e it does not contribute to the heritage value of the Conservation Area). The following outlines the criteria for determining whether a place is considered to be contributory, neutral or infill within the conservation area.

Contributory: Was built during a period directly relating to the significance of the conservation area as identified in the statement of significance for the conservation area. The orignal form of the building is substantially intact or where additions have been made to the building that are visible in the main streetscape, the additions have respected the original style and form of the building.

Neutral: Was built during a period directly relating to the significance of the conservation area as identified in the statement of significance for the conservation area, but has been substantially altered so that the original style of the character of the building is obscured and the alterations are unlikely to be reversed.

Infill: Was built in a period later than any directly relating to the significance of the conservation area or is a detracting element.

For work to buildings within a conservation area, the following guidelines should be read in conjunction with the description and analysis of the relevant conservation area found in Appendix B. New work in a conservation area is to respect the relevant components of that conservation area as they are identified in this document.

4.4.1 Setting

Setting relates to the space and details around buildings in a conservation area that contribute to its heritage significance and may include the visual catchment of a conservation area. Street trees, gardens, fencing, and pavement can all contribute to the setting of a conservation area. The setback of buildings from the street and the space between buildings also contribute to the setting of a place.

Objectives

O1 To provide an appropriate visual setting for heritage conservation areas, including landscaping, fencing and carparking.

O2 To maintain and enhance the existing character of the streetscape of a heritage conservation area.

O3 To ensure that new development respects the established patterns in the streetscape of a heritage conservation area, including setbacks, siting, landscaped settings, carparking and fencing.

Controls

C1 The side and front setbacks of new development in a conservation area should be typical of the spacing of existing contributory buildings in the vicinity of the proposed development in that conservation area, such that the rhythm of buildings in the streetscape is retained.

C2 No new structures should be built forward of the established street building line.

C3 The established landscape character of the locality including the height of canopy and density of boundary landscape plantings should be retained in any new development.

4.4.2 Scale

Scale is the size of a building and its relationship with its surrounding buildings or landscape. It is important that new development in conservation areas respects the scale of the existing buildings and/

or landscape elements that contribute to the significance of the conservation area.

Objectives

O1 To ensure that new development adjacent to or within a heritage conservation area is of a scale consistent with the existing development in the vicinity of the site that contributes to the character of the in the heritage conservation area.

O2 To ensure that additions and alterations to a building within a conservation area are of a scale consistent with the contributory buildings in the conservation area.

Controls

C1 The scale of new development adjacent to or within a conservation area should relate to the scale of the adjacent or nearest contributory elements of the conservation area.

C2 Development of a larger scale is allowable only if it can be demonstrated that the new development will not adversely impact publicly available views of the conservation area.

C3 New development that obscures important views of or within a heritage conservation area should not be permitted.

4.4.3 Form

The form of a building is its overall shape and volume and the arrangement of its parts. The rooflines of buildings, and elements such as chimneys, parapet walls, verandahs etc can contribute greatly to the character of an area.

Objectives

O1 To ensure that new development in a conservation area relates positively to the dominant forms of existing contributory buildings in the conservation area.

O2 To ensure that buildings that contribute to the character of a conservation area retain their importance in the streetscape and/or townscape.

Controls

C1 Important elements of the form of a contributory building in a conservation area such as main roof forms, chimneys, parapet walls, verandahs etc should not be demolished or obscured by alterations and additions.

C2 The roof forms of new development in a conservation area are to complement the original roof forms of existing nearby buildings that contribute to the conservation area.

C3 Chimneys and roof features such as ventilation gablets should not be removed from contributory buildings in a conservation area.

C4 Dormer windows should generally be confined to rear or side roof slopes to minimize visibility in the streetscape.

C5 Additions and alterations to existing buildings that contribute to the character of a conservation area should not detract from the original form of the existing building as viewed from the public realm.

C6 The treatment of the street façade of new development in a conservation area should relate to existing nearby buildings that contribute to the conservation area. This should include consideration of the massing of the building, proportions of verandahs and height.

C7 Verandahs on the front and sides of buildings within a conservation area should not be infilled.

4.4.4 Siting

Siting relates to the position of the building on the site and includes the orientation of a building in relation to the street as well as the setbacks of the building from the boundaries.

Most buildings in a conservation area are oriented to the street frontage. The regular orientation of buildings contributes to the pattern and rhythm of the streetscape.

Setbacks define the overall footprint of a building and the outer extremities of that building in relation to the front, side and rear boundaries.

In conservation areas, setbacks are of greater importance in establishing the continuity of the streetscape. Side setbacks are also of importance in providing separation between buildings and establishing a rhythm in the streetscape.

Objective

O1 To integrate new development in conservation areas into the established pattern of the streetscape.

Controls

C1 The front setback of new development (including alterations and additions) in conservation areas should match that of adjacent contributory development. Where adjacent developments have different setbacks, new development should align with the greater setback.

C2 Side setbacks of new development (including alterations and additions) in conservation areas should match the pattern of adjacent and/or nearby contributory development. This will often include a greater setback on one side of the development to provide vehicular access at the side of a property.

C3 The orientation of new development should follow the established pattern of development in the conservation area.

C4 Where trees are important to a conservation area, new buildings should be sited away from the drip line of the trees.

4.4.5 Materials and colours

The quality of many of the conservation areas in the Canada Bay Local Government Area is reinforced by the use of a cohesive palette of materials and colours. Use of sympathetic materials and colours can help new development to blend into existing streetscapes. Development that includes changing roof materials, reskinning, rendering or painting of face brickwork can degrade the character of a conservation area.

New development should take into consideration the dominant original materials of contributory development in the conservation area. Where there are contributory buildings of differing materials in close proximity to the proposed development, the building that reflects the dominant period of development in the conservation area should be given greater consideration when selecting materials.

Objective

O1 To encourage external materials on new development that is consistent with the existing contributory building stock in a conservation area.

Controls

C1 Original materials of contributory buildings in conservation areas should not be replaced with different materials or with materials of different colours.

C2 Non-original materials of existing contributory buildings in conservation areas that are being replaced shall, if possible, be replaced with material that matches the original material as closely as possible.

C3 Painting, rendering or bagging of face brickwork and sandstone is not permitted.

C4 The texture of original rendered finishes should not be changed.

C5 Materials for new development in conservation areas should not contrast with the original materials of the dominant contributory buildings in the conservation area.

C6 Colour schemes for existing and new development in conservation areas should have a hue and tonal relationship with traditional colour schemes for the dominant style of development found in the conservation area

C7 The use of fluorescent paint and primary colours on buildings in conservation areas is not permitted.

C8 The use of modern finishes including stencilled concrete for driveways in conservation areas is not permitted.

4.4.6 Doors and windows

The spacing, proportions and detailing of doors and windows of buildings in conservation areas usually contributes to the quality of the streetscape. Altering windows and doors or adding new openings can dramatically affect the character of a building and gradually erode the

character of a conservation area.

Objectives

O1 To retain original door and window details of contributory buildings in conservation areas.

O2 To ensure that new development in a conservation area has fenestration patterns and proportions consistent with original development in the conservation area.

Controls

C1 Extensive areas of glazing are not permitted for doors and windows visible from the public realm on buildings within a conservation area.

C2 Original door and window openings visible from the public realm on contributory buildings in a conservation area should not be widened.

C3 Original door and window joinery visible from the public realm on contributory buildings in a conservation area should be conserved.

C4 New door and window openings to contributory buildings in a conservation area that are visible from the public realm should be of proportions and details that relate to existing door and window openings.

C5 Where non-original joinery to doors and windows of buildings in a conservation area that are visible from the public realm is being replaced, the details of the new joinery should be based on the probable original joinery to those doors and windows.

C6 Skylights should be located on roof slopes where they will not be visible in the public realm.

4.4.7 Carparking

Garages and carports can have the greatest detrimental impact on the aesthetic qualities of conservation areas. Garages and carports in front of the building line obscure views of the contributory buildings and break the rhythm and pattern of the streetscape. The proportions of garage doors do not relate to the smaller and more vertical proportions of windows and doors that are usually found on contributory buildings within conservation areas.

Objective

O1 To ensure that, where possible, garages and carports are designed to minimise the visual impact on the streetscape of conservation areas.

Controls

C1 Garages and carports must be located as far behind the front building alignment as possible.

C2 Garages should not be incorporated into the front façade of a building in a conservation area.

C3 Where a new garage or carport is on the same side of a building as a front verandah, the garage or carport must be located entirely behind the verandah.

C4 Garages in a conservation area will not be allowed in front of the front building alignment unless they can be built into an existing retaining wall on the street boundary. Gardens are not to be built up to allow the construction of garages behind a retaining wall.

C5 Carports will only be allowed in front of the front building alignment where there is no possibility for side or rear access for car parking. Any such carports shall be limited to a single carport.

C6 Refer to the Controls for Garages and Carports in the Residential section of this Development Control Plan for general provisions regarding garages and carports.

4.4.8 Fencing

Fencing, particularly fencing facing the street, is of particular importance in conservation areas. Consistent and uniform fencing can contribute significantly to the streetscape and character of a conservation area. Fencing should complement the style and scale of

the house. Inappropriate fencing can detract from the streetscape by interrupting the pattern of development and by obscuring views.

Objectives

O1 To conserve gates and fences that are contemporary with contributory buildings in a conservation area.

O2 To ensure new fences and gates are consistent with the character of the conservation area and in particular with contributory housing in a conservation area.

O3 To ensure that the quality of the streetscape or townscape in a conservation area is not diminished by inappropriate fencing

Controls

C1 Fencing and gates that are contemporary with a contributory building within a conservation area should not be demolished.

C2 New fencing and gates to contributory housing in a conservation area should be designed to complement the style of the house.

C3 New fencing and gates to infill development in a conservation area should be in keeping with the dominant character of the conservation area.

C4 Unless documentary or physical evidence is provided to establish a greater height, fencing constructed of solid material such as masonry forward of the building line should not be greater than 900mm in height above the adjacent public footpath level. In all cases, the height of fencing should relate to the style of the house and width of the allotment.

C5 Original face brick or sandstone fencing in a conservation area should not be painted.

C6 Refer to the Controls for Fencing in the Residential section of this Development Control Plan for general provisions regarding fencing.

4.4.9 Landscape elements including paving and driveways

Landscape elements are of great importance in contributing to the aesthetic quality of conservation areas. The design of front gardens provides a setting for the house and reinforces the character of the place. In many conservation areas, street plantings are an integral part of the original design of the area.

Objectives

O1 To retain important landscape elements that contribute to the significance of conservation areas.

O2 To reinforce the qualities of the conservation area through appropriate landscaping

Controls

C1 Street trees in conservation areas should not be removed to allow for new development

C2 Existing driveways and footpath crossings that relate to original development in a conservation area should not be relocated.

C3 Double driveways and footpath crossings will not be permitted in conservation areas.

4.4.10 Outbuildings

Outbuildings such as garden sheds, outhouses, gazebos, pool pavilions can easily detract from the quality of the streetscape. The location and setting of these must be carefully considered so that they have minimal impact on the streetscape.

Objective

O1 To minimise visual intrusion on the streetscape due to outbuildings.

Controls

C1 Outbuildings should be located in the rear yard of properties within a conservation area.

C2 Outbuildings should be single storey and designed so that they have negligible if any impact on the streetscape.

4.4.11 Modern Technologies

Modern technologies can include fixtures such as solar electricity collectors, television aerials and satellite dishes. These are usually large elements and are often intrusive elements in a roofscape.

Objective

O1 To ensure that modern technologies do not impact on the streetscape and/or townscape in conservation areas

Controls

C1 Modern technologies such as solar electricity collectors, television aerials and satellite dishes are to be located on roof slopes facing the rear of a property in conservation areas.

C2 Modern technologies should not be higher than the main ridge line of a building and shall be located so that they are not visible from the public realm in a conservation area.

4.4.12 Demolition

Demolition of buildings within a conservation area can gradually diminish the qualities of the conservation area. It is important that contributory buildings in the conservation area are retained.

Objective

O1 To retain the contributory buildings in a conservation area.

Controls

C1 Contributory buildings within a conservation area should not be demolished.

C2 Post WWII additions to contributory buildings in a conservation area that are not visible from the public realm may be demolished subject to assessment of the contribution, if any, that the additions make to the heritage value of the conservation area.

C3 Demolition of rear outbuildings in conservation areas is generally acceptable. For places listed as heritage items, additional restrictions might apply.

4.4.13 Subdivision

The subdivision patterns of many conservation areas is important in the existing streetscape. The regular sizes of blocks together with the regular setbacks of buildings helps to establish a rhythm to the streetscape. Consolidation of allotments often results in larger buildings that have an undesirable impact on the pattern of the streetscape. Similarly, subdivision of allotments can result in development with inadequate setbacks and/or narrow allotments that break the pattern of the streetscape.

Objective

O1 To retain subdivision patterns that contribute to the rhythm of streetscapes in conservation areas.

Controls

C1 Consolidation of allotments of an early subdivision within a heritage group or heritage conservation area or should not be allowed unless it can be demonstrated that the original pattern of development in that part of the conservation area will be maintained.

C2 Subdivision of allotments of an early subdivision within a conservation area should not be allowed unless it can be demonstrated that the original pattern of development in that part of the conservation area will be maintained.

C3 New subdivision within a heritage group or heritage conservation area should reinforce the original pattern of development within the heritage group or heritage conservation area.

4.4.14 Signs

Many commercial buildings built in the late nineteenth and early twentieth century incorporate areas on the main façade designed for locating a sign to identify the business operating within. This allows for appropriate signage while the unity of the streetscape is retained.

Residential streetscapes in conservation areas can be obscured by inappropriate signage. For most late nineteenth century and early twentieth century buildings house names are often incorporated into the building or placed on a small sign fixed to a wall near the front door.

Objectives

O1 To allow for appropriate signage on commercial buildings in conservation areas

O2 To ensure the original details of buildings in conservation areas is not obscured by inappropriate signage.

O3 To ensure that signage does not have a detrimental impact on residential parts of conservation areas.

Controls

C1 Signage on commercial buildings is to be confined to:
- (a) An under-awning sign of appropriate size;
- (b) A window sign in the ground floor shopfront of appropriate design; or
- (c) A first floor sign contained within a purpose designed panel on the building façade.

C2 The façade of a building in a conservation area is not to be painted in a corporate colour scheme.

C3 The architectural details of a building are not to be obscured by commercial signage.

C4 Signage for the use of residential buildings for professional rooms or commercial purposes is to be designed to have minimal impact on the streetscape.

C5 Backlit signage should not be allowed within conservation areas except for under awning signs.

part 5

Residential

Controls for houses and attached dual occupancies

How to use this part of the DCP

There are four sub-sections in this part of the DCP. The following information provides a brief overview of each subsection.

5.1
Urban Context

Where required, applicants must address the Design Guidelines for Council's Character Areas, prepare a Streetscape Character Analysis and a Site and Context Analysis. Other Urban Context controls are to be considered where relevant to your proposal.

5.2
Environmental Criteria & Residential Amenity

The impact of all development is to be considered in relation to overshadowing, privacy, views, safety, topography and the foreshore.

5.3
General Controls

Applicants are to ensure any proposal complies with the numerical controls and their underlying objectives. These controls pertain to subdivision, site coverage, setbacks, height, private open space and other relevant considerations.

5.4
Ancillary Structures

All ancillary structures such as garages, carports, front fences and site facilities are to achieve compliance with the relevant objectives and controls.

5.1 Urban Context

Housing character in Canada Bay

The dominant housing styles in a street often contribute to the amenity of an area. In this regard, many of the streets in Canada Bay have groups of houses with consistent form, scale and materials.

It is not their specific historical significance nor individual architectural merits that makes houses so crucial to the character of Canada Bay, but more significantly their value as a grouping of complementary houses.

Alterations to houses are possible, but only where the character of the street is maintained. This means that changes to (including first floor additions) and even replacement of these houses is possible, but the overwhelming criteria is the reinforcement of the original streetscapes.

Although examples of other housing types are found in Canada Bay, there are five predominant styles which have fundamentally shaped the visual character of Canada Bay's streets:

Late Victorian Cottages (1880-1895)

Throughout Canada Bay there are still examples of late Victorian cottages built during the 1880s and 1890s. Most of these are clad with weatherboard and corrugated iron roofing, although some have been built of brick and roofed with slates. Most are simple, symmetrically fronted workers' cottages which show a strong Georgian influence.

These cottages are now rare and as such they are the last remnants of the early formative years of the suburban development of Canada Bay during the second half of the 19th century. Their conservation is therefore extremely important.

Refer to Illustration 5.1.

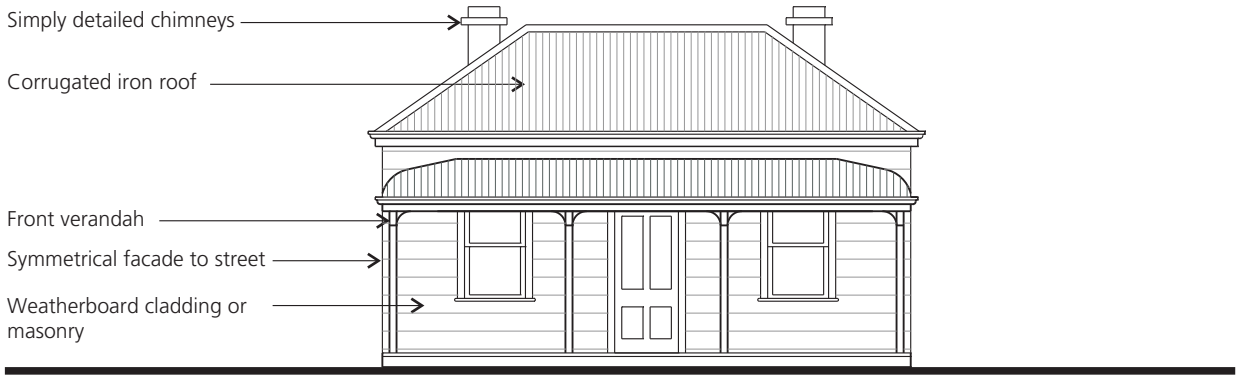


Illustration 5.1 Stylised example of a Victorian cottage

Victorian Italianate Houses (1880-1895)

Canada Bay has some good examples of Victorian Italianate houses built in the 1880s and 1890s. These houses are usually built of rendered masonry with a roof of slates (sometimes replaced with tiles). The houses have asymmetric fronts, often with a projecting wing terminating a verandah. Bay windows are common in these houses and the window and door openings are usually embellished with decorative rendered details.

A small number of these houses survive in the older parts of Canada Bay and illustrate the early years of the suburban development of the area. Their conservation is extremely important.

Refer to Illustration 5.2.

Illustration 5.2 Stylised example of a Victorian house

Federation Houses (1896-1918)

In some parts of Canada Bay, there are very fine examples of Federation Period houses, also known as Queen Anne Style or Edwardian houses. These were built around the turn of the century and in the years leading up to World War 1. These houses showed an interest in the use and expression of natural materials such as brick, timber, slate and tiles. The design of the house was usually deliberately asymmetric with interest taken in creating interesting roof forms. Generous verandahs are a typical feature of the period.

These houses are significant in the area because they represent the first signs of coming middle class affluence and the growth of Australian nationalism in Canada Bay. They are also the first indicators of the suburbanisation of Canada Bay. These houses, particularly where they survive in groups, are also extremely important to the heritage and period character of Canada Bay.

Refer to Illustration 5.3.

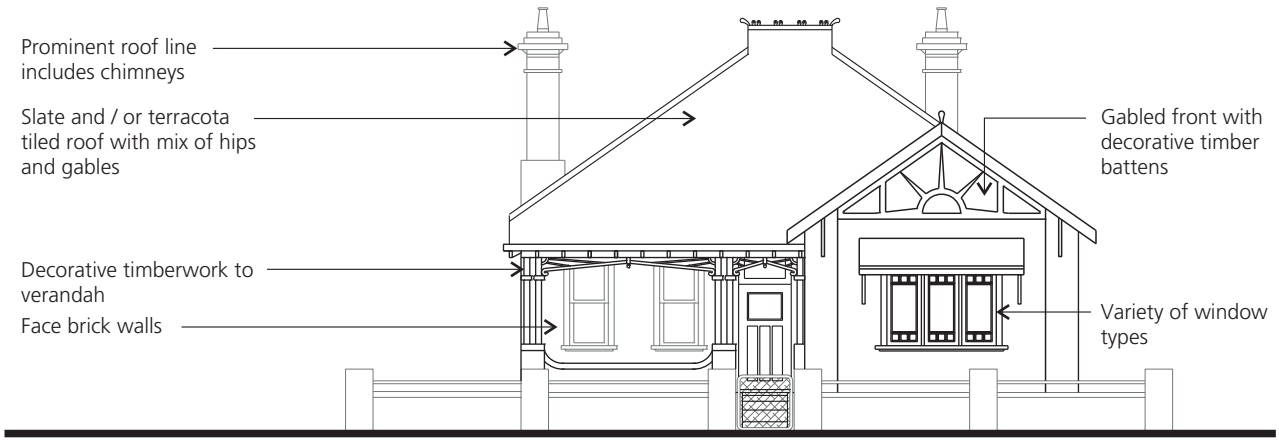


Illustration 5.3 Stylised example of a Federation House

California Bungalow Style Houses (1918-1930)

The California Bungalow Style cottage was influenced by the low pitched, ranch style houses of California advertised in popular magazines of the 1920s. The Australian version of the style incorporated terracotta tiled and/or slate roofing with brick walls. It is typically identified by the use of low slung gabled roofs facing the street. A verandah will usually be found under one of the gables

Due to its popularity amongst working class families and small builders the Californian Bungalow became the typical house style in the 1920s and early 1930s, the period when much of Canada Bay underwent its greatest development. Concord in particular has large areas where the California Bungalow is the dominant style of housing. Large groups of California Bungalow style houses have created some very attractive streetscapes.

Refer to Illustration 5.4.

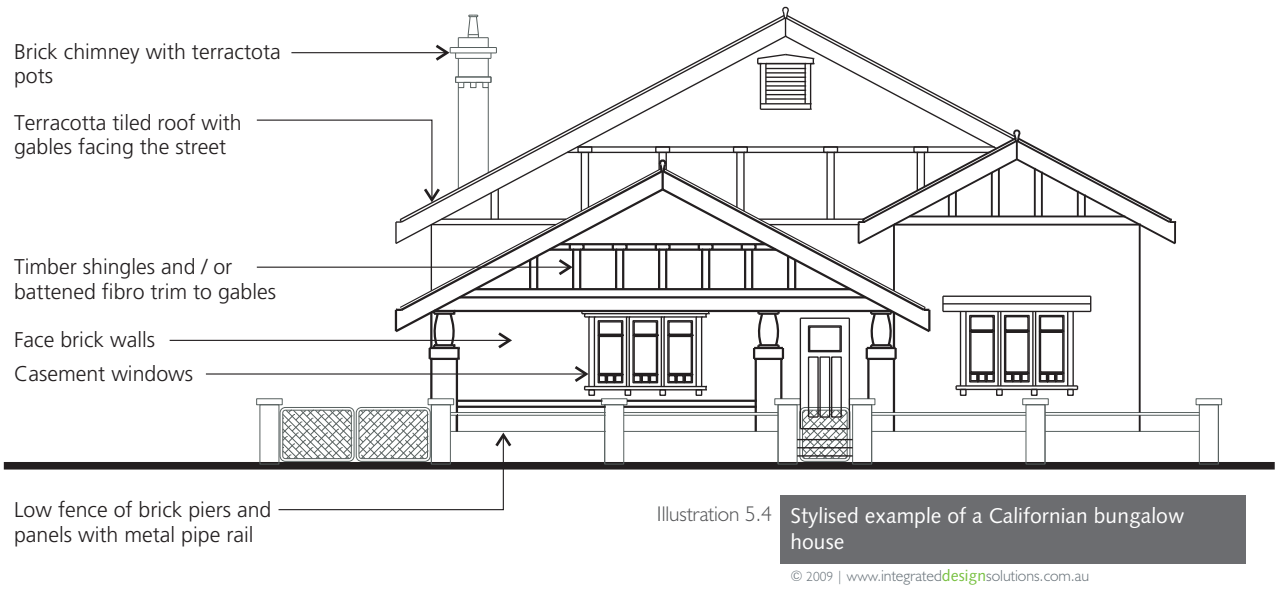


Illustration 5.4 Stylised example of a Californian bungalow house

Moderne Bungalows (1930s)

When the Great Depression began in 1929, many of the newer subdivisions of Canada Bay remained incomplete, and entire sections remained either unsold or undeveloped. Many of these sites remained vacant throughout the early 1930s, and by the time that they were developed during the late 1930s, a general change in social mood and community taste had occurred. The vibrancy and spirit of hope evoked by the Californian Bungalow style cottages gave way to a more sombre and less costly version of the Australian suburban house, which is known as the Moderne Bungalow style. The style of house was similar in bulk, scale and typical floor plan to previous house styles of the area, but it was characterised by a marked simplification of external features and a relatively sombre choice of brickwork and roof tile colour emphasised by the low horizontal lines. Roofs were usually simple hipped forms, sometimes with a secondary hipped roof over a deep verandah with heavy brick piers. Embellishment was often limited to small areas of decorative brickwork and simple bay windows.

Some areas of Canada Bay, particularly towards the west, have very good examples of this style in large groups. The Moderne bungalows of Canada Bay blend very well with the Californian Bungalow style houses, and reinforces the early Inter-War character of many of Canada Bay's streets.

Refer to Illustration 5.5.

Illustration 5.5 Stylised example of a Moderne Bungalow

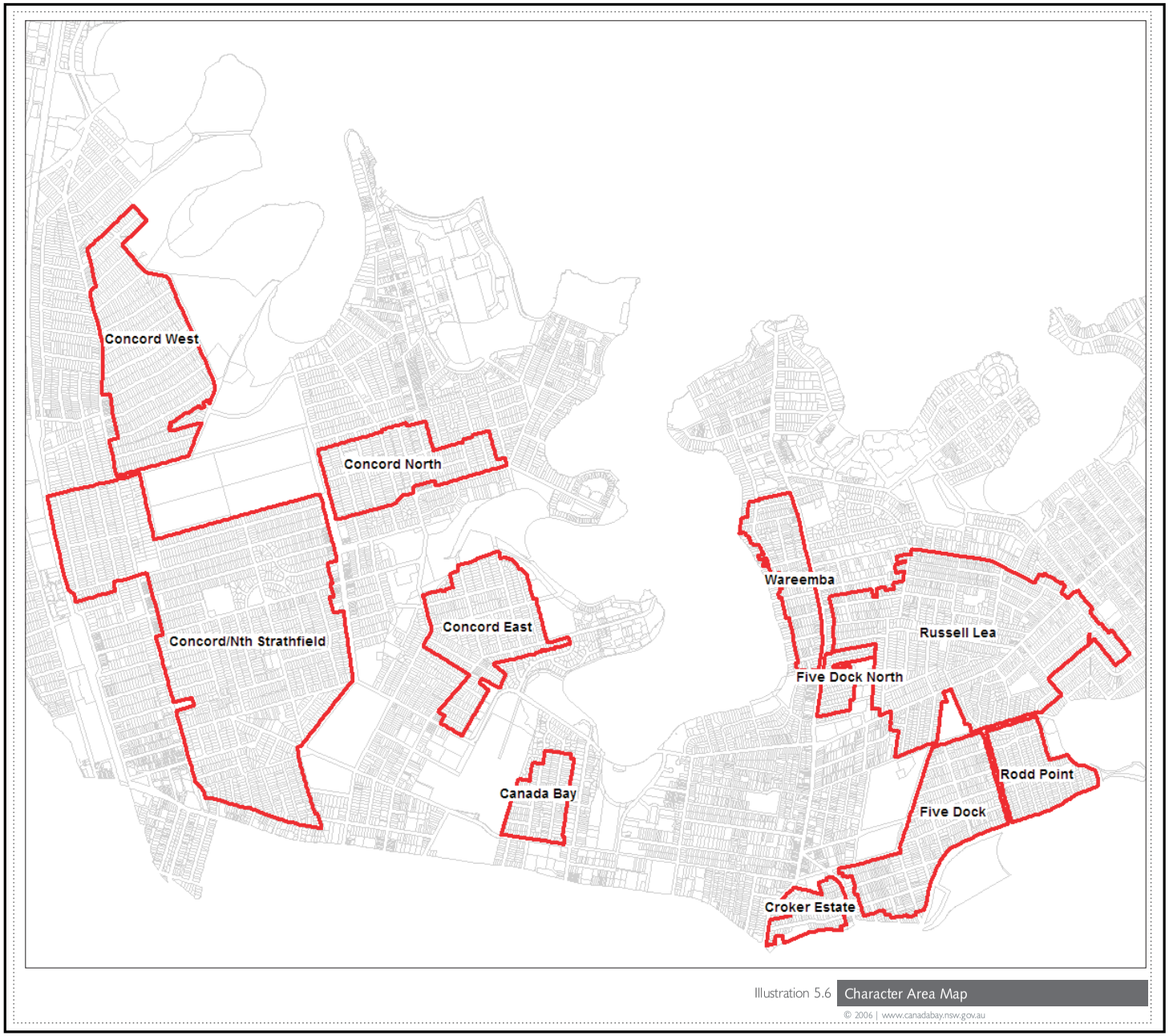
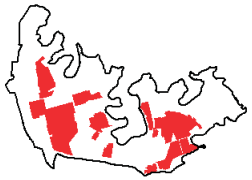


Illustration 5.6 Character Area Map

City of Canada Bay Council

CHARACTER AREAS

Overview Map



Legend

Character Area

0 1,000 2,000

metres

Scale 1 : 40,000

N

Date of Issue :

18/09/2006

5.1.1 Desired future character

An important principal in managing neighbourhood character is acknowledging that all areas have a character, whose unique qualities should be understood and valued. In some areas the character may be more obvious, more unusual, or more attractive, but no area can be described as having no character.

It is important to understand the difference between neighbourhood character and heritage. While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, State and Local Government, with reference to the Burra Charter. In many areas building style is important to setting the character of an area. This includes not just typical form and massing, but may also include details, materials and colours. Buildings do not need to be old or historically significant to have a character that is important to people's understanding and enjoyment of an area.

Canada Bay has a number of areas which have a distinct character. A character statement has been prepared for each of these areas. Refer to Appendix E for the relevant Character Area Statement. Each Character Area Statement provides a brief background to each area and describes its current character. It also defines desired future character in relation to elements of urban and landscape design that will help achieve the desired future character .

Any proposed new development that will impact on the streetscape should have regard to the character of the area.

Compliance with the Character Areas is important to ensure that:

- desirable characteristics are maintained and reinforced;
- past mistakes can be remedied; and
- scenarios for future development can be established.

When preparing a development, applicants need to address the objectives and controls contained within the DCP and the criteria for the relevant character area.

Controls

C1 All development within character areas is to ensure that the proposed development adequately considers both the existing and desired future character of the area.

C2 Design guidelines are to be used to guide new development in Character Areas.

Canada Bay's Character Areas include:

- Concord West (includes Yaralla Conservation Area)
- Concord/Strathfield North
- Concord North
- Concord East
- Canada Bay
- Wareemba West
- Russell Lea
- Croker Estate, Five Dock
- Five Dock North
- Five Dock
- Rodd Point

Refer to Illustration 5.6.

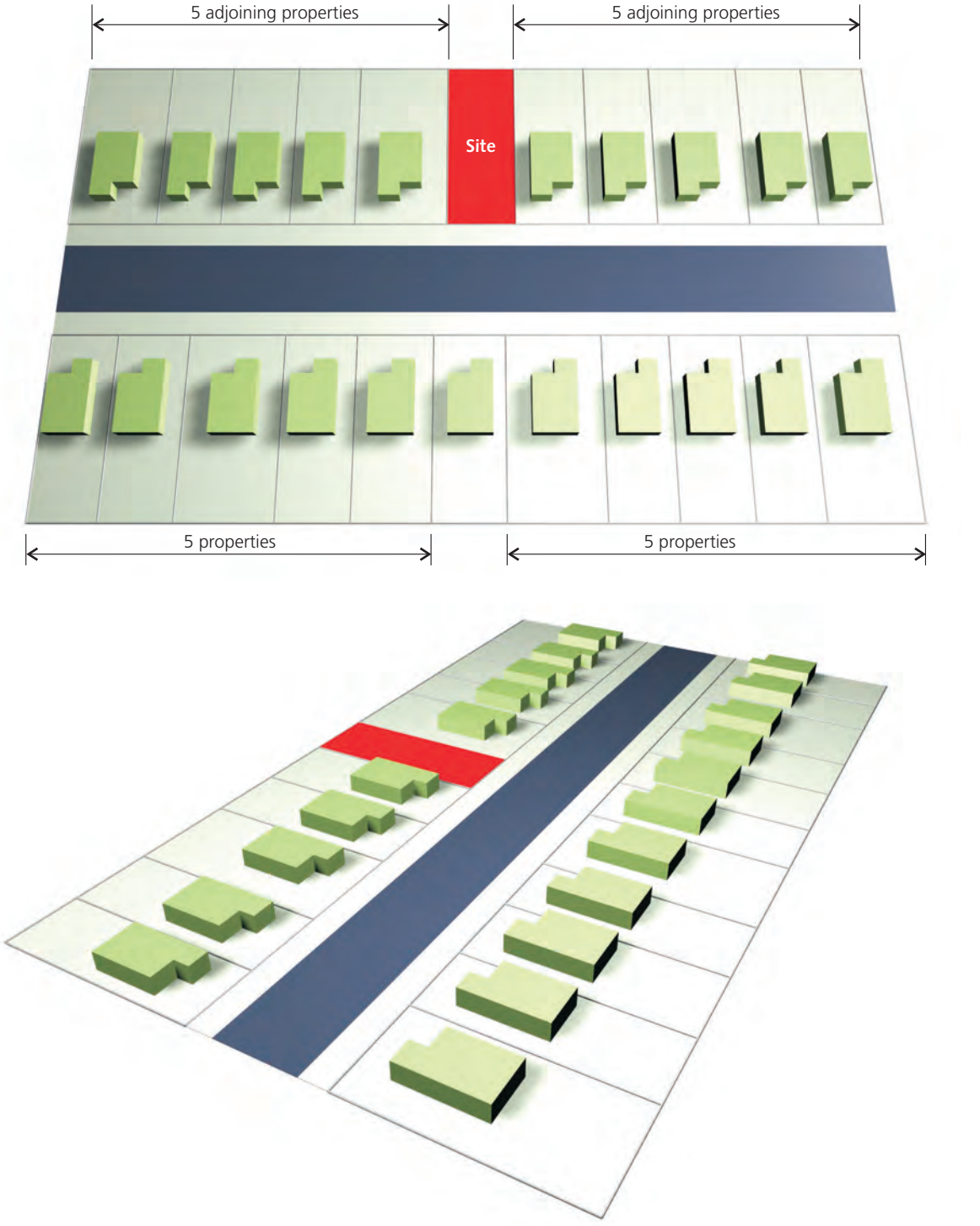


Illustration 5.7 Plan view of a streetscape analysis showing 5 sites on either side of the proposed site

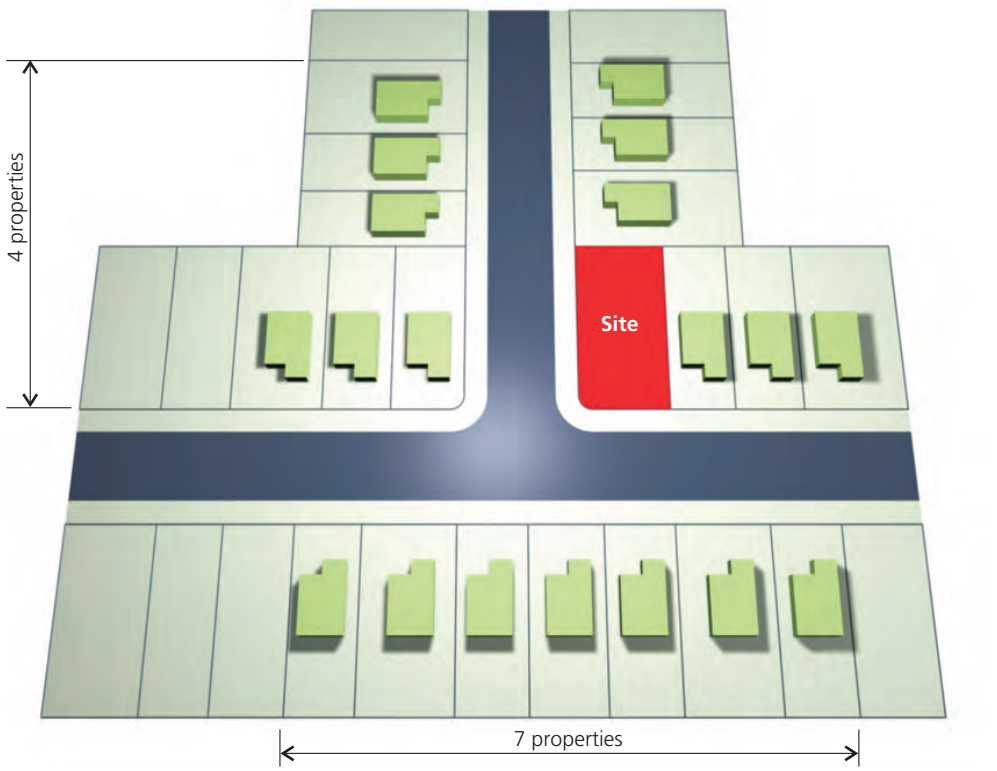


Illustration 5.8 Corner site streetscape analysis

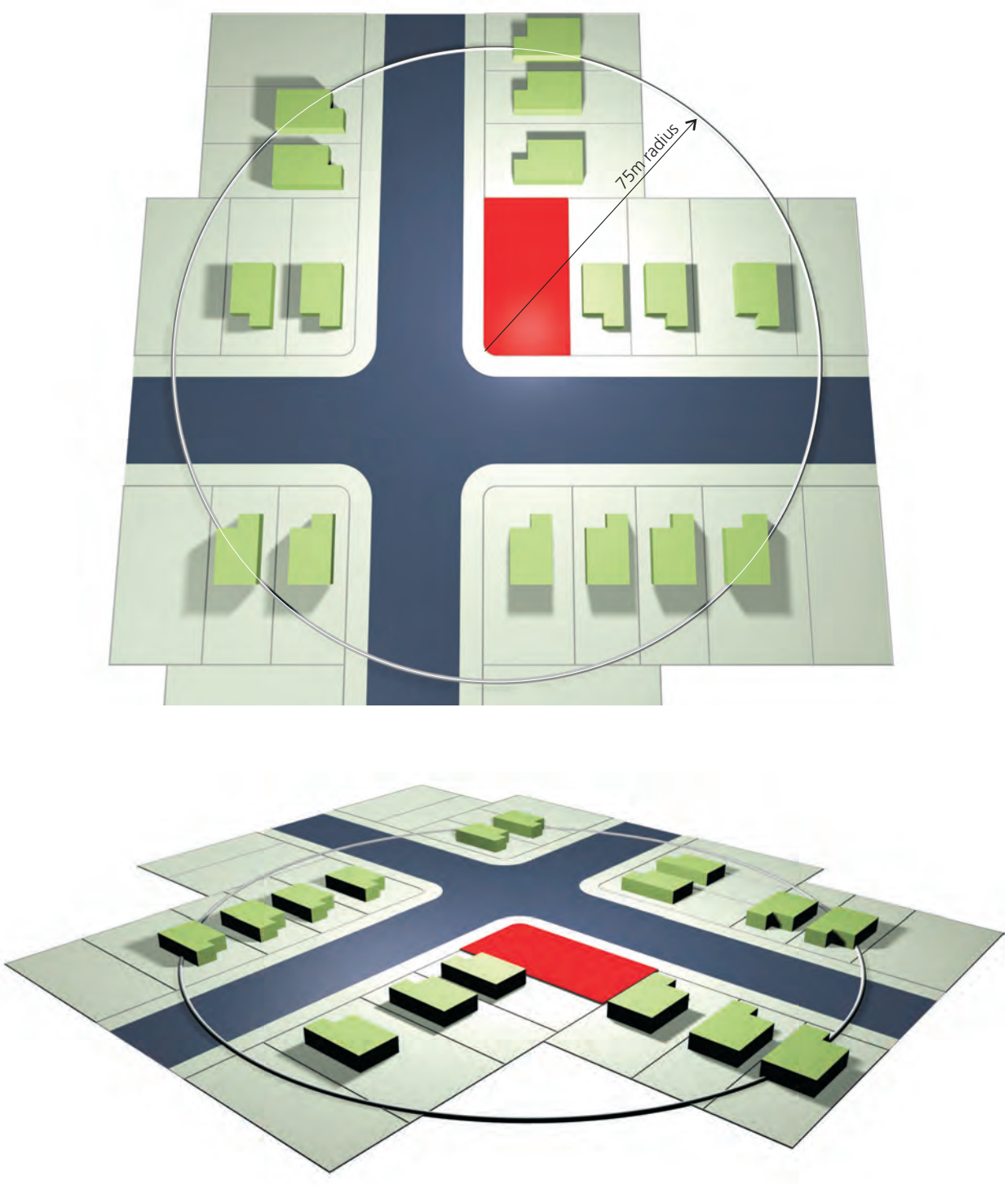


Illustration 5.9 Streetscape character analysis within a 75m radius

5.1.2 Streetscape analysis requirements

This section of the Plan establishes key controls for the important initial steps in preparing a development application for a residential development – addressing site analysis and streetscape character.

Good design goes beyond the simple application and compliance with development controls. Careful consideration and systematic analysis of a site, of its relationship with adjoining development, and consideration of any natural and man made constraints are essential starting points.

An assessment of the streetscape character and site analysis is the first step in the design process and is used to ensure that the development is the best possible solution for the site and the immediate locality, and makes the best possible contribution to its surroundings.

A Streetscape Character Analysis (SCA) is to be submitted as part of any development application and pre-lodgement meeting for:

(a) New dwellings;
(b) Alterations to the front elevation and/or double storey additions to an existing dwelling;
(c) Works forward of the building line, eg carports, front fences, and the like; and
(d) Attached dual occupancies.

The Streetscape Character Analysis should comprise an analysis of the existing streetscape, consider the overall neighbourhood character and the potential impact of the proposed development.

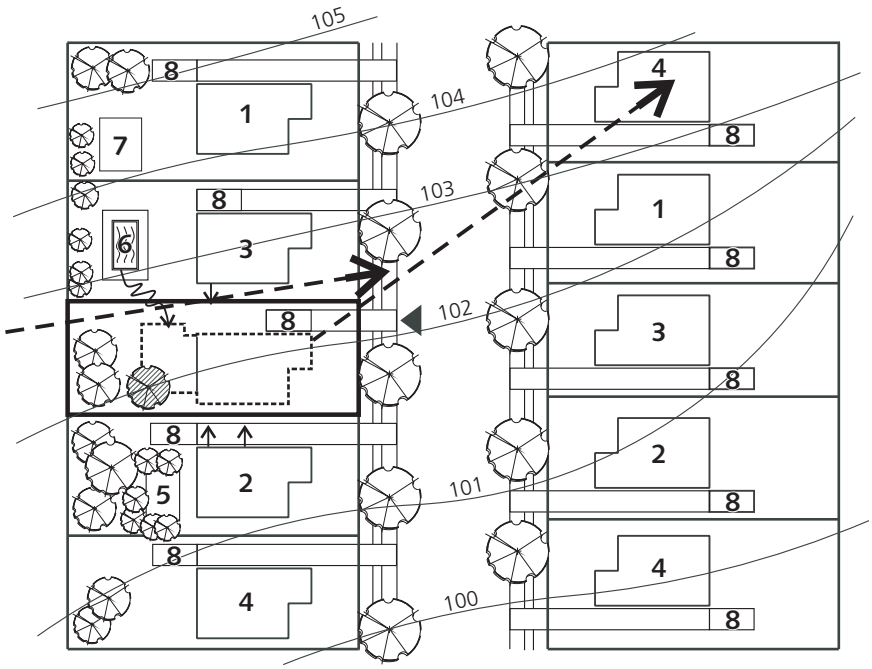
The Streetscape Character Analysis is to include the subject property, as well as five (5) sites on either side of the proposed site on both sides of the street (22 sites in total).

Where the site is a corner site, the Streetscape Character Analysis is to include the subject property, as well as three (3) sites on either side of the primary frontage of the subject property on both sides of the street, and three (3) properties (on both sides of the street for the secondary frontage).

Where this cannot be achieved, due to the configuration of the corner, the Streetscape Character Analysis is to include the subject property and all dwellings (partially or wholly) within a radius of 75m (taken from the centre of the primary street frontage).

The Streetscape Character Analysis should also include the following information:

(a) A street context plan showing the subject site, neighbouring dwellings and the immediate street landscaping and development. This plan should show your site; neighbouring dwellings; number of storeys; significant street landscaping;



KEY

Views	**1** Modern dwelling house (single storey)
Existing trees to be retained	**2** Modern dwelling house (double storey)
Existing trees to be removed	**3** Federation bungalow (single storey)
Neighbours windows facing site	**4** Inter-war bungalow (single storey + attic)
Noise	**5** Secluded private open space
Existing vehicle site entry	**6** Swimming pool
100 Contours	**7** Garden shed
Proposed new building footprint	**8** Carport/garage

N

0 25

Metres

Illustration 5.10 Example of a site and context analysis

setback and building footprint (including roof form). This plan may be based on a composite aerial photo that has allotment boundaries, contours and other relevant information;

(b) A photographic streetscape character analysis which may comprise a streetscape elevation drawing at a scale of 1:200 or relevant photos with explanatory notes of the site as viewed from the street, its adjoining neighbours and the immediate streetscape; and

(c) A written analysis of the existing streetscape. This should focus on both the positive and negative elements of the streetscape and locality. The key character elements that need to be analysed include the following:

(i) The relationships between buildings and landscape in the immediate locality;

(ii) The scale, height and built form character of buildings;

(iii) The dominant architectural character and dominant materials/finishes;

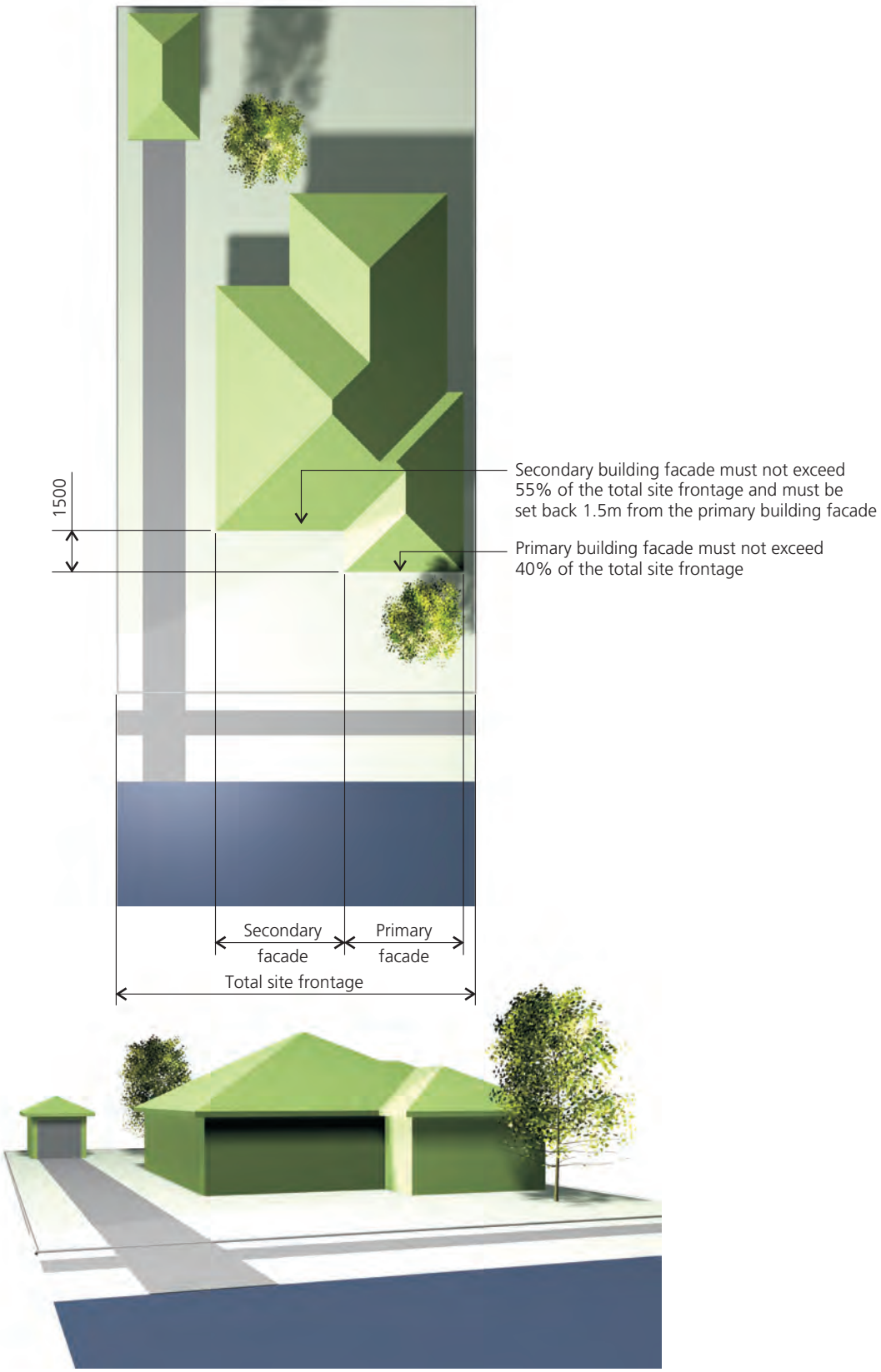
(iv) The landscape character;

(v) The pattern of spaces between buildings including vehicular and pedestrian entries;

(vi) The typical roofscape and forms of roofs;

(vii) The front setback treatment, fencing and front garden area characteristics;

Refer to Illustrations 5.7, 5.8 and 5.9.



Note: All dimensions are in millimetres

Illustration 5.11 Example of front facade articulation control

5.1.3 Site and context analysis

The Site and Context Analysis is a list of the planning controls and features of your development site and will assist in understanding the potential constraints and opportunities. It will also establish positive and negative impacts on neighbours and the public realm. The survey or Streetscape Character Analysis is an ideal base for the analysis.

It is critical that such site issues as significant trees, heritage places and service infrastructure are accurately identified at this stage. If you are uncertain about any of these issues the relevant agencies should be contacted.

In addition to the information shown on the survey, the following site features are to be included in the Site and Context Analysis:

(a) True north point (ie. not magnetic north);
(b) Wind directions;
(c) Existing buildings (including existing floor layouts and levels of floors, eaves, soffits and ridge lines where additions and alterations are proposed;
(d) Pedestrian and vehicle access points;
(e) Site improvements, such as pools, retaining walls, boundary walls/fences, hard surfaces, including boundary offsets where appropriate. Buildings to be demolished should also be included;
(f) Service and access easements;
(g) Above-ground services, such as electricity and communications poles and cables including those in the nature strip.
(h) Existing trees and shrubs on the subject site and on adjoining blocks and the nature strip that could be affected by the proposed development;
(i) The aspect and view opportunities from the street and adjoining pathways;
(j) Special natural features, such as rock outcrops, natural water features and overland flow paths.
(k) Windows facing the site of adjacent buildings, the uses of rooms they serve and their sill heights.

Refer to Illustration 5.10.

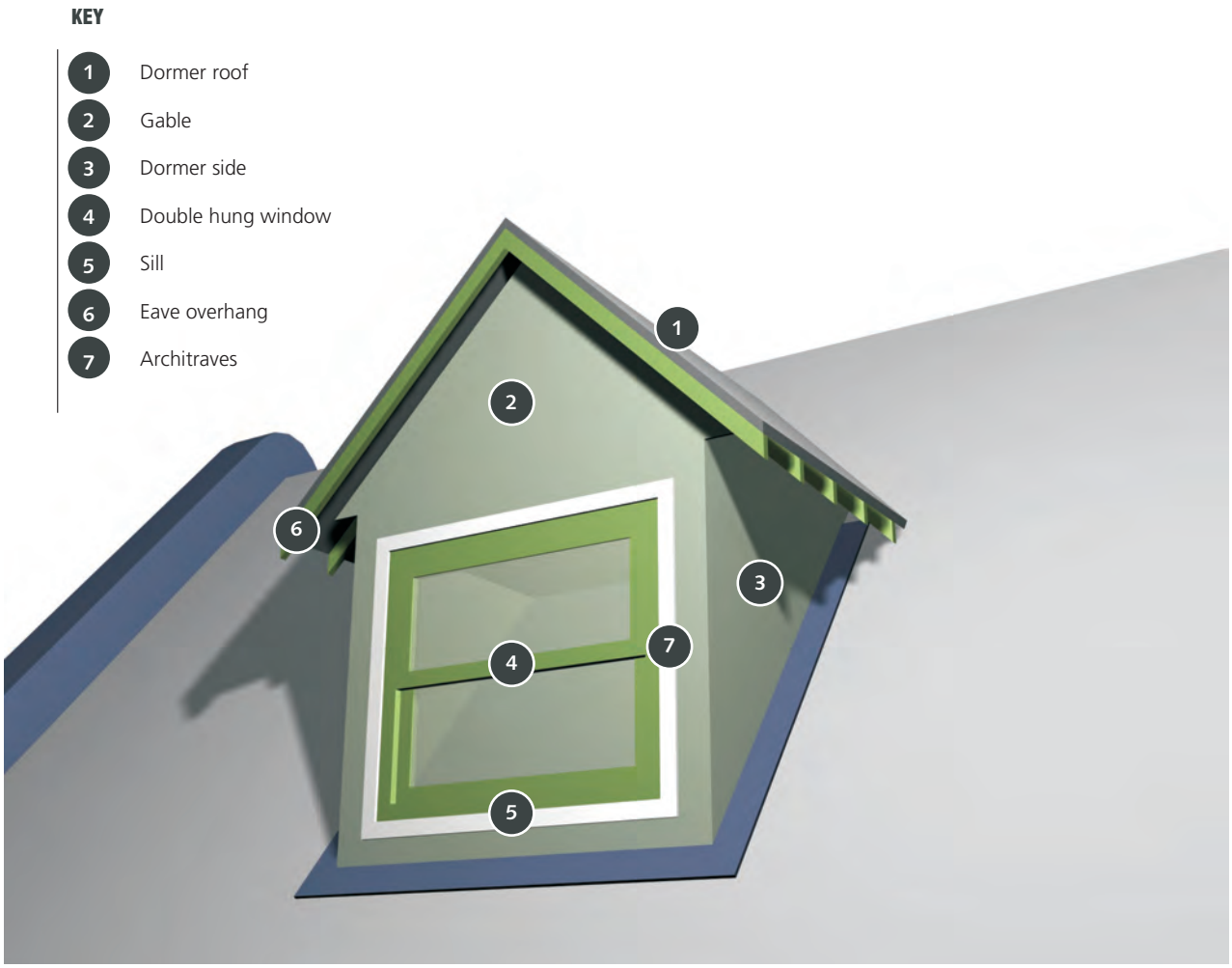


Illustration 5.12 Dormer window detail and terminology

5.1.4 Streetscape and context

This section of the Plan establishes key controls for the important initial steps in preparing a development application for a residential development – addressing site analysis and streetscape character.

Streetscape refers to the way a street looks. The presentation of buildings in a street determines the character of not only the street, but also the identity of the locality.

Good streetscapes usually have:

- houses that relate well to each other so that no single house is dominant (consistent scale, rhythm, setbacks, forms, street edge and materials);
- well-designed fences; and
- consistent site and street planting of an appropriate scale.

When there is a conflict between context control and the desired future character controls, desired future character controls shall always take precedence.

In this regard, the existence of poor design in a street is not to be taken as a precedent for further poor design.

Objectives

New buildings and alterations and additions should:

O1 Reflect the dominant building pattern of the streetscape with regard to the location, spacing and proportion of built elements in the streetscape.

O2 Complement and conserve the visual character of the street and neighbourhood through appropriate building scale, form, detail and finish.

O3 Reinforce existing streetscape features such as building setbacks, alignments, heights and fence design.

O4 Ensure that development conserves and respects significant streetscape items (such as street tree planting) and points of interest (such as views to waterways).

Controls

Street presentation

C1 Buildings adjacent to the street should address the street by having a front door and/or living room window addressing the street. The frontage of buildings should by their design or the location of entries, be readily apparent from the street.

Front facade articulation

C2 Where the dominant street front elevation of the buildings consists of an articulated front facade, or the width of the site is greater than 10 metres, new buildings and additions should be designed with an articulated front façade.
The front façade should comply with the following requirements:
(a) The primary building façade must contain a habitable room;
(b) Where a garage is attached to a dwelling it must not be located within the primary façade; and
(c) The secondary building façade should be set back a minimum of 1.5 metres from the primary building façade.

Entry alcoves recessed into, or protruding from, the front facade will not be considered as an articulated front facade.

Refer to Illustration 5.11

Bulk of Two Storey Buildings

C3 Where it is proposed to carry out a first floor addition to an existing house or introduce new two storey development in a predominantly single storey streetscape, it is essential that additions or new development, maintain the perceived scale and character of the house and the immediate streetscape.

This should be achieved by one or more of the following methods:

(a) Incorporating any proposed upper floor within the roof form. The use of attic rooms within the roof space for habitable purposes is encouraged in lieu of a second storey, particularly in streetscapes that comprise predominantly single storey buildings;

(b) Utilising transitional roofing which disguises second storey portions and presents them as essentially "attic style" in form; and

(c) Ensuring that any upper floor levels are set back from the principal street frontage of the building, in order to maintain a substantial portion of the existing roof unaltered over the front of the building. This may be achieved by ensuring that the first floor additions are located behind the main gable or hipped feature of the roof facing the street frontage.

Roof Forms

Unless another dominant roof form has been identified in the submitted Streetscape Character Analysis or Character Statement, the use of pitched roofs should be incorporated into development as follows:

Roof design

C4 Use a similar roof pitch, form and materials to those predominantly identified in the Streetscape Character Analysis (black, grey, white or strong primary coloured tiles will generally not be acceptable).

C5 Where it is considered that the streetscape will not be significantly altered and on the basis of improving the solar access or view corridors of nearby residential properties, Council may consider lower roof pitches than 25 degrees.

C6 Flat or skillion roof forms may be located to the rear of a development site provided it is not a corner location.

C7 Dwelling designs must have a minimum eave overhang of 450mm (excluding the gutter).

Attics and Dormers

Attic rooms may be permitted where they do not detract from the streetscape and where they incorporate a dormer which is sensitively designed in a manner that will not add bulk to the development. This should be achieved by the following:

C8 Where a dormer is proposed on an elevation facing the street and the width of the property is:

(i) less than 6m wide, only one dormer window will be permissible per dwelling and the total width of any dormer; including frames must not exceed one third of the width of the roof, up to a maximum of 1300mm;

(ii) greater than 6m wide, a maximum of two dormer windows are permissible. The width of any single dormer should not generally be more than one fifth (1/5) of the roof width. The total width of all dormers should not be more than one third (1/3) of the roof width.

C9 Dormers are not to be provided with a height of more than 1.5 metres from base to ridge.

C10 Balconies are not to be provided off dormers.

Refer to Illustration 5.12

Verandahs

C11 Existing original verandahs should be retained.

C12 The enclosure of original verandahs visible in the streetscape is not permitted. Enclosed verandahs are intrusive elements and should be re-opened and restored wherever possible.

Balconies

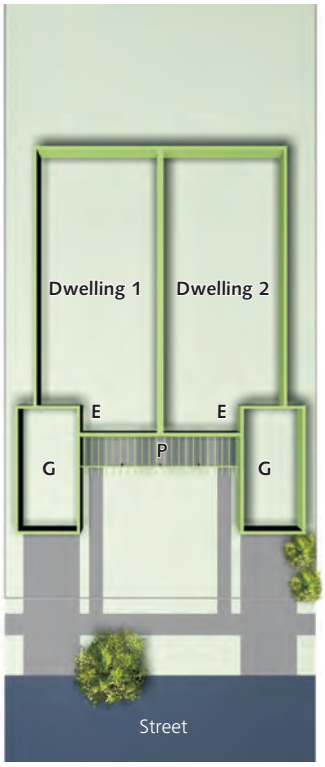
C13 The enclosure of balconies visible in the streetscape is not permitted. Balconies on existing housing visible in the streetscape should not be enclosed. Existing enclosed balconies should be re-opened and restored wherever possible.

Additions to semi-detached dwellings etc.

C14 Any alteration and addition to an individual semi or terrace should recognise it as being one pair or group of similar, identical or complementary buildings. In this regard, any extension should be carefully integrated with the building to which it is attached, both in its present form and on the assumption that the adjoining owner may wish to undertake extensions in the future.

C15 First floor additions should be set back from the principal

street frontage of the building, in order to maintain a substantial portion of the existing roof unaltered over the front of the building and to locate the bulk of new development



KEY

G	Garage
E	Entry
P	Porch

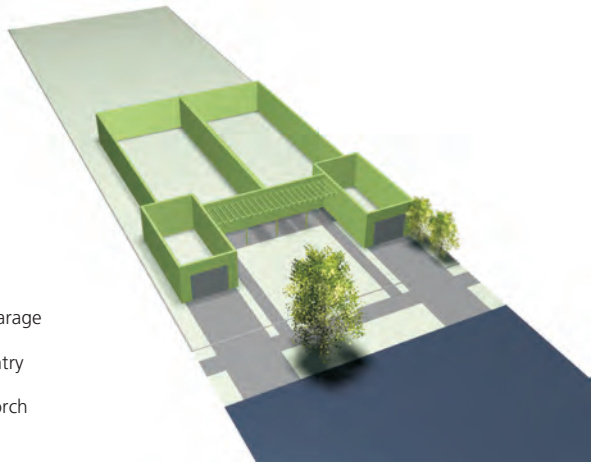
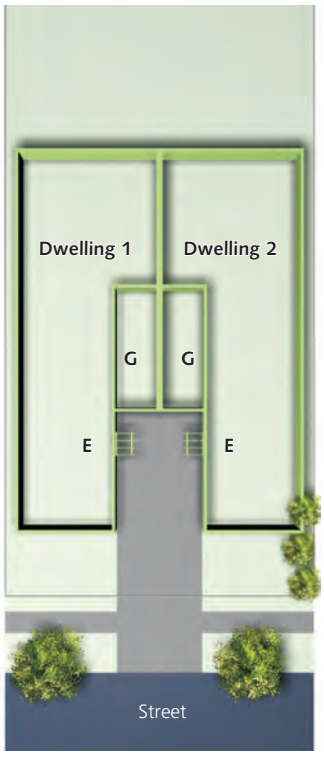


Illustration 5.13 Unacceptable design solutions for attached dual occupancy - 1



KEY

G	Garage
E	Entry

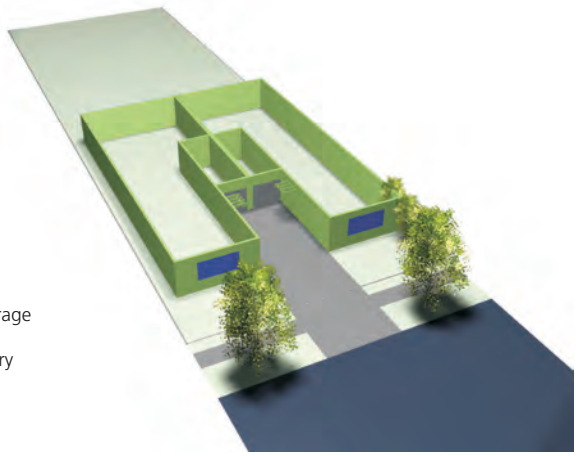
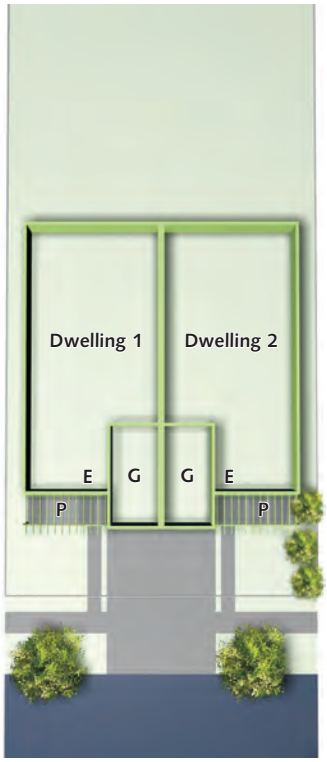
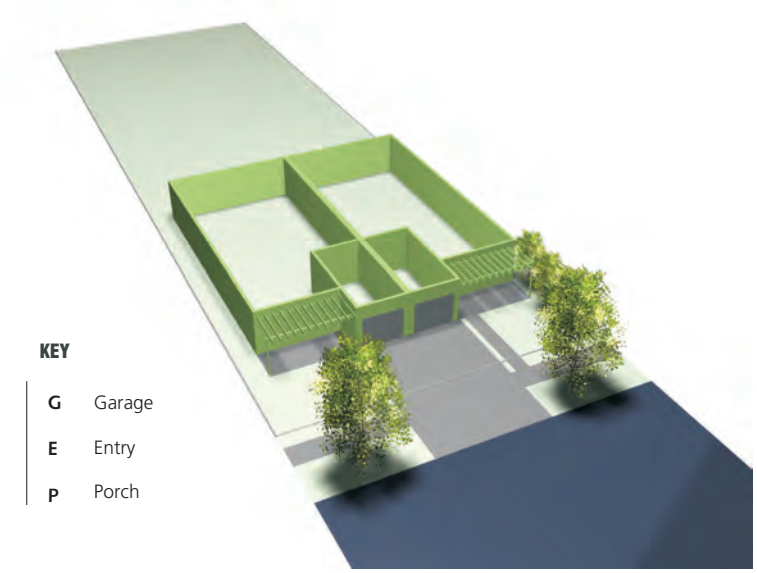


Illustration 5.14 Unacceptable design solutions for attached dual occupancy - 2





KEY

G	Garage
E	Entry
P	Porch

Illustration 5.15 **Unacceptable design solutions for attached dual occupancy - 3**

towards the rear. First floor additions should be set back beyond the apex or main ridge of the principal roof form of the building and should retain chimneys.

C16 The choice of materials utilised on additions and alterations to a semi-detached dwelling should complement the building as a whole.

5.1.5 Materials, colour schemes and details

The use of sympathetic materials, colour schemes and details of new residential development and associated structures ensures that the character and visual cohesiveness of Canada Bay's residential areas are not diminished.

Alterations to the façade of existing houses can seriously disrupt the unity of a group of dwellings and detract from their existing character. Unsympathetic practices such as re-skinning of brickwork, rendering, re-roofing with new materials, replacing timber windows with aluminium ones, or adding new features to the façade of buildings degrades their appearance and the streetscape.

This DCP encourages the use of similar materials, sympathetic design and building practices to maintain and enhance the visual character of Canada Bay's streetscapes.

Objectives

O1 To ensure that the choice of external materials, colour schemes and building details on new development and existing houses visible from a public place or buildings, reinforces and enhances any identifiable visual cohesiveness or special qualities evident in the street and the adjoining locality.

O2 To encourage complementary and sympathetic wall treatments on new development and existing houses that are consistent with the architectural style of existing dwellings found in the street and the adjoining locality.

O3 To encourage roof forms and materials consistent with the positive qualities evident in the street and the adjoining locality.

O4 To encourage verandahs/balconies etc. that are consistent with original structures evident in the street and the adjoining locality.

O5 To permit flexibility in the choice of materials to meet the practical requirements of energy efficiency, construction and maintenance costs.

Controls

The colour and surface finish of external building materials should minimise the overall visual impact of new development and be sympathetic to the surrounding locality as identified in the relevant Character statement and the Streetscape Character Analysis submitted with the application.

Walls/masonry

C1 Utilising the use of darker face brick in streetscapes which predominantly exhibit this external finish.

C2 Retaining or incorporating existing sandstone fences, walls or wall bases into the design of the building.

Roof finish

C3 Terracotta coloured (orange/red) roof tiles should be utilised in streets where this is the predominant roof colour.

Note: Black or similar alternative dark roof tiles are not permitted unless this finish is the predominant finish in the locality. In these circumstances, the dark material should reflect traditional finishes (i.e. slate, timber shingles).

Balconies

C4 First floor balcony balustrades facing the street should use a different material to the main wall finish.

Colour schemes

C5 Subject to the Streetscape Character Analysis, no large expansive surface of predominantly white, light or primary colours which would dominate the streetscape or other vista should be used.

C6 New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.

C7 Matching buildings in a row should be finished in the same colour, or have a tonal relationship.

General

C8 All materials and finishes utilised should have low reflectivity.

5.1.6 Design of attached dual occupancies

Well designed attached dual occupancies can blend unobtrusively with existing building patterns and streetscape so as to maintain and strengthen the character of a neighbourhood.

Objective

O1 Ensure that the design of attached dual occupancies complements and enhances the character and streetscape of their locality and protects the amenity of neighbouring properties.

Controls

C1 Attached dual occupancies should be designed to have the appearance of a typical, single occupancy dwelling house when viewed from the street or a public place.

Note: Applications for mirror-imaged dual occupancy development, incorporating protruding garages facing the street do NOT satisfy the objectives of this DCP and are not permitted.

C2 Each dwelling within an attached dual occupancy development should either be side by side or one dwelling above the other. It is not acceptable to have one dwelling behind the other.

C3 One dual occupancy should not extend into the rear yard further than 5 metres beyond the other.

C4 Attached dual occupancies should reflect the building form and roof lines of adjoining dwellings, where a pattern is established by a group of adjoining houses.

Driveways and access ways for attached dual occupancies

C5 No more than one third of the width of the frontage of a property should be used for driveways and access ways.

C6 The provision of access to garages and additional parking spaces for dual occupancy dwellings should minimise paved surfaces to the front of the building.

C7 Garages for each dwelling within an attached dual occupancy should be single car width only.

C8 Where all existing dwellings are located to the left or right side of their respective allotment and have a side driveway, this pattern should also be observed by the design of the attached dual occupancy.

C9 Attached dual occupancies should not have central garages or driveways (examples of these are shown under unacceptable designs).

Design of attached dual occupancies

A few examples of designs that are considered to be unacceptable are shown in Illustrations 5.13, 5.14 and 5.15.

5.2 Environmental criteria and residential amenity

5.2.1 Topography

The purpose of controlling excavation, particularly on slopes which are greater than 20% is to ensure that new development respects topography and the natural fall of the land and to discourage:

- alteration or redirection of natural flows of ground water;
- despoliation of the landscape or land forms; or
- produce excessive height of development and retaining walls.

Note: Does not apply to basement construction.

Objective

O1 To ensure that the natural topography and landform is maintained and the amount of excavation is minimised.

Controls

C1 Natural ground level should be maintained within 900mm of a side and rear boundary.

C2 Cut and fill should not alter natural or existing ground levels by more than 600mm.

C3 Habitable rooms (not including bathrooms, laundries and storerooms) are to be located above existing ground level.

C4 Rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls are not to be removed or covered.

C5 The outer edge of excavation, piling and all subsurface walls including driveway excavation to basement car parking for dwelling houses should not be less than 900mm from any boundary.

C6 Soil depth around buildings should be capable of sustaining trees as well as shrubs and smaller scale gardens.

5.2.2 Harbour foreshore development and foreshore access

The purpose of the foreshore building line is to ensure that buildings are set back from the foreshore and to control development on the foreshore. Wherever possible, public access to and along the foreshore should be provided or improved. Council will seek to ensure that Sydney Harbour remains a public space.

Objectives

O1 To recognise, protect and enhance the natural, scenic, environmental, cultural and heritage qualities of the foreshore of the City of Canada Bay.

O2 To ensure the Parramatta River foreshore is developed and promoted as a community asset in public ownership or with unrestricted public access.

O3 Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good:

- The public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour and its foreshores.
- Protection of the natural assets of Sydney Harbour has precedence over all other interests.
- The public good includes but is not restricted to the existing views, vistas and amenity available from the public and private domain.

Controls

C1 Building forms should follow the natural topography and maintain and enhance vegetation cover as viewed from the Parramatta River. For example, buildings are not to be cantilevered.

C2 Roof lines should be below the tree canopy backdrop to maintain the importance of any treeline.

C3 Buildings should be designed and constructed to present a recessive appearance when viewed from the Parramatta River through the use of materials, colours, wall articulation, building form and landscaping. Glass elevations and excessive use of windows resulting in reflectivity and glare will not be permitted.

C4 Pergolas, boatsheds and other structures are to be designed and constructed to complement the overall appearance of the development. Such structures are to be no more than one storey in height.

C5 Swimming pools and spa pools constructed within the foreshore setback are to have no more than 300mm of the pool wall visible above existing ground level.

C6 Swimming pool and spa pool walls are to be suitably treated to complement the natural foreshore and where visible, are to be sandstone and to incorporate suitable screen landscaping.

C7 Boundary fences are not permitted within 8.0 metres of the mean high water mark.

C8 Retaining walls are to have a maximum height of 500mm.

C9 Hard surfaces and artificial surfaces, such as paving, within the Foreshore Building Line Area must be limited to swimming pool surrounds or modest walkways between the residential building and foreshore structures such as swimming pools or boat ramps.

C10 Mature trees or significant landscaping are not to be removed to locate foreshore structures.

C11 Any development on the foreshore should:

(a) Enhance the existing flora of the allotment;
(b) Where appropriate, include native trees which will be 12 metres or greater at maturity; and
(c) Avoid introduced species known to seed freely or spread easily.

Protection of the natural foreshore

C12 Development on foreshore properties must not significantly alter the topography and must preserves natural foreshore features including cliffs, rock outcrops, rock shelfs and beaches.

C13 Seawalls or retaining walls are not permitted in areas where the foreshore is in its natural state.

C14 Where seawalls or retaining walls are permitted, they must be constructed of coarse, rock-faced stone or with stone facing (preferably sandstone) and do not protrude more than

Illustration 5.16 Illustrated examples of appropriate measures to protect privacy - Screening

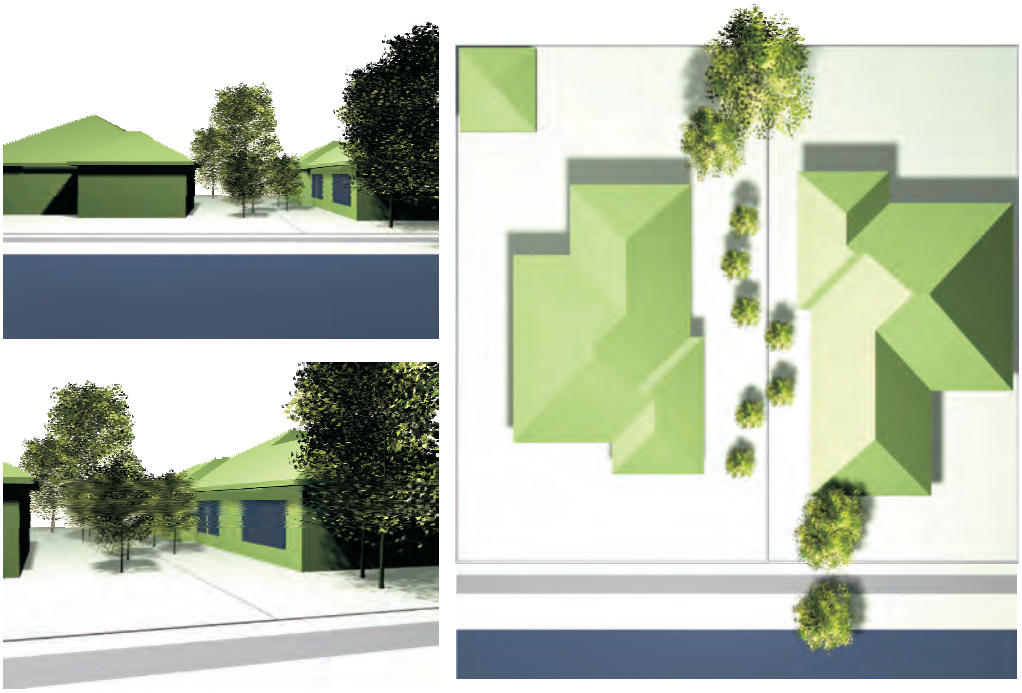


Illustration 5.17 Illustrated examples of appropriate measures to protect privacy - Planting

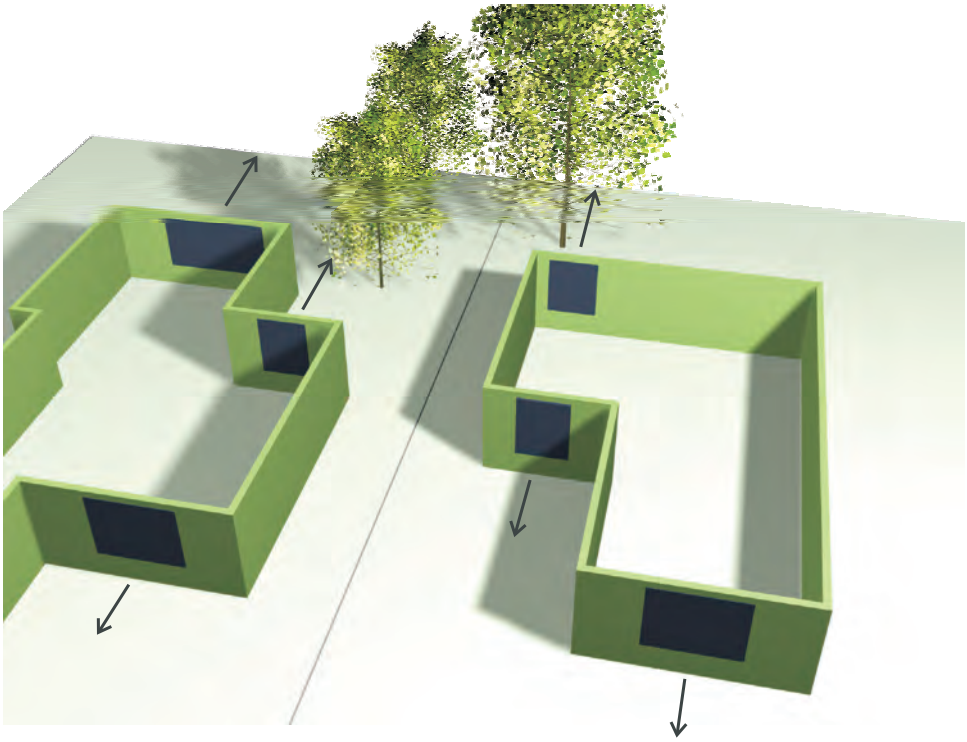


Illustration 5.18 Illustrated examples of appropriate measures to protect privacy - Orientation for private outlook

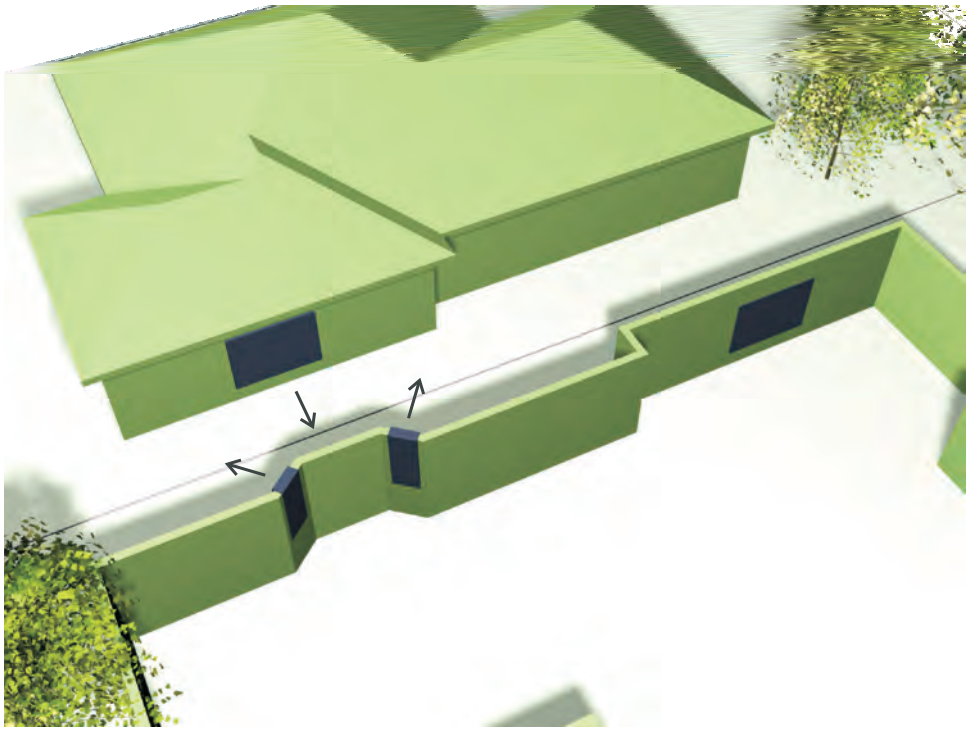


Illustration 5.19 Illustrated examples of appropriate measures to protect privacy - Splay windows

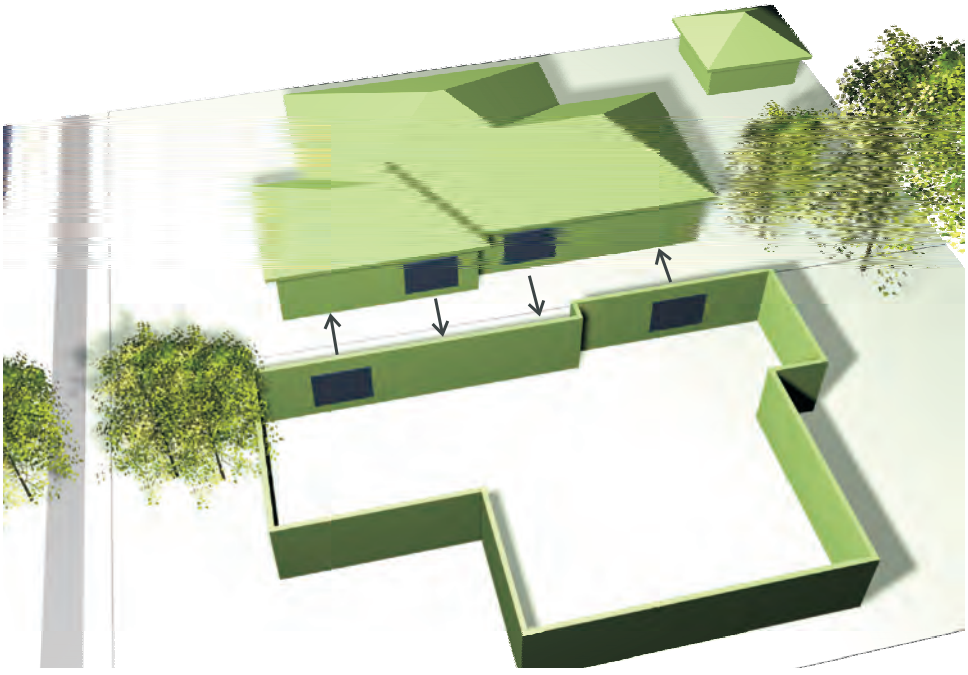


Illustration 5.20 Illustrated examples of appropriate measures to protect privacy - Offset windows

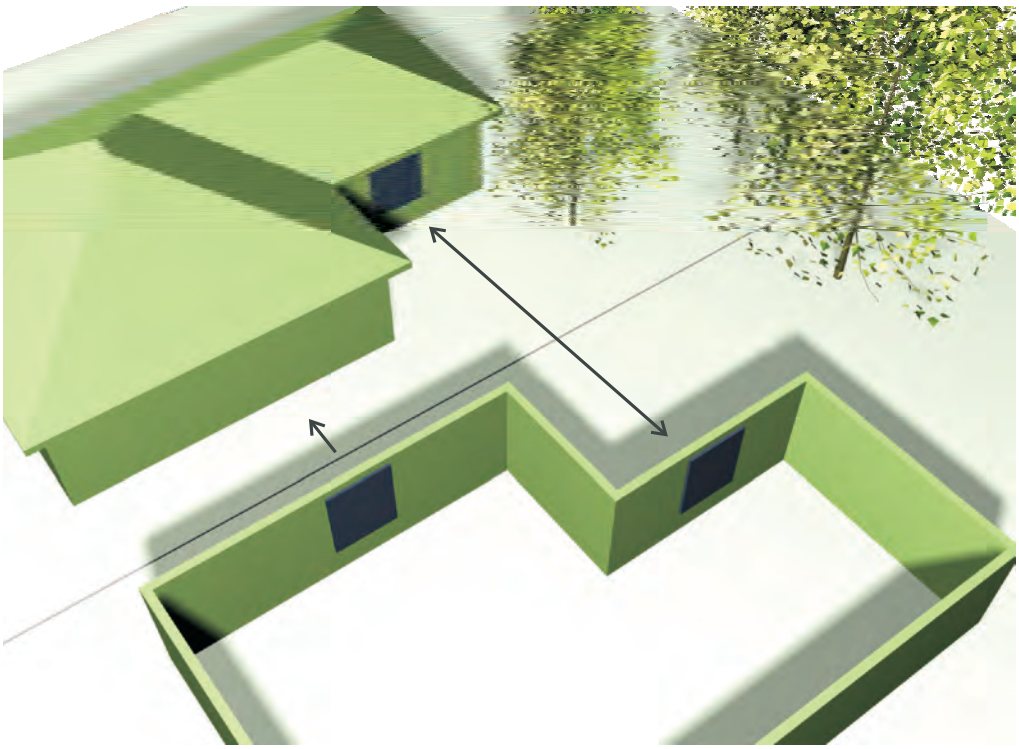


Illustration 5.21 Illustrated examples of appropriate measures to protect privacy - Separation between rooms

1.0m above the mean high water mark.

C15 Slipways and stairs are to be designed and constructed to closely conform with the character of the natural foreshore.

Foreshore Access

Please refer to the Canada Bay LEP for considerations in relation to the provision of foreshore access.

C16 Public access along the foreshore should be provided by means of (as a minimum) a 3 metre strip of land between mean high water mark and the development. The access may be secured by means of a registered covenant, agreement or instrument in favour of the Council (as provided for in the Conveyancing Act 1919) that burdens the relevant land, or by means of an obligation contained in a planning agreement that is entered into between the relevant landowner, the Council, or both.

C17 Public access to the foreshore over public land is not to be obstructed by the location of foreshore structures.

5.2.3 Solar access

The amenity of any building is influenced by the degree of solar access and overshadowing of and by that building. The relationship of a building and its neighbours with the sun also has implications for achieving energy efficient and passive solar design.

The assessment process utilised in this DCP is based on the Planning Principle outlined in NSW Land & Environment Court judgement 347 of 2004.

Objectives

O1 To maximise solar access to living areas and private open space in order to improve residential amenity.

O2 To minimise the amount of overshadowing of neighbouring developments and outdoor spaces to maintain their amenity.

Controls

C1 New buildings and additions are sited and designed to maximise direct sunlight to north-facing living areas and all private open space areas.

C2 Direct sunlight to north facing windows of habitable rooms and all private open space areas of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.

The numerical guidelines will be applied with the following principles in mind, where relevant:

(a) The ease with which sunlight access can be protected is inversely proportional to the density of development. At low densities, there is a reasonable expectation that a dwelling and some of its open space will retain its existing sunlight. (However, even at low densities there are sites and buildings that are highly vulnerable to being overshadowed.) At higher densities sunlight is harder to protect and the claim to retain it is not as strong;

(b) The amount of sunlight lost should be taken into account, as well as the amount of sunlight retained;

(c) Overshadowing arising out of poor design is not acceptable, even if it satisfies numerical guidelines. The poor quality of a proposal's design may be demonstrated by a more sensitive design that achieves the same amenity without substantial additional cost, while reducing the impact on neighbours;

(d) To be assessed as being in sunlight, the sun should strike a vertical surface at a horizontal angle of 22.5o or more. (This is because sunlight at extremely oblique angles has little effect.) For a window, door or glass wall to be assessed as being in sunlight, half of its area should be in sunlight. For private open space to be assessed as being in sunlight, either half its area or a useable strip adjoining the living area should be in sunlight, depending on the size of the space. The amount of sunlight on private open space should be measured at ground level;

(e) Overshadowing by fences, roof overhangs and changes in level should be taken into consideration; and

(f) The impact on what is likely to be built on adjoining sites should be considered as well as the existing development.

5.2.4 Visual and acoustic privacy

Visual privacy is a highly valued component of residential amenity. The visual and acoustic privacy needs of existing and future residents are a key consideration in the design of new development and should influence the location of dwellings, windows and private open space.

Refer to Illustrations 5.16, 5.17 and 5.18.

Objectives

O1 Ensure the siting and design of building provides a high level of visual and acoustic privacy for residents and neighbours in dwellings and private open space.

O2 To provide personal and property security for residents and visitors.

Controls

C1 Openable first floor windows and doors as well as balconies should be located so as to face the front or rear of the building. Where it is impractical to locate windows other than facing an adjoining building, the windows should be off-set to avoid a direct view of windows in adjacent buildings.

Refer to Illustrations 5.19, 5.20 and 5.21.

C2 Provide a minimum sill height of 1.5 metres from finished floor level to windows on a side elevation which serve living areas and have a direct outlook to windows or principal private open space (not being front yard) of adjacent dwellings or alternatively use fixed obscure glass.

C3 Upper level balconies to the rear of a dwelling should be set back a minimum of 2.0 metres from any side boundary and should have a maximum depth of 1.8 metres.

C4 Upper level balconies will not be permitted to the rear of a dwelling where the rear upper level setback from the rear boundary is less than 6.0 metres.

C5 Ground floor decks, terraces or patios should not be greater than 500mm above natural ground level. If expansive terraces are sought on sloping ground, they should be designed to step down in relation to the topography of the site.

C6 Where the visual privacy of adjacent properties is likely to be

significantly affected from windows, doors and balconies, or where external driveways and/or parking spaces are located close to bedrooms of adjoining buildings, one or more of the following alternatives are to be applied:

(a) Fixed screens of a reasonable density (minimum 85% block out) should be provided in a position suitable to alleviate loss of privacy;
(b) Where there is an alternative source of natural ventilation, windows are to be provided with translucent glazing and fixed permanently closed;
(c) Windows are off-set or splayed to reduce privacy effects; and
(d) An alternative design solution is adopted which results in the reduction of privacy effects.

C7 The introduction of acoustic measures to reduce traffic/ aircraft noise should not detract from the streetscape value of individual buildings.

Use of rooftops of buildings and garages

C8 No trafficable outdoor spaces are permitted on the uppermost rooftop of a building or on garage roofs, such as roof decks, terraces, patio, gardens and the like.

5.2.5 Access to views

Views are a desirable aspect that contribute to the amenity of property and the public domain. Views in Canada Bay include the city skyline and water views of the Parramatta River and its foreshore.

New development needs to be designed so that it is sensitive to existing view corridors and minimises impact on views.

"View sharing" considers the equitable distribution of views between properties. The view sharing control seeks to strike a balance between facilitating new development, while preserving, as far as practical, access to views from surrounding properties.
The four step view assessment process applied in this DCP is based on the Planning Principle outlined in NSW Land & Environment Court judgement 140 of 7 April 2004.

Objectives

O1 To protect and enhance opportunities for vistas and public views from streets and public places.

O2 To ensure views to and from the site are considered at the site analysis stage.

O3 To recognise the value of views from private dwellings and encourage view sharing through building design, location and landscape design.

O4 To recognise the value of view sharing whilst not restricting the reasonable development potential of the site.

Controls

To determine whether a development is satisfactory in relation to the objectives pertaining to access to views, the following controls will be applied:

C1 Development should seek to protect water views, iconic views, and whole views.

Water views are valued more highly than land views. Iconic views (eg of the Harbour Bridge or the City skyline) are valued more highly than views without icons. Whole views are valued more highly than partial views (eg a water view in which

the interface between the land and water is visible is more valuable than one in which it is obscured).

An icon should be a prominent identifying feature of the landscape and should be commonly held by the wider community as having iconic status.

C2 Development should seek to protect views from the front and rear of buildings and where views are obtained from a standing position.
The expectation to retain side views and sitting views is often unrealistic.

C3 Development should seek to protect views from living areas and minimise the extent of impact.

The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes the Harbour Bridge. Council will attempt to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

C4 Development in view affected areas should not only be designed to meet relevant development controls but also be designed to achieve view sharing.

A development that complies with all planning controls is more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact is unreasonable. A complying proposal of a skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours.

Note: In some cases, Council will insist on the erection of height poles/building templates to indicate the height of the proposed development together with written and/or photographic montages to ensure that view losses are minimal. Template construction is to be to the satisfaction of Council officers and is to be certified by a registered surveyor upon erection.

5.2.6 Safety and security

Sensible design can contribute significantly to crime prevention by providing environments where residents feel safe and secure and conversely vandals have a feeling of being under surveillance.

Objectives

O1 To ensure a safe physical environment by promoting crime prevention through design.

O2 To ensure the security of residents and visitors and their property and enhance community safety and well-being.

O3 To ensure a development relates to the public domain and contributes to an active pedestrian-orientated environment.

Controls

C1 High walls/fences which obstruct surveillance are not permitted.

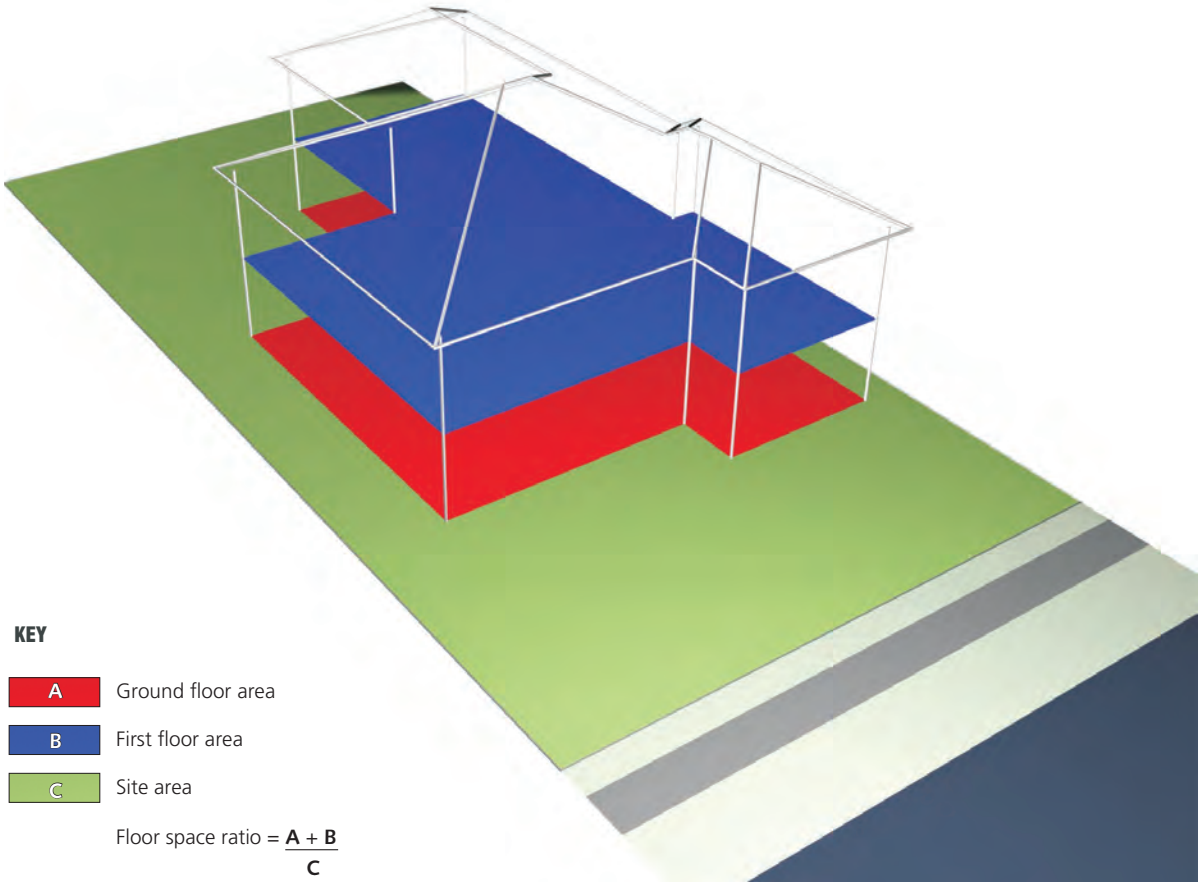


Illustration 5.22 Illustrated two storey example of how to measure floor space ratio

C2 The front door of a dwelling house should be visible from the street.

C3 Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.

C4 A council approved street number should be conspicuously displayed at the front of new development or the front fence of such development.

C5 Development on properties which adjoin a rear laneway must provide at least one habitable room window in the rear elevation capable of overlooking the laneway. If appropriate to the site context and neighbouring property privacy considerations, a balcony on the rear elevation would be an appropriate alternative.

5.3 General controls

5.3.1 Subdivision and allotment size

Subdivision is the division of land into two or more parts for separate occupation, use or disposition.

The subdivision of land is usually followed by its development for one or more dwellings. Under the Environmental Planning and Assessment Act, 1979 subdivision is defined as development. As such, development consent is required for all proposals involving subdivision.

New development on any newly created allotment has the potential to impact on the streetscape and amenity of the locality. Consequently, it is essential that the other design elements contained in this DCP are considered at the subdivision of land stage. This will ensure that future development of the site maintains and enhances the character and amenity of the locality.

Dual Occupancies are permitted in Canada Bay to promote housing choice and affordability, whilst maintaining existing streetscapes. The Torrens Title subdivision of dual occupancies is not permitted.

Objectives

O1 To ensure subdivision reflects and reinforces the predominant subdivision pattern of the area.

O2 To minimise any likely impact of subdivision and development on the amenity of neighbouring properties.

O3 To ensure lot size and dimension are able to accommodate a dwelling and provide adequate open space and car parking consistent with the relevant requirements of this DCP.

O4 To ensure lot size and dimension take into account the slope of the land and existing vegetation identified in the site analysis.

O5 To ensure lot size and dimension enable dwellings to be sited to protect natural or cultural features including heritage items and retain special features such as trees and views.

Controls

Where relevant, Torrens Title subdivision standards are contained on the Lot Size Map to the Canada Bay Local Environment Plan.

C1 The minimum frontage to the street for normal allotments is 14.0 metres and 4.0 metres for hatchet shaped allotments (i.e. 18.0m).

Allotment type	*Minimum frontage to street*
Normal allotment	14.0m
Hatchet–shaped allotment	4.0m

C2 Where the subdivision of an allotment is creating:

a) A single battle-axe allotment, the minimum width of an access handle is 4.0 metres; or

b) Two or more battle axe allotments, the minimum width of an access handle is 4.0 metres plus a passing bay at 30 metre intervals.

In each case, a 0.5 metre wide landscape strip is to be provided on the outer edge of the access handle.

5.3.2 Site area and frontage

Site area and frontage controls seek to ensure that new development is sited on land which has sufficient area and dimensions to provide amenities such as private open space and car parking.

Objective

O1 To ensure lot size and dimension are able to accommodate residential development and provide adequate open space and car parking consistent with the relevant requirements of this DCP.

Control

C1 The following minimum site area and frontage requirements should be achieved:

Dwelling Type	*Frontage*	*Minimum Site Area*
Attached Dual Occupancy	14.0m	450sqm

5.3.3 Floor space ratio

Council's Floor Space Ratio (FSR) aims to facilitate an acceptable bulk and scale of development that maintains a satisfactory relationship with adjoining development and the wider street context.

Note: For the purpose of calcluating FSR, stairwells will be counted on one level and up to two carparking spaces will be excluded. For

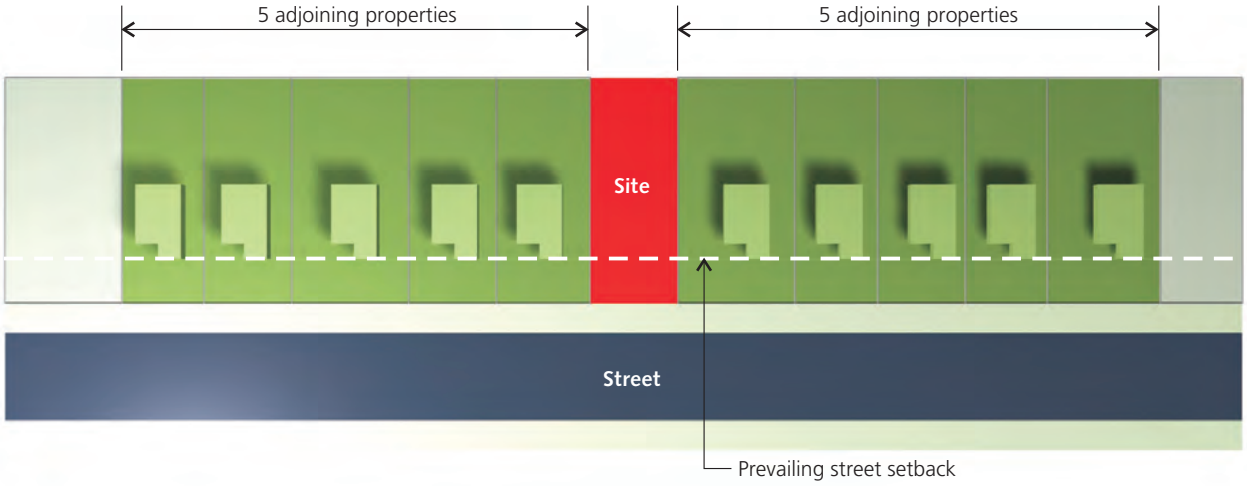


Illustration 5.23 Calculation of the prevailing street setback

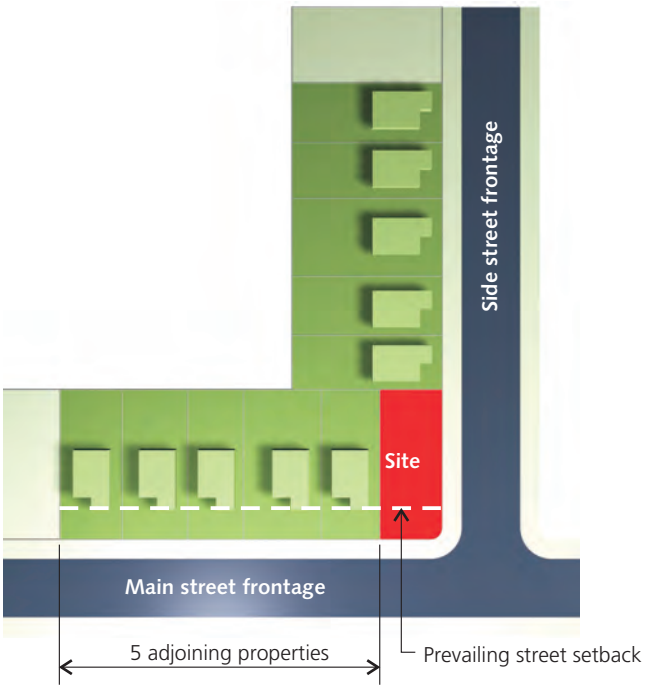


Illustration 5.24 Calculation of the prevailing street setback on a corner development site

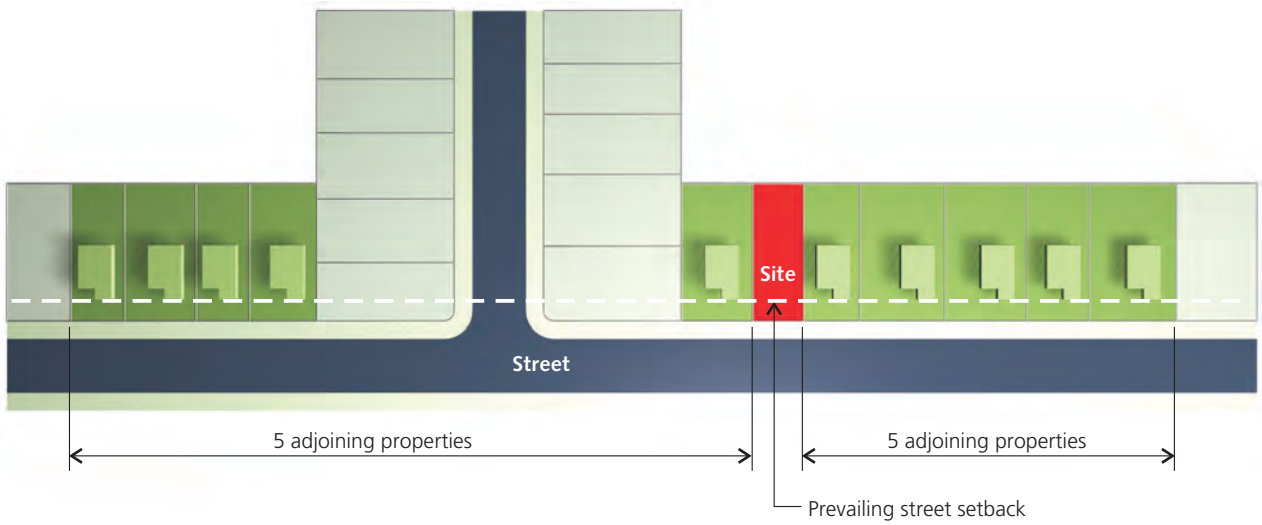


Illustration 5.25 Prevailing street setback near corner sites

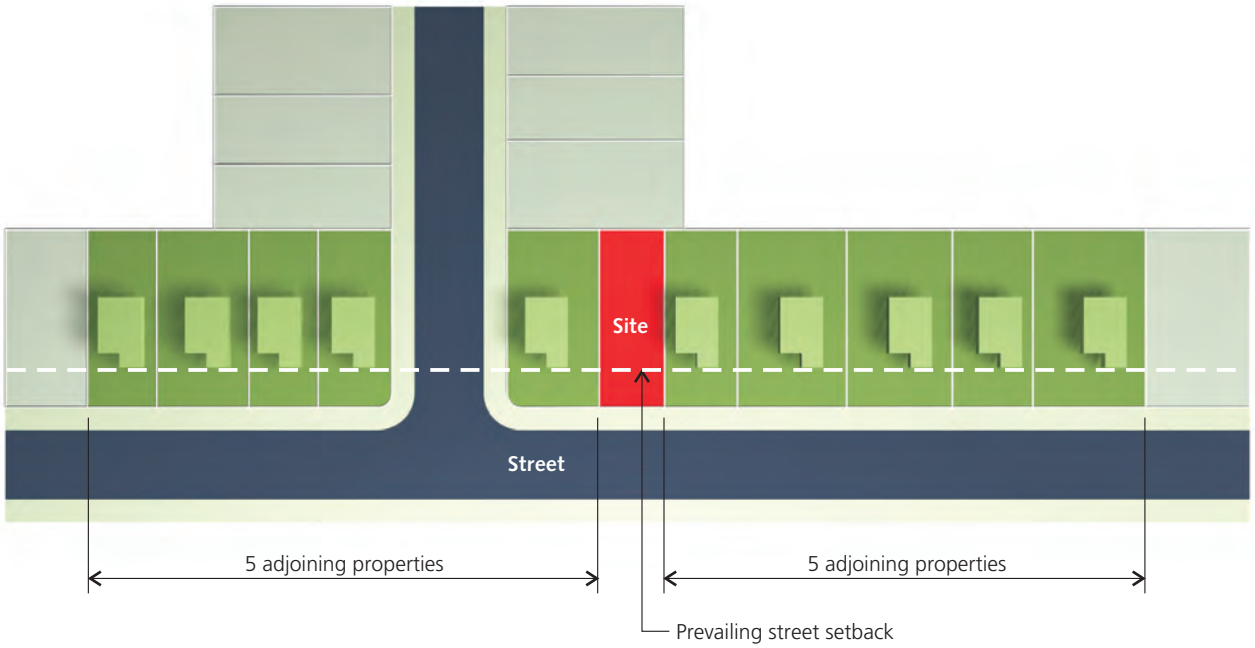


Illustration 5.26 Prevailing street setback near corner sites

further details on the calculations of floor space ratio, please refer to the Gross Floor Area definition in the LEP.

Refer to Illustrations 5.22.

Objective

Reference should be made to the objectives for FSR contained within the Canada Bay LEP.

Controls

Reference should be made to the Floor Space Ratio Map for the Canada Bay Local Environmental Plan, for relevant Floor Space Ratio control.

C1 Large void areas are considered to contribute to the overall mass of a building (when viewing the building from the exterior). For this reason, it should be shown that any void areas are necessary for the specific design requirements of the building.

C2 Notwithstanding compliance with any applicable Floor Space Ratio standard, applicants should demonstrate that the bulk and relative mass of development is acceptable in terms of the following impacts upon the street and adjoining dwellings:
- (a) Overshadowing and privacy considerations;
- (b) Streetscape considerations (bulk and scale);
- (c) Building setbacks;
- (d) Parking and landscape requirements;
- (e) Visual impact and impact upon existing views;
- (f) The existence of significant trees on site;
- (g) The size and shape of the allotment; and
- (h) Site topography.

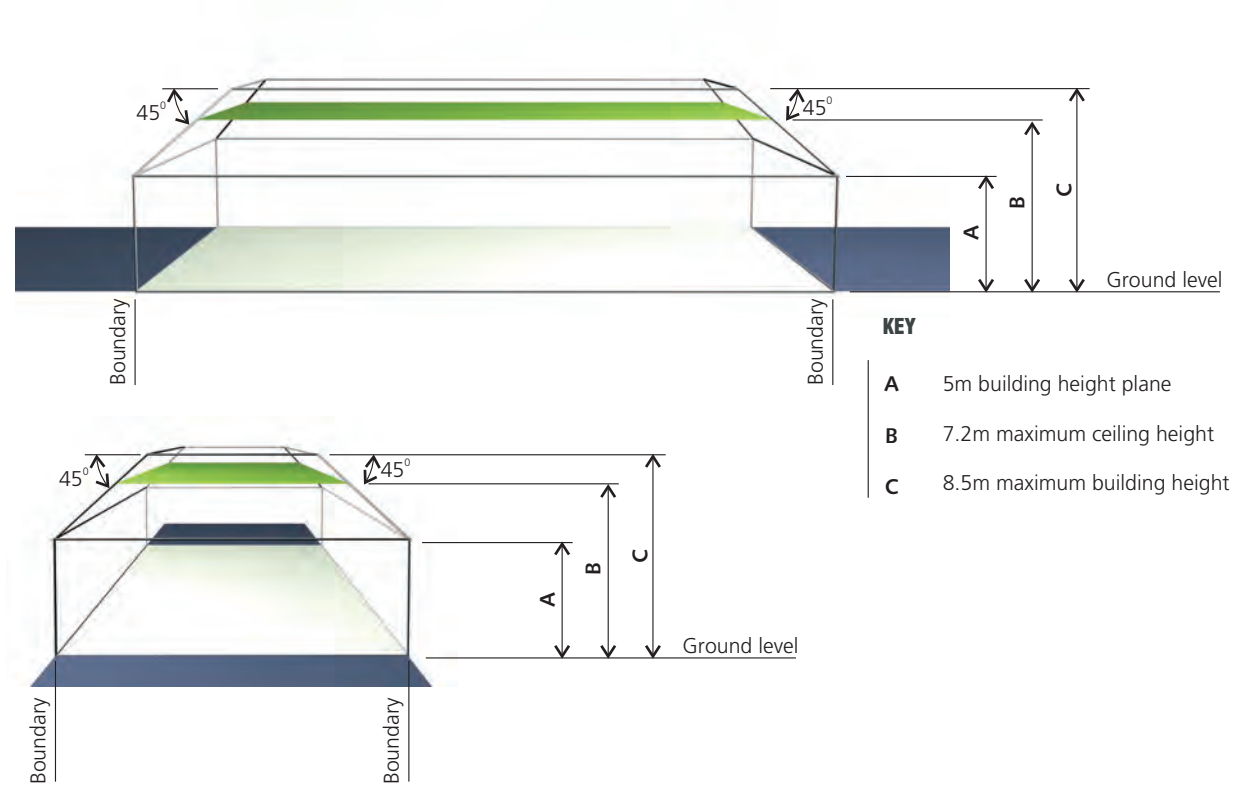
5.3.4 Building setbacks

Setbacks define the overall footprint of a building and the outer extremities of that building in relation to the front, side and rear boundaries.

Appropriate street setback controls can contribute to the public domain by enhancing the streetscape character and the continuity of street facades. Street setbacks also enhance the setting of a building. Canada Bay Council places particular emphasis on continuing the building alignment in uniform streetscapes.

The separation between buildings is also important and determines the urban form of the building, the rhythm of buildings in the street and the streetscape.

Rear setbacks provide space for planting, including trees which will achieve a reasonable height and canopy, and provide for adequate open space for the amenity of residents. Rear setback also promotes privacy between residents of adjoining properties, particularly where development is greater than single storey.



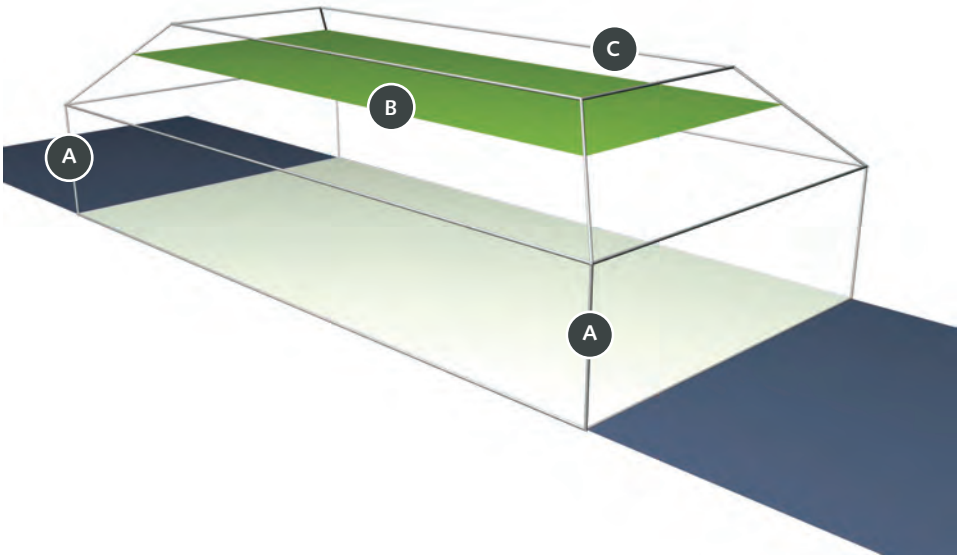
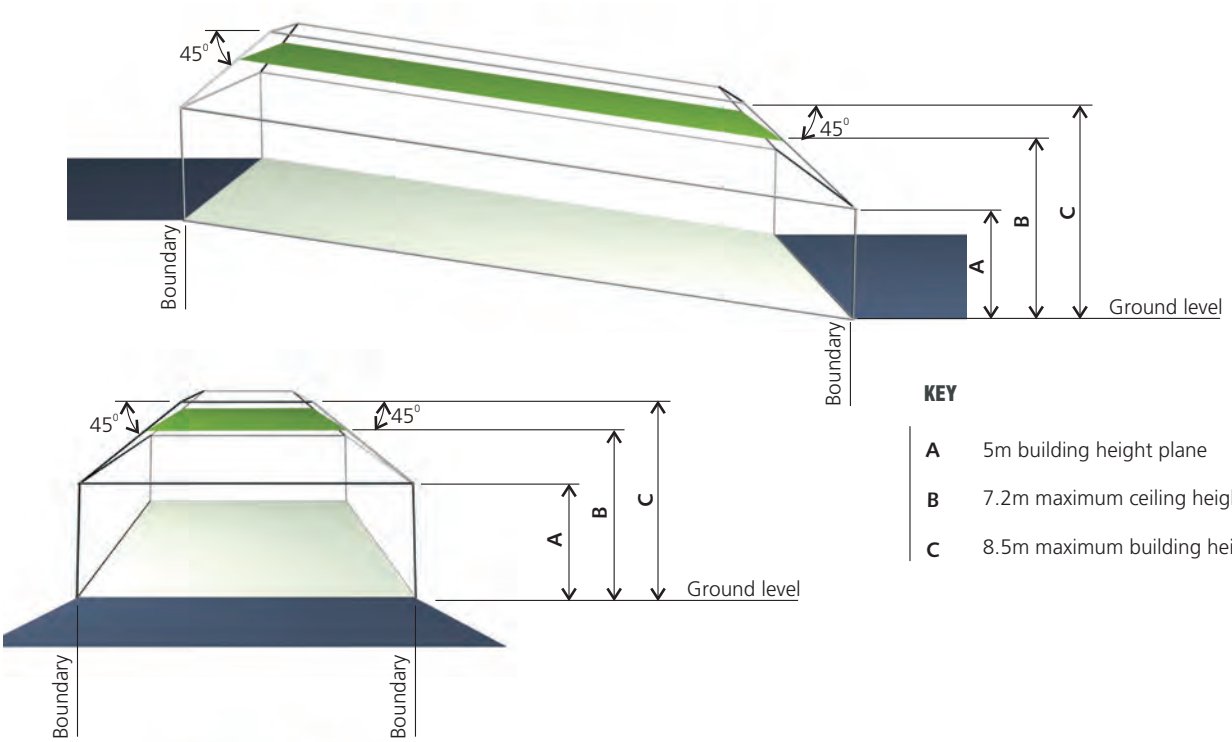


Illustration 5.27 Height plane envelope on a level site



KEY

A	5m building height plane
B	7.2m maximum ceiling height
C	8.5m maximum building height

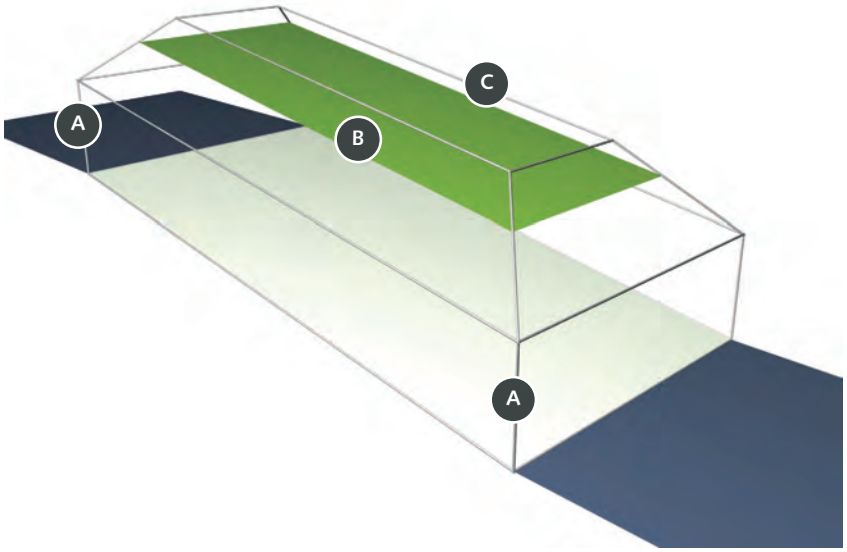


Illustration 5.28 Height plane envelope on a sloping site

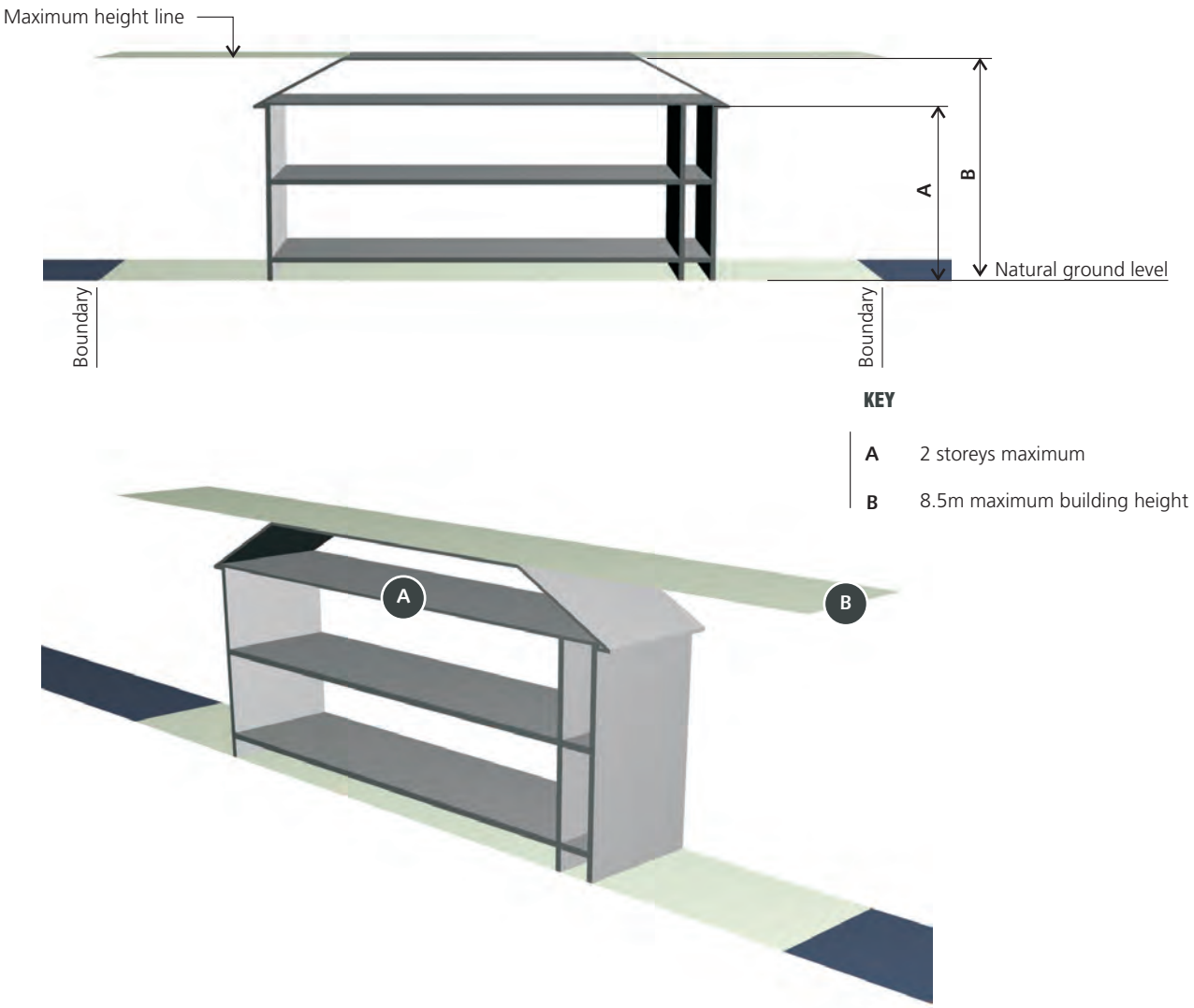


Illustration 5.29 Maximum building height and maximum number of storeys on a level site

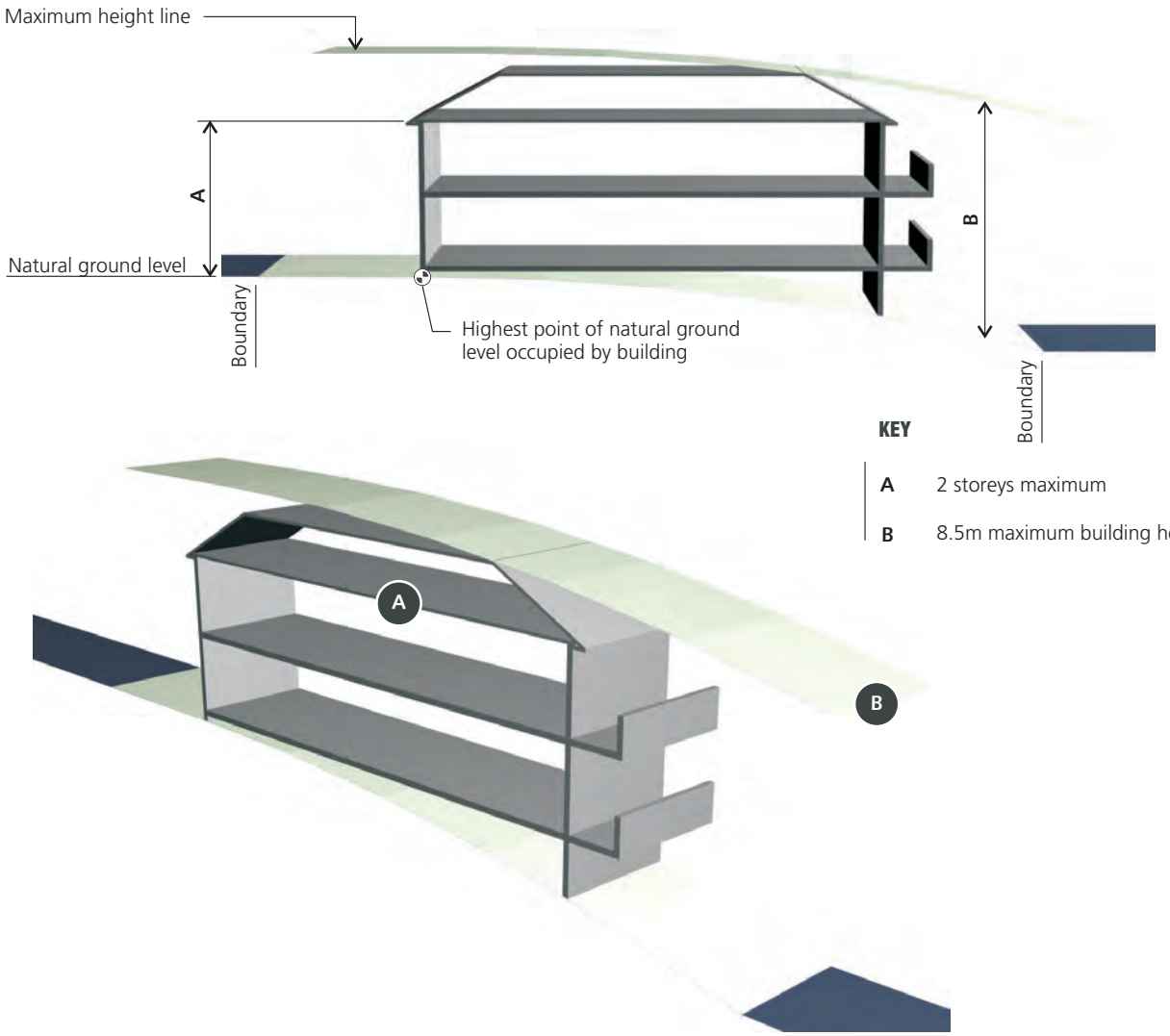


Illustration 5.30 Maximum building height and maximum number of storeys on a sloping site

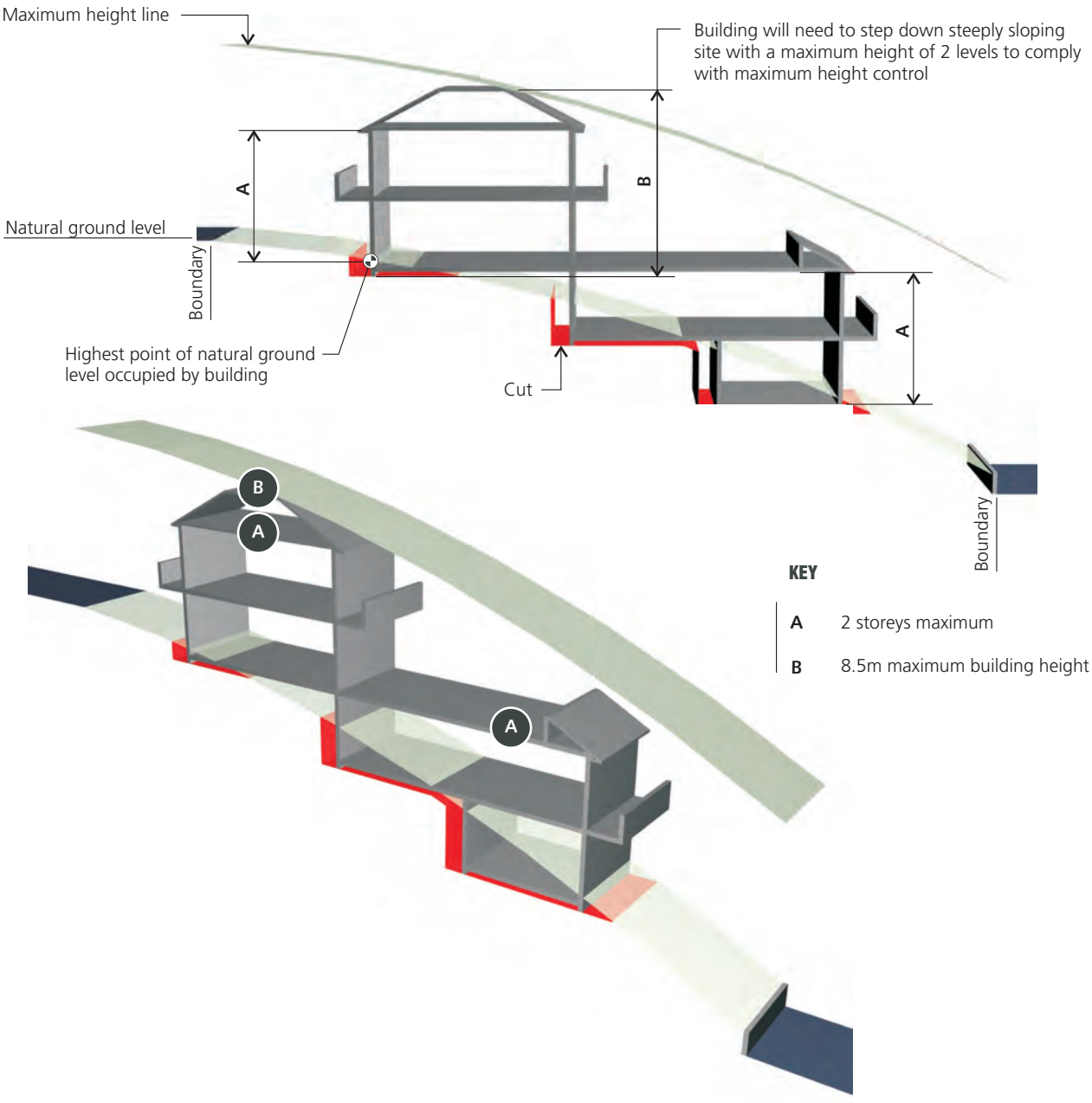


Illustration 5.3 I Maximum building height and maximum number of storeys on a steep site

Objectives

O1 To integrate new development with the established setback character of the street.

O2 Preserve significant vegetation, which contributes to the public domain, and allows for street landscape character to be enhanced.

O3 Ensure adequate separation between buildings, consistent with the established character and rhythm of built elements in the street.

O4 To ensure adequate separation between buildings for visual and acoustic privacy.

O5 Maintain a reasonable level of amenity for neighbours with adequate access to sunshine.

Controls

Front Setbacks

C1 The front setback of all residential buildings is to be a minimum of 4.5 metres or no less than the Prevailing Street Setback, whichever is the greater.

The "Prevailing Street Setback" is the setback calculated by averaging the setback of five (5) adjoining residential properties on both sides of the development.

Where there are fewer than five residential properties or a non residential use property between a street end or corner and the development site, the "Prevailing Street Setback" is the setback calculated by averaging the setback of the five next residential properties fronting the street (if any) on both sides of the property.

Note: In many instances, the front setback of buildings in Canada Bay is 7.5 metres or greater and development in these areas will be required to comply with this prevailing setback.

C2 No balconies, entry porches or verandahs are permitted to encroach within the front setback. The only encroachments permitted within the front setback are restricted to eaves and awnings for weather protection (but no supporting columns or posts).

Refer to Illustrations 5.23, 5.24, 5.25, and 5.26.

Side Setbacks

C3 Single storey dwellings and attached dual occupancies are to be set back a minimum of 900mm from side boundaries.

C4 The second storey of all dwellings and attached dual occupancies is to be set back a minimum of 1500mm from side boundaries.

This may be achieved by integrating any proposed upper floor within the roof form or by setting back both the ground and first floors a minimum of 1500mm from the side boundaries.

C5 Any wall facing a boundary which contains a window should be set back a minimum of 900mm.

Rear Setbacks

C6 New development is to have a minimum rear setback of 6.0 metres.

Basement setbacks

C7 Basement excavation for all development is limited to the area of the building at ground level. The excavation setback includes the driveway access to the basement.

Outbuildings

C8 Outbuildings are to be located behind the main building alignment and should have a minimum setback of 900mm to side and rear boundaries.

However, reduced side and rear boundary setbacks will be considered on merit where:
(a) they are consistent with the setbacks of outbuildings in the vicinity;
(b) they require no maintenance (including roof gutters);
(c) there are no adverse impacts to the amenity of the adjoining properties; and
(d) the total area of all outbuildings does not exceed 35m^2.

Advisory Notes

Notwithstanding compliance with the above numerical controls, Council may require building setbacks to be increased, if necessary to reduce bulk, overshadowing, visual impact, privacy concerns and to retain existing trees on site.

Any Foreshore Building Line will continue to apply and overrides any setback provisions in this plan.

5.3.5 Height of buildings

Height is an important control because it has a major impact on the physical and visual amenity of a place. Building height is also critical in addressing impacts from development such as solar access, privacy and view loss.

Objectives

O1 To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality.

O2 To minimise visual impact, disruption of views, loss of privacy and loss of sunshine to existing residential development.

O3 To minimise the adverse impact on Conservation Areas, Heritage Items and contributory buildings.

O4 To reduce the visual impact of development when viewed from the Parramatta River as well as other public places such as parks, roads and community facilities.

Controls

C1 Dwelling houses and attached Dual Occupancies are to have a maximum height of two (2) storeys.

C2 Dwellings and attached dual occupancies are not to exceed the building height plane projected at an angle of 45 degrees over the site from a vertical distance of 5 metres above ground level at any boundary of the site.

C3 Dwelling houses and attached dual occupancies are to have a maximum ceiling height of 7.2 metres above existing ground level.

The Building Height Map to the Canada Bay Local Environmental Plan includes a maximum 8.5 metre building height for dwelling houses and attached dual occupancies.

C4 The storey limit for an outbuilding is single storey.

Attic rooms

C5 The use of an attic room within the roof space of a dwelling house or outbuilding is permitted for habitable purposes, provided that:

- design controls for dormers are met;
- no external balconies are proposed for the attic room;
- the attic room does not increase the bulk of the building;
- cause additional overshadowing of adjacent properties and open space;
- cause the loss of significant views; and
- does not compromise the privacy of adjacent properties.

Refer to Illustrations 5.27, 5.28, 5.29, 5.30 and 5.31.

5.3.6 Private open space

Well designed and high quality private open space can provide benefits to all residents by meeting recreational requirements, softening the built form, providing adequate landscaping for privacy and improving

local habitat for plants and animals.

Objectives

O1 To ensure private open space provides each dwelling with a space for outdoor activities and functions as an extension of the living area.

O2 To enhance the built environment by providing open space for landscaping.

Controls

C1 The provision of private open space for residential development is to be in accordance with the following table:

Type of Development	*Minimum Private Open Space Provisions*
Dwellings & Attached dual occupancy	40m^2 per dwelling with a minimum dimension of 5m x 5m

C2 A development should locate the private open space behind the front building line.

C3 At least one portion of the private open space with a minimum area of 40m^2 should be adjacent to and visible from the main living and/or dining rooms and be accessible from those areas.

C4 Development should take advantage of opportunities to provide north facing private open space to achieve comfortable year round use.

5.3.7 Landscaping

Together with building setback requirements building footprints ensure that new and altered development is sited in a manner which promotes substantial landscaping, usable private open space, provides a landscape buffer between building forms and maximises retention and absorption of surface drainage water.

Landscaping of outdoor spaces should contribute to the amenity of the dwelling or development as well as the streetscape and character of the surrounding area.

Objectives

O1 To enhance the existing streetscape.

O2 To enhance the quality and amenity of the built form.

O3 To provide privacy and shade.

O4 To minimise the extent of hard paved areas and facilitate rainwater infiltration.

O5 To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.

Controls

C1 Landscaped area for dwellings houses and attached dual occupancies is to be provided in accordance with the following table:

Site area	*Landscape area as percentage of site area for two storey dwellings*	*Landscape area as percentage of site area for single storey dwellings*
Less than 450m^2	35%	25%
450m^2 or more but less than 550m^2	37%	27%
550m^2 or more but less than 650m^2	39%	29%
650m^2 ore more but less than 750m^2	41%	31%
750m^2 or more but less than 850m^2	43%	33%
850m^2 or more	45%	35%

Note: Attached dual occupancies are not permissible on lots under 450m^2.

C2 The following minimum number of canopy trees capable of achieving a minimum mature height of 8 metres are to be accommodated on site for all new development:

(a) Sites less than 400m^2 1 tree
(b) Sites between 400 – 800m^2 2 trees
(c) Sites over 800m^2 4 trees

Trees should comprise native vegetation indigenous to Canada Bay and should be chosen from Council's list of suitable species (refer to Appendix C).

C3 Existing trees are to be retained and integrated into a new landscaping scheme, wherever possible. Suitable replacement trees should be provided.

C4 Minimum soil depth balcony gardens is 800mm.

C5 The majority of the front building setback and private courtyard areas of all development should consist of pervious landscaping.

5.3.8 Parking and access

The provision of car parking should reasonably satisfy the needs of current and future residents. New development should accommodate parking for visitors and residents within the site and minimise excavation.

Parking areas, driveways and garages should be carefully designed so they are safe, accessible and do not detract from the appearance of the streetscape.

Careful consideration should be given to the effect of the garage or carports on the overall appearance of the building and streetscape. In almost every case, garages and carports have a negative impact if constructed on or near the front boundary.

Council has identified preferred locations, at the rear, side and finally, at the front of a dwelling house for such structures.

In all cases, Council will consider the effect of a garage or carport on the overall appearance of a building, its setting and its environs. If the proposed new structure is likely to become a dominant feature, it may be better to opt instead for an open parking area or hard stand area.

Objectives

O1 To provide off street parking for residents.

O2 To ensure vehicular and pedestrian safety.

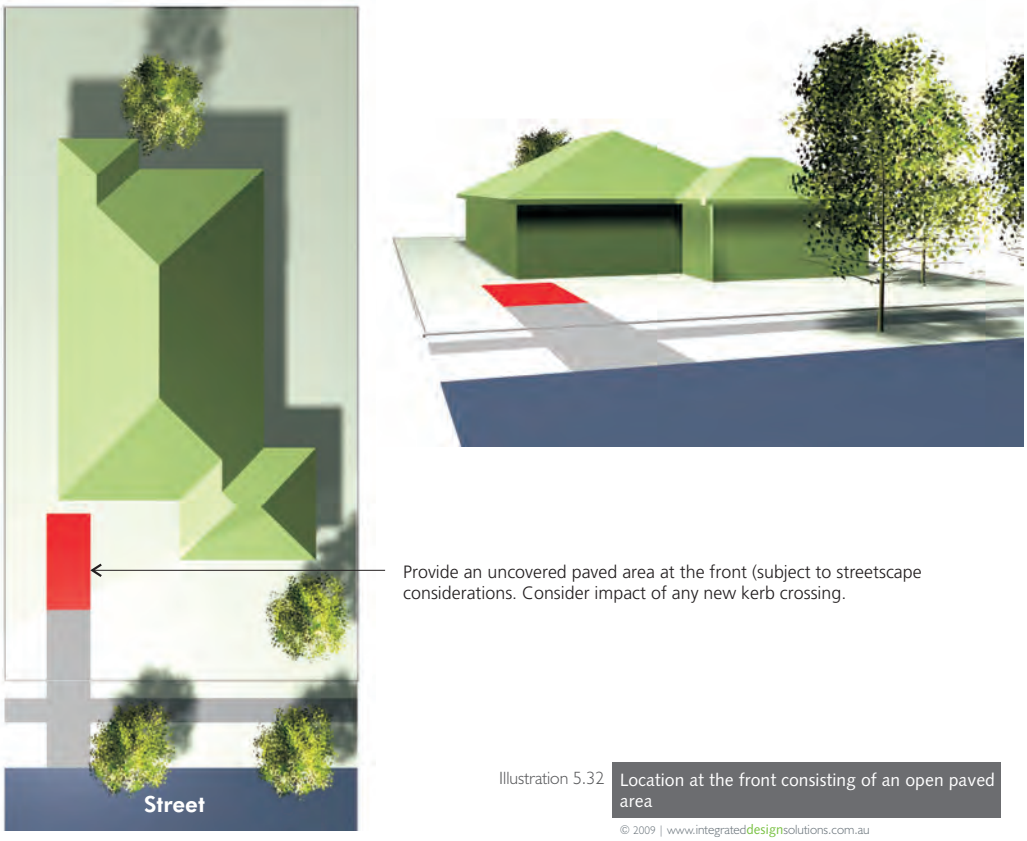
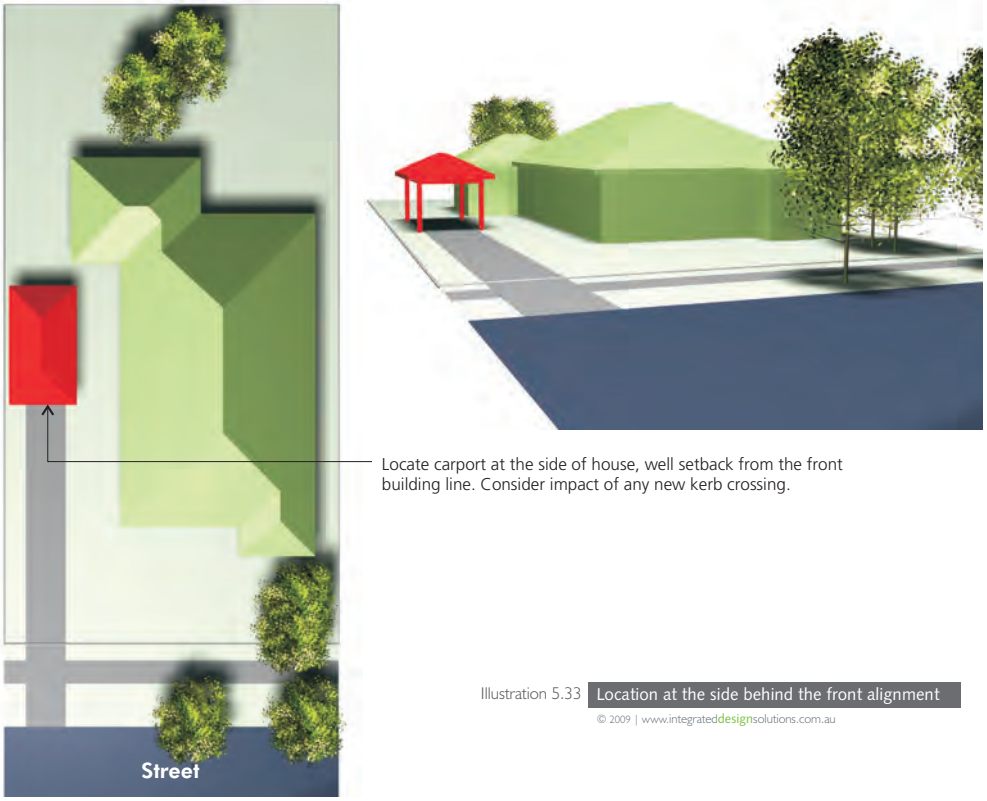


Illustration 5.32 Location at the front consisting of an open paved area



Locate carport at the side of house, well setback from the front building line. Consider impact of any new kerb crossing.

Illustration 5.33 **Location at the side behind the front alignment**

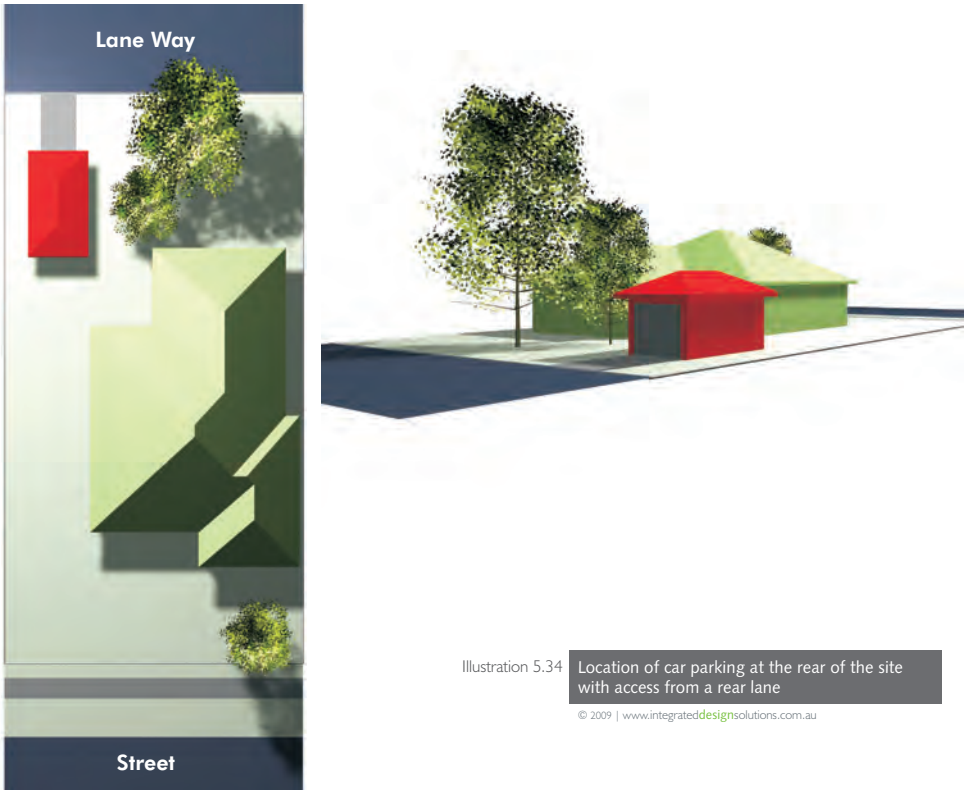


Illustration 5.34 **Location of car parking at the rear of the site with access from a rear lane**

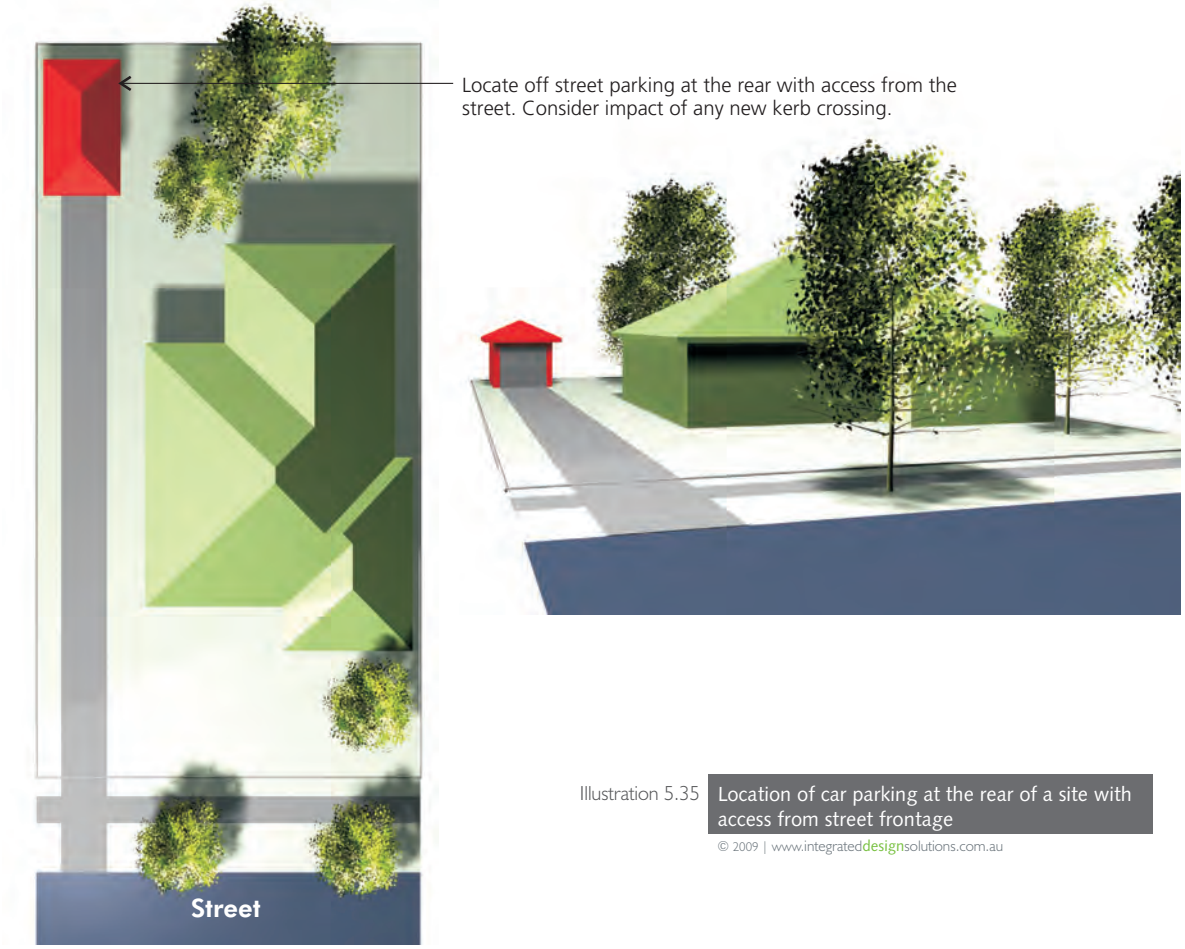


Illustration 5.35 Location of car parking at the rear of a site with access from street frontage

O3 To encourage the location of carports and garages behind the building line where possible.

O4 To ensure that car parking structures respect the character of the street.

O5 To ensure carports and garages etc are designed to be in sympathy with existing houses without becoming the dominant feature on the site.

O6 To limit the width of driveways depending on site frontage.

O7 To limit the number of garage doors to the street.

O8 To provide vehicle parking at the rear of properties and off laneways instead of along the street.

O9 To encourage the location of carports and garages behind the building line where possible.

Controls

Car Spaces

C1 Parking space should be a minimum of 5.4m x 2.4m, with an additional 300mm either side where enclosed (i.e 5.4m x 3.0m).

C2 Garage dimensions should be as follows:

Garage size	*Minimum dimension*
Single Garage	5.5m x 3.0m and not less than 2.6m between door jambs
Double Garage	5.5m x 5.4m and not less than 5.2 between door jambs

C3 Dwelling houses and Attached Dual Occupancies are to provide at least one (1) car parking space per dwelling. Garaging for more than two (2) cars is considered excessive and additional floor area will be included in gross floor area calculation.

C4 For existing and new dwellings, a garage or carport in order of priority should be:
- (a) Located at the rear of the site with access from a rear lane;
- (b) Located at the rear of the site with access from the street frontage; and
- (c) Located at the side of the dwelling house, behind the front building alignment.

C5 Carports, garages and car parking areas are located and designed to:
- (a) Conveniently and safely serve users;
- (b) Enable efficient use of car spaces and access ways, including adequate manoeuvrability for vehicles between the site and the street;
- (c) Not dominate or detract from the appearance of the existing dwelling or new development and the streetscape;
- (d) Be compatible in scale, form, materials and finishes with the associated dwelling or development found on the site; and
- (e) Retain any significant trees.

C6 Where the frontage of the site is 20 metres wide or less, garages, parking structures and driveways should not occupy more than 40% of the frontage.

C7 Where the frontage is more than 20 metres in width, the garages, parking structures and driveways should not exceed 30% of the frontage.

C8 No outdoor spaces are permitted on garage roofs, such as terraces, patio, gardens and the like.

Hardstand

C9 Where a garage/carport cannot be provided at the side or rear of a dwelling house or semi, a hardstand area forward of the building alignment which is integrated into the landscape character of the front yard may be considered by Council.

Carports

C10 Council may consider a carport forward of the front building alignment where:
- (a) It is a single carport with an external width of no more than 3.0 metres;
- (b) The site is of a sufficient width that the carport will not obscure the existing building;
- (c) The distance between the building and the front property boundary is a minimum of 5.5m;
- (d) It is of a simple posted design, with no side panel infill; is not over elaborate in its decoration and colour and does not detract from the existing building;
- (e) There is no solid panel lift or roller shutter door proposed;
- (f) Does not significantly affect the landscaped front garden;
- (g) Is within a varied streetscape that currently has carports forward of the building alignment;
- (h) The roof is either flat or of a pitch that relates to the existing house;
- (i) The views of the house from the public domain will not be adversely affected; and
- (j) There is no rear lane access or side access of 2.6m or more.

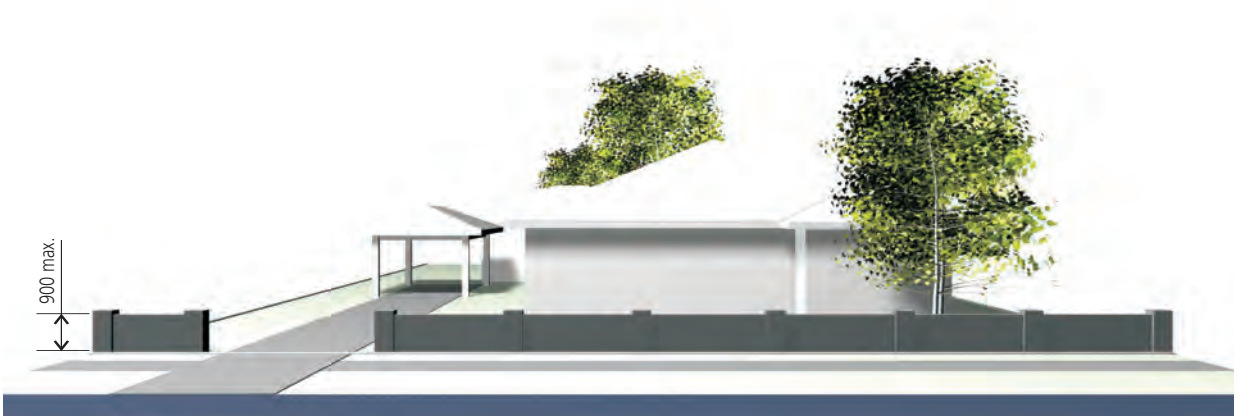


Illustration 5.36 Example of solid front fencing with a height of 900mm

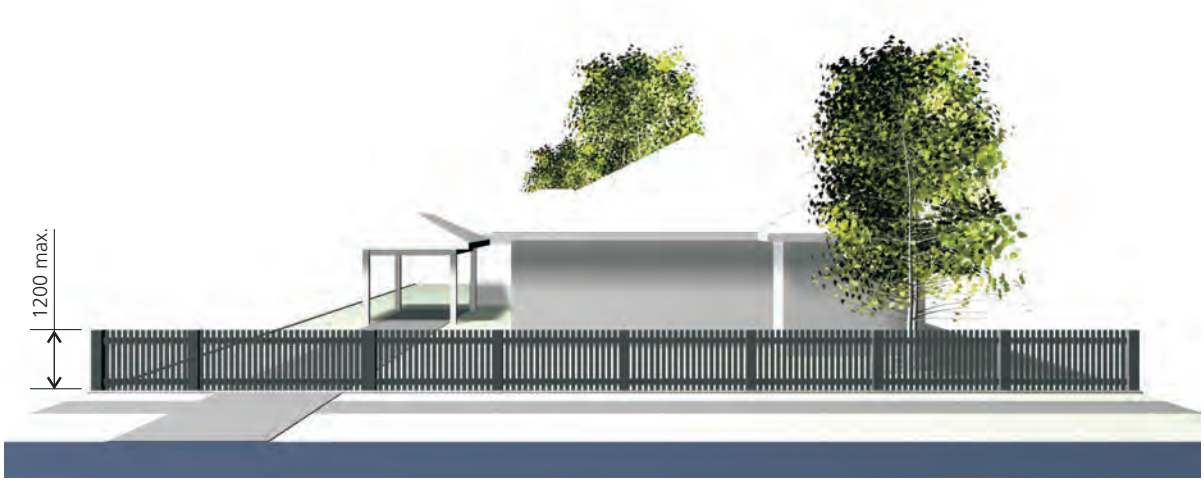


Illustration 5.37 Example of an open front fencing with a height of 1200mm

Garages

C11 Garaging is to be provided to the rear of the site or on a secondary elevation where it is a corner site or behind the main street elevation of the dwelling (behind the primary building façade) in all instances.

C12 Garage doors should be of timber or simple metal cladding.

C13 Garage doors and gates are not to encroach over a public footpath during operation.

C14 Garages for each dwelling within an attached dual occupancy should be single fronted only.

Refer to Part 5.1.4 for further design guidelines on attached dual occupancies.

Refer to Illustrations 5.32, 5.33, 5.34 and 5.35

New detached garages and carports to existing dwellings

C15 Locate detached garages and carports either at the rear of the site where rear access is available or between the side elevation and the side property boundary.

Note: Rear and side access is considered available where there is an existing side boundary setback of 2.6 metres or more or where there is rear lane or secondary street access

Driveways

C16 All side driveways are to comprise a 0.5m wide landscape strip.

C17 The first 4.5 metres of any driveway should be at grade. This will improve both appearance and pedestrian safety.

C18 Entries to underground car parking are to be set back behind the building line.

C19 The alignment of driveways, should where possible, create visual interest and avoid the creation of a “gun barrel” effect.

C20 The number of vehicle crossings is limited to one (1) per dwelling.

5.4 Anciliiary structures

5.4.1 Fencing

Fencing is an important streetscape element and can indicate the architectural period of an area. Consistent and uniform front fencing contributes significantly to the streetscape and character of an area.

For the purpose of this DCP, front fencing is any fence between the front alignment of a building and the street boundary.

Whilst privacy and security of individual households is an important consideration, high blank fencing along the street has a negative impact on the streetscape, personal safety and security by reducing the opportunities for overlooking of private areas. The construction of high blank front fencing is therefore not desirable and should be avoided.

Objectives

O1 To maintain and enhance the character of streetscapes within the Canada Bay LGA.

O2 To ensure that views from streets are maintained and not negated by excessively high fences.

O3 To reduce the impact of front fencing on the streetscape and encourage fencing consistent with the existing streetscape pattern, in sympathy with the general topography and the architectural style of the existing dwelling or new development.

O4 To ensure that materials used in front fencing are of high quality and are in keeping with the exiting streetscape character.

O5 To retain and re-use original fences and gates.

O6 To reinstate traditional period fences and gates on street frontages and side streets of an appropriate architectural style to complement existing buildings.

Controls

Height of front fencing

C1 Front fencing and side fencing forward of the building line constructed of a solid material such as brick/masonry, lapped and capped, timber, brushwood and the like, should not exceed 900mm in height above the footpath level.

Refer to Illustration 5.36

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C2 Front fencing and side fencing forward of the building line constructed of visually transparent material such as timber picket/metal grill should not exceed 1.2m in height above the footpath level.

Refer to Illustration 5.37.

Visually transparent components should be no less than 40% of the fence structure and should be distributed evenly along the entire length of the fence.

C3 From the building line, side fences are to taper down to the height of the front fence line.

C4 In the case of sloping streets, the height limitations may be averaged, with regular steps.

C5 Solid fences greater than 1.2 metres will only be considered in a streetscape which is shown in the Streetscape Character Analysis to exhibit in excess of 70% high solid fence forms. In such circumstance the appearance of the fence should be softened by:

(a) Providing a continuous landscaped area of not less than 600mm wide on the street side of the fence, planted with tree and shrub species selected on the basis of low maintenance attributes; and

(b) The use of openings, variations in colour, texture or materials to create visual interest.

Design of fences

C6 Avoid painting or rendering original masonry and sandstone fencing.

C7 New fencing should complement any original fencing found on adjoining properties and in the street in terms of style, height, materials, colour, texture, rhythm of bays and openings.

Note: Blank walls disrupt established fencing patterns and should be avoided.

C8 Fencing and associated walls must be positioned so as not to interfere with any existing trees.

Materials

C9 Materials of construction will be considered on their merit, with regard being given to materials of construction of other contributory fences in the vicinity and/or that of the building on the allotment where such materials enhance the streetscape – with a general prohibition on the following materials:

(a) Cement block;

(b) Metal sheeting, profiled, treated or pre-coated.

(c) Fibro, flat or profile;

(d) Brushwood; and

(e) Barbed wire.

General

C12 Gates and doors are to be of a type which do not encroach over the street alignment during operation.

Advisory Notes

All controls are subject to the provision of adequate sight lines for emerging vehicles to enable surveillance of pedestrian and vehicle traffic.

5.4.2 Site facilities

Site facilities include:

- Air conditioners;
- outbuildings;
- TV aerials and satellite reception dishes
- mail boxes;
- garbage storage and collection areas;
- external storage areas;
- clothes drying areas;
- external laundry facilities and
- swimming pools and spas.

Proposals need to ensure adequate and appropriate provision of

site facilities. These need to be accessible and not create amenity problems such as smell and unsightliness. The impacts of site facilities on the overall appearance and the local streetscape need to be considered.

The design of site facilities for multi-unit dwellings needs particular consideration as these facilities are shared. They need to be designed and located so that they are accessible by all residents and do not detract from the amenity of any residence.

Objectives

O1 To ensure that adequate provision is made for site facilities.

O2 To ensure that site facilities are functional and accessible to all residents.

O3 To ensure that site facilities are easy to maintain.

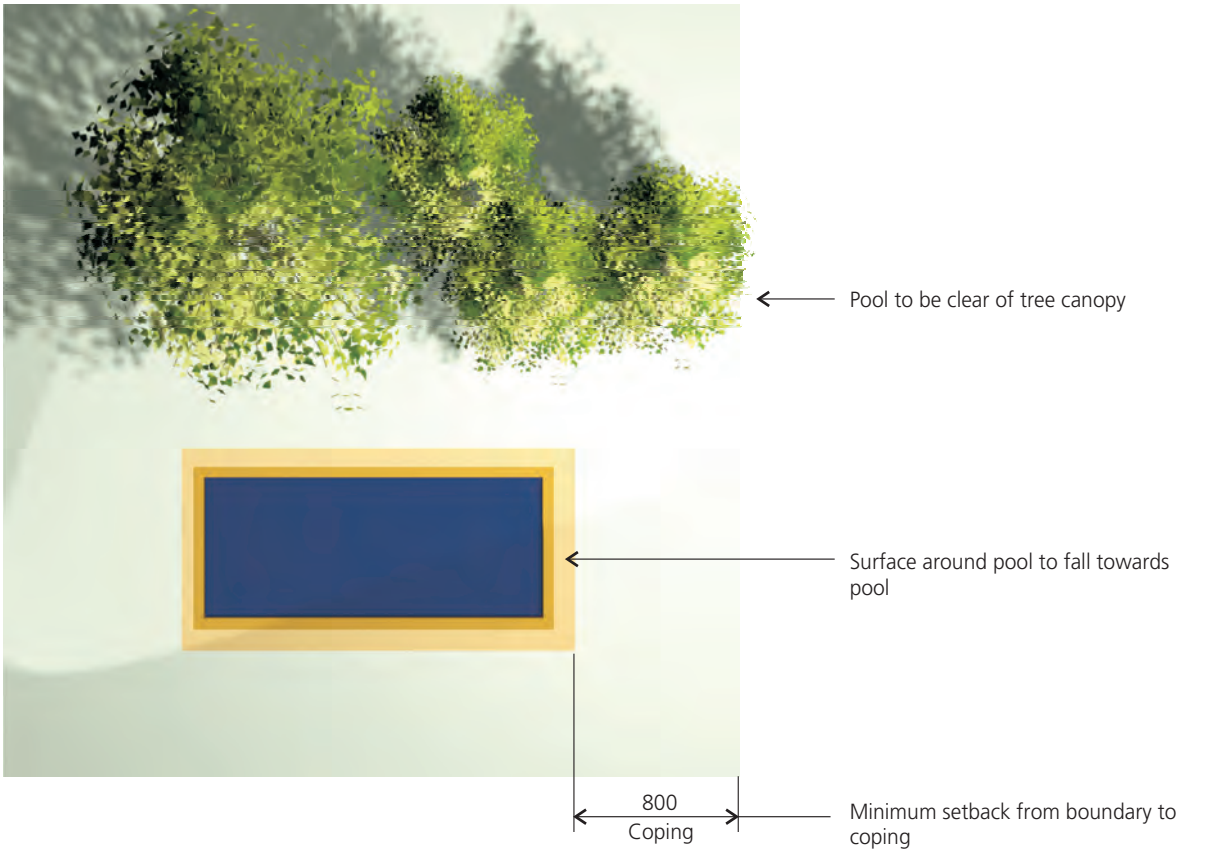


Illustration 5.38 Location of pool from boundary

O4 To ensure that site facilities are thoughtfully and sensitively integrated into development and are unobtrusive and not unsightly.

Controls

Air conditioners

C1 Air conditioning units should be sited so that they are not visible from the street.

C2 Air conditioning units should not be installed on the front façade of a building.

C3 Air conditioning units should not be installed within window frames or otherwise obscure a window.

C4 Air conditioning units should not obscure architectural details visible from the street.

C5 The noise level from air conditioning systems is not to exceed the L aeq 15 minute by 5dBA measured at the property boundary.

Outbuildings and outdoor structures

C6 Outbuildings and outdoor structures should be located behind the front building line.

This clause does not apply to front fences or carports permissible under the provisions of this DCP.

C7 Windows and doors of outbuildings should face into the rear yard, or be frosted, if facing into a neighbour's property.

Clothes drying facilities

C8 Adequate open air clothes drying facilities should be provided that are easily accessible to all residents and are visually screened from the street and adjoining premises.

Numbering of buildings

C9 Street numbers are to be visible from the primary street frontage.

Public utilities

C10 For new development and substantial alterations to existing premises provision must be made for connection to future underground distribution mains.

In such developments the following must be installed:

- an underground service line to a suitable existing street pole; or
- sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

For further details see EnergyAustralia requirements.

Mail boxes

C11 Individual mail boxes should be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site and complying with the requirements of Australia Post.

C12 Letter box structures should not dominate the street elevation.

Swimming pools and spas

C13 Swimming pools and spas should be located behind the front building line.

C14 For corner allotments or where the property has two street frontages, the location of swimming pools/spas is not to be in the primary frontage.

C15 Swimming pools/spas should be positioned so that the coping is a minimum of 800mm from the property boundary.

C16 In-ground swimming pools should 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.

C17 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 500mm above existing ground level.

C18 When consent is granted for a swimming pool having a height above natural ground level in excess of 500mm, any landscaping treatment should be completed before the swimming pool is filled with water.

Refer to Illustration 5.38

Tennis Courts

C19 Tennis courts are to be sited at the rear of properties.

C20 For corner allotments or where the property has two street frontages, the location of tennis courts is not be in the primary frontage.

C21 A minimum of five (5) metres should be maintained between the tennis court fencing and habitable rooms of any dwelling.

C22 Tennis courts should be positioned having regard to the location of habitable rooms both on site and on adjoining properties and maintenance of appropriate private open

space.

C23 Screen planting should be provided between court fencing and the nearest property boundary or any dwelling on and adjoining property.

C24 The court playing surface should be of a material that minimises light reflection.

C25 Flood lighting is generally not permitted unless it can be demonstrated the lighting and use of the court at night will not interfere with neighbour amenity.

C26 Fencing material is to be a recessive colour.

C27 Fences are to be set back a minimum of 1.5 metres from boundaries.

C28 Cut and fill associated with the construction of a tennis court should not unreasonably intrude into the natural topography of the land.

TV antennae and satellite dishes

C29 Satellite dishes, telecommunication antennae and ancillary facilities are to be:

(a) Located away from the street frontage or any public or private property adjacent to the setback from the perimeter wall or roof edge of building;

(b) Installed so that they do not encroach upon any easements, rights of ways, vehicular access or parking spaces required for the property, and

(c) Painted in colours selected to match the colour scheme of the building.

C30 Satellite dishes where they are situated in rear yards are to be less than 1.8m above ground.

C31 Only one (1) telecommunications/TV antennae will be permitted for each residential flat building.

5.4.3 Waste management

One of the aims of this DCP is to provide guidelines on how to minimise waste and reduce the demand for waste disposal. This section contains objectives, and controls that must be complied with which apply specifically to detached dual occupancies, multi dwelling housing and residential flat buildings. Standards for single dwellings are also applicable for each dwelling created by detached dual occupancy.

Objectives

O1 Assist in achieving Federal and State Government waste minimisation targets in accordance with regional waste plans.

O2 Minimise overall environmental impacts of waste and foster the principles of ecologically sustainable development (ESD).

O3 Facilitate source separation and provide design standards that complement waste collection and management services offered by Council and private service providers.

Controls

C1 All development applications involving demolition or construction are to be accompanied by a Waste Management Plan.

A Waste Management Plan form may be obtained from Council's website or Councils Customer Service Centre.

C2 Garbage storage and recycling areas shall be designed to accommodate the following minimum space dimensions for garbage, recycling and garden organics bins and in accordance with the ratios set out in C4.

Space Dimensions for Garbage Bins

	Height	*Width*	*Depth*
120 L	980mm	500mm	540mm
240 L	1140mm	580mm	715mm

C3 Residential developments are to provide storage space for garbage, recyclables and garden organics in accordance with the following:

(a) Allocated 1 X 240L Garbage Bin (per 2 residential units), 1 X 240 L Recycling Bin (per 2 residential units) and 1 X 240L Garden Organics (per 10 residential units up to a max of 30 residential units); and

(b) Above 30 units upon application to Council

C4 The garbage/recycling storage area shall be constructed of brick or other approved masonry material, have a concrete floor at a level approved by Council and suitably graded to allow drainage.

C5 The storage area should have an entrance width of 1000mm and be connected to Council's footpath via a suitably paved and graded pathway or driveway without steps.

C6 Where storage is provided for two rows of garbage bins facing each other, a minimum distance of 200mm is required between the rows. Similarly, if one row of garbage bins requires a screen wall in front of it, such a wall must be at least 1200mm away from the bin area.

C7 If the combined number of garbage, recycling and garden organics bins is an odd number, a single bin may be stored in

the aisle way at the end of the bin bay.

C8 Where the garbage/recycling storage area is proposed forward of the building line, the facility shall:

(a) Be located such that the point of entry to the area is no further than 4 metres from the boundary line;
(b) Have a wall height of 1200mm (unless a cover is required);
(c) Have an internal clear height of 1600mm if a cover over the bins is proposed;
(d) Be designed and located to minimise the impact on neighbouring properties and residents, the streetscape and residents within the proposed development;
(e) Be integrated into the landscaping to reduce the visual impact;
(f) Where a garbage/recycling facility is proposed adjacent to a common boundary, it shall be no closer than 1000mm to that boundary and a landscape buffer zone shall be provided between any bin bay and the neighbouring properties;
(g) Where a pergola is proposed in association with garbage/ recycling storage area, it shall have clear internal height of 2.1 metres; and
(h) If a bin bay is adjacent to a driveway, it must be setback a minimum of 1200mm to allow sufficient site distances for vehicles exiting the site.

C9 A water tap and drainage shall be provided near the garbage/recycling storage area.

C10 Buildings containing more than 3 storeys shall provide a suitable chute system for the disposal of waste from each floor level to garbage room.

C11 A temporary recycle point/area shall be provided on each level to adequately house recyclables.

C12 A waste cupboard or other appropriate space is to be provided within the dwelling for temporary storage of recyclables, garbage and compost materials. This should be indicated on the waste management plan.

C13 For Multi Dwelling Housing, where applicable, adequate space shall be provided to enable on site composting. This should be indicated on the waste management plan.

C14 For large scale proposals there may be a number of garbage and recycling rooms operating in conjunction with a collection area located adjacent or in close proximity to the collection point. This should be indicated on the waste management plan.

C15 In Multi Residential Developments, if the collection point is underground or located on a private road, Councils contractor should be consulted and an indemnity shall be provided prior to the commencement of the waste service. Truck heights and turning circles will need to be considered in these instances.

part 6

Residential

Controls for detached dual occupancies, multi dwelling housing & residential flat buildings

6.1 Design quality principles

The objectives and controls contained within this part of the DCP support the design quality principles of State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65).

The Principles apply to proposals subject to SEPP 65, that is, residential flat buildings that comprise or include:

(a) 3 or more storeys (not including levels below ground level provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level), and
(b) 4 or more self-contained dwellings (whether or not the building includes uses for other purposes, such as shops), but do not include a Class 1a building or a Class 1b building under the Building Code of Australia (e.g townhouses or villas where dwellings are side by side).

The following principles are taken directly from SEPP 65. Building designers and architects are also referred to the publication Residential Flat Design Code, Department of Planning, September 2002.

Principle 1: Context

Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

Principle 2: Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

Principle 3: Built form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Principle 4: Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

Principle 5: Resource, energy and water efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

Principle 6: Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

Principle 7: Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

Principle 8: Safety and security

Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

Principle 9: Social dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

Principle 10: Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

6.2 Urban context

6.2.1 Streetscape analysis requirements

This section of the Plan establishes key controls for the important initial steps in preparing a development application for a residential development – addressing site analysis and streetscape character.

Good design goes beyond the simple application and compliance with development controls. Careful consideration and systematic analysis of a site, of its relationship with adjoining development, and consideration of any natural and man made constraints are essential starting points.

An assessment of the streetscape character and site analysis is the first step in the design process and is used to ensure that the development is the best possible solution for the site and the immediate locality, and makes the best possible contribution to its surroundings.

Objective

O1 Ensure that the character of streetscapes are appropriately conserved through careful design consideration.

Control

C1 A Streetscape Character Analysis (SCA) is to be submitted as part of any development application and pre-lodgement meeting for:

(a) Detached dual occupancies;
(b) Multi dwelling housing; and
(c) Residential flat buildings.

The Streetscape Character Analysis should comprise an analysis of the existing streetscape, consider the overall neighbourhood character and the potential impact of your development.

The Streetscape Character Analysis is to include the subject property, as well as three (3) sites on either side of the proposed site on both sides of the street (22 sites in total).

Where the site is a corner site, the Streetscape Character Analysis is to include the subject property, as well as three (3) sites on either side of the primary frontage of the subject property on both sides of the street, and three (3) properties (on both sides of the street for the secondary frontage).

Where this cannot be achieved, due to the configuration of the corner, the Streetscape Character Analysis is to include the subject property and all dwellings (partially or wholly) within a radius of 75m (taken from the centre of the primary street frontage).

The Streetscape Character Analysis should also include the following information:

(a) A street context plan showing the subject site, neighbouring dwellings and the immediate street landscaping and development. This plan should show your site; neighbouring dwellings; number of storeys; significant street landscaping; setback and building footprint (including roof form). This plan may be based on a composite aerial photo that has allotment boundaries, contours and other relevant information;

(b) A photographic streetscape character analysis which may comprise a streetscape elevation drawing at a scale of 1:200 or relevant photos with explanatory notes of the site as viewed from the street, its adjoining neighbours and the immediate streetscape; and

(c) An analysis of the existing streetscape. This should focus on both the positive and negative elements of the streetscape and locality. The key character elements that need to be analysed include the following;
   (i) The relationships between buildings and landscape in the immediate locality;
   (ii) The scale, height and built form character of buildings;
   (iii) The architectural character and dominant materials/ finishes;
   (iv) The landscape character;
   (v) The character of spaces between buildings including vehicular and pedestrian entries;
   (vi) The typical roofscape and forms of roofs;
   (vii) The front setback treatment, fencing and front garden area characteristics; and
   (viii) The architectural style and composition.

Refer to Illustrations 6.1, 6.2 and 6.3.

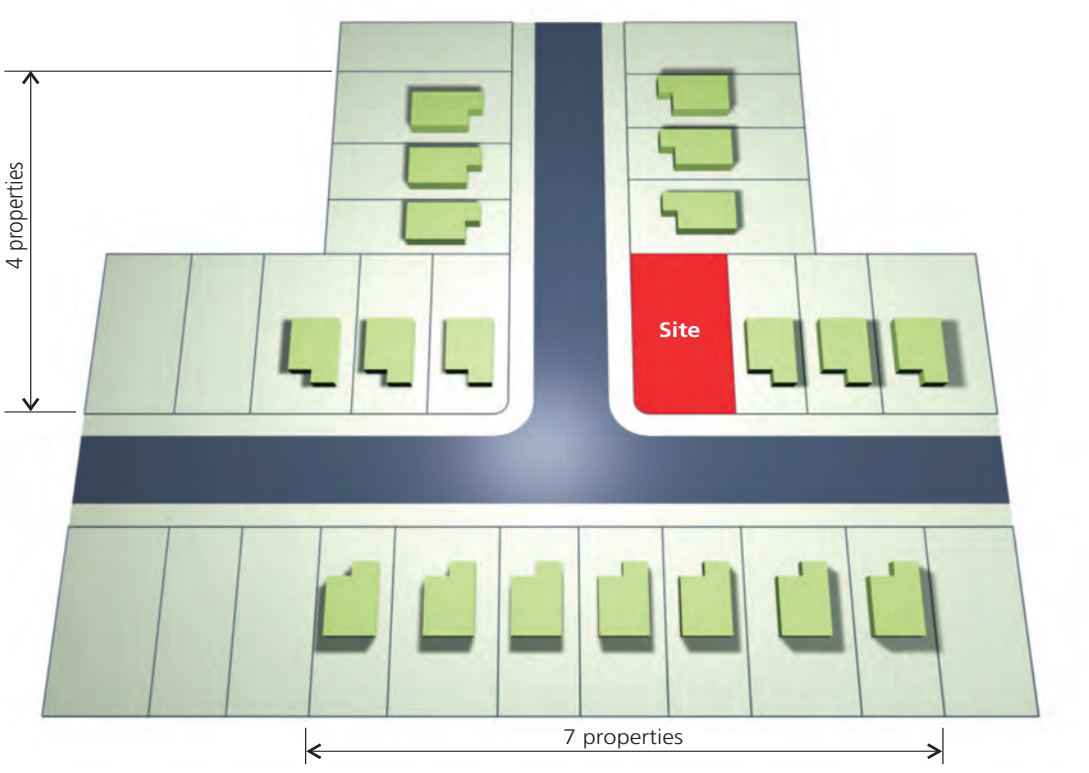


Illustration 6.1 Corner site streetscape analysis

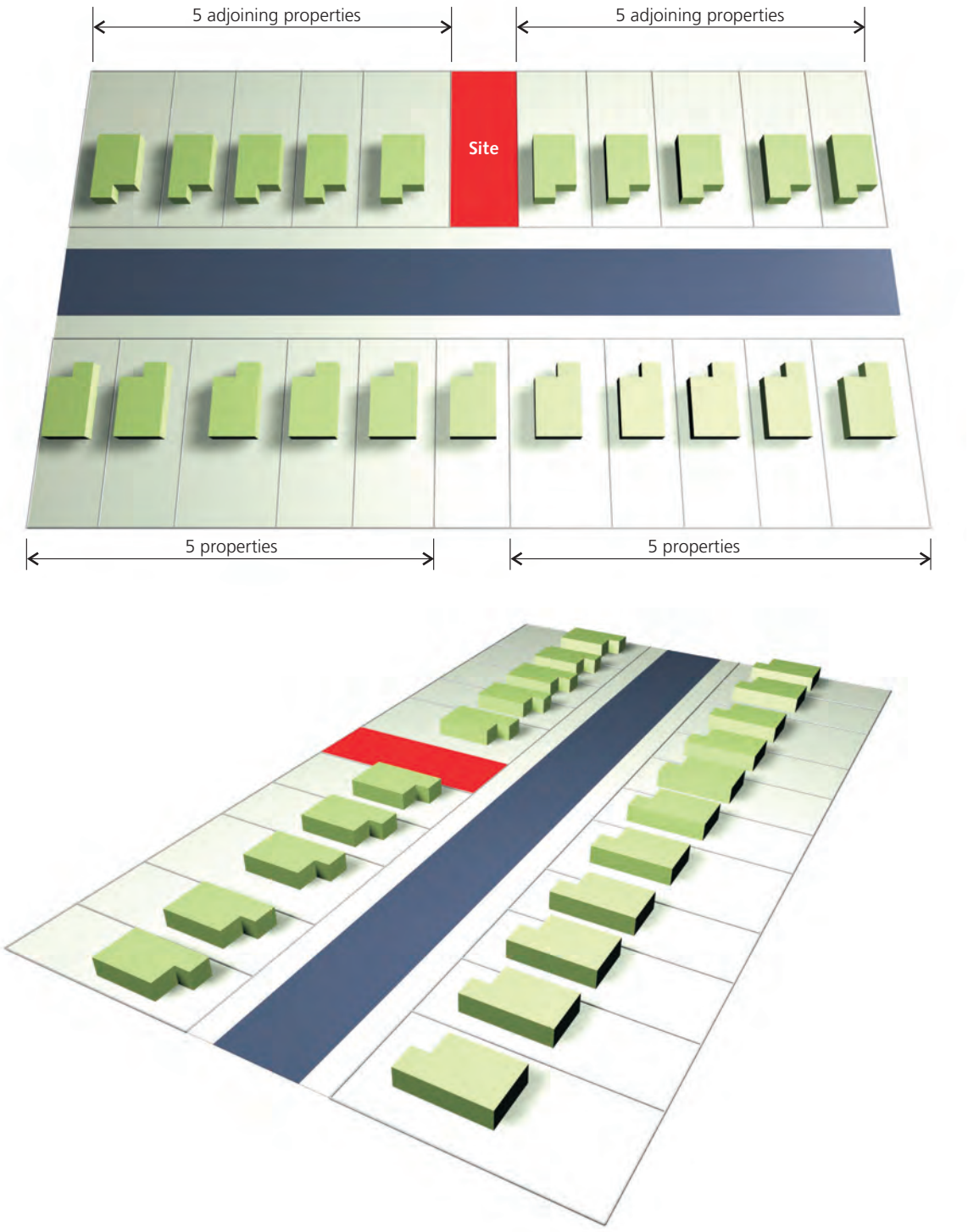


Illustration 6.2 Plan view of a streetscape analysis showing 5 sites on either side of the proposed site

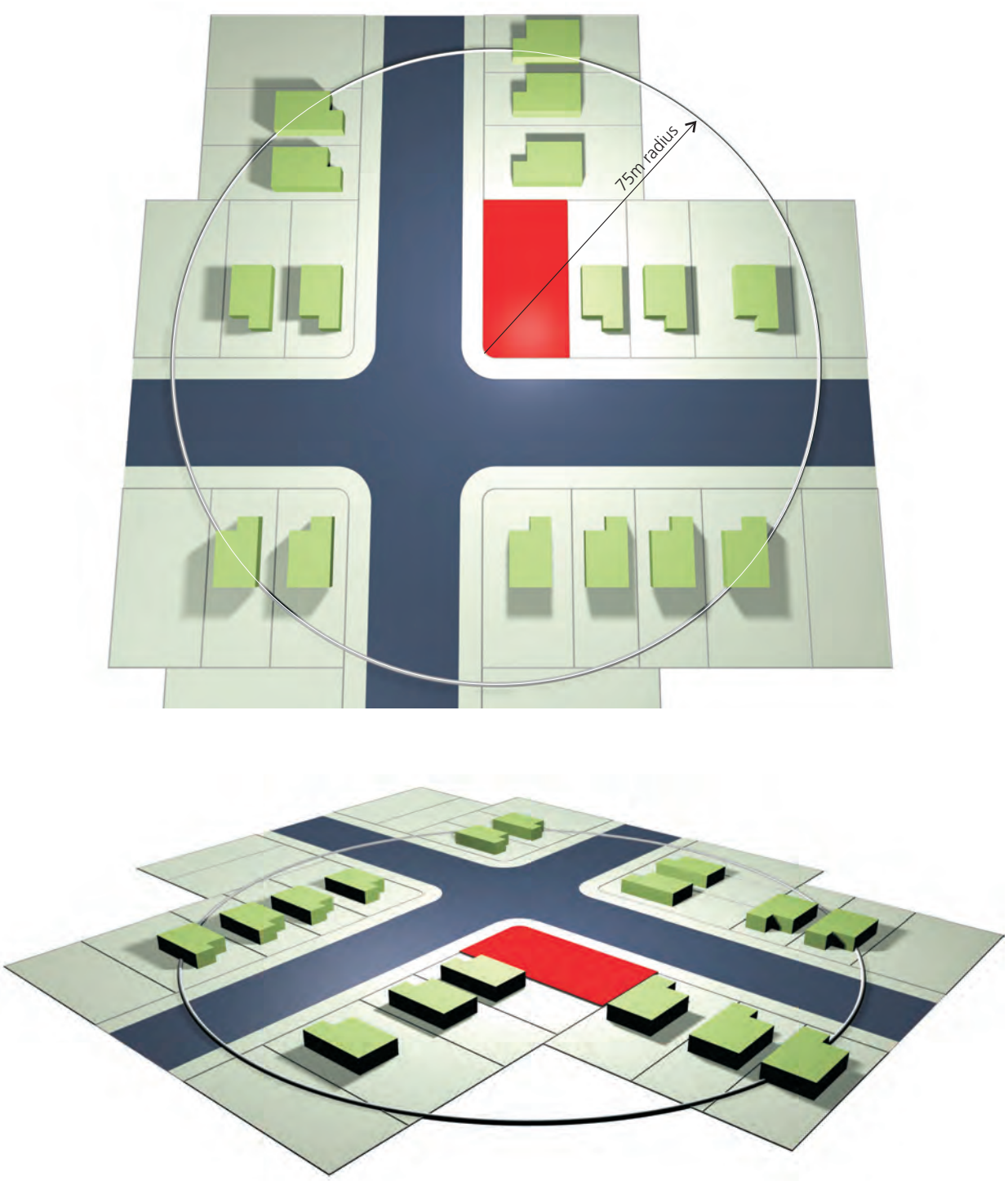


Illustration 6.3 Streetscape character analysis within a 75m radius

6.2.2 Site and context analysis

The Site and Context Analysis is a list of the planning controls and features of the development site and will assist in understanding the potential constraints and opportunities. It will also establish positive and negative impacts on neighbours and the public realm. The survey or Streetscape Character Analysis is an ideal base for this analysis.

Objective

O1 Ensure that the opportunities and constraints of the site and its surroundings are fully considered and incorporated into the proposed design.

Control

C1 In addition to the information shown on the survey, the following site features in your Site and Context Analysis should include:

(a) True north (ie. not magnetic north);
(b) Wind directions;
(c) Pre-existing buildings (including existing floor layouts and levels of floors, eaves, soffits and ridge lines where additions and alterations are proposed;
(d) Pedestrian and vehicle access points;
(e) Site improvements, such as pools, retaining walls, boundary walls/fences, hard surfaces, including boundary offsets where appropriate. Buildings to be demolished should also be included;
(f) Service and access easements;
(g) Above-ground services, such as electricity and communications poles and cables including those in the nature strip. It is critical that such site issues as significant trees, heritage places and service infrastructure are accurately identified at this stage. If you are uncertain about any of these issues you should contact the relevant agencies.
(h) Existing trees and shrubs on the subject site and on adjoining blocks and the nature strip that could be affected by the development;
(i) The aspect and view opportunities from the street and adjoining pathways;
(j) Special natural features, such as rock outcrops, natural water features and overland flow paths; and
(k) Windows facing the site of adjacent buildings, the uses of rooms they service and their sill heights.

Refer to Illustration 6.4

6.2.3 Streetscape and character

Streetscape refers to the way a street looks and helps to provide local amenity and identity. The presentation of buildings in a street is the most critical element and determines the character of not only the street, but also the locality. Refer to Appendix E for Character Area Statements.

Good streetscapes usually have:

- buildings that fit together so that no single house is dominant (consistent scale, rhythm, setbacks, forms, street edge and materials);
- well designed fences and
- consistent site and street planting of an appropriate scale

The Canada Bay area was largely developed in the early twentieth century with the subdivision of the earlier rural estates. It includes a number of localities whose character is formed by a series of factors such as consistent architectural style, lot sizes and consistent height.

Whilst the main focus of the controls in this part of the DCP are on the various styles of character housing, it is important that these design principles also be applied to more contemporary styles of architecture, as they can also have a major impact on the streetscape or a particular locality.

Objectives

New buildings should:

O1 Reflect the dominant building pattern of the streetscape with regard to the location, spacing and proportion of built elements in the streetscape.

O2 Complement and conserve the visual character of the street and neighbourhood through appropriate building scale, form, detail and finish.

O3 Reinforce existing streetscape features such as building setbacks, alignments, heights and fence design.

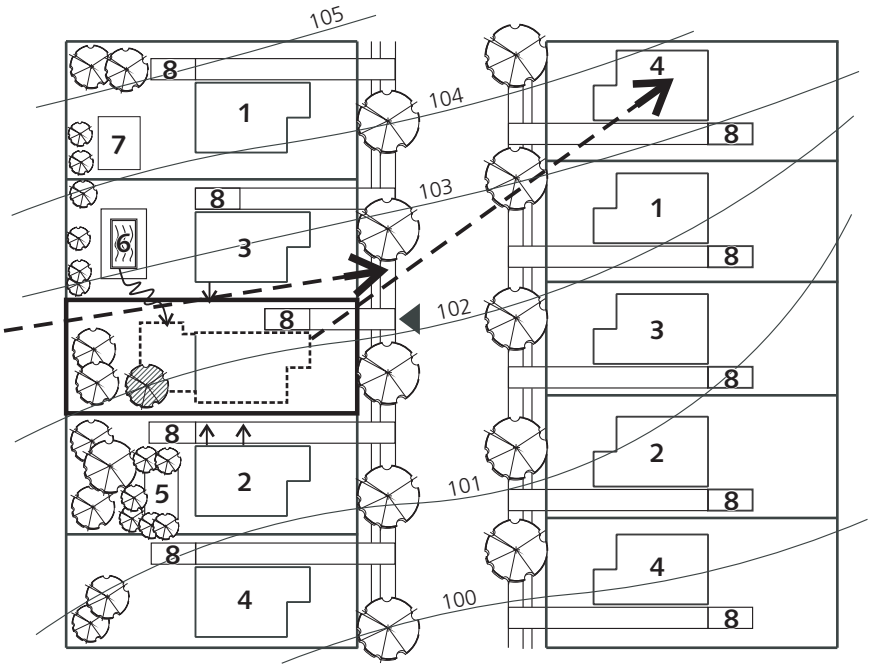
O4 Ensure that development conserves and respects significant streetscape items (such as street tree planting) and points of interest (such as views to waterways).

Controls

Street presentation

C1 Buildings adjacent to the street should address the street by having a front door and/or living room window addressing the street. The frontage of buildings should by their design or the location of entries, be readily apparent from the street.

C2 For new development the proportions of windows and doors and their placement in the facade should complement those found on adjoining buildings and in the wider neighbourhood.



KEY

Views	**1** Modern dwelling house (single storey)
Existing trees to be retained	**2** Modern dwelling house (double storey)
Existing trees to be removed	**3** Federation bungalow (single storey)
Neighbours windows facing site	**4** Inter-war bungalow (single storey + attic)
Noise	**5** Secluded private open space
Existing vehicle site entry	**6** Swimming pool
100 Contours	**7** Garden shed
Proposed new building footprint	**8** Carport/garage

N

0 25

Metres

Illustration 6.4 Example of a site and context analysis

Attics and Dormers

Attic rooms may be permitted where they do not detract from the streetscape and where they incorporate a dormer which is sensitively designed in a manner that will not add bulk to the development. This should be achieved by the following:

C3 Where a dormer is proposed on an elevation facing the street the total width of all dormers must not exceed one third (1/3) of the roof width.

C4 Dormers are not to be provided with a height of more than 1.5 metres from base to ridge.

C5 Balconies are not to be provided off dormers.

Refer to illustration 6.5.

Balconies

C6 The enclosure of balconies visible in the streetscape is not permitted. Existing enclosed balconies which are visible from the street should be re-opened and restored wherever possible.

KEY

1. Dormer roof
2. Gable
3. Dormer side
4. Double hung window
5. Sill
6. Eave overhang
7. Architraves

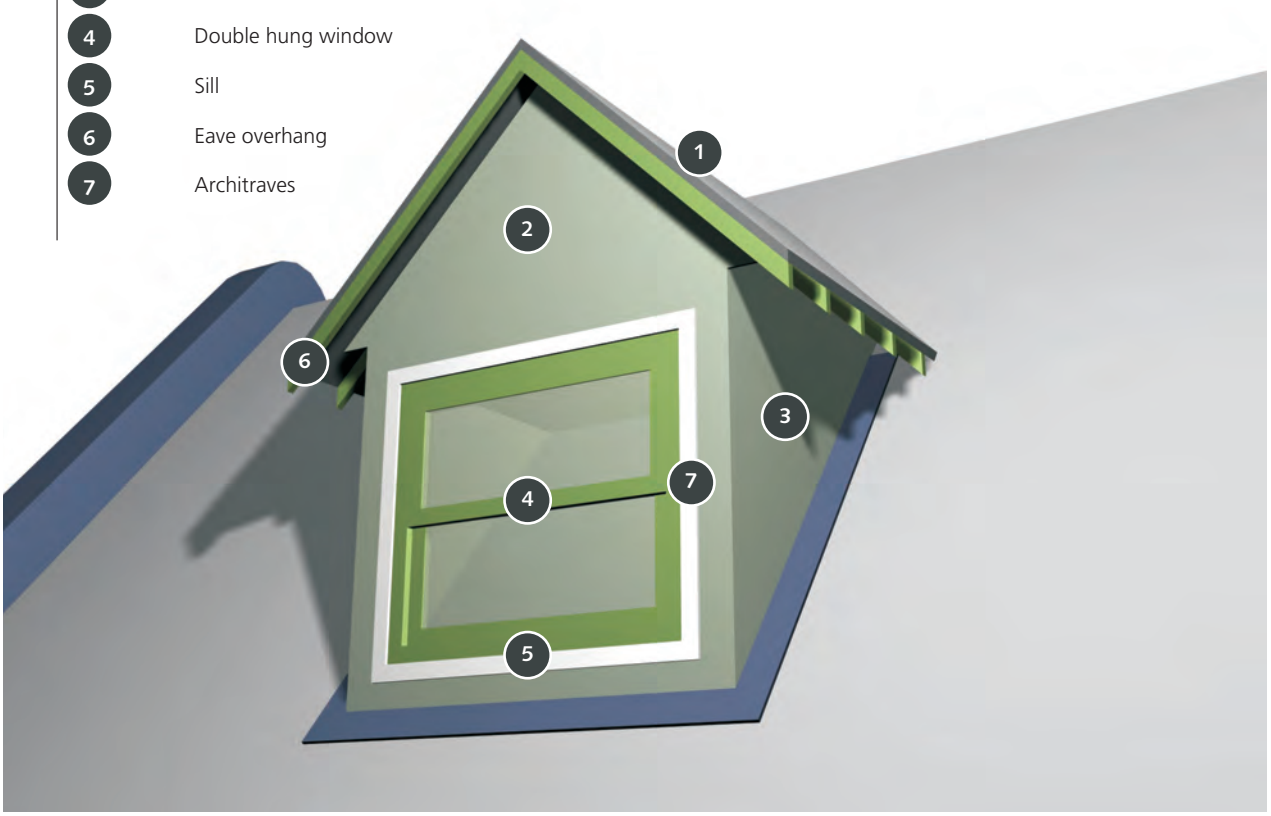


Illustration 6.5 Dormer window detail and terminology

6.2.4 Materials, colour schemes and details

The use of sympathetic materials, colour schemes and details of new residential development and associated structures ensures that the character and visual cohesiveness of Canada Bay's residential areas is not diminished.

This DCP encourages the use of similar materials, sympathetic design and building practices to maintain and enhance the visual character of Canada Bay's period streetscapes.

Objectives

O1 To ensure that the choice of external materials, colour schemes and building details on new development visible from a public place or buildings, reinforces and enhances any identifiable visual cohesiveness or special qualities evident in the street and the adjoining locality.

O2 To encourage complementary and sympathetic wall treatments on new development that are consistent with the architectural style of existing dwellings found in the street and the adjoining locality.

O3 To encourage roof forms and materials consistent with the positive qualities evident in the street and the adjoining locality.

O4 To encourage verandahs/balconies etc. that are consistent with original structures evident in the street and the adjoining locality.

O5 To permit flexibility in the choice of materials to meet the practical requirements of energy efficiency, construction and maintenance costs.

Controls

The colour and surface finish of external building materials should minimise the overall visual impact of new development and be sympathetic to the surrounding locality as identified in the Streetscape Character Analysis submitted with the application. This should be achieved by:

Walls/Masonry

C1 The use of darker face brick is to be utilised in streetscapes which predominantly exhibit this external finish.

C2 Existing sandstone fences, walls or wall bases are to either be retained or incorporated into the design of the building.

Balconies

C3 The bulk of balcony balustrades should be broken by using a different surface finish to the rest of the building.

Colour schemes

C4 Subject to the Streetscape Character Analysis no large expansive surface of predominantly white, light or primary colours which would dominate the streetscape or other vista should be used.

C5 New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.

Natural colours consisting of muted and earth tones are to be utilised for major areas of the building surface, such as walls and roof.

C6 Matching buildings in a row should be finished in the same colour, or have a tonal relationship.

General

C7 All materials and finishes utilised should have low reflectivity.

6.3 Environmental criteria and residential amenity

6.3.1 Topography

The purpose of controlling excavation, particularly on slopes which are greater than 20% is to ensure that new development respects topography and the natural fall of the land and to discourage:

- alteration or redirection of natural flows of ground water,
- despoliation of the landscape or land forms; or
- produce excessive height of development and retaining walls.

Objective

O1 To ensure that the natural topography and landform is maintained and the amount of excavation is minimised.

Controls

C1 Natural ground level should be maintained within 900mm of a side and rear boundary.

C2 Cut and fill should not alter natural or existing ground levels by more than 600mm.

C3 Habitable rooms (not including bathrooms, laundries and storerooms) are to be located above existing ground level.

C4 Rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls are not to be removed or covered.

C5 Soil depth around buildings should be capable of sustaining trees as well as shrubs and smaller scale gardens.

6.3.2 Harbour foreshore development and foreshore access

The purpose of the foreshore building line is to ensure that buildings are setback from the foreshore and to control development on the foreshore. Wherever possible, public access to and along the foreshore must be provided or improved. Council will seek to ensure that Sydney Harbour remains a public space.

Objectives

O1 To recognise, protect and enhance the natural, scenic, environmental, cultural and heritage qualities of the foreshore of the City of Canada Bay.

O2 To ensure the Parramatta River foreshore is developed and promoted as a community asset in public ownership or with unrestricted access.

O3 Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good:

- The public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour and its foreshores.
- Protection of the natural assets of Sydney Harbour has precedence over all other interests.
- The public good includes but is not restricted to the existing views, vistas and amenity available from the public and private domain.

Controls

C1 Building forms should follow the natural topography and maintain and enhance vegetation cover as viewed from the Parramatta River. For example, buildings are not to be cantilevered.

C2 Roof lines should be below the tree canopy backdrop to maintain the treeline when viewed from the waterway.

C3 Buildings should be designed and constructed to present a recessive appearance when viewed from the Parramatta River through the use of materials, colours, wall articulation, building form and landscaping. Glass elevations and excessive use of windows resulting in reflectivity and glare will not be permitted.

C4 Pergolas, boatsheds and other structures are to be designed and constructed to complement the overall appearance of the development. Such structures are to be no more than one storey in height.

C5 Swimming pools and spa pools constructed within the foreshore setback are to have no more than 300mm of the pool visible above existing ground level.

C6 Swimming pool and spa pool walls are suitably treated to complement the natural foreshore and where visible, are to be sandstone and to incorporate suitable screen landscaping.

C7 Boundary fences are not permitted within 8.0 metres of the mean high water mark.

C8 Retaining walls are to have a maximum height of 500mm.

C9 Hard surfaces and artificial surfaces, such as paving, within the Foreshore Building Line Area must be limited to swimming pool surrounds or modest walkways between the residential building and foreshore structures such as swimming pools or boat ramps.

C10 Mature trees or significant landscaping is not to be removed to locate foreshore structures.

Protection of the natural foreshore

C11 Development on foreshore properties must not significantly alter the topography and must preserve natural foreshore features including cliffs, rock outcrops, rock shelfs and beaches.

C12 Seawalls or retaining walls are not permitted in areas where the foreshore is in its natural state.

C13 Where seawalls or retaining walls are permitted, they must be constructed of coarse, rock-faced stone or with stone facing (preferably sandstone) and must not protrude more than 1.0m above the mean high water mark.

C14 Slipways and stairs are to be designed and constructed to closely conform with the character of the natural foreshore.

Foreshore Access

Please refer to the Canada Bay LEP for considerations in relation to the provision of foreshore access.

C15 Public access along the foreshore should be provided by means of (as a minimum) a 3 metre strip of land between mean high water mark and the development. The access may be secured by means of a registered covenant, agreement or instrument in favour of the Council (as provided for in the Conveyancing Act 1919) that burdens the relevant land, or by means of an obligation contained in a planning agreement that is entered into between the relevant landowner, the Council, or both.

C16 Public access to the foreshore is not to be obstructed by the location of foreshore structures.

6.3.3 Solar access

The amenity of any building is influenced by the degree of solar access and overshadowing of and by that building. The relationship of a building and its neighbours with the sun also has implications for achieving energy efficient and passive solar design.

The assessment process in this DCP is based on the Planning Principle outlined in NSW Land & Environment Court judgement 347 of 2004.

Objectives

O1 To maximise solar access to living areas and private open space in order to improve residential amenity.

O2 To minimise the amount of overshadowing of neighbouring developments and outdoor spaces to maintain their amenity.

Controls

C1 New buildings and additions are sited and designed to maximise direct sunlight to north-facing living areas and all private open space areas.

C2 Direct sunlight to north facing windows of habitable rooms and all private open space areas of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.

The numerical guidelines will be applied with the following principles in mind, where relevant:

(a) The ease with which sunlight access can be protected is inversely proportional to the density of development. At low densities, there is a reasonable expectation that a dwelling and some of its open space will retain its existing sunlight. (However, even at low densities there are sites and buildings that are highly vulnerable to being overshadowed.) At higher densities sunlight is harder to protect and the claim to retain it is not as strong;

(b) The amount of sunlight lost should be taken into account, as well as the amount of sunlight retained;

(c) Overshadowing arising out of poor design is not acceptable, even if it satisfies numerical guidelines. The poor quality of a proposal's design may be demonstrated by a more sensitive design that achieves the same amenity without substantial additional cost, while reducing the impact on neighbours;

(d) To be assessed as being in sunlight, the sun should strike a vertical surface at a horizontal angle of 22.5o or more. (This is because sunlight at extremely oblique angles has little effect.) For a window, door or glass wall to be assessed as being in sunlight, half of its area should be in sunlight. For private open space to

be assessed as being in sunlight, either half its area or a useable strip adjoining the living area should be in sunlight, depending on the size of the space. The amount of sunlight on private open space should be measured at ground level;

(e) Overshadowing by fences, roof overhangs and changes in level should be taken into consideration; and

(f) The impact on what is likely to be built on adjoining sites should be considered as well as the existing development.

6.3.4 Visual and acoustic privacy

Visual privacy is a highly valued component of residential amenity. The visual and acoustic privacy needs of existing and future residents are a key consideration in the design of new development and should influence the location of dwellings, windows and private open space.

Objectives

O1 Ensure the siting and design of building provides a high level of visual and acoustic privacy for residents and neighbours in dwellings and private open space.

O2 To provide personal and property security for residents and visitors.

Controls

C1 Openable first floor windows and doors as well as balconies should be located so as to face the front or rear of the building. Where it is impracticable to locate windows other than facing an adjoining building, the windows should be off-set to avoid a direct view of windows in adjacent buildings.

C2 Provide a minimum sill height of 1.5 metres from finished floor level to windows on a side elevation which serve living areas and have a direct outlook to windows or principal private open space (not being front yard) of adjacent dwellings or alternatively used fixed obscure glass.

C3 Upper level balconies to the rear of a building should be set back a minimum of 2.0 metres from any side boundary and should have a maximum depth of 1.8 metres.

C4 Upper level balconies will not be permitted to the rear of a building where the rear upper level setback from the rear boundary is less than 6.0 metres.

C5 Provide suitable screen planting on a rear boundary that will achieve a minimum mature height of 6.0 metres where the rear upper floors are proposed less than 7.0 metres off a rear boundary.

C6 Ground floor decks, terraces or patios should not be greater than 500mm above natural ground level. If expansive terraces are sought on sloping ground, they should be designed to step down in relation to the topography of the site.

C7 Where the visual privacy of adjacent properties is likely to be significantly affected from windows, doors and balconies, or where external driveways and/or parking spaces are located close to bedrooms of adjoining buildings, one or more of the following alternatives are to be applied:

(a) Fixed screens of a reasonable density (minimum 85% block out) should be provided in a position suitable to alleviate loss of privacy;

(b) Where there is an alternative source of natural ventilation, windows are to be provided with translucent glazing and fixed permanently closed;
(c) Windows are off-set or splayed to reduce privacy effects;
(d) An alternative design solution is adopted which results in the reduction of privacy effects; and
(e) Suitable screen planting or planter boxes are to be provided in an appropriate position to reduce the loss of privacy of adjoining premises.

Note: This option will only be acceptable where it can be demonstrated that measured to ensure the longevity of the screen planting have been provided eg. Automatic watering systems.

C8 The introduction of acoustic measures to reduce traffic/ aircraft noise should not detract from the streetscape value of individual buildings.

C9 Habitable rooms for detached dual occupancy development are to have a minimum separation of nine (9) metres.

C10 Habitable rooms for multi-dwelling development are to have a minimum separation of nine (9) metres.

Use of rooftops of buildings and garages

C11 No trafficable outdoor spaces are permitted on the uppermost rooftop of a building or on garage roofs, such as roof decks, terraces, patio, gardens and the like.

C12 Outdoor roof space may be considered for buildings on steeply sloping sites where this is the dominant characteristic in the immediate vicinity as demonstrated by the Streetscape Character Analysis and there are no noise, privacy or amenity issues.

Refer to Illustrations 6.6, 6.7, 6.8, 6.9, 6.10 and 6.11.

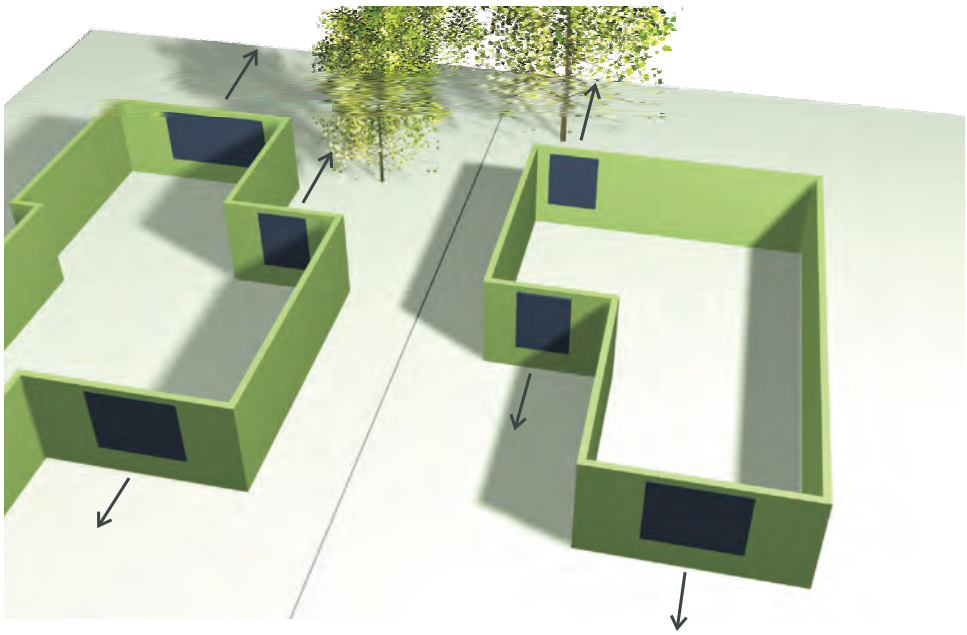


Illustration 6.6 Illustrated examples of appropriate measures to protect privacy - Orientation for private outlook

Illustration 6.7 Illustrated examples of appropriate measures to protect privacy - Screening

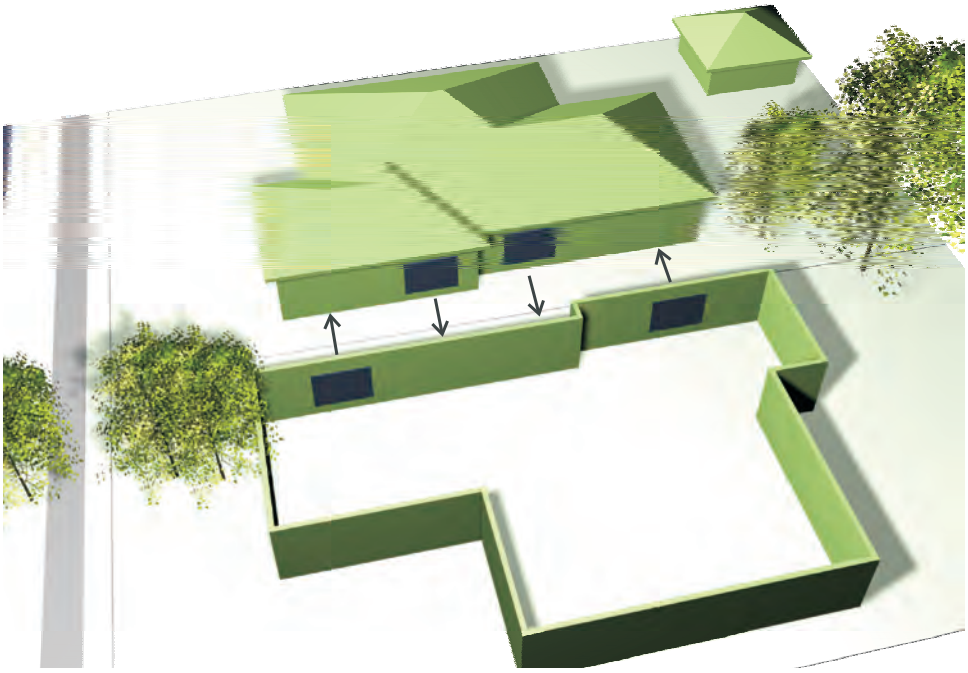


Illustration 6.8 Illustrated examples of appropriate measures to protect privacy - Offset windows

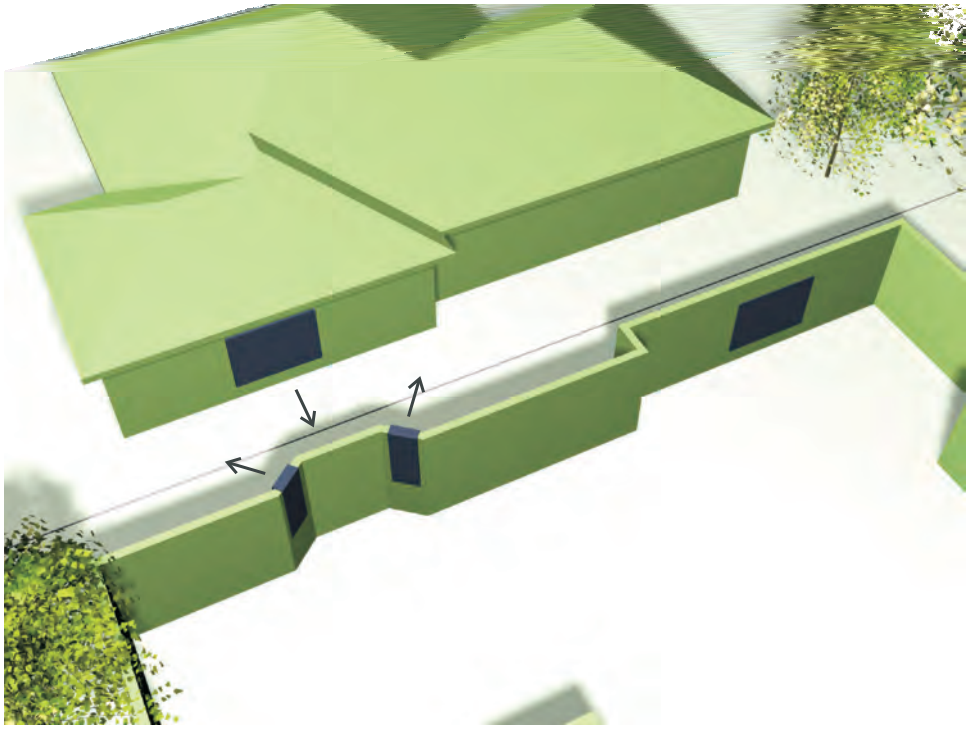


Illustration 6.9 Illustrated examples of appropriate measures to protect privacy - Splay windows

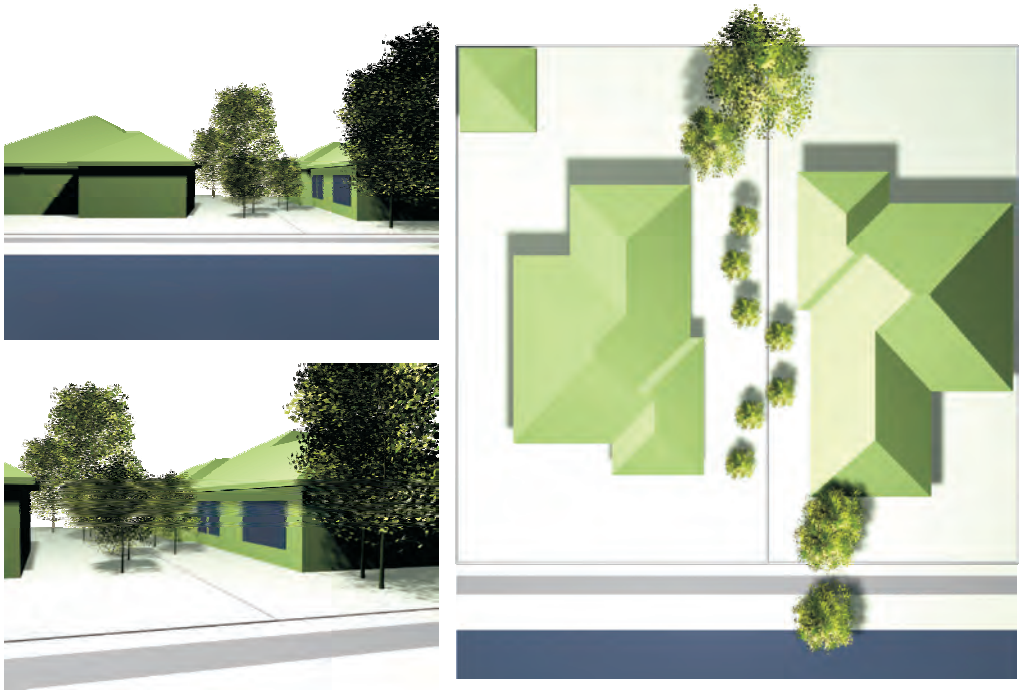


Illustration 6.10 Illustrated examples of appropriate measures to protect privacy - Planting

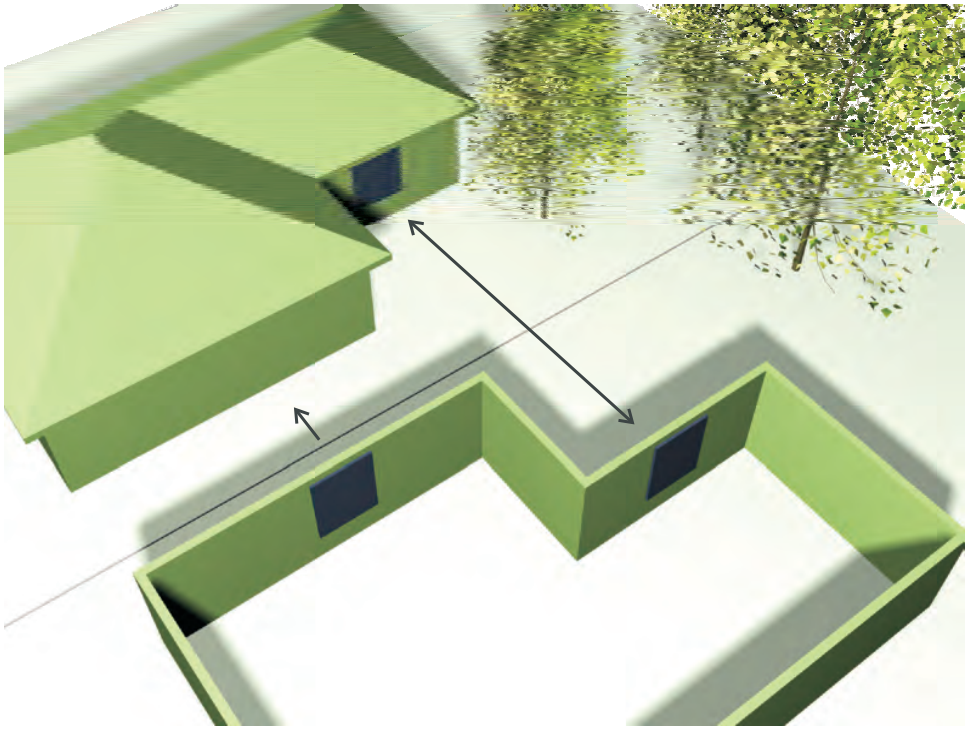


Illustration 6.11 Illustrated examples of appropriate measures to protect privacy - Separation between rooms

6.3.5 Access to views

Views are a desirable aspect that contribute to the amenity of property and the public domain. Views in Canada Bay include the city skyline and water views of the Parramatta River and its foreshore.

New development needs to be designed so that it is sensitive to existing view corridors and minimises impact on views.

View sharing considers the equitable distribution of views between properties. The view sharing control seeks to strike a balance between facilitating new development, while preserving, as far as practical, access to views from surrounding properties.

The four step view assessment process applied in this DCP is based on the Planning Principle outlined in NSW Land & Environment Court judgement 140 of 7 April 2004.

Objectives

O1 To protect and enhance opportunities for vistas and public views from streets and public places.

O2 To ensure views to and from the site are considered at the site analysis stage.

O3 To recognise the value of views from private dwellings and encourage view sharing through building design, location and landscape design.

O4 To recognise the value of view sharing whilst not restricting the reasonable development potential of the site.

Controls

To determine whether a development is satisfactory in relation to the objectives pertaining to access to views, the following controls will be applied:

C1 Development should seek to protect water views, iconic views, and whole views.

Water views are valued more highly than land views. Iconic views (eg of the Harbour Bridge or the City skyline) are valued more highly than views without icons. Whole views are valued more highly than partial views (eg a water view in which the interface between the land and water is visible is more valuable than one in which it is obscured).

An icon should be a prominent identifying feature of the landscape and should be commonly held by the wider community as having iconic status.

C2 Development should seek to protect views from the front and rear of buildings and where views are obtained from a standing position.

The expectation to retain side views and sitting views is often unrealistic.

C3 Development should seek to protect views from living areas and minimise the extent of impact.

The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes the Harbour Bridge. Council will attempt to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

C4 Development in view affected areas should not only be designed to meet relevant development controls but also be designed to achieve view sharing.

A development that complies with all planning controls is more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact is unreasonable. A complying proposal of a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours.

Note: In some cases, Council will insist on the erection of height poles/building templates to indicate the height of the proposed development together with written and/or photographic montages to ensure that view losses are minimal. Template construction is to be to the satisfaction of Council officers and is to be certified by a registered surveyor upon erection.

6.3.6 Safety and security

Sensible design can contribute significantly to crime prevention by providing environments where residents feel safe and secure and conversely vandals have a feeling of being under surveillance.

Objectives

O1 To ensure a safe physical environment by promoting crime prevention through design.

O2 To ensure the security of residents and visitors and their property and enhance community safety and well-being.

O3 To ensure a development is integrated with the public domain and contributes to an active pedestrian-orientated environment.

O4 Ensure effective use of fencing or other means to delineate private and public areas.

Controls

C1 Ensure lighting is provided to all pedestrian paths, shared areas, parking areas and building entries for multi unit development.

C2 High walls which obstruct surveillance are not permitted.

C3 The front door of a dwelling house should be visible from the street.

C4 Buildings adjacent to public streets or public spaces should be designed so residents can observe the area and carry out visual surveillance. At least one window of a habitable room should face the street or public space.

C5 A council approved street number should be conspicuously displayed at the front of new development or the front fence of such development.

C6 Roller shutters are not permitted on window and door openings that have frontage to the street or are adjacent to public open space.

C8 Fences higher than 900mm should be of an open semi-transparent design.

C9 Balconies and windows should be positioned to allow observation of entrances.

C10 Proposed planting must not obstruct the building entrance from the street or sightlines between the building and the street frontage.

C11 Blank walls facing a rear laneway should be avoided as they encourage grafitti

C12 Pedestrian and vehicular entrances must be designed so as to not be obstructed by existing or proposed plantings.

C13 If seating is provided in communal areas of a development it should generally only be located in areas of active use where it will be regularly used.

6.4 General controls

6.4.1 Site area and frontage

Site area and frontage controls seek to ensure that new development is sited on land which has sufficient area and dimensions to provide amenities such as private open space and car parking.

Objective

O1 To ensure lot size and dimension are able to accommodate residential development and provide adequate open space and car parking consistent with the relevant requirements of this DCP.

Controls

C1 The following minimum site area and frontage requirements should be achieved:

Dwelling type	*Site area*	*Frontage*
Detached Dual Occupancy Development	800m ^{2}	16.0m
Multi–Dwelling Housing & Residential Flat Buildings	800m ^{2}	20.0m

6.4.2 Density

The density of development is one of the main factors that influences housing form.

The density provisions apply to multi-dwelling development and residential flat buildings.

Objective

O1 Provide a low to medium density residential environment which will accommodate a variety of building forms.

Controls

C1 The following density provisions should not be exceeded:

Dwelling Type	*Site Area Per Dwelling*
Multi Dwelling Housing & Residential Flat Buildings	Precinct 1 Small – 185m^2 Medium – 210m^2 Large – 230m^2 Precinct 2 Small – 100m^2 Medium – 140m^2 Large – 185m^2 Precinct 3 Small – 100m^2 Medium – 140m^2 Large – 185m^2

Refer to Illustrations 6.12 to 6.17 for location of Precincts.

Definitions for small, medium and large dwellings are contained within the Definitions Section of this DCP.


Illustration 6.12
Precinct Map
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N
FIVE DOCK
DRUMMOYNE
RUSSELL LEA
CHISWICK
Drummoyne Bay
Five Dock Bay
GLADESVILLE BRIDGE
DRUMMOYNE AVE
CAMBRIDGE RD
VICTORIA PL
RIVER LNE
RAYMOND AVE
HYTHE ST
WRIGHTS RD
COLLINGWOOD ST
SEYMOUR ST
MARLBOROUGH ST
STUART CR
BAYSWATER ST
WESTBOURNE ST
HENRICUS AVE
ST GEORGES CR
LOWER ST GEORGES CR
ALBERT ST
ALEXANDRA ST
QUEEN VICTORIA ST
FERRY LNE
RENWICK ST
VICTORIA RD
ARCADIA AVE
THORNLEY ST
ROSEBY ST
PARK AVE
CARY ST
FORMOSA ST
DAY ST
EDWIN ST
COLLEGE ST
CHURCH ST
THERRY LNE
SOUTH ST
TRANMERE ST
RAWSON AVE
BOWMAN ST
DEMPSEY PL
THOMPSON ST
DENING ST
SHORT ST
BRAY ST
MOORE ST
THE ESPLANADE
THE PARADE
BRIDGE ST
GEARS AVE
BYRNE AVE
BAY RD
ATKINS LNE
HAMPDEN RD
LIEGE ST
BOUVARDIA ST
DENHOLME RD
GIPPS ST
MILLAR ST
BARNEY ST
JANET ST
PLUNKETT ST
POLDING ST
HEZLET ST
SWANNELL AVE
BORTFIELD DR
1
2
3

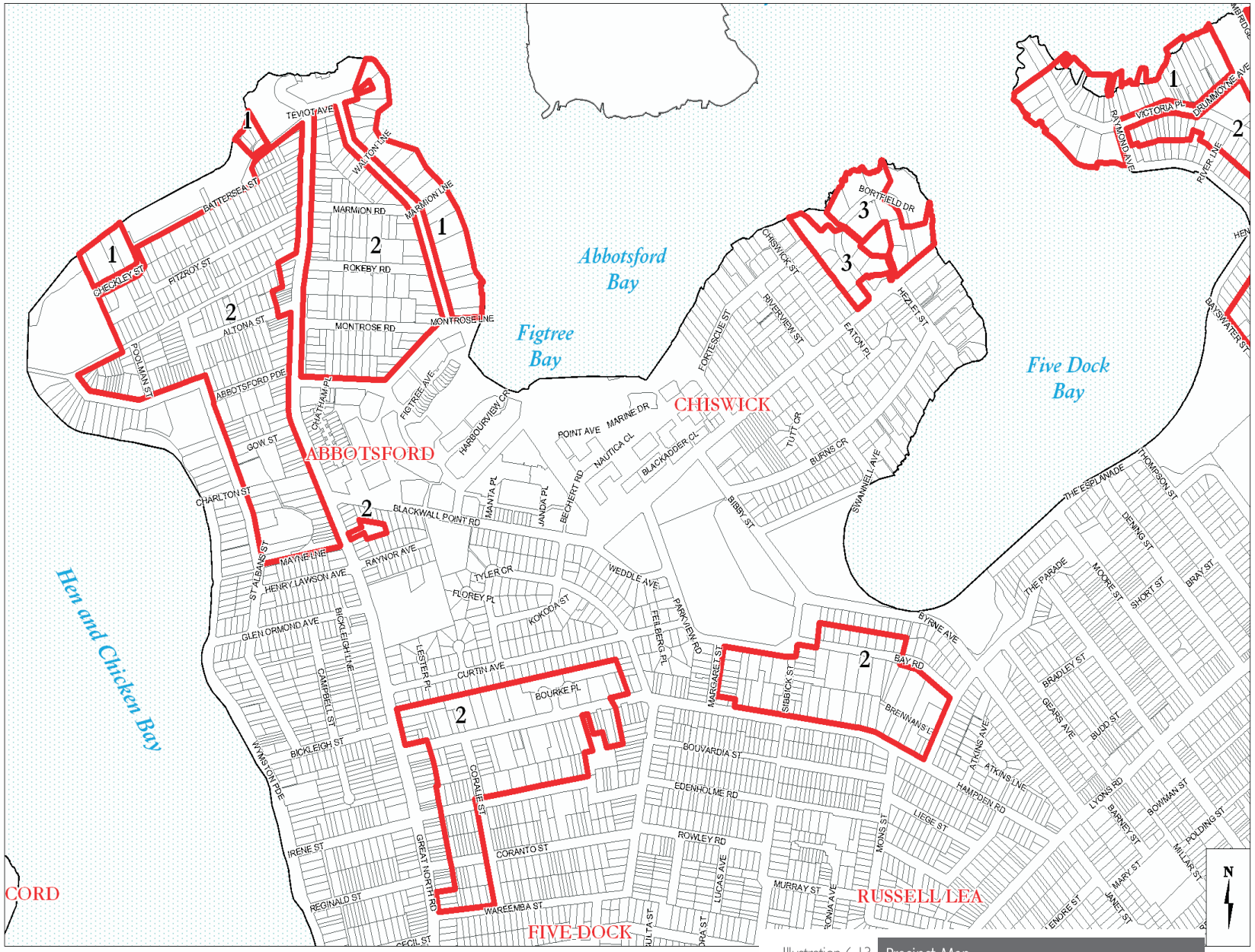


Illustration 6.13 Precinct Map

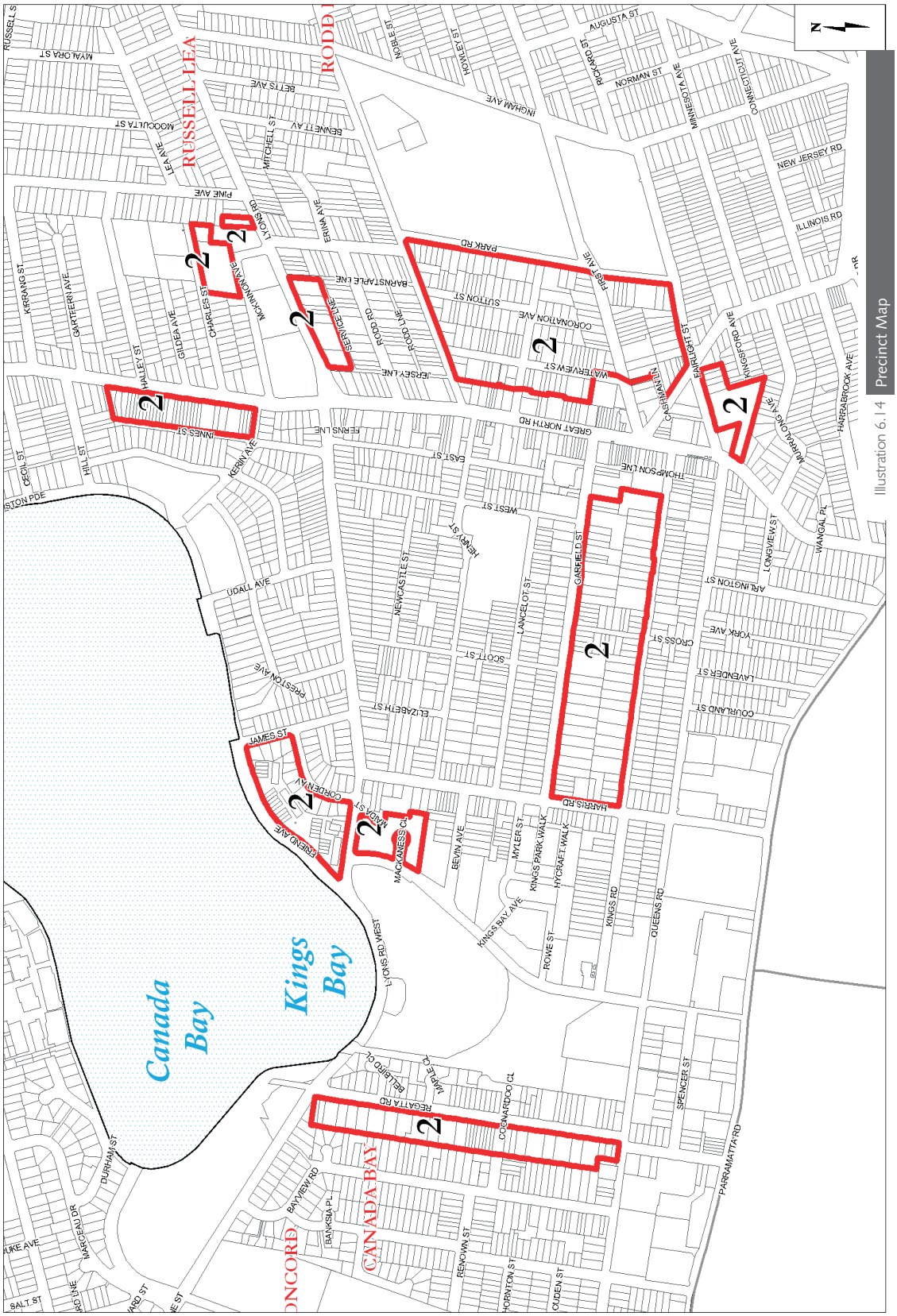


Illustration 6.14 Precinct Map

Illustration 6.15 **Precinct Map**

Illustration 6.16 Precinct Map

Illustration 6.17 Precinct Map

6.4.3 Floor space ratio and site coverage

Council's Floor Space Ratio (FSR) and site coverage controls aim to facilitate an acceptable bulk and scale of development that maintains a satisfactory relationship with adjoining development and the wider street context.

Objective

O1 To ensure that the new development and alterations and additions to existing development result in a floor space ratio and site coverage that is consistent with the existing character of adjoining dwellings and those found in the wider locality.

O2 To ensure that new development and alterations and additions to existing development result in site coverage which allows adequate provision to be made on site for infiltration of stormwater, deep soil tree planting, landscaping, footpaths, driveway areas and areas for outdoor recreation.

O3 To minimise impacts in relation to overshadowing, privacy and view loss.

Controls

C1 The following maximum permissible site coverage requirements should not be exceeded:

Dwelling type	*Maximum site coverage*
Multi Dwelling Housing & Residential Flat Buildings	Precinct 1 – 40% Precinct 2 – 40% Precinct 3 – 30%

Reference should be made to the Floor Space Ratio Map of the Canada Bay Local Environmental Plan, for relevant Floor Space Ratio Control for detached dual occupancy development.

C2 Large Void areas are considered to contribute to the overall mass of a building (when viewing the building from the exterior). For this reason, it should be shown that any void areas are necessary for the specific design requirements of the building.

C3 Notwithstanding compliance with the above numerical provisions, applicants should demonstrate that the bulk and relative mass of development is acceptable in terms of the following impacts, upon the street and adjoining dwellings:
(a) Overshadowing and privacy considerations;
(b) Streetscape considerations (bulk and scale);
(c) Building setbacks;
(d) Parking and landscape requirements;
(e) Visual impact and impact upon existing views;
(f) The existence of significant trees on site;
(g) The size and shape of the allotment; and
(h) Site topography.

Refer to Illustration 6.18.

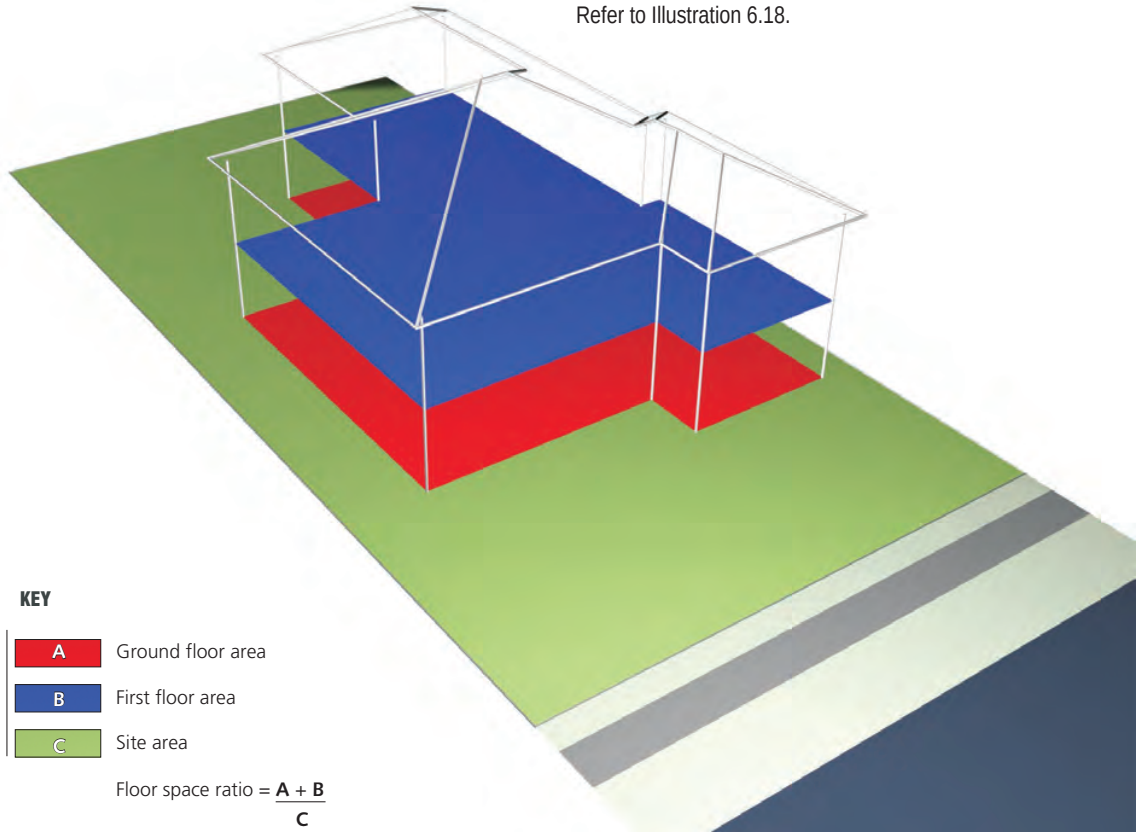


Illustration 6.18 Illustrated two storey example of how to measure floor space ratio

6.4.4 Building setbacks

Setbacks define the overall footprint of a building and the outer extremities of that building in relation to the front, side and rear boundaries.

Appropriate street setback controls can contribute to the public domain by enhancing the streetscape character and the continuity of street facades. Street setbacks also enhance the setting of a building. Canada Bay Council places particular emphasis on continuing the building alignment in uniform streetscapes.
The separation between buildings is also important and determines the urban form of the building, the rhythm of buildings in the street and the streetscape.

Rear setbacks provide space for planting, including trees which will achieve a reasonable height and canopy, and provide for adequate open space for the amenity of residents. Rear setback also promotes privacy between residents of adjoining properties, particularly where development is greater than single storey.

Objectives

O1 To integrate new development with the established setback character of the street.

O2 Preserve significant vegetation, which contributes to the public domain, and allows for street landscape character to be enhanced.

O3 Ensure adequate separation between buildings, consistent with the established character and rhythm of built elements in the street.

O4 To ensure adequate separation between buildings for visual and acoustic privacy.

O5 Maintain a reasonable level of amenity for neighbours with adequate access to sunshine.

Controls

Front setbacks

C1 The front wall of all residential buildings is to be set back a minimum of 4.5 metres or no less than the Prevailing Street Setback, whichever is the greater.

The "Prevailing Street Setback" is the setback calculated by averaging the setback of five (5) adjoining residential properties on both sides of the development.

Where there are fewer than five residential properties or a non residential use property between a street end or corner and the development site, the "Prevailing Street Setback" is the setback calculated by averaging the setback of the five next residential properties fronting the street (if any) on both sides of the property.

Note: In many instances, the front setback of buildings in these areas Canada Bay is 7.5 metres or greater and development in these areas will be required to comply with this prevailing setback.

C2 Where detached dual occupancy development is on a corner lot, the design should acknowledge the prevailing setback on both streets.

C3 No balconies or verandahs are permitted to encroach within the front setback. The only encroachments permitted within the front setback are restricted to eaves and awning for weather protection (but not supporting columns or posts).

Refer to Illustrations 6.19, 6.20 and 6.21.

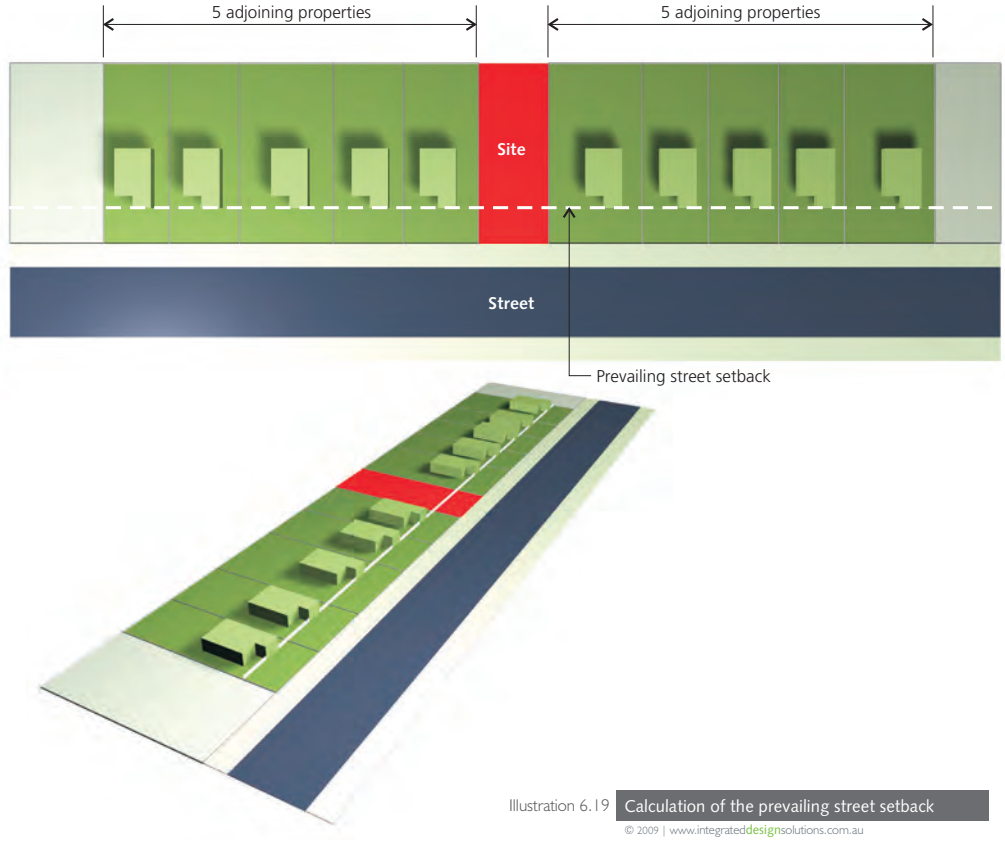


Illustration 6.19 Calculation of the prevailing street setback

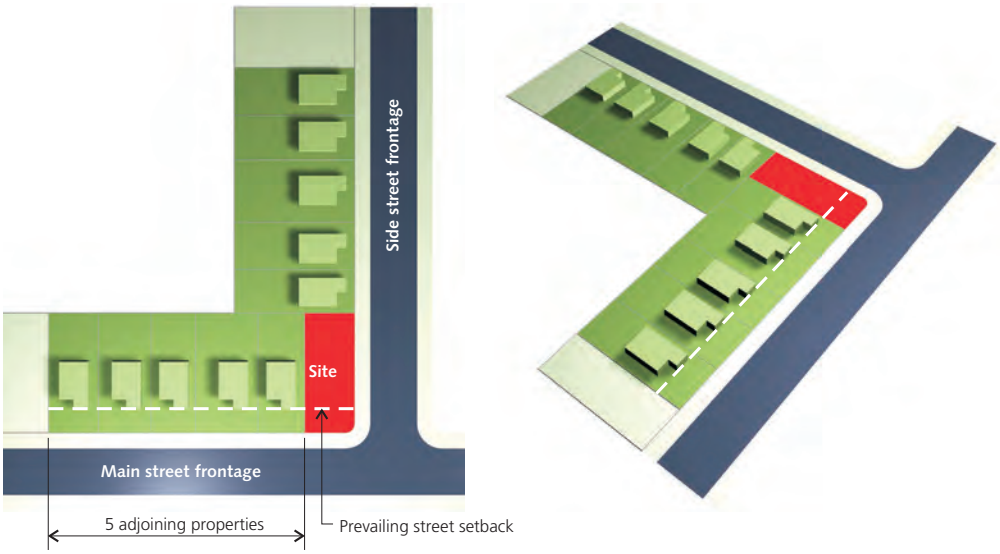


Illustration 6.20 Calculation of the prevailing street setback on a corner development site

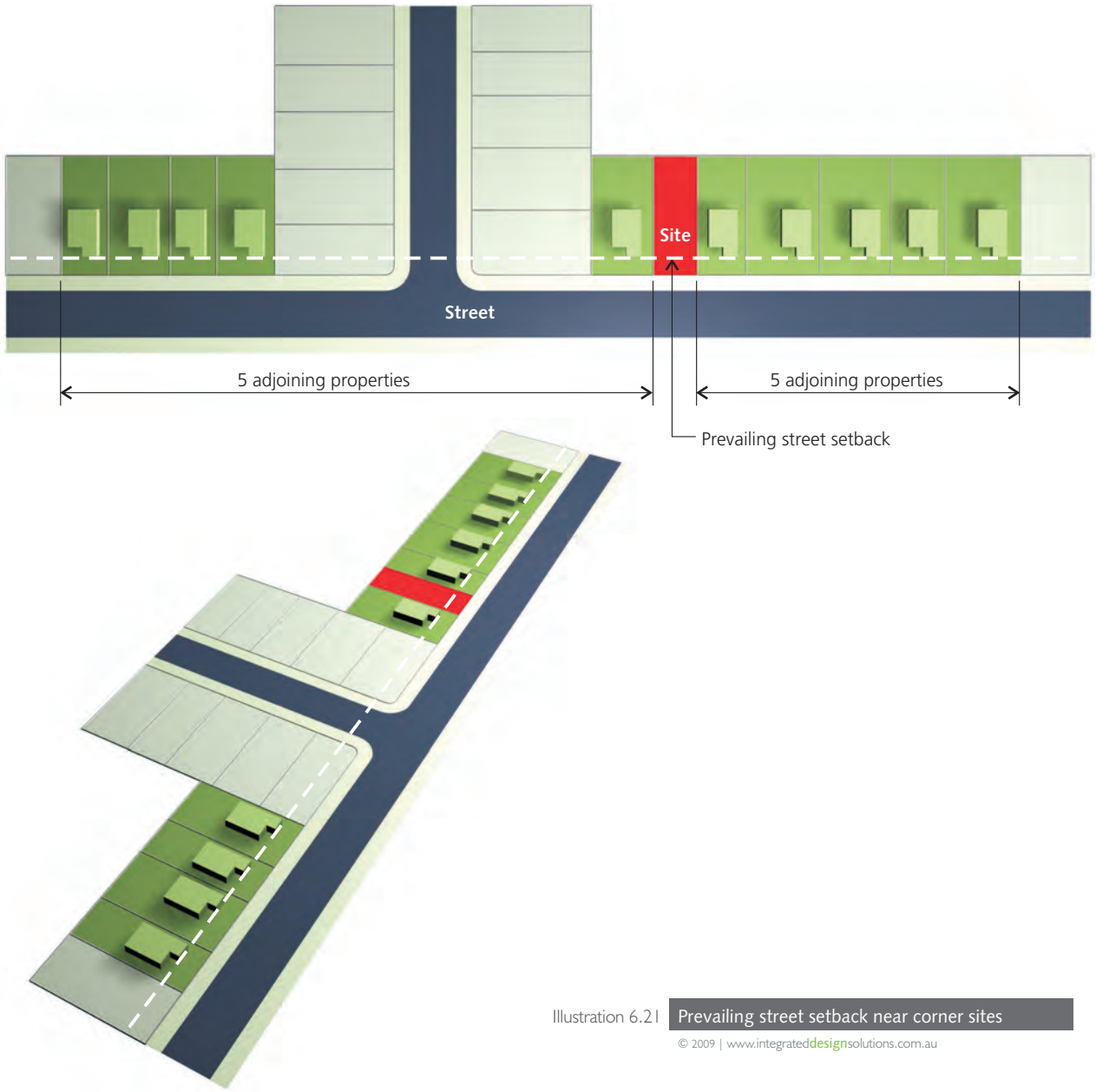


Illustration 6.21 Prevailing street setback near corner sites

Side Setbacks

C4 Detached Dual Occupancies, Multi Dwelling Housing and Residential Flat Buildings are to comply with the following numerical requirements:

Development	*Minimum distance from side boundary*
Detached Dual Occupancies	• Front Dwelling – all walls should be set back a minimum of 900mm for single storey buildings and 1500mm for the 2nd storey component of two storey buildings. • Rear Dwellings – all walls should be set back a minimum of 1.5 metres.
Multi Dwelling Housing & Residential Flat Buildings	• All building walls are to be set back a minimum of 5.0 metres from side boundaries.

Rear Setbacks

C5 New development is to have a minimum rear setback of 6.0 metres.

Internal Setbacks

C6 If two or more rows of dwellings are proposed in Multi Dwelling Housing or Residential Flat Buildings, an internal setback of 12.0 metres is required between rows.

Basement setbacks

C7 Basement excavation for all development is limited to the area of the building at ground level. The excavation setback includes the driveway access to the basement.
Where it can be demonstrated the site is so constrained (for example by its width) that it is impossible to provide basements without extending beyond the permitted side and rear setbacks, excavation up to but no closer than (3) metres will be considered.

Advisory Notes

Notwithstanding compliance with the above numerical controls, Council may require building setbacks to be increased, if necessary to reduce bulk, overshadowing, visual impact, privacy concerns and to retain existing trees on site.

Any Foreshore Building Line will continue to apply and overrides any setback provisions in this plan.

Refer to Illustrations 6.22, 6.23, 6.24 and 6.25.

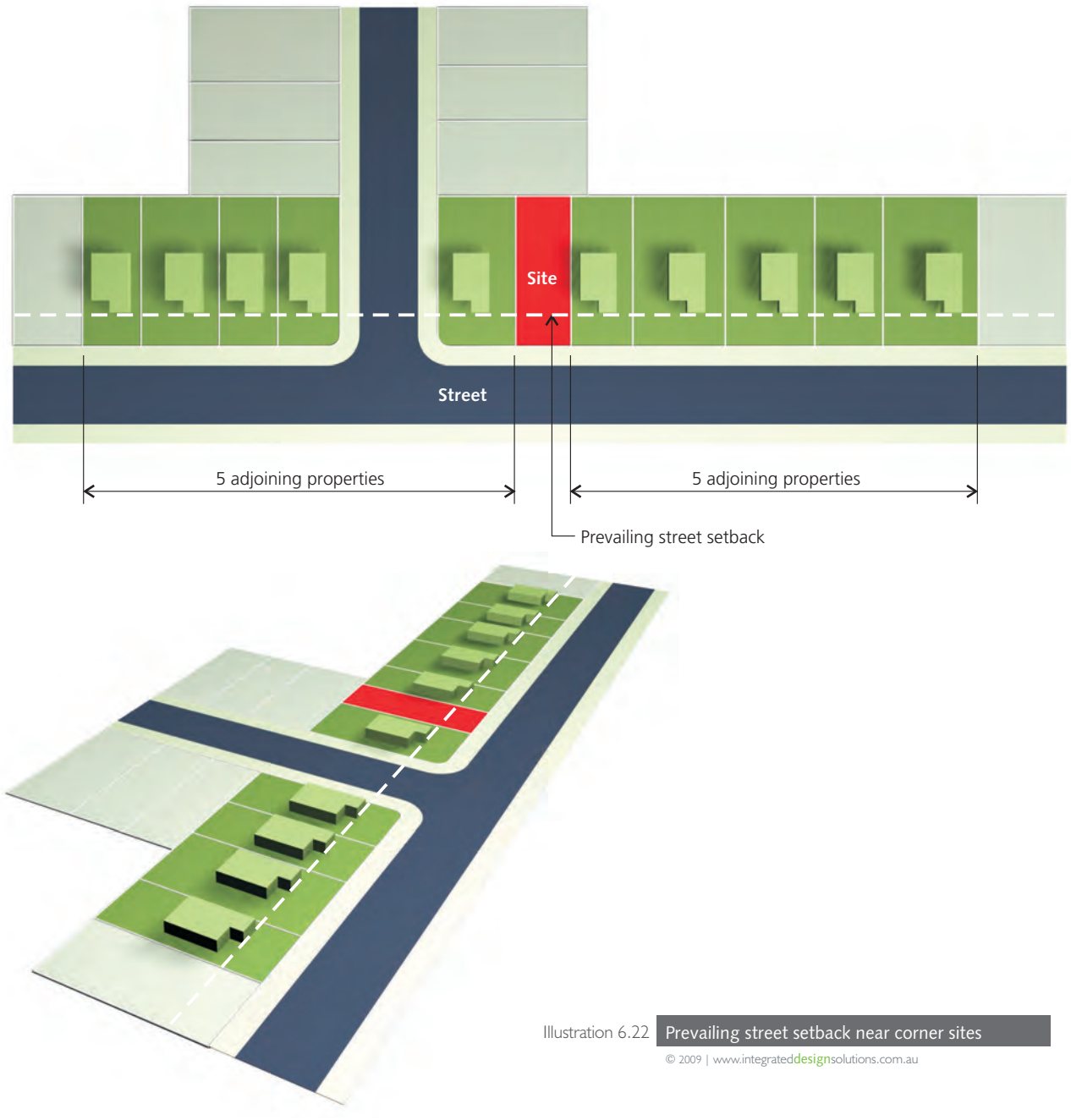


Illustration 6.22 Prevailing street setback near corner sites

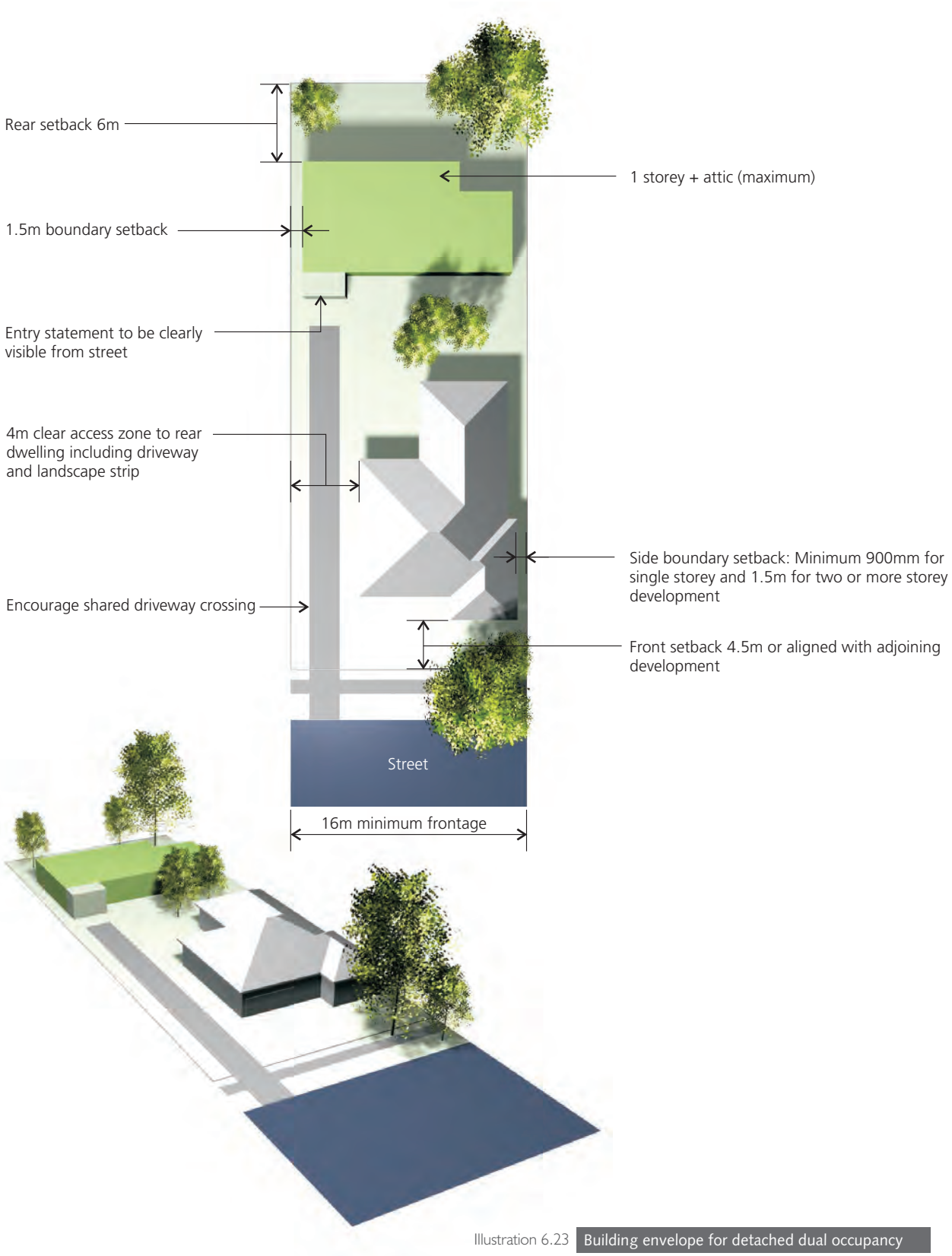


Illustration 6.23 Building envelope for detached dual occupancy

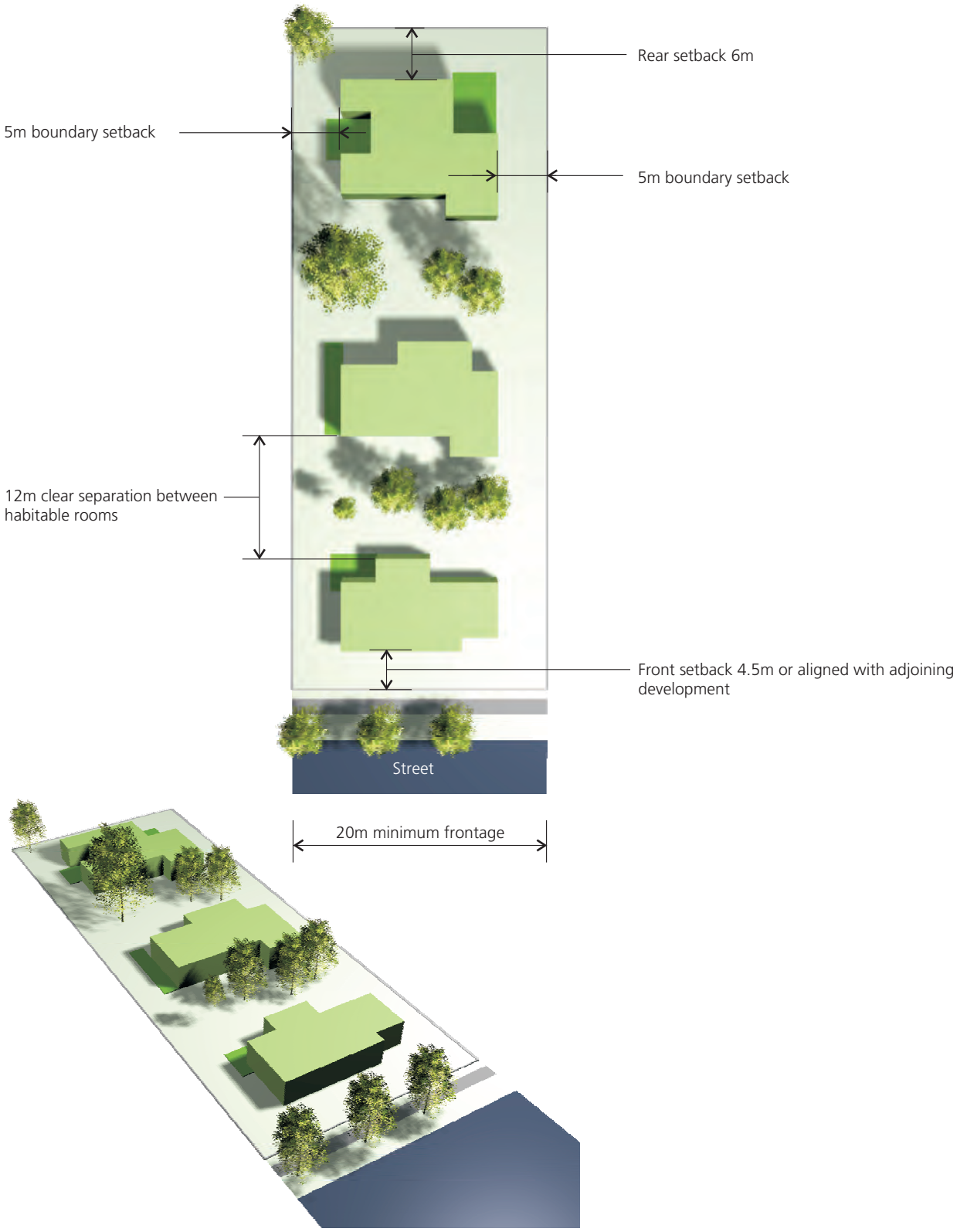


Illustration 6.24 Building envelope - Separate buildings

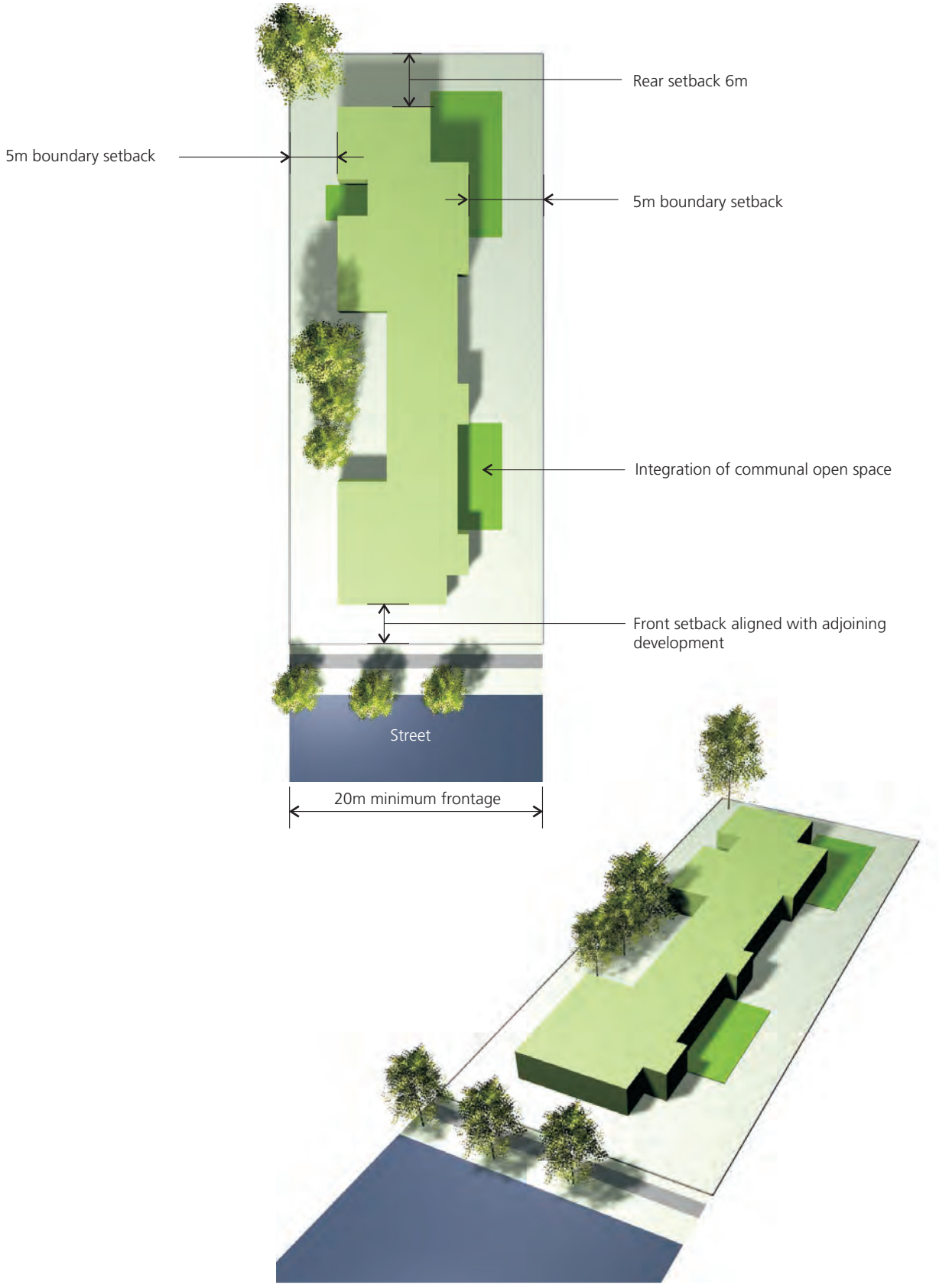


Illustration 6.25 Building envelope - Single building

6.4.5 Height of buildings

Height is an important control because it has a major impact on the physical and visual amenity of a place. Building height is also critical in addressing impacts from development such as solar access, privacy and view loss.

Objectives

O1 To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality;

O2 To minimise visual impact, disruption of views, loss of privacy and loss of sunshine to existing residential development;

O3 To reduce the visual impact of development when viewed from the Parramatta River as well as other public places such as parks, roads and community facilities.

Controls

C1 The following maximum building heights should not be exceeded:

Dwelling type	*Maximum storeys*
Detached Dual Occupancy	Two (2) storeys (front dwelling) One (1) storey (rear dwelling) (On a corner site the dwelling facing the primary street frontage is considered the front dwelling).
Multi Dwelling Housing & Residential Flat Building	Precinct 1 – Two (2) storey Precinct 2 – Two (2) storey Precinct 3 – Three (3) storey

Reference should be made to the Buidling Height Maps which accompany the Canada Bay Local Environment Plan.

C2 The rear dwelling of a detached dual occupancy must have a ground floor ceiling no higher than 3.6 metres when measured vertically at any point above existing ground level.

6.4.6 Private open space

Well designed and high quality private open space can provide benefits to all residents by meeting recreational requirements, softening new development, providing adequate landscaping for privacy and improving local habitat for plants and animals.

Objectives

O1 To ensure private open space provides each dwelling with a space for outdoor activities and functions as an extension of the living area.

O2 To enhance the built environment by providing open space for landscaping.

Controls

C1 The provision of private open space for residential development is to be in accordance with the following table:

Type of development	*Minimum private open space provisions*
Detached dual occupancies	• 40m^2 per dwelling with a minimum dimension of 5m x 5m
Multi Dwelling Housing & Residential Flat Buildings	• 40m^2 per dwelling at ground level with a minimum dimension of 5m x 5m • 10m^2 per dwelling above ground, with a minimum dimension of 1.5m provided as a balcony; and • all balconies should be recessed unless special circumstances, as determined by Council, are considered to exist

C2 A development should locate the private open space behind the front building line.

C3 Private open space should be adjacent to and visible from the main living and/or dining rooms and be accessible from those areas.

C4 Development should take advantage of opportunities to provide north facing private open space to achieve comfortable year round use.

6.4.7 Landscaping

Together with building setback requirements building footprints ensure that new and altered development is sited in a manner which promotes substantial landscaping, usable private open space, provides a landscape buffer between building forms and maximises retention and absorption of surface drainage water.

Landscaping of outdoor spaces should contribute to the amenity of the dwelling or development as well as the streetscape and character of the surrounding area.

Existing trees are vitally important to our urban areas and one of the first rules in planning any new development is to preserve and protect any existing trees on site.

Objectives

O1 To enhance the existing streetscape.

O2 To enhance the quality and amenity of the built form.

O3 To provide privacy and shade.

O4 To minimise the extent of hard paved areas and facilitate rainwater infiltration.

O5 To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.

O6 To ensure buildings do not dominate or degrade the quality and character of the landscape.

Controls

C1 Landscaped open space for multi dwelling development and residential flat buildings may comprise both communal and private open space and is to be provided in accordance with the following table:

Landscaped Area for Detached Dual Occupancies.

Minimum landscaped area as a percentage of site area	
Detached Dual Occupancies	35%

Landscaped area for dwellings in Multi Dwelling Housing & Residential Flat Buildings.

Development type	*Dwelling size*	*Minimum landscaped area per dwelling*
Multi Dwelling Housing & Residential Flat Buildings		
Precinct 1	Small Medium Large	90m^2 110m^2 120^2
Precinct 2	Small Medium Large	55m^2 75m^2 90m^2
Precinct 3	Small Medium Large	70m^2 90m^2 110m^2

C2 A significant landscaped setting is to be established for pathways and paved areas.

C3 Pathways and driveways are to be located a minimum of 1.0 metres from common boundaries.

C4 The following minimum number of Canopy trees capable of achieving a minimum mature height of 12 metres are to be accommodated on site for all new development:

Sites less than 400m2	1 tree
Sites between 400 – 800m2	2 trees
Sites over 800m2	4 trees

Trees should be comprise native vegetation endemic to Canada Bay and should be chosen from Councils list of suitable species (refer to Appendix C).

C5 Existing trees are to be retained and integrated into a new landscaping scheme, wherever possible. Suitable replacement trees are to be provided.

C6 Minimum soil depth balcony gardens is 800mm.

C7 The majority of the front building setback and private courtyard areas of all development should consist of pervious landscaping.

C8 Any development on the foreshore should:
(a) Enhance the existing flora of the allotment;
(b) Plant native trees with a mature height greater than 12 metres;
(c) Avoid introduced species known to seed freely or spread easily by rhizomes or vegetative means.

6.4.8 Parking and access

The provision of car parking should reasonably satisfy the needs of current and future residents. New development should accommodate parking for visitors and residents within the site and minimise excavation.

Parking areas, driveways and garages should be carefully designed so they are safe, accessible and do not detract from the appearance of the streetscape.

Objectives

O1 To provide off street parking for residents and visitors.

O2 To ensure vehicular and pedestrian safety.

O3 To encourage the location of carports and garages behind the building line where possible.

O4 Ensure the provision of off-street parking is visually discreet and integrated with the overall design of the building.

O5 To ensure on-site parking and driveways do not detract from dwelling or streetscape appearance.

O6 To limit the width of driveways depending on site frontage.

O7 To limit the number of garage doors to the street.

O8 To ensure car parking is provided and designed for people with disabilities.

Controls

Car Spaces

C1 Parking space should be a minimum of 5.4m x 2.4m, with an additional 300mm either side where enclosed (i.e 5.4m x 3.0m).

C2 Car parking for people with disabilities should have a minimum dimension of 3.6m x 6m.

C3 Garage dimensions should be as follows:

Minimum Garage Dimensions

Garage size	*Minimum dimension*
Single Garage	5.5m x 3.0m and not less than 2.6m between door jambs
Double Garage	5.5m x 5.4m and not less than 5.2m between door jambs

C4 Off-street parking provision for residential development should be as follows:

Off-Street Parking Minimum Requirements residential buildings

	Resident parking	*Visitor parking*	*Disabled parking*
Detached dual occupancy	1 per dwelling	Nil	Nil
Multi Dwelling Housing & Residential Flat Buildings	Small – 1 per dwelling Medium – 1.5 per dwelling Large – 2.0 per dwelling	≤ 5 dwellings – 1 spaces > 5 dwellings – 0.5 spaces per dwelling	Reference should be made to Adaptable Housing Requirements (Refer to Section 3.2.5)

Note: In calculating the total number of car parking spaces required for a development, the total should:

(a) Be rounded up if the fraction of the total calculation is equal or more than half (0.5) a space; and

(b) Include a room that is capable of being converted to a bedroom where calculations involve multi dwelling housing and residential flat buildings.

Refer to Illustration 6.26.

C5 All visitor parking should be provided off-street and behind the front setback.

C6 Visitor parking spaces should be conveniently located, identified as such, and accessible to the general public. They should not be located behind any security grill or gate.

C7 Dedicated disabled parking spaces should be identified by a clearly visible sign with the international symbol of access for people with disabilities.

C8 Dedicated disabled parking spaces should be located close to wheelchair accessible entrance lifts.

Bicycle Parking and Storage Facilities

Refer to Section 3.7 of this DCP

Access Aisles

C9 A 4.0 metre wide access handle is to be provided to detached dual occupancy development to enable access to the rear dwelling.

Driveways

C10 All side driveways are to comprise a 0.5m wide landscape strip on either side.

C11 Vehicular entrances to parking areas should be visually inconspicuous, appropriately screened and ideally, not be located along the front façade, but rather to the side or rear.

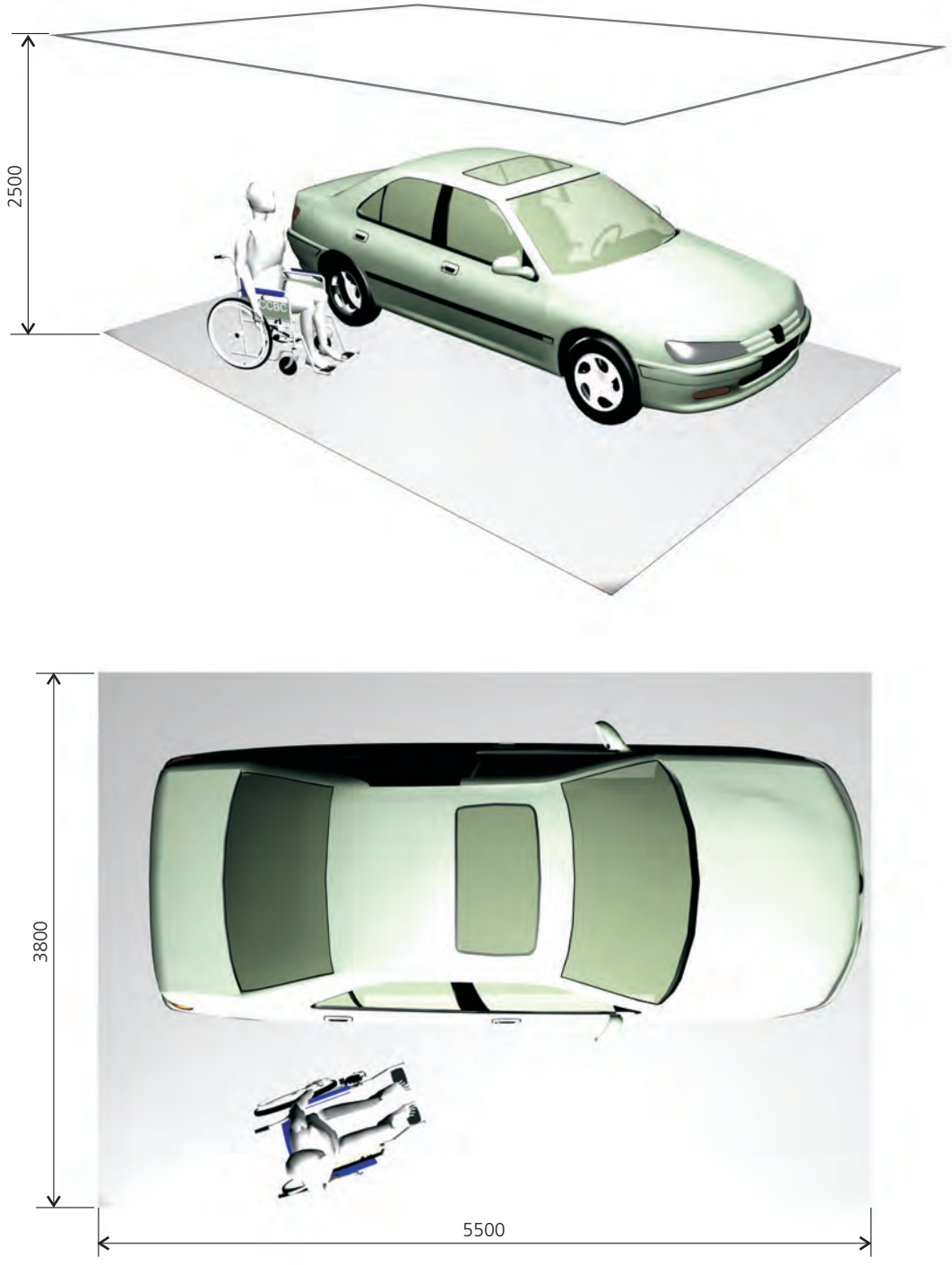
C12 The surface and slope of driveways and parking areas facilitate stormwater infiltration on-site and are appropriately landscaped eg, driveways should have sealed wheel tracks with grass strips.

C13 The alignment of driveways, should where possible, create visual interest and avoid the creation of a “gun barrel” effect.

C14 Driveways should have a minimum width of 4.0m.

C15 Development should have a maximum driveway crossover of:
(a) 6m for residential flat buildings; and
(b) 4m for other residential development where the lot width is 12m or greater and 3.5m where the lot width is less than 12m.

C16 All Vehicle parking is to be behind the building line and be arranged so that all vehicles may be driven in a forward direction during both ingress and egress from the site.



Note: All dimensions are in millimetres

Illustration 6.26 Dimensions required for an accessible car parking facility

6.4.9 Alterations and additions to multi dwelling housing and residential flat buildings

Any proposed alterations and additions are to comply with the other standards (original consent) or relevant DCPs regarding setbacks, floor space ratio, site coverage, landscaping, height, dwelling density, etc.

The proposal should, in the opinion of Council, be in character with, and not detract from the architectural integrity of the existing development.

The proposal should observe the current development standards (eg floor space ratio, setbacks, site cover etc.) and not cause any detrimental impact to any other dwellings, in terms of access to sunlight, protection or privacy and/or impact on amenity.

Objectives

O1 To provide a set of controls for the external alteration or modification of existing multiple dwelling residential developments.

O2 The controls aim to ensure that development is aesthetically, environmentally and harmoniously compatible with the original Development Consent.

O3 To maintain the internal and external streetscape or other design and appearance qualities which contribute to the character, identity and acceptability of the approved development.

Controls

C1 *Building height*

Other than attic conversions a proposal which creates the impression of an additional level externally to what was originally approved by Council will not be permitted.

C2 *Roofs*

The pitch (slope) of any roof facing or visible from a street or public place is to match the approved development.

Where the roof cannot be seen from any street or public place, Council may allow some change to the form and/or pitch.

C3 *Attic conversions*

The provision of attic windows and the use of roof spaces in buildings is generally preferred to the addition of recognisable separate storeys. The use of the roof space may require a special type of construction in accordance with the Building Code of Australia.

In approved developments where a close unity and harmonious design prevails, the uniformity and coherence of the streetscape/appearance (either internal or external) should be maintained. Attic windows may be permitted if it is in character with the general architectural design of the development, is appropriately proportioned and has no doors or balconies.

C4 *Balconies*

The enclosure or addition of balconies or the addition of awnings after a building has been completed will not be acceptable unless the overall design is in keeping with the approved architectural theme.

C5 *Privacy and overlooking*

Care is to be taken to avoid any changes creating opportunities of further overlooking of other dwellings including private open space and pedestrian access ways. Care must also be taken not to inhibit the use of any areas provided for public open space or foreshore access through overlooking.

Council shall consider whether reasonable privacy is maintained when making its determination.

C6 *Views*

Care should be taken to protect views from existing buildings and public areas. Development proposals should be designed to minimise impact on the views enjoyed by adjoining buildings or sites by maintaining view corridors in relation to other dwellings, buildings or place.
Council shall consider whether any views are affected.

C7 *Solar access*

Council silll not favour a reduction in solar access to adjoining dwellings, private open space or public open space.
Council may require an applicant to prepare shadow diagrams showing the impact of a proposal. Such diagrams should be based on a survey of the relevant site and adjoining development.

C8 *Landscaping*

Existing landscaping is to remain in accordance with plans approved by Council and not be varied except with Council's consent. A reduction in landscaping from the approved scheme is generally not favoured. Where permitted, Council may require some additional landscaping to be placed elsewhere. An increase in areas of hard paving will generally not be acceptable.

C9 *Vergolas/pergolas*

The erection of a vergola/pergola shall be considered as additional floor space if it is enclosed. They must be attached to the building but not enclosed in any way. Pergolas/Vergolas are not permitted in any building setbacks, or where they will adversely affect sunlight or privacy of adjoining properties. They will generally only be considered on existing hard paved areas.

Approval will not generally be granted to a vergola/pergola that is built to the site boundary.

C10 *Garden/tool sheds and glass houses*

Where the erection of a garden/tool shed or glass house is proposed it will be considered to be additional floor space. Structures of this type will not be permitted within building setbacks.

If the garden/tool shed or glass house is visible from a public vantage point then the proposed structure should be sympathetic to the approved architectural theme and integrity of the development.

C11 *Car parking spaces*

Where there are parking spaces additional to those required in the original development consent the reallocation or alterations of parking spaces may be permitted provided that it complies with Council's car parking requirements.

The erection of carports to external parking spaces may be permitted where the architectural theme is maintained and an overall integrated and harmonious scheme for adjoining car parking spaces is to be implemented at the same time.

The purchasing, leasing or allocation for exclusive use of car parking spaces which are not allocated to any particular dwelling or purpose in the approved scheme may be permitted subject to:

(i) The parking space must be in the same strata plan as the dwelling it is proposed to be allocated to or a different strata plan in the same community title.
(ii) If external to the building the parking space is not to be enclosed or altered in any way.
(iii) The use of such additional spaces is limited to parking or storage of private vehicles only (including boats on trailers).
(iv) Council may require that a restriction to user is to be created on the strata plan and community title.

C12 ***Materials and finishes***

The proposed alterations and additions should match as far as possible the existing building in its use of materials and finishes.

6.5 Ancillary structures

6.5.1 Fencing

Fencing is an important streetscape element and can indicate the architectural period of an area. Consistent and uniform front fencing contributes significantly to the streetscape and character of an area.

For the purpose of this DCP, front fencing is any fence between the front alignment of a building and the street boundary.

Whilst privacy and security of individual households is an important consideration, high blank fencing along the street has a negative impact on the streetscape, personal safety and security by reducing the opportunities for overlooking of private areas. The construction of high blank front fencing is therefore not desirable and should be avoided.

Objectives

O1 To maintain and enhance the character of streetscapes within the Canada Bay LGA.

O2 To ensure that views from streets are maintained and not negated by excessively high fences.

O3 To reduce the impact of front fencing on the streetscape and encourage fencing consistent with the existing streetscape pattern, in sympathy with the general topography and the architectural style of the existing dwelling or new development.

O4 To ensure that materials used in front fencing are of high quality and are in keeping with the exiting streetscape character.

O5 To retain and re-use original fences and gates.

O6 To reinstate traditional period fences and gates on street frontages and side streets of an appropriate architectural style to complement existing buildings.

Controls

Height of front fencing

C1 Front fencing and side fencing forward of the building line constructed of a solid material such as brick/masonry, lapped and capped, timber, brushwood and the like, should not exceed 900mm in height above the footpath level.

Refer to Illustration 6.27.

C2 Front fencing and side fencing forward of the building line constructed of visually transparent material such as timber picket/metal grill should not exceed 1.2m in height above the footpath level.

Refer to Illustration 6.28.

Visually transparent components should be no less than 40% of the fence structure and should be distributed evenly along the entire length of the fence.

C3 From the building line, side fences are to taper down to the height of the front fence line.

C4 In the case of sloping streets, the height limitations may be averaged, with regular steps.

C5 Solid fences greater than 1.2 metres will only be considered in a streetscape which is shown in the Streetscape Character Analysis to exhibit in excess of 70% high solid fence forms. In such circumstance the appearance of the fence should be softened by:

(a) Providing a continuous landscaped area of not less than 600mm wide on the street side of the fence, planted with tree and shrub species selected on the basis of low maintenance attributes; and

(b) The use of openings, variations in colour, texture or materials to create visual interest.

Design of fences

C6 Avoid painting or rendering original masonry and sandstone fencing.

C7 New fencing should complement any original fencing found on adjoining properties and in the street in terms of style, height, materials, colour, texture, rhythm of bays and openings.

Note: Blank walls disrupt established fencing patterns and should be avoided.

C8 Fencing and associated walls must be positioned so as not to interfere with any existing trees.

Materials

C9 Materials of construction will be considered on their merit, with regard being given to materials of construction of other contributory fences in the vicinity and/or that of the building on the allotment where such materials enhance the streetscape – with a general prohibition on the following materials:

(a) Cement block;

(b) Metal sheeting, profiled, treated or pre-coated.

(c) Fibro, flat or profile;

(d) Brushwood; and

(e) Barbed wire.

General

C10 Gates and doors are to be of a type which do not encroach over the street alignment during operation.

Advisory Notes

All controls are subject to the provision of adequate sight lines for emerging vehicles to enable surveillance of pedestrian and vehicle traffic.

Illustration 6.27 Example of solid front fencing with a height of 900mm

Illustration 6.28 Example of an open front fencing with a height of 1200mm

6.5.2 Site facilities

Site facilities include:

- Air conditioners;
- outbuildings;
- TV aerials and satellite reception dishes
- mail boxes;
- garbage storage and collection areas;
- external storage areas;
- clothes drying areas;
- external laundry facilities and
- swimming pools and spas.

Proposals need to ensure adequate and appropriate provision of site facilities. These need to be accessible and not create amenity problems such as smell and unsightliness. The impacts of site facilities on the overall appearance and the local streetscape need to be considered.

The design of site facilities for multi-unit dwellings needs particular consideration as these facilities are shared. They need to be designed and located so that they are accessible by all residents and do not detract from the amenity of any residence.

Objectives

O1 To ensure that adequate provision is made for site facilities.

O2 To ensure that site facilities are functional and accessible to all residents.

O3 To ensure that site facilities are easy to maintain.

O4 To ensure that site facilities are thoughtfully and sensitively integrated into development and are unobtrusive and not unsightly.

Controls

Air conditioners

C1 Air conditioning units should be sited so that they are not visible from the street.

C2 Air conditioning units should not be installed on the front façade of a building.

C3 Air conditioning units should not be installed within window frames or otherwise obscure a window.

C4 Air conditioning units should not obscure architectural details visible from the street.

C5 The noise level from air conditioning systems is not to exceed the L aeq 15 minute by 5dBA measured at the property boundary.

Outbuildings and outdoor structures

C6 An outbuilding and outdoor structures should be located behind the front building line.

This clause does not apply to the required waste storage area for multi dwelling housing and residential flat buildings, front fences or carports permissible under the provisions of this DCP.

C7 Windows and doors of outbuildings should face into the rear yard, or be frosted, if facing into a neighbour's property.

Clothes drying facilities

C8 Adequate open air clothes drying facilities should be provided that are easily accessible to all residents and are visually screened from the street and adjoining premises.

Numbering of buildings

C9 Street numbers are to be placed on the building in accordance with Council's numbering system and be visible from the primary street frontage.

Public utilities

C10 For new development and substantial alterations to existing premises provision must be made for connection to future underground distribution mains.

In such developments the following must be installed:

- an underground service line to a suitable existing street pole; or
- sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Council may require the bundling of cables in the area surrounding the development to reduce the visual impact of overhead street cables.

For further details see EnergyAustralia requirements.

Mail boxes

C11 All mail boxes associated with multi dwelling housing and residential flat buildings should be designed in a manner that enhances the visual presentation of the building(s) they serve.

C12 Individual mail boxes should be located close to each ground floor dwelling entry, or a mail box structure located close to the major pedestrian entry to the site and complying with the requirements of Australia Post.

C13 Letter box structures should not dominate the street elevation.

Swimming pools and spas

C14 Swimming pools and spas should be located behind the front building line.

C15 For corner allotments or where the property has two street frontages, the location of swimming pools/spas is not to be in the primary frontage.

C16 Swimming pools/spas should be positioned so that the coping is a minimum of 800mm from the property boundary.

C17 In-ground swimming pools should 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.

C18 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 500mm above existing ground level.

C19 When consent is granted for a swimming pool having a height above natural ground level in excess of 500mm, any landscaping treatment should be completed before the swimming pool is filled with water.

Tennis Courts

C20 Tennis courts are to be sited at the rear of properties.

C21 For corner allotments or where the property has two street frontages, the location of tennis courts is not be in the primary frontage.

C22 A minimum of five (5) metres should be maintained between the tennis court fencing and habitable rooms of any dwelling.

C23 Tennis courts should be positioned having regard to the location of habitable rooms both on site and on adjoining properties and maintenance of appropriate private open space.

C24 Screen planting should be provided between court fencing and the nearest property boundary or any dwelling on and adjoining property.

C25 The court playing surface should be of a material that minimises light reflection.

C26 Flood lighting is generally not permitted unless it can be demonstrated the lighting and use of the court at night will not interfere with neighbour amenity.

C27 Fencing material is to be a recessive colour.

C28 Fences are to be set back a minimum of 1.5 metres from boundaries.

C29 Cut and fill associated with the construction of a tennis court should not unreasonably intrude into the natural topography of the land.

TV antennae and satellite dishes

C30 Satellite dishes, telecommunication antennae and ancillary facilities are to be:

(a) Located away from the street frontage or any public or private property adjacent to the setback from the perimeter wall or roof edge of building;

(c) Installed so that they do not encroach upon any easements, rights of ways, vehicular access or parking spaces required for the property, and

(d) Painted in colours selected to match the colour scheme of the building.

C31 Satellite dishes where they are situated in rear yards are to be less than 1.8m above ground.

C32 Only one (1) telecommunications/TV antennae will be permitted for each residential flat building.

6.5.3 Waste management

One of the aims of this DCP is to provide guidelines on how to minimise waste and reduce the demand for waste disposal. This section contains objectives, and controls that must be complied with which apply specifically to detached dual occupancies, multi dwelling housing and residential flat buildings. Standards for single dwellings are also applicable for each dwelling created by detached dual occupancy.

Objectives

O1 Assist in achieving Federal and State Government waste minimisation targets in accordance with regional waste plans.

O2 Minimise overall environmental impacts of waste and foster the principles of ecologically sustainable development (ESD).

O3 Facilitate source separation and provide design standards that complement waste collection and management services offered by Council and private service providers.

Controls

C1 All development applications involving demolition or construction are to be accompanied by a Waste Management Plan.
A Waste Management Plan form may be obtained from Council's website or Councils Customer Service Centre.

C2 Garbage storage and recycling areas shall be designed to accommodate the following minimum space dimensions for garbage, recycling and garden organics bins and in accordance with the ratios set out in C4.

Space Dimensions for Garbage Bins

	Height	*Width*	*Depth*
120 L	980mm	500mm	540mm
240 L	1140mm	580mm	715mm

C3 Residential developments are to provide storage space for garbage, recyclables and garden organics in accordance with the following:
(a) Allocated 1 X 240L Garbage Bin (per 2 residential units), 1 X 240 L Recycling Bin (per 2 residential units) and 1 X 240L Garden Organics (per 10 residential units up to a max of 30 residential units); and
(b) Above 30 units upon application to Council

C4 The garbage/recycling storage area shall be constructed of brick or other approved masonry material, have a concrete floor at a level approved by Council and suitably graded to allow drainage.

C5 The storage area should have an entrance width of 1000mm and be connected to Council's footpath via a suitably paved and graded pathway or driveway without steps.

C6 Where storage is provided for two rows of garbage bins facing each other, a minimum distance of 200mm is required between the rows. Similarly, if one row of garbage bins requires a screen wall in front of it, such a wall must be at least 1200mm away from the bin area.

C7 If the combined number of garbage, recycling and garden organics bins is an odd number, a single bin may be stored in the aisle way at the end of the bin bay.

C8 Where the garbage/recycling storage area is proposed forward of the building line, the facility shall:
(a) Be located such that the point of entry to the area is no further than 4 metres from the boundary line;
(b) Have a wall height of 1200mm (unless a cover is required);
(c) Have an internal clear height of 1600mm if a cover over the bins is proposed;
(d) Be designed and located to minimise the impact on neighbouring properties and residents, the streetscape and residents within the proposed development;
(e) Be integrated into the landscaping to reduce the visual impact;
(f) Where a garbage/recycling facility is proposed adjacent to a common boundary, it shall be no closer than 1000mm to that boundary and a landscape buffer zone shall be provided between any bin bay and the neighbouring properties;
(g) Where a pergola is proposed in association with garbage/recycling storage area, it shall have clear internal height of 2.1 metres; and
(h) If a bin bay is adjacent to a driveway, it must be setback a minimum of 1200mm to allow sufficient site distances for vehicles exiting the site.

C9 A water tap and drainage shall be provided near the garbage/recycling storage area.

C10 Buildings containing more than 3 storeys shall provide a suitable chute system for the disposal of waste from each floor level to garbage room.

C11 A temporary recycle point/area shall be provided on each level to adequately house recyclables.

C12 A waste cupboard or other appropriate space is to be provided within the dwelling for temporary storage of recyclables, garbage and compost materials. This should be indicated on the waste management plan.

C13 For Multi Dwelling Housing, where applicable, adequate space shall be provided to enable on site composting. This should be indicated on the waste management plan.

C14 For large scale proposals there may be a number of garbage and recycling rooms operating in conjunction with a collection area located adjacent or in close proximity to the collection point. This should be indicated on the waste management plan.

C15 In Multi Residential Developments, if the collection point is underground or located on a private road, Councils contractor should be consulted and an indemnity shall be provided prior to the commencement of the waste service. Truck heights and turning circles will need to be considered in these instances.

6.6 Site specific design controls

The controls in this section are in addition to the other controls in this DCP .

6.6.1 186 Great North Road, Five Dock

The following objectives and controls have been prepared to ensure that the land at 186 Great North Road, Five Dock accommodates a high quality development.

Objectives

O1 Future development has adequate building setbacks and separation so that buildings are seen within a landscaped setting.

02 Provide lower building heights on the McKinnon Avenue and Great North Road frontages to provide an appropriate bulk/ scale relationship with the surrounding locality.

03 To protect important built and natural elements both in the private and public domain.

04 Ensure the use of high quality facade and design finishes.

Controls

C1 The maximum number of storeys permitted on the site is shown in Figures 1, 5, 6 and 7.

C2 The minimum setbacks from boundaries are shown in Figure 2.

C3 A minimum of 38% of the site is to comprise landscaped area. (Landscaped area means any part of the site used for growing plants, grasses and trees but does not include any building, structure or hard paved area).

C4 A minimum of 28% of the site area is to comprise deep soil landscaping. (Deep soil area means any part of the total landscaped area that does not include buildings or other structures under - with the exception of measures for the remediation of contaminated land).

C5 The Fig trees on Lyons Road are to be protected throughout construction and following completion of building through setbacks of the building and associated basements.

C6 Vehicle Access from Great North Road and Lyons Road is not permitted. Vehicular access to and from the site must be from McKinnon Avenue. Refer to Figure 4.

C7 The Tobruk Memorial is to be retained on the corner of Great North Road and Lyons Road.

C8 In addition to the 8.0m from the southern boundary adjacent to Lyons Road, all buildings are to be set back an additional 1.5m from the canopy of the Fig trees.

C9 Buildings are to be designed to face the street, and to enhance the public domain through entrances, good quality finishes and well resolved architectural design.

C10 Fencing on the site is to be designed so that sight lines for both pedestrian and vehicles are not obscured.

C11 Roof forms, plant and lift overruns are to be designed to be simple compact forms that are visually unobtrusive.

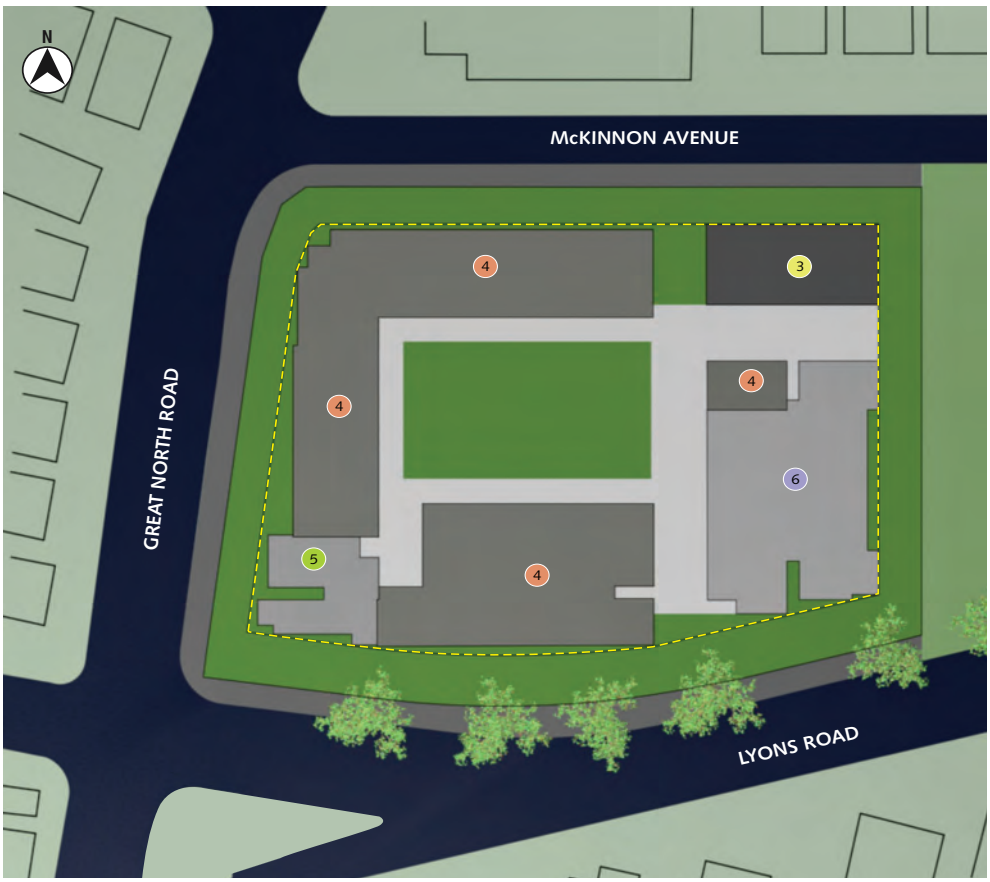


Figure 1 - Building Height (storeys)

Figure 2 - Setbacks and Separation

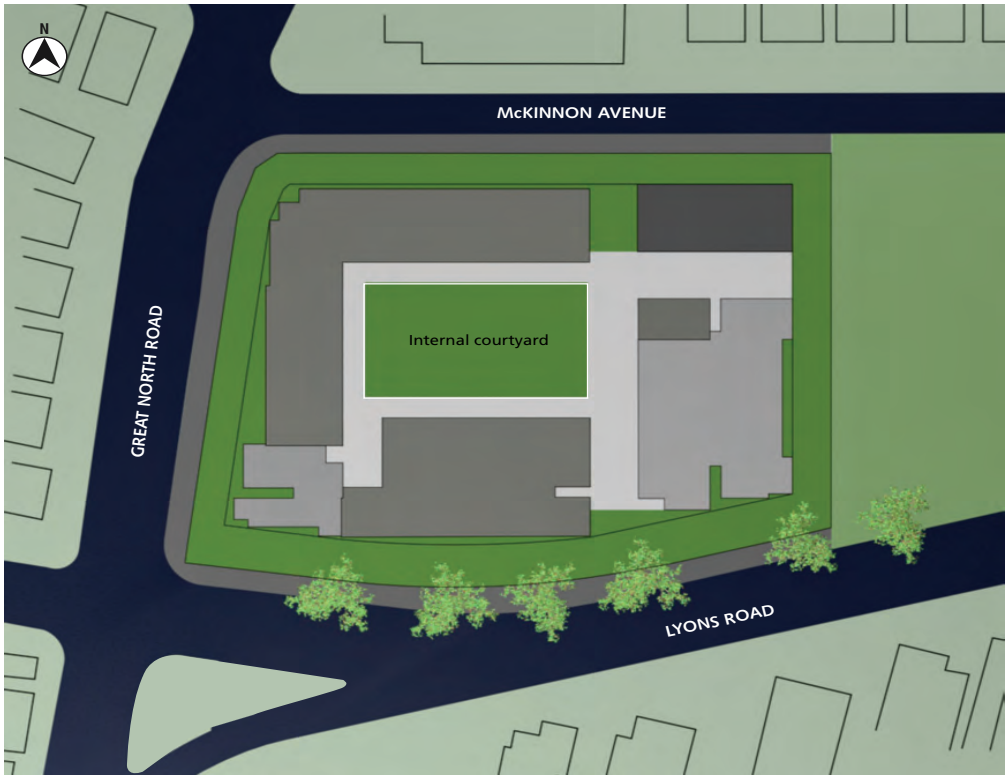


Figure 3 - Landscaped Area Including Internal Courtyard

Figure 4 - Vehicle Entry & Exit - General Location

- General Location

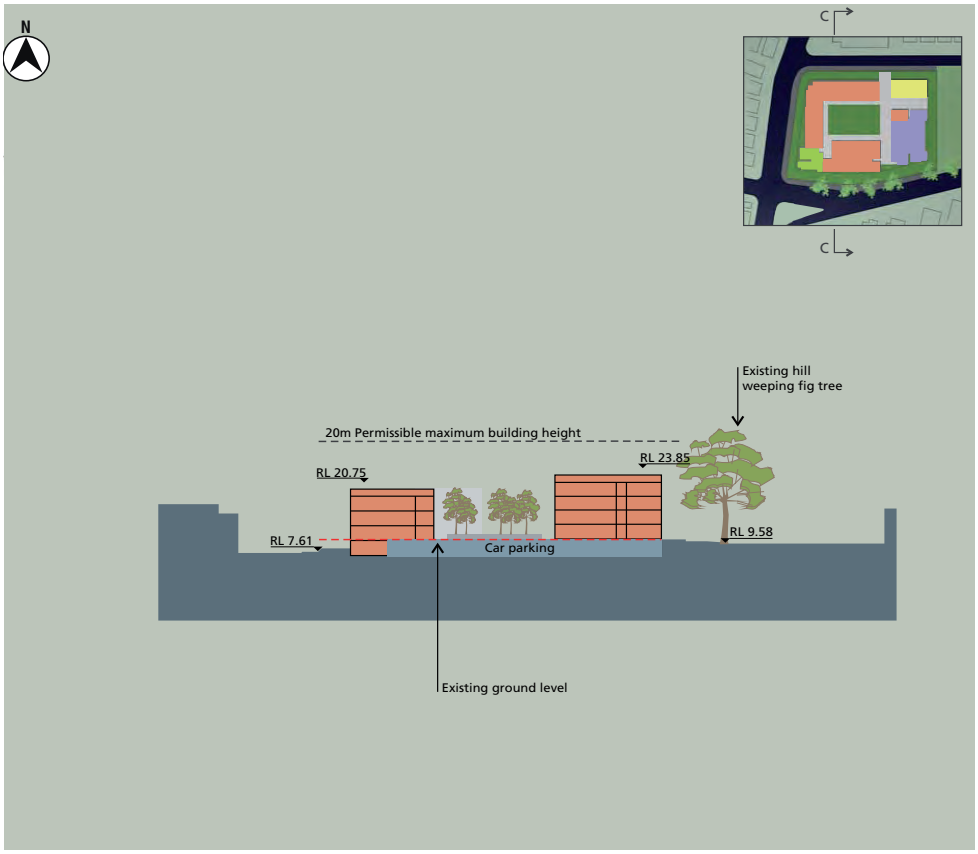


Figure 5 - Cross Section

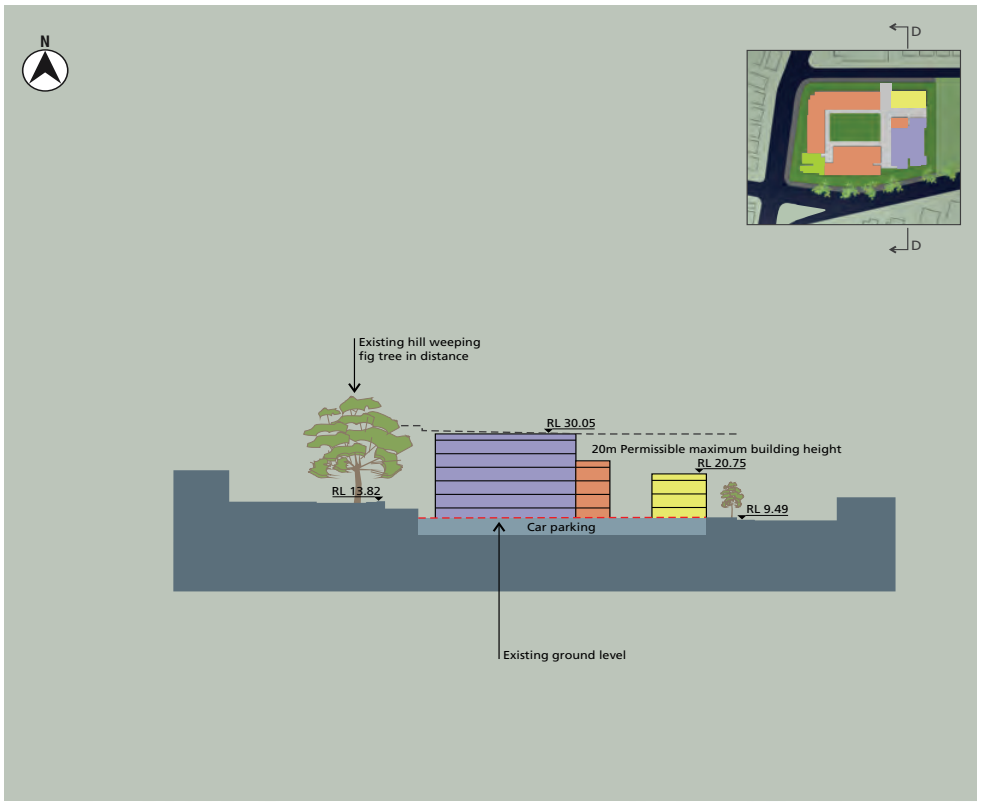


Figure 6 - Cross Section

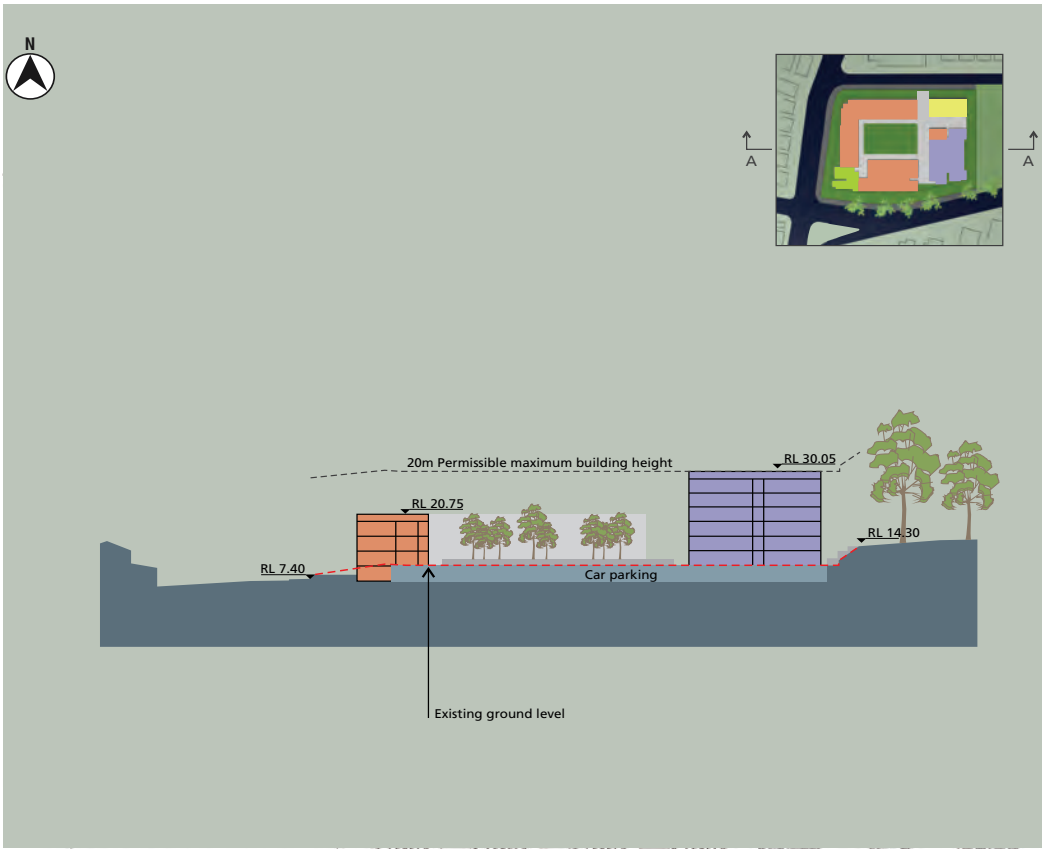


Figure 7 - Cross Section

6.6.2 Bibby Street Precinct

The following objectives and controls have been created to ensure an appropriate form and scale of development is provided for the former industrial precinct bound by Bibby Street, Blackwall Point Road and Burns Crescent, Chiswick.

Objectives

O1 Orientate new buildings to the north so as to maximise solar access for new dewellings.

02 Build to the building envelope line at the corners of Bibby Street/Blackwall Point Road and Bibby Street/Burns Crescent corners of the site to create a higher density residential "node" complementing existing development on the adjacent corners of the Bibby Street/Blackwall Point Road intersection.

03 Establish a continuous building line along Bibby Street.

04 Protect the solar access and privacy of existing neighbouring properties and respond to the topography and slope of the study area by establishing building height limits which "step down" the slope of the site.

05 Relate to the existing low density residential properties by "stepping down" the height and scale of new buildings towards the north east of the site.

Controls

C1 The maximum number of storeys permitted on the site is shown in Figure 1.

C2 The minimum boundary setbacks are shown in Figure 2.

C3 Vehicle Access points are to be provided in accordance with the Figure 3.

C4 Fencing on the site is to be designed so that sight lines for both pedestrians and vehicles are not obscured.

C5 Roof forms, plant and lift overruns are to be designed to be simple compact forms that are visually unobtrusive.

Figure 1

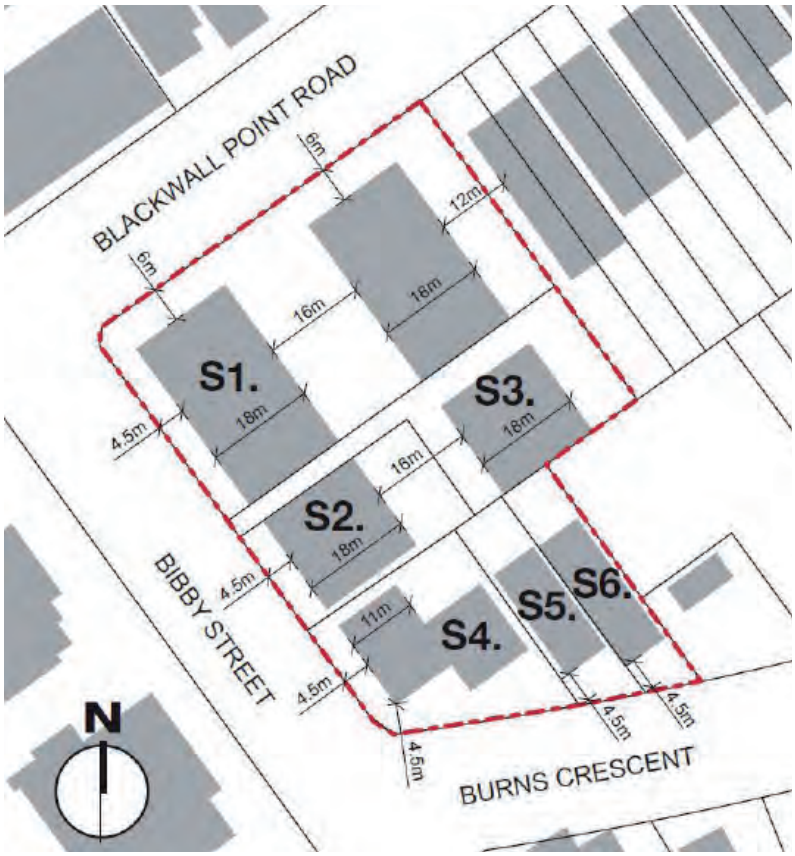


Figure 2

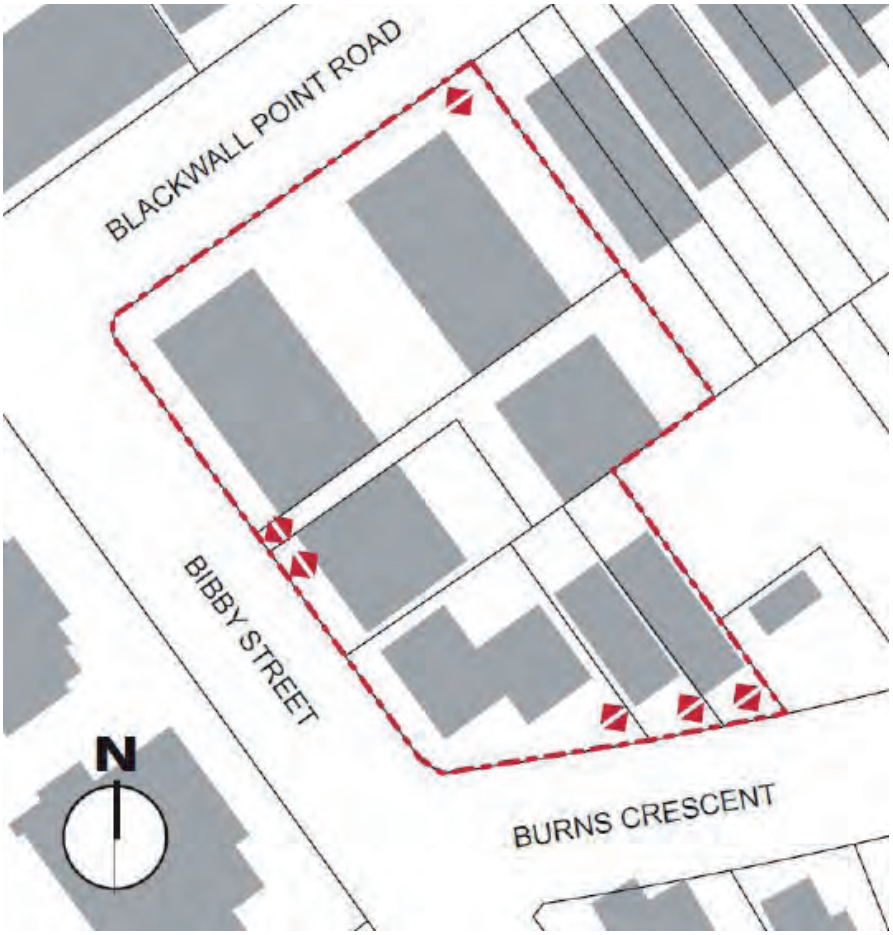


Figure 3

part 7

Mixed use areas and neighbourhood centres

7.1 General objectives

The controls in this section of the DCP apply to permissible development in mixed use areas and neighbourhood centres. It contains general controls that apply to all commercial development and specific controls that that apply to selected commercial precincts.

O1 To facilitate the development of ALL commercial areas in a way that is economically sustainable and environmentally sensitive.

O2 To encourage the revitalisation of the commercial areas by enabling mixed use development including residential in certain areas.

O3 To ensure development contributes to the improvement and amenity of public spaces.

O4 To maintain the heritage values through appropriate alterations and additions.

7.2 Building design and appearance

The City of Canada Bay's business centres are characterised by retail shopping strips, formed by interaction between local topography, street layout, subdivision pattern and building form.

Façade treatment, the line of continuous awnings and the general vertical building proportions assist in tying buildings together into cohesive groups.

Objectives

O1 To ensure infill development is well articulated, makes a positive contribution to the streetscape and responds to local urban character.

O2 To ensure development presents a clear and visually interesting address to the street.

O3 Alterations and additions respect the identified heritage and conservation values of the place.

O4 To retain the use of awnings as visually dominant and co-ordinating townscape features.

O5 To encourage awnings which are lighter and more elegant in appearance to allow more light through to shop fronts.

O6 To ensure new development maintains a pedestrian scale, and provides weather protection at street level.

Controls

Building massing

C1 Building mass should maintain the prevailing vertical character found in Canada Bay's business centres.

C2 Disruption of the street wall massing is not permitted.

Building facades

C3 Where development has two (2) street frontages the streetscape should be addressed by both facades.

Development should provide a definitive street address to both facades when fronting a main road and a smaller road or car park.

Roofs and parapets

C4 In commercial areas where parapet skylines predominate, infill development should also include parapet skylines.

Awnings

C5 Refurbishment or redevelopment of a building should include the provision of an awning of a similar height, width and general appearance to that of adjoining contributory awnings

C6 Awnings should be reinstated where there is evidence that they were originally fitted or where there is a break in a continuous run of awnings.

C7 New awnings on corner buildings should wrap around into side streets.

C8 New awnings should be no higher or lower by 600mm than neighbouring awnings, for continuity.

C9 Awnings are to be flat or near flat in shape. Raised or curved awning structures are not permitted.

C10 Eaves and fascias are to be flat or near flat in shape.

C11 Awning fascias are to be a maximum 300mm high including any added on signage and in keeping with the scale and character of the building.

Verandahs and balconies

C12 The reinstatement of verandahs is encouraged where evidence of the original structure exists.

C13 Balcony balustrades should be of a light open material. Where possible, balustrades are to match predominant examples within the streetscape.

C14 Existing verandahs and balconies should be retained and not infilled.

Car parking

C15 On-site car parking should be located below ground level where possible or located within the building and well-screened, or at the rear off a laneway.

Public utilities

C16 For new development and substantial alterations to existing premises provision must be made for connection to future underground distribution mains.

In such developments the following must be installed:

- an underground service line to a suitable existing street pole; or
- sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Council may require the bundling of cables in the area surrounding the development to reduce the visual impact of overhead street cables.

7.3 Retail frontages

Direct and easy access from the footpath to the shop "draws the street into the shop". Active frontages are therefore a vital contributing factor to a business centre's vitality.

Objectives

O1 To preserve the surviving examples of original whole shop frontages and elements.

O2 To encourage new or replacement shop fronts to be compatible with the architectural style or period of the building to which they belong and the overall character of the business centre.

Controls

C1 New shopfronts should be designed to make maximum use of vertical elements, i.e. windows should emphasise a vertical proportion (height greater than width).

C2 Original early shop fronts in existing buildings should be retained and conserved.

C3 If security shutters are required, they should be visually permeable (75% permeability) to allow viewing of windows and allow light to spill out onto the footpath. Open grilles (concertina style) are preferred.

Note: Block-out roller shutters are not permitted.

7.4 Visual and acoustic privacy

Privacy refers to both visual and acoustic privacy.

Where buildings are constructed adjacent to residential properties which adjoin the shopping centre, particular regard should be had to any possible loss of privacy which may be caused to residents.

Objective

O1 New development is to ensure adequate visual and acoustic privacy levels for neighbours and residents.

Controls

C1 Openable first floor windows and doors as well as balconies should be located so as to face the front or rear of the building.

C2 Where it is impractical to locate windows other than facing an adjoining building, the windows should be off set to avoid direct view of windows in adjacent buildings.

C3 Where the visual privacy of adjacent properties is likely to be significantly affected from windows, doors and balconies, or where external driveways and/or parking spaces are located close to bedrooms of adjoining buildings, one or more of the following alternatives are to be applied:

(a) Fixed screens of a reasonable density (minimum 75% block out) should be provided in a position suitable to alleviate loss of privacy;

(b) Where there is an alternative source of natural ventilation, windows are to be provided with translucent glazing and fixed permanently closed;

(c) Suitable screen planting or planter boxes are to be provided in an appropriate position to reduce the loss of privacy of adjoining premises:
Note: This option will only be acceptable where it can be demonstrated that the longevity of the screen planting will be assured.

(d) Windows are off-set or splayed to reduce privacy effects; and

(e) Windows have sill heights of 1.8 metres or more above floor level or fixed translucent glazing to any part of a window less than 1.8 metres above floor level.

C4 New development containing dwellings along a major road or along a railway corridor should incorporate noise attenuation measures.

7.5 Safety and security

Sensible design can contribute significantly to crime prevention by providing environments where members of the public feel safe and secure and conversely vandals have a feeling of being under surveillance.

Objectives

O1 To ensure a safe physical environment by promoting crime prevention through design.

O2 To encourage increased use of shopping centres, particularly at night.

O3 To create a balance of uses that are safe and easily accessible.

O4 To ensure there is adequate lighting and signage.

Controls

C1 Pedestrian ways and car parking, particularly those used at night, are to be direct, clearly defined, visible and provided with adequate lighting.

C2 Landscaping and site features that might block sight lines are
to be minimised.

C3 Shadows and concealment spaces are to be minimised.

C4 All entrances and exits are to be made clearly visible.

C5 Windows etc. should be arranged to overlook public areas and streets to maximise surveillance.

C6 Developments generating a significant amount of pedestrian movement throughout the car park (such as shopping centres or office car parks) are to establish clear and convenient pedestrian routes. These routes must 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).

C7 Pedestrian access to buildings should be separate to vehicular access to the site.

7.6 Daylight and sunlight access

The design of the developments should attempt to ensure that where adjoining buildings, particularly residential dwellings, are located in close proximity to new commercial buildings, the design of such projects should attempt to minimise any potential loss of sunlight or daylight to residences.

Objectives

O1 To ensure that daylight access is provided to all habitable rooms and other areas to improve amenity and energy efficiency.

O2 To minimise the amount of overshadowing of neighbouring developments and outdoor spaces to maintain their amenity.

Control

C1 Direct solar access (sun shine) to windows of principal living areas and the principal area of open space of dwellings adjacent to commercial zones should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.

7.7 Building envelope controls and site specific design controls

The building envelope is the three dimensional space within which development may take place. The building envelope is defined by maximum building height, FSR and setback controls.

The building envelope aims to ensure that the scale and bulk of future development is compatible with site conditions and the desired future character.

The building envelope helps achieve the LEP and DCP's objectives of:

- ensuring a scale of commercial development that is compatible with the amenity of surrounding areas;
- ensuring the bulk and scale of development reflects the character of the streets which define these precincts; and
- ensuring that the bulk and scale of development is compatible with the amenity of surrounding areas.

The building envelope helps to achieve the DCP's objectives by setting out guidelines and controls that work with the LEP requirements for FSR.

The building envelope controls contain flexibility to ensure that these controls can be appropriately adapted to site opportunities and the important character elements of a street or locality.

The building envelope for a site represents the maximum limits of development. It cannot always be 100% developed due to different building standards for different building types.

Objectives

O1 To ensure front setbacks maintain the continuity of setbacks in the street.

O2 Ensure buildings are of a height and scale which is consistent with the character of the area.

O3 To maintain the privacy and amenity of adjoining and nearby residential developments.

7.7.1 Victoria Road, Drummoyne

Victoria Road is a transport artery of Drummoyne that moves people and goods in and throughout the area. Its character reflects the bustling and aggressive transport function combined with the mix of commercial and retail uses.

The Victoria Road commercial area is defined by the strip of commercial and retail buildings which align both sides of Victoria Road. A mix of buildings address Victoria Road with varying setbacks. Collectively these buildings display a pattern of vertical elements, detailed awnings, parapet and silhouettes.

The intersection of Victoria and Lyons Road is located on a ridgetop and is an important urban and landscape feature containing a mix of civic scaled and articulated buildings. It is a landmark location due to these architectural and topographic qualities. This intersection and buildings form the gateway to Drummoyne and establish the key character.

Parts of the Victoria Road strip are located within conservation areas. Individual heritage items are also found in this area. Conservation areas and heritage items are important for their contribution to the streetscape character and history of the area.

The intersection of the eastern side of Victoria Road and Lyons Road is also part of a conservation area. These buildings on the south east side are identified as having heritage significance as they represent an intact example of Edwardian shopping centre development that forms an almost intact streetscape at the crown of the hill.

The zoning allows for mixed use activities including shop top housing with ground floor retail. Encouraging mixed use development is considered appropriate in some areas provided resident amenity is satisfactory. Providing mixed use development can enhance street activity and surveillance while revitalising the area with new shops, services and residents.

The future character of Victoria Road:

- emphasise the distinctive “busy” urban quality;
- encourage mixed use development to create a thriving urban area with retail, residential and commercial uses;
- improve the streetscape character by coordinated advertising policies;
- encourage street edge development to activate the street;
- ensure that any alterations and additions respect the conservation and heritage values of the area; and
- emphasise the western corner of Victoria and Lyons Road as a strong corner site to signify the gateway to Drummoyne.

Controls have been developed for 7 key precincts within the commercial area (labeled A-G in Figure 7.1). These have been developed in response to the streetscape, type and form of buildings and relationship with adjoining areas.

Refer to Illustration 7.1.

Controls

C1 Infill development in the Drummoyne Commercial Area should include parapet skylines and use non-reflective materials .

C2 Building should be built to the street alignment;

C3 Transitional building heights should be provided between the commercial and residential areas to protect the amenity of surrounding neighbours;

Area A

C4 Development is to be built to the street edge.

C5 Maximum building height is two storeys.

Area B

C6 Development is to be built to the street edge.

C7 The maximum building height is six (6) storeys.

C8 For mixed use development, special consideration must be given to:

- noise attenuation measures;
- privacy issues;
- the provision of landscaping and private open space as roof gardens;
- residential amenity;
- ESD objectives, including cross ventilation and floor to ceiling heights;
- fenestration treatment and adequate solar shading;
- articulation and massing of the façade; and
- limited reflective surfaces.

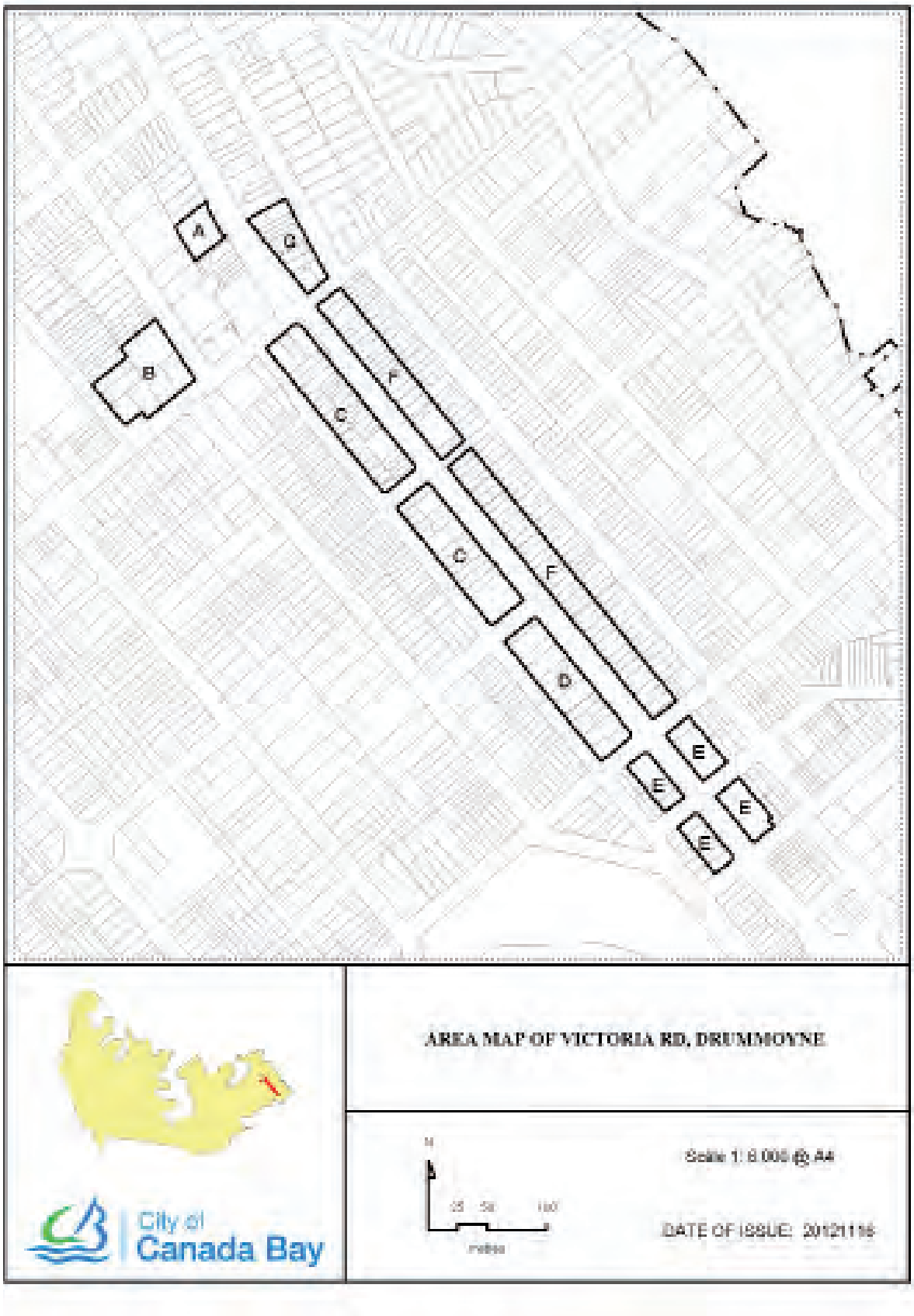


Illustration 7.1

Area C

C9 Maximum building height is 4 storeys at Victoria Road reducing to 2 storeys along Formosa Street. The 2 storey development should extend for a minimum depth of 1/3 of the site east of Formosa Street.

Refer building envelope in Illustration 7.2

C10 Street edge development is required along Victoria Road and Formosa Street.

C11 Roof form at Formosa Street and Victoria Road is a parapet edge.

C12 Development of a heritage item should be in accordance with the controls in Part 4 - Heritage. For heritage items, a statement of heritage impact is required to accompany development applications.

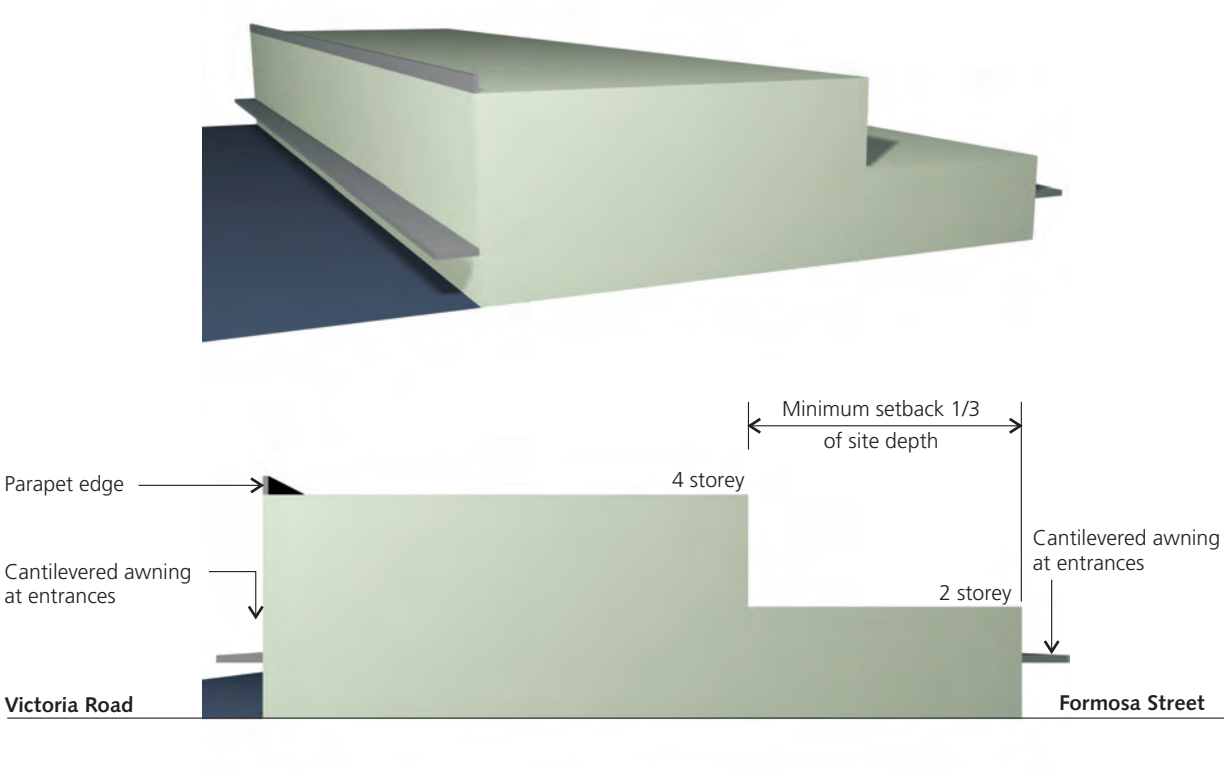


Illustration 7.2 3D envelope for Victoria Road / Formosa Street - 4 storey building

Area D

C13 Street edge development is required along Victoria Road and Formosa Street.

C14 Maximum building height at the Victoria Road alignment is 5 storeys, stepping up to 6 storeys. The 6 storey component is to be set back a minimum of 3 metres from the 5 storey component on Victoria Road.

The maximum building height at the Formosa Street alignment is 2 storeys, stepping up to 3 storeys. The 3 storey component is to be set back a minimum of 5 metres from the two storey component on Formosa Street.

The 2 and 3 storey component is to extend for a minimum of 1/3 of the site east of Formosa Street

Refer to building envelope in Illustration 7.2a.

C15 Roof form at both Victoria Road and Formosa Street is a parapet edge.

C16 A continuous cantilevered awning is to be provided on the Victoria Road frontage.

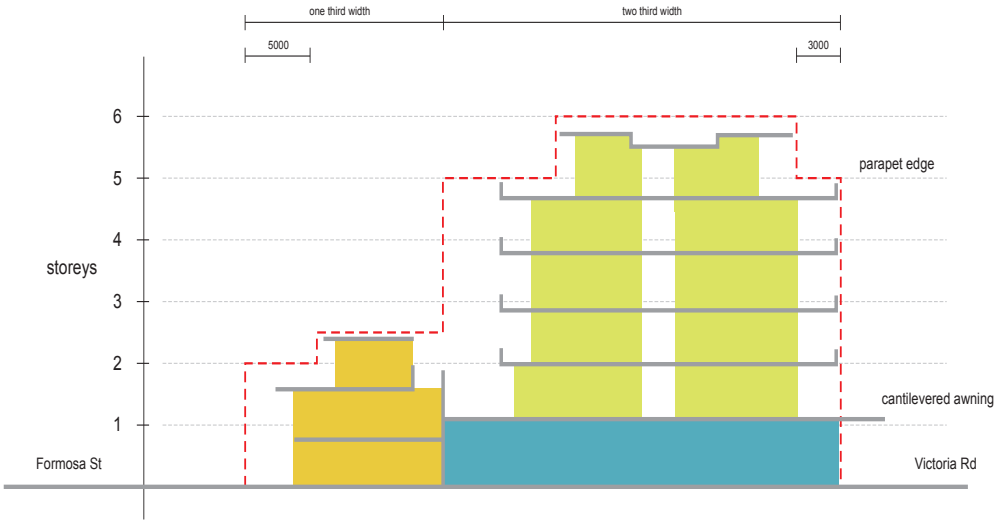


Illustration 7.2a Building Envelope

Area E

C17 Maximum building height is 2 storeys.

Area F

C18 Maximum building height of 3 storeys to Victoria Road reducing to 1 storey at the rear boundary.

Refer illustration 7.3 for the building envelope.

C19 Development is to be built to the street edge.

C20 Any development of a heritage item should be in accordance with the controls in Part 4 - Heritage. For heritage items, a statement of heritage impact is required to accompany development applications.

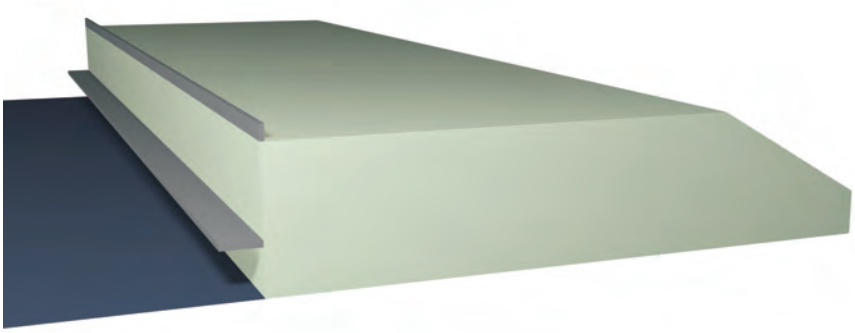


Illustration 7.3 3D envelope for Victoria Road - 3 storey building

Area G

C22 Maximum building height is 2 storeys on Victoria Road, Lyons Road and Wrights Road, with 4 storeys within the centre of the site.

C23 Development is to built to the street edge

C24 Any development of a heritage item should be in accordance with the controls in Part 4 - Heritage. For heritage items, a statement of heritage impact is required to accompany development applications.

Refer to Illustration 7.4

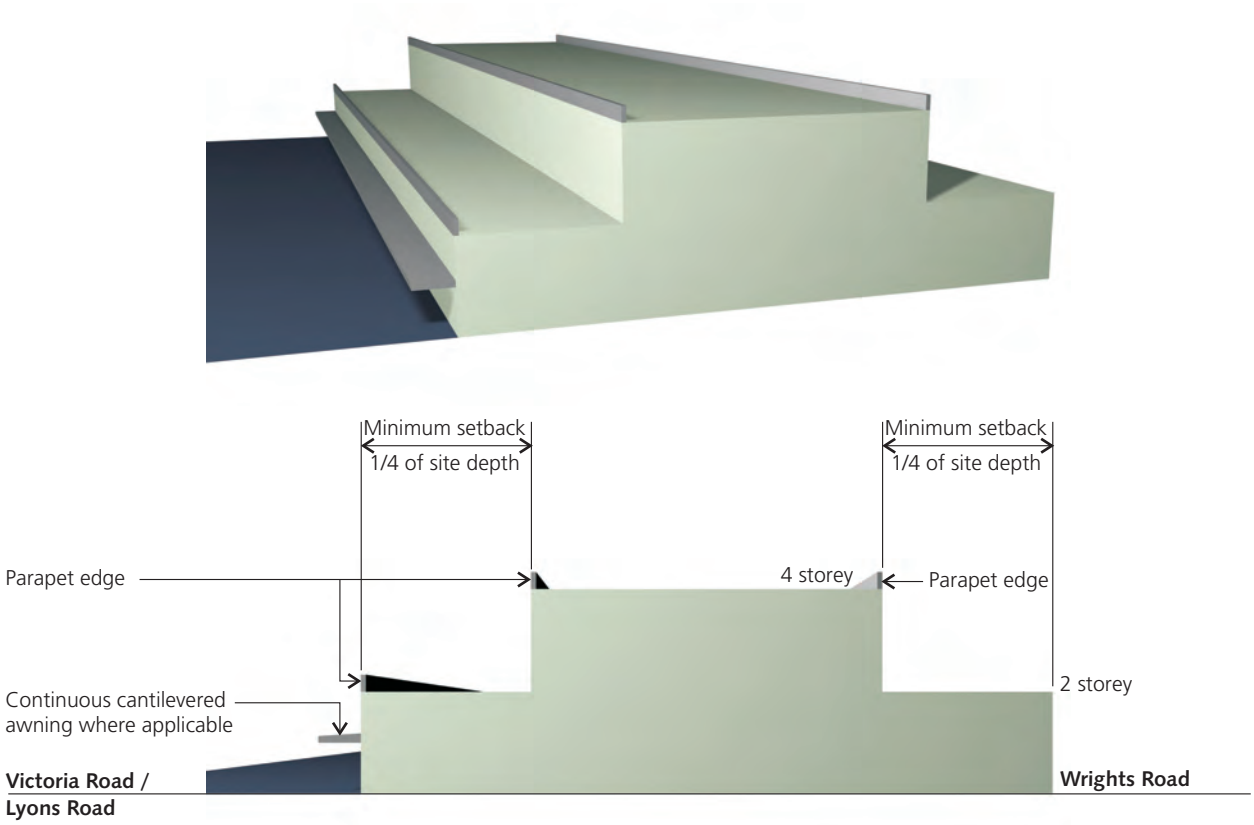


Illustration 7.4 3D envelope for Victoria Road / Lyons Road / Wrights Road - 4 storey building

7.7.2 Five Dock Shops, Great North Road

This commercial precinct, having a local neighbourhood emphasis, is made up from a number of 1-3 storey street edge buildings. Variety is created along the streetscape through the different building styles. It is defined by the Lyons Road intersection to the north and the ridge line intersection at Fairlight/Queens Road to the south.

The local neighbourhood character and sense of enclosure are also created by the street openings containing small pocket parks, forecourt gardens and pedestrian access lanes.

Local neighbourhood character is created by the intimate concentration of shops. They have an immediate catchment of local residents and workers. Access to the area by sustainable transport modes such as walking is to be encouraged to maintain the local amenity.

The centre is characterised by interwar buildings and contains several earlier buildings, including the bank, which have been listed as heritage items.

The zoning also allows for mixed use activities including shop top housing with ground floor retail. Encouraging mixed use development can enhance street activity and surveillance and provide a mix of people and activities which is considered particularly appropriate in Five Dock.

The future character of Great North Road:

- build on the existing small scale intimate character by developing appropriate building forms and heights;
- encourage an active mix of uses to create a dynamic neighbourhood area including retail, residential and recreational uses; and
- ensure that any alterations and additions are in scale and character with the conservation and heritage values of the area.

Refer to Illustration 7.5.

New development between First Avenue and Second Avenue is to ensure that an adequate setback is provided to enable the implementation of a new laneway.

Refer to Illustration 7.6.

It is intended that the laneway will be constructed from First Avenue to Second Avenue between Waterview Street and Great North Road, Five Dock. The laneway will have a width of six (6) metres and:

- remove service vehicles from Waterview Street;
- provide opportunity for underground car parking for buildings fronting Great North Road where vehicular access from Great North Road is restricted;
- provides opportunity to service vehicles to safely service businesses on Great North Road; and
- provides opportunities for on-site customer parking.

Controls

C1 Building heights should be consistent in form and scale, generally built to the street alignment;

C2 Transitional building heights should be provided between the commercial and residential areas to protect the amenity of surrounding neighbours;

C3 Floor space ratios should be appropriate to achieve a consistent density of development and streetscape form;

C4 Infill development should be well articulated, make a positive contribution to the streetscape and respond to the local urban character.

C5 Mixed use development is encouraged in the area. Active street frontages providing both residential and non residential uses are required to enhance security and surveillance in the area.

C6 Parking and servicing arrangements should not alienate the street and the ground level activities, or conflict with the pedestrian space.

C7 Infill development in the Five Dock Shopping Centre should reinforce the low scale character of the streetscape.

C8 For new developments within the Five Dock Commercial Centre, car parking should be provided on-site. On-site car parking should be located below ground level where possible or located within the building and well-screened.

C9 Development should be consistent with the maximum FSR controls in the LEP. The maximum FSR can only be achieved provided the building height and design controls are achieved.

C10 For properties with a common rear property boundary, maximum building height is 3 storeys facing Great North Road, stepping down to 2 storeys for the rear 1/3 of the block depth.

Refer to Illustration 7.7.

C11 For properties set on a rear lane, the maximum building height is 3 storeys facing Great North Road, stepping down to 2 storeys at the rear. The third storey component must be set back a minimum depth of 4 metres from the rear lane.

Refer to Illustration 7.8 for the building envelope.

C12 There is potential for single storey attics within the central portion of sites in accordance with Illustrations 7.7 and 7.8.

C13 Properties with rear lane access, parking and servicing areas should be provided from the rear lane.

C14 Properties without rear lane access, the design and treatment of any vehicular access on Great North Road should be integrated into the building design and developed to minimum width and height standards.

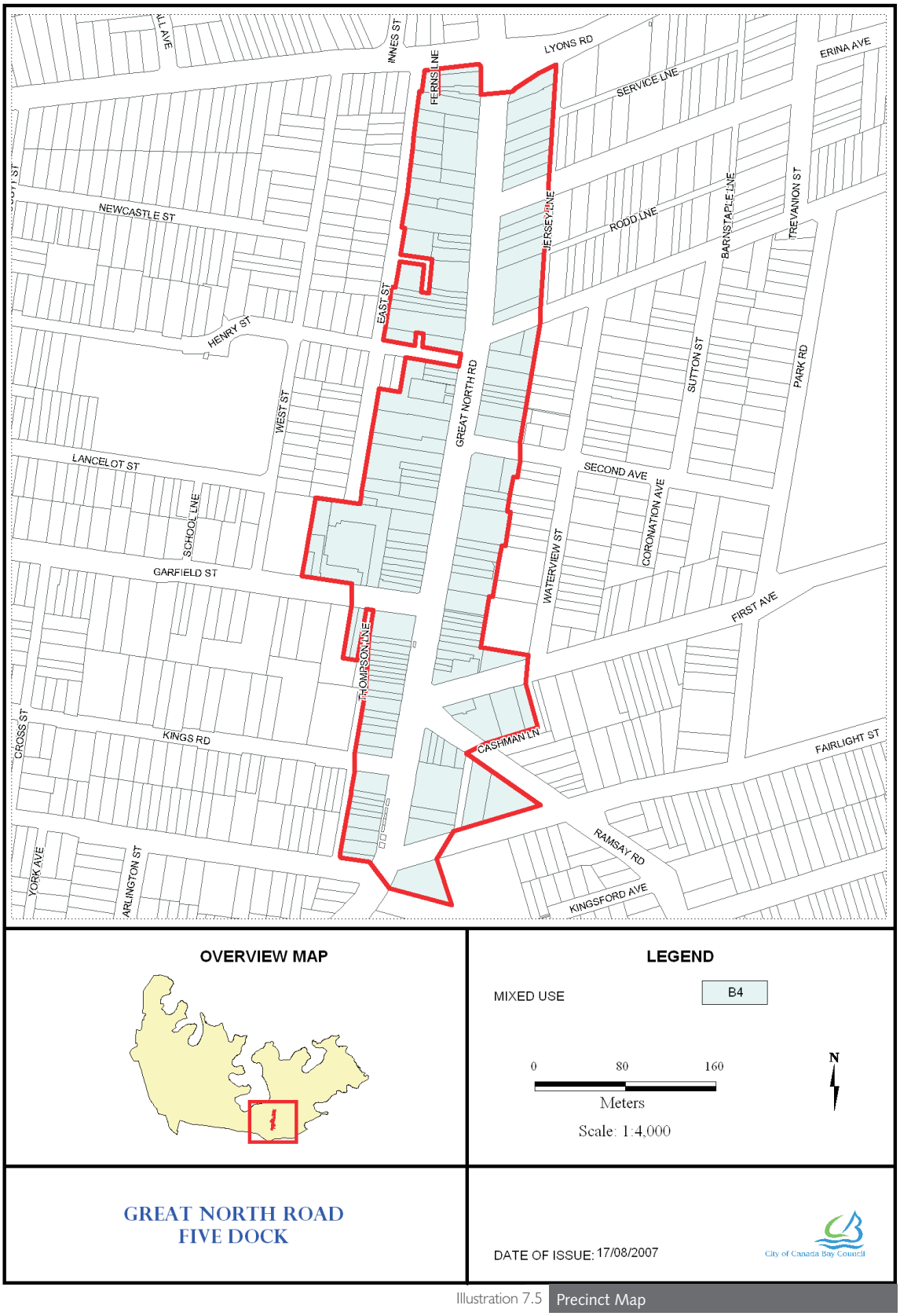


Illustration 7.5 Precinct Map

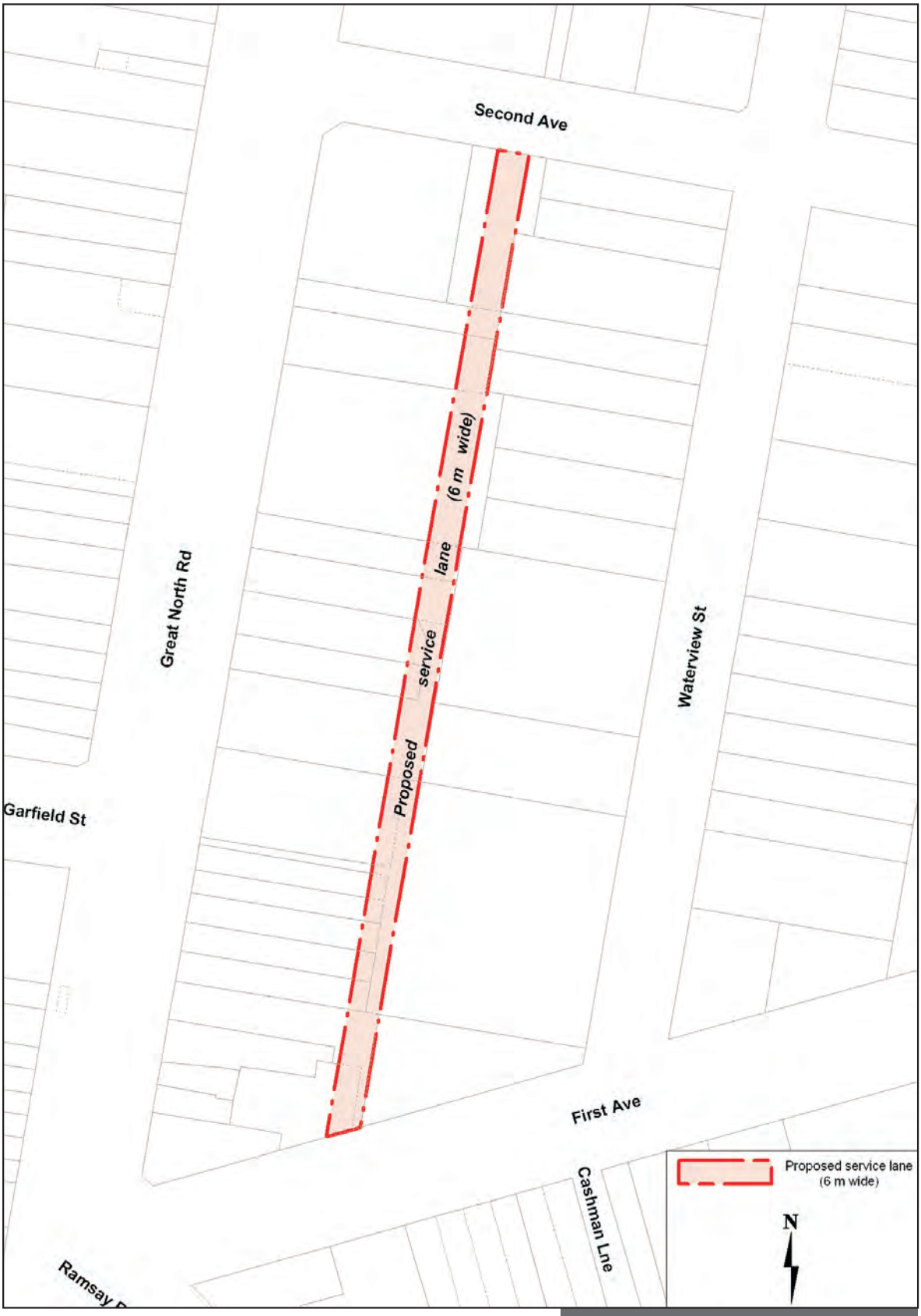


Illustration 7.6 Proposed Service Lane

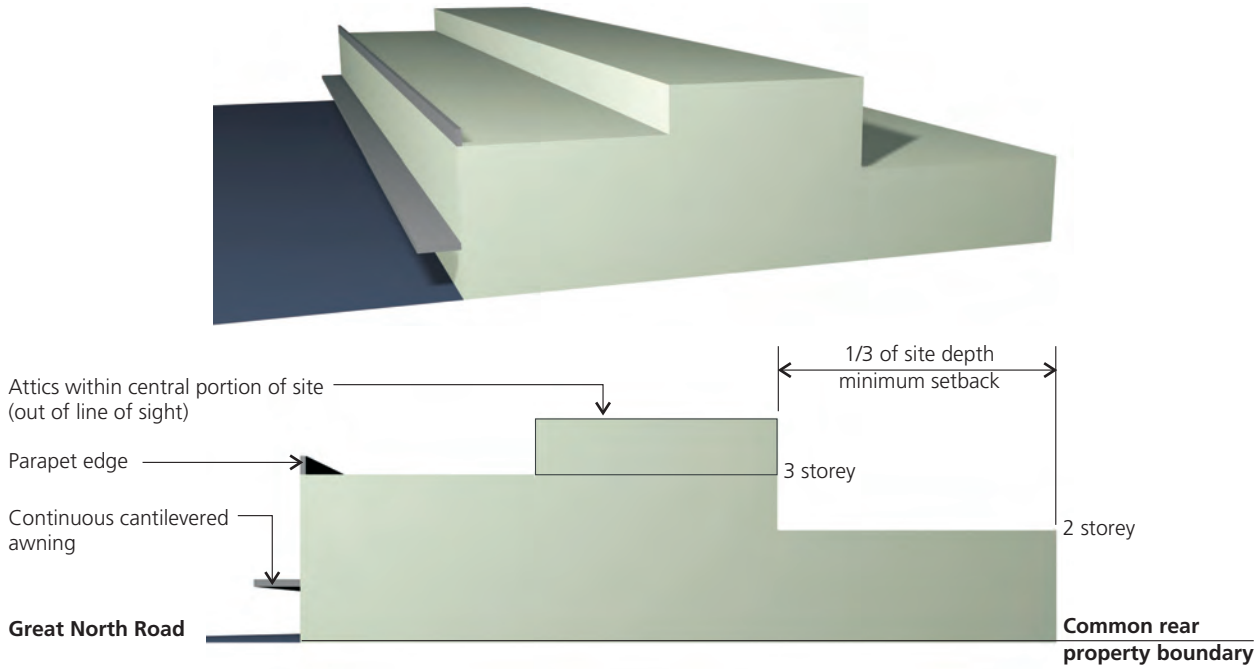


Illustration 7.7 3D envelope for Great North Road with rear common boundary

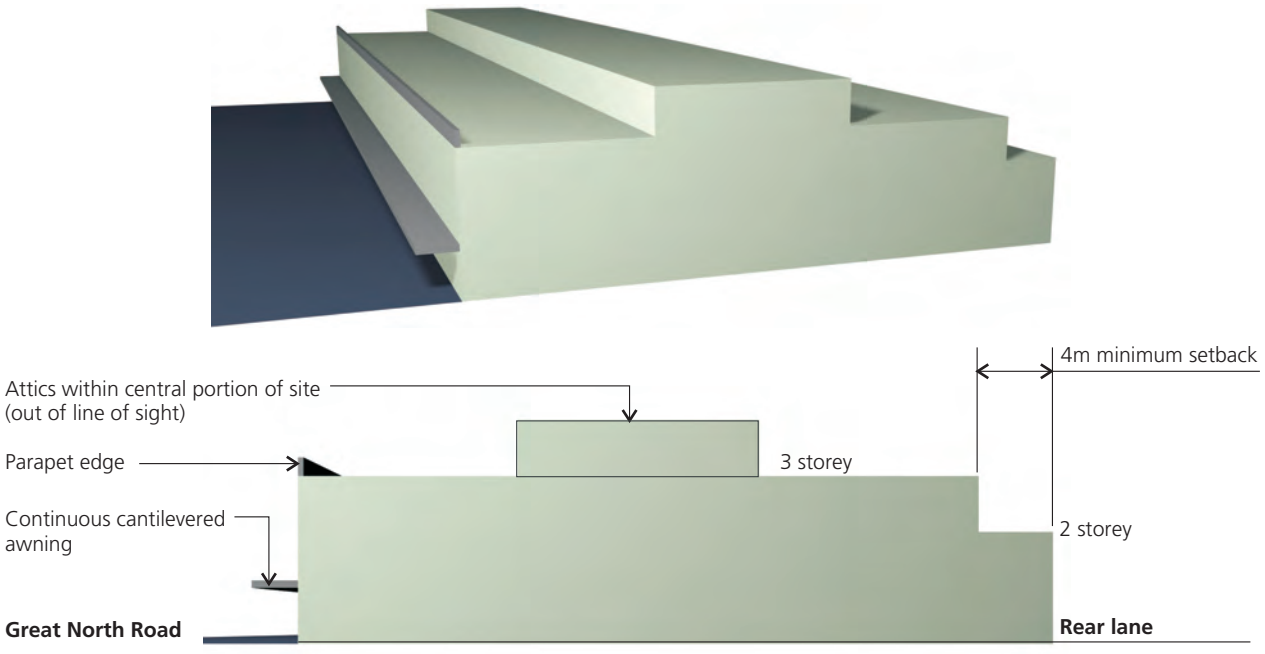


Illustration 7.8 3D envelope for Great North Road with rear lane

7.7.3 Majors Bay Road Shopping Centre

Majors Bay Road Shopping Centre is a linear shopping centre with a strong boulevard quality. The street is well orientated for vistas and was laid out with the subdivisions of the surrounding estates for residential purposes between 1900-1915. The buildings within the centre, whilst not being particularly historic or architecturally impressive in themselves, impart a unified streetscape by virtue of their two storey scale and architectural styles. These elements convey a sense of history and continuity, form part of Canada Bay's cultural heritage, and provide a sense of identity to the shopping centre. The scale of the buildings also relates well to the surrounding low rise character of Concord.

The height of buildings is an important visual element in the streetscape and represents one of the more important facets of development control in the shopping centre. Most buildings in the Majors Bay Road shopping centre are two (2) storeys high and constructed with a flat, pitched or parapet-type roof.

Roof forms on new buildings should be sympathetic to adjoining buildings and materials should be selected so as to blend with the surrounding environment.

The design of the developments should attempt to ensure that where adjoining buildings, particularly residential dwellings, are located in close proximity to new commercial buildings, the design of such projects should attempt to minimise any potential loss of sunlight or daylight to residences.

Refer to Illustration 7.9.

Controls

Height

C1 All new work (including extensions to buildings) should not exceed a maximum height of 11 metres.

C2 Where buildings display a uniform height at the front street alignment, new development should maintain a complementary height relationship with adjoining development. In this regard, any upper floor additions should be confined to the rear, either out of sight or setback far enough from the front building alignment so as to reduce its visibility and prominence from the shopping street.

C3 Buildings are to step down at the rear, to a maximum external wall height of 7.5 metres, to be compatible with the scale and character of adjacent residential areas and in keeping with the built form pattern of retail streets.

Refer to Illustration 7.10.

Siting

C4 Where new buildings are erected within established frontages, such buildings should, at least along the main street frontage, be similarly orientated to existing adjoining buildings.

Front setbacks

C5 New development should be built to the predominant setback, generally the front alignment.

Roof forms

C6 The style and pitch of new roofs should relate sympathetically to neighbouring buildings where possible.

C7 Materials used in the construction of roofs should be selected so as to blend in and harmonise with both the subject building, adjoining properties, and the streetscape generally.

C8 Structures such as ventilation shafts, lift towers etc., should not project above the roof line or disturb the symmetry of the roofscape of buildings.

Vehicular access/crossings

C9 New vehicular access ways across public footpaths within the shopping centre will not generally be permitted.

C10 Where rear lane access and/or parking facilities are provided to properties, Council will request owners (either by co-operation or via conditions attached to development applications) to close existing front vehicular access ways.

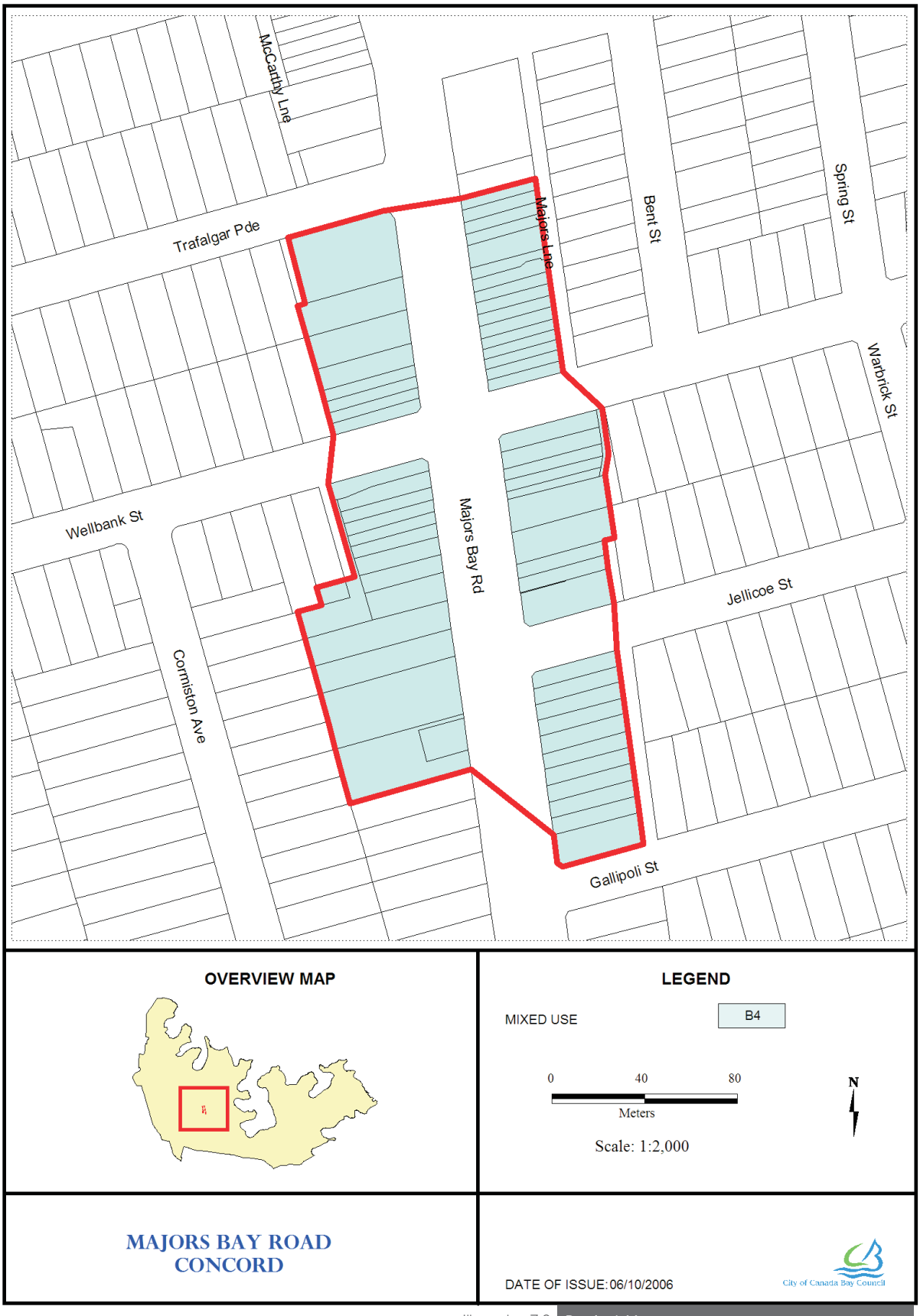


Illustration 7.9 Precinct Map

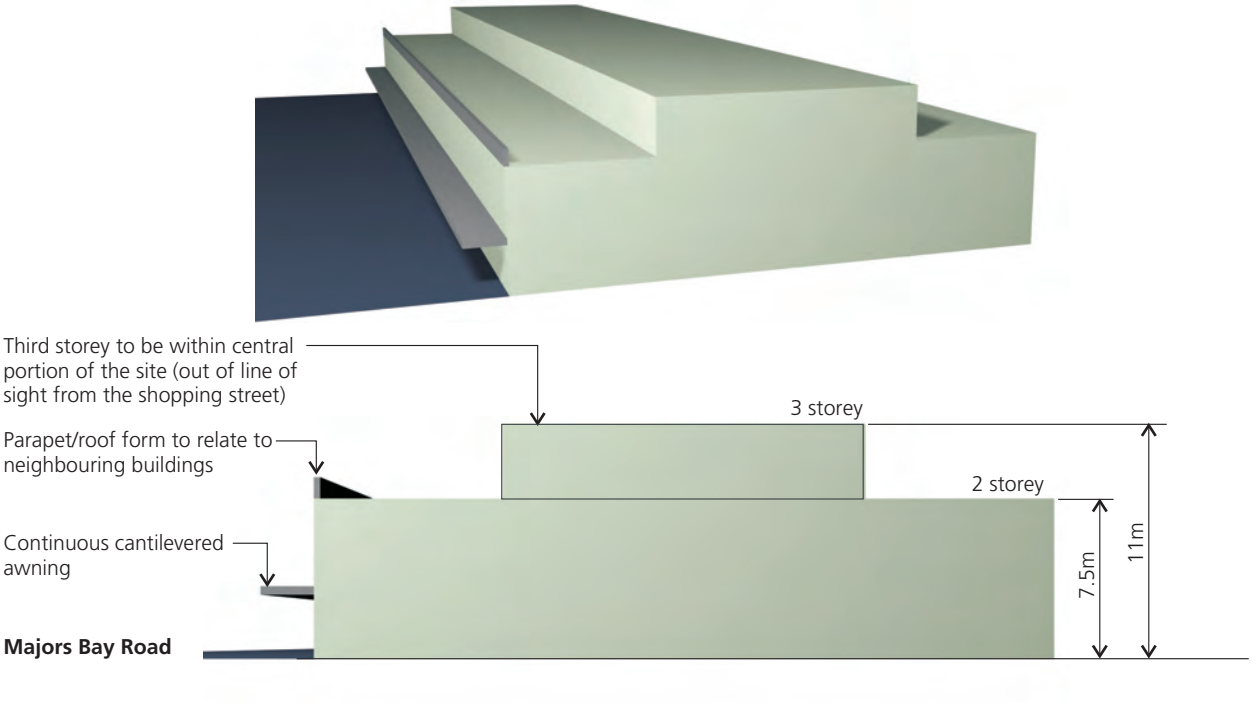


Illustration 7.10 3D envelope for Majors Bay Road - 3 storey building

7.7.4 Victoria Avenue Shopping Centre

Most buildings in the shopping centre are one (1) to two (2) storeys in height and are constructed with flat, pitched or parapet type roofs.

There is a shortage of car parking in the centre which was designed and constructed before the advent of mass car ownership.
The rear building line is intended to reserve parts of lots for future parking and loading areas accessed from rear service roads and to prevent such areas being "built out". This building line applies to both new and existing buildings.

Refer to Illustration 7.11.

Controls

Floor space ratio

C1 The residential component of buildings is not to exceed 50% of the total gross floor area.

Front setbacks

C2 New development or extensions to existing buildings should be built to the predominant setback, generally the front alignment.

Rear setbacks

C3 New development or extensions to existing buildings should be built a minimum of six (6) metres from the rear boundary.

Building height

C4 Where buildings display a uniform height at the front street alignment, new development should maintain a complementary height relationship with adjoining development. In this regard, any upper floor additions should be confined to the rear, either out of sight or setback far enough from the front building alignment so as to reduce its visibility and prominence from the shopping street.

C5 Buildings are to step down at the rear, to a maximum external wall height of 7.5 metres, to be compatible with the scale and character of adjacent residential areas and in keeping with the built form pattern of retail streets.

Refer to Illustration 7.12.

Building design

C6 The design of new buildings should respect the existing built form of the shopping centre. New buildings, particularly those which "infill" between existing properties, should respect the scale, roof forms and proportions of adjoining buildings. This means that new buildings should attempt to "fit in".

Vehicular access/crossings

C7 New vehicular access ways across public footpaths within the shopping centre will not generally be permitted.

C8 Where rear lane access and/or parking facilities are provided to properties, Council will request owners (either by co-operation or via conditions attached to development applications) to close existing vehicular access ways.

Illustration 7.11 Precinct Map

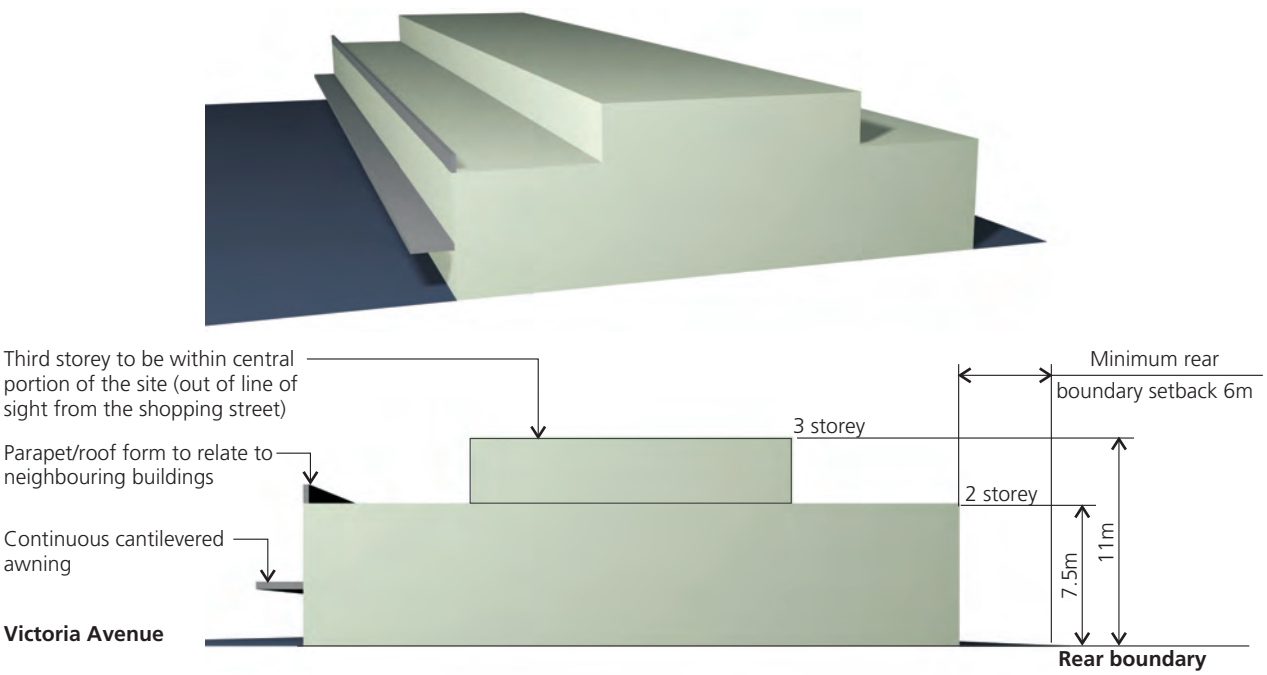


Illustration 7.12 3D envelope for Victoria Avenue - 3 storey building

7.7.5 Local neighbourhood shops

There are other scattered retail and commercial areas that provide local neighbourhood goods and services outside the main retail nodes of Great North Road, Majors Bay Road, Victoria Avenue and Victoria Road.

The general planning, design and environmental management controls outlined in Section 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 and 7.8 apply in these areas to ensure the form and scale of development is appropriate.

7.8 Parking

The provision of car parking should reasonably satisfy the needs of each individual development so that it does not generate further traffic problems for the City of Canada Bay. Car parking needs to be accessible and convenient. It should also be designed so that it does not detract from the amenity of the streetscape.

Objectives

O1 To ensure development incorporates adequate parking.

O2 To ensure parking areas do not detract from the streetscape.

Controls

C1 Parking should not detract from the streetscape qualities, while meeting the needs of visitors and employees in the commercial areas.

C2 On site car parking should be provided below ground or located within the building and well screened.

C3 Vehicular access ways are designed to be integrated with the building and of minimum height and width.

C4 Development should be in accordance with the provisions of State Environmental Planning Policy (Infrastructure) 2007.

C5 Loading facilities should be provided in accordance with the current RTA “Guide to Traffic Generating Developments” and AS 2890.2.

C6 Standard parking space dimensions should be 5.4m x 2.4m.

C7 The provision of parking for different types of development should be in accordance with the following tables:

Refer to Table 7.1 for Parking Requirements in Mixed Use Areas and Neighbourhood Centres.

Table 7.1 - Parking Requirements
Source: Based on RTA Guide to Traffic Generating Developments 2002

Land use	*Parking requirements*
Accommodation	
Motels	1 space for each unit +1 space per 2 employees if restaurant included then add the greater of: 15 spaces per 100m^2 GFA of restaurant/function room, or 1 space per 3 seats
Hotels	Comparisons should be drawn with similar developments
Office and Business	
Office Premises	1 space per 40m^2 GFA
Business Premises	1 space per 40m^2 GFA
Retail	
Shops	1 space per 40m^2 GLFA
Service stations and convenience stores	Requirements are additive: 6 spaces per work bay 5 spaces per 100m^2`GFA ofconvenience store (If restaurant present, the greater of: 15 spaces per 100m^2 GFA, or 1 space per 3 seats)
Drive-in take-away food outlets	Developments with no on-site seating: 12 spaces per 100m^2 GFA Developments with on-site seating: 12 spaces per 100m^2 GFA or greater of: 1 space per 5 seats (internal and external), or 1 space per 2 seats (internal) Developments with on-site seating and drive through facilities greater of: 1 space per 2 seats (internal), or 1 space per 3 seats (internal and external), plus queuing area for 5-12 cars

Restaurants, Cafes, Take-away food & drink premises	Whichever is the greater of: 1 space per 6m^2 of serviced area, or 1 space per 4 seats. A parking free threshold of 20 seats and 30m^2 serviced area shall apply to all restaurants, cafes & take-away food and drink premises (to which this DCP applies) in B1 Neighbourhood Centre and B4 Mixed Use zones, excluding those in the areas listed below. A parking free threshold of 40 seats and 60m2 serviced area shall apply to restaurants in the following (commercial centres) B1 Neighbourhood Centre and B4 Mixed Use zones: - Victoria Road, Drummoyne (Inc. Lyons Rd to Bayswater Street) - Great North Road, Five Dock (Excluding Wareemba/ Abbotsford) - Majors Bay Road, Concord - Parramatta Road, Concord - Parramatta Road, Five Dock -Concord Road, Concord West -Concord Road, North Strathfield *Where variation to the above criteria is sought, refer to Additional Criteria below.
Footpath Dining	Nil.
Residential	As per Table C4 of Part 6.4.8.
Car tyre retail outlets	Whichever is the greater of: 3 spaces per 100m^2 GFA, or 3 spaces per work bay
Roadside stalls	4 spaces
Markets	2.5 spaces per stall (customers only)
Video Stores	6.1 spaces per 100m^2 GFA
Pub	Comparisons should be drawn with similar developments
Vehicle Showrooms	0.75 spaces per 100m^2 site area + 6 spaces per work bay (for vehicle servicing facilities
Drive-in liquor stores	Comparisons should be drawn with similar developments
Plant nurseries	whichever is greater of: 15 spaces, or 0.5 spaces per 100m^2 of site area
Recreational and Tourist Facilities	
Recreational facilities • Squash courts • Tennis courts • Bowling alleys • Bowling greens • Gymnasiums	3 spaces per court 3 spaces per court 3 spaces per alley 30 spaces for first green + 15 spaces for each additional green 7.5 spaces per 100m^2 GFA (desirable) 4.5 spaces per 100m^2 GFA (minimum)
Marinas	If a survey of a similar existing development has not been undertaken, the following figures may serve as a general guide: 0.6 spaces per wet berth 0.2 spaces per dry storage berth 0.2 spaces per swing mooring 0.5 spaces per marina employee
Health and Community Services	

Health Consulting Rooms	Comparisons should be drawn with similar development
Medical centres	1 space for each medical practitioner, plus 1 space for each 2 non medical practitioner employees; plus 1 patient space for every 2 specialists.
Child care centres	1 space for every 4 children in attendance
Hospitals	Comparisons should be drawn with similar developments

Note: 1. Parking spaces, unless stipulated otherwise, are for cars and depending on land use type, parking for delivery/service vehicles, courier vehicles and bicycles should also be provided.

2. Parking free threshold: means an area expressed in both number of seats and serviced area up to which on-site parking does not need to be provided. The standard parking rate applies to any area and seats in excess of the threshold.

3. Serviced area: means the physical area within the restaurant or café which is accessible to the public, but excluding toilets and corridors. Areas such as the kitchen, or behind counters, or display areas should not be included as serviced area.

4. To calculate car parking requirements, applicants must establish the number of spaces required by the proposed development calculated from Table 7.1. The threshold can then be subtracted from this figure and the balance provided.

5. Additional Criteria - Restaurants & Cafes

In exceptional circumstances, Council may allow a variation to these requirements where it is demonstrated by the applicant that the proposed use would not have any adverse impacts on the surrounding residential amenity in relation to car parking availability.

To achieve this variation, the following criteria would need to be demonstrated to the satisfaction of Council:

A Parking Impact Study prepared by a qualified traffic consultant shall be provided by the applicant, which demonstrates that the shortfall of parking spaces created by the application is able to be accommodated within 200m (radius) of the subject site. The Parking Impact Study would need to provide the following:

a) Total number of available spaces within 200m of the subject site;
b) Parking availability within the study area over operating hours (including hours open for staff and customers);
c) Demonstrate how the parking shortfall of the proposal can be satisfied by the available parking spaces identified in parts (a) and (b) above.
d) Demonstrate that the amenity of the surrounding residential areas would not be adversely impacted by any

additional on-street parking.

Note: Within the Study, the applicant may demonstrate alternative options as to how the proposed use/development mitigates potential impacts of additional car parking requirements. An example of how this may be achieved includes:

- Demonstrating that parking facilities associated with alternative time-of-day uses can be utilised for the use of the restaurant/café customers.

Credit for car parking in existing developments

C8 Council will apply the relevant car parking rate to the entire floor area for new developments and developments proposing substantial alterations and additions to existing buildings.

C9 A credit will be provided for car parking spaces when calculating required parking numbers for developments involving a change of use of an existing building. The credit shall be calculated on the basis of the demand generated by the existing use that is proposed to be changed.

C10 A credit for car parking spaces will be provided when calculating required parking numbers for developments involving minor alterations and additions to an existing building. The credit shall be calculated on the basis of the demand generated by the existing use carried out in the building that is proposed to be altered or extended.

7.9 Waste management

One of the aims of this DCP is to provide guidelines on how to minimise waste and reduce the demand for waste disposal. This section contains objectives, and controls that must be complied with which apply specifically to commercial premises.

Objectives

O1 Assist in achieving Federal and State Government waste minimisation targets in accordance with regional waste plans.

O2 Minimise overall environmental impacts of waste and foster the principles of ecologically sustainable development (ESD).

O3 Facilitate source separation and provide design standards that complement waste collection and management services offered by Council and private service providers.

Controls

C1 All development applications involving demolition or construction are to be accompanied by a completed Waste Management Plan.

A Waste Management Plan form may be obtained from Council's website or Councils Customer Service Centre.

C2 Sufficient space shall be provided on-site for waste separation.

C3 A well designed and located waste storage and recycling area and/or garbage and recycling room shall be provided on-site.

C4 Clear access for staff and collection services is to be provided.

C5 Facilities are to be carefully sited, well designed and do not have an adverse impact on adjoining premises or amenity.

C6 Where multiple occupancy (such as a suite of shops or an office complex) is proposed, communal facilities may be appropriate, particularly where:

(a) The design makes it difficult for all units to have access to a collection point; or
(b) Site characteristics restrict entry of vehicles.

C7 The waste storage and recycling area shall have a concrete floor, suitably graded to allow drainage and be designed to enable each separately tenanted or separately occupied area within the building or complex to be provided with a designated and clearly identified space for commercial waste containers.

C8 The waste storage and recycling area should be sited to allow easy vehicular access (preferably from the rear of the property) and opportunities for screen landscaping.

C9 A building containing more than three storeys shall be provided with an acceptable method for transporting waste from each level to a garbage and recycling room. Space must be provided on each floor for temporary storage of waste material and recyclables. Ongoing management should be detailed in the Waste Management Plan.

C10 For offices and commercial premises, particular attention should be paid to paper, cardboard, glass, aluminium, steel and plastic (1-7) recycling, with source separation at the waste storage and recycling area or garbage and recycling room.

C11 For restaurants and other premises which deal with perishable food stuffs, special attention should be paid to food scrap generation. Specialised containment should be provided and a regular/daily collection service arranged.

C12 Refrigerated garbage rooms should be provided when large volumes, perishables (such as seafood) and infrequent collection is proposed.

C13 Grease traps must be provided, where appropriate. Contact should be made with Sydney Water to obtain their trade waste requirements.

C14 Where special waste material is to be generated by professional services such as but not limited to medical centres, dentists and aged care facilities, special arrangements will be required which should be detailed in the Waste Management Plan.

C15 Commercial developments are to provide storage space for garbage and recyclables in accordance with the following table.

Table 7.2 - Waste generation rates for Mixed Use Areas and

Type of premises	*Waste generation*	*Recycling generation*
Backpackers accomodation	40L/occupant/week	20L/occupant/week
Boarding house, guest house	60L/occupant/week	20L/occupant/week
Food Premises:		
Butcher	150L/100m^2 floor area/day	120L/100m^2 floor area/day
Delicatessen	150L/100m^2 floor area/day	120L/100m^2
Fish shop	150L/100m^2 floor area/day	120L/100m^2 floor area/day
Greengrocer	240L/100m^2 floor area/day	120L/100m^2 floor area/day
Restaurants	10L/1.5m^2 floor area/day	2L/1.5m^2 floor area/day dining
Supermarket	240L/100m^2 floor area/day	240L/100m^2 floor area/day
Takeaway	150L/100m^2 floor area/day	120L/100m^2 floor area/day
Hotel	5L/bed/day 50L/100m^2/bar area/day 10L/1.5m^2 of dining area/day	120L/100m^2/of bar and dining areas/day
Licensed club	50L/100m^2 of bar area/day 10L/1.5m^2 of dining area/day	120L/100m^2 of bar and dining areas/day
Motel (without public restaurant)	5L/bed/day 10L/1.5m^2 of dining area/day	1L/bed/day
Offices	10L/100m^2 floor area/day	40L/100m^2 floor area/day
Retail (other than food sales):		
Shop less than 100m2 floor area	50L/100m^2 floor area/day	25L/100m^2 floor area/day
Shop over 100m2 floor area	50L/100m^2 floor area/day	50L/100m^2 floor area/day
Showrooms	40L/100m^2 floor area/day	10L/100m^2 floor area/day

part 8

Industrial development

8.1 General objectives

O1 To implement the objectives of the Canada Bay LEP.

O2 To improve the quality of industrial development within the City of Canada Bay.

O3 To ensure that industrial development does not unreasonably adversely impact on residential amenity.

O4 To encourage employee amenity within Industrial areas.

O5 To facilitate employment generation and maximise the potential of employment generating industries.

O6 To encourage design that is sustainable and environmentally responsible, and takes into account its social impact on environmental amenity.

O7 To encourage design that is of a type, scale, height, bulk and character that is compatible with and will enhance the streetscape characteristics of the surrounding area,

8.2 Setbacks

Setbacks play a number of important roles in areas developed for industrial uses. Front, side and rear setbacks ensure space for landscaping, contribute to streetscape consistency and modulate building bulk and scale. Setbacks also provide a transitional area or buffer to adjoining land uses and ensure building entrances are clearly visible

Objectives

O1 To encourage design that is in keeping with the streetscape characteristics of the surrounding area.

O2 To ensure sufficient space for landscaping, on site parking, access, and circulation.

O3 To modulate the bulk and scale of development.

O4 To provide a buffer to adjoining land uses, reducing adverse impacts on surrounding land uses and residential amenity.

O5 To integrate development with the existing street and footpath network.

O6 To ensure development provides adequate disabled access, wherever possible.

Control

C1 The front or road setback of buildings should be consistent with the setback of adjoining buildings. Where the setback of adjoining buildings is inconsistent, the building should be consistent with the dominant setback found along the street.

In some instances, Council may require a minimum setback of 6m, depending on the circumstances of the case.

C2 Front setbacks are to comprise soft landscaping in accordance with the requirements of section 8.4.

C3 A minimum side and rear setback of 6m is required - 50% of the side setback can be used for off street parking providing the remaining area comprises of soft landscaping in accordance with the requirements of section 8.4.

C4 Greater setbacks may be required for bulky, hazardous and noise or odour generating activities.

8.3 Landscaping

Landscaping provides a setting for development and can contribute positively to the creation of a strong corporate identity. It contributes to the creation of a pleasant working environment for employees and increases the amenity of on-site car parking and storage areas. Landscaping can also play an important buffer role for industrial development that adjoins residential development.

Objectives

O1 To ensure that there is accessible and useable open space for the use of employees.

O2 To integrate building design, car parking and service facilities with landscaping to achieve a pleasant working environment.

O3 To protect and enhance the existing landscape character of the City of Canada Bay.

O4 To improve the visual amenity of industrial development sites and areas.

O5 To provide robust landscaping within new industrial development that contributes to biodiversity, sustainability, water efficiency and reduction of airborne pollutants.

O6 To enhance stormwater management by minimising hard non-porous surfaces.

Controls

C1 Open space dedicated to the recreational use of employees is to be provided on site within a landscaped setting.

C2 Front and side setbacks are to be landscaped to soften and screen buildings, storage, service and parking areas.

C3 Landscaping and fencing should not obscure the main building entry.

C4 A minimum of 10% of the subject site should be landscaped.

C5 All security fencing should be located behind the landscaped setback. Council may vary this requirement if it is considered desirable in the circumstances.

C6 All landscaped areas should be supplied with a fully automatic irrigation system.

C7 All new proposals for industrial development should be accompanied by a landscaping plan prepared by a qualified professional.

8.4 Building form and appearance

Building form and appearance encompasses a number of aspects of building design including amenity, relationship to the streetscape, materials, energy use, and noise mitigation.

Objectives

O1 To ensure the form and scale of development enhances the streetscape and visual quality of the area.

O2 To encourage innovative, contemporary and sustainable building design.

O3 To ensure that materials used contribute positively to ecological sustainability.

O4 To minimise energy use in all parts of buildings.

O5 To ensure building materials mitigate noise impacts to adjoining development, particularly residential areas.

Controls

C1 Building height, mass, and scale should compliment and be in keeping with the character of surrounding and adjacent development.

C2 Colours should be consistent with the themes of adjoining development and enhance the visual amenity of the industrial area.

C3 Building entrances should be clearly defined and well articulated through form, materials and colour and provide level or ramped access.

C4 Buildings should not contain long, blank, and unarticulated walls, particularly on street frontages.

C5 Buildings should be of a contemporary and innovative design.

All public frontages should be specially articulated with the use of brick, stone, concrete, glass (non-reflective), and like materials.

Public utilities

C6 For new development and substantial alterations to existing premises provision must be made for connection to future underground distribution mains.

In such developments the following must be installed:

- an underground service line to a suitable existing street pole; or
- sheathed underground consumers mains to a customer pole erected near the front property boundary (within 1 metre).

Council may require the bundling of cables in the area surrounding the development to reduce the visual impact of overhead street cables.

For further details see Energy Australia requirements.

8.5 Parking and access

The provision of car parking for employees, visitors and service vehicles should satisfy the needs of each individual development. Car parking areas should be accessible and convenient. These areas should be designed so that they do not detract from the amenity of the streetscape.

Objectives

O1 To ensure development incorporates adequate and accessible parking.

O2 To ensure parking areas do not detract from the streetscape.

O3 To ensure car parking areas and circulation areas are integrated with the form and layout of buildings on the site.

O4 To ensure the provision of separate loading/unloading areas.

Controls

C1 All vehicles should be able to enter and leave the site in a forward direction.

C2 Car parking areas are to be landscaped with trees and shrubs.

C3 Separation of service areas (loading/unloading) and parking areas is required.

C4 Development should be in accordance with the provisions of State Environmental Planning Policy (Infrastructure) 2007.

C5 All loading and unloading operations should be carried out wholly within the confines of the site at all times.

C6 Loading facilities should be provided in accordance with the current RTA "Guide to Traffic Generating Developments" and AS 2890.2.

C7 All loading docks, car parking spaces and access driveways should be kept clear of goods at all times and should not be used for storage purposes including garbage storage.

C8 Parking provision should be in accordance with the following table.

Parking Requirements: Development in Industrial Areas

Land use	*Parking requirements*
Industry	
Factories	1.3 spaces per 100m GFA
Warehouses	1.5 spaces per 100m2 of total GLA. 1.8 spaces per 100m2 gross leasable office/ showroom area plus 1.2 spaces per 100m2 of gross leasable factory / warehouse area (where information on components of development is available).
Bulky goods retail stores	Comparisons should be drawn with similar development
Road Transport Facilities	
Road Transport Terminals	Surveys should be undertaken of similar developments
Container depots	Surveys should be undertaken of similar developments
Truck stops	1 truck parking space per motel unit + 1 car space per 2 employees For restaurant facilities, the greater of: 15 spaces per 100m2 GFA, or 1 space per 3 seats
Other	
Caravan parks	1 space per caravan site

Source: RTA Guide to Traffic Generating Developments

NOTE: Parking spaces, unless stipulated otherwise, are for cars and depending on land use type, parking for delivery/service vehicles, courier vehicles and bicycles should also be provided.

8.6 Light and noise

It is important to maintain the amenity of adjoining land. Light spillage and noise emissions are two key design considerations.

Objectives

O1 To ensure industrial development maintains the amenity of surrounding development.

O2 To ensure appropriate noise attenuation measures are incorporated into building design and site layout.

O3 To ensure lighting does not distract or annoy vehicle drivers or the occupants of adjoining properties.

Controls

C1 Sources of noise, where practicable, should be sited away from adjoining properties and where necessary, be screened by acoustical treatments.

C2 High-intensity noise generating industries will not normally be permitted in close proximity to residential uses.

C3 Light sources should be directed away from adjoining residential properties.

8.7 Water quality

The management of stormwater runoff is important to protect Canada Bay's natural waterways and the environment.

Objectives

O1 To manage stormwater quality and quantity and minimise stormwater discharge on adjoining properties.

O2 To minimise surface water run off.

O3 To prevent ground water contamination.

O4 To encourage on site stormwater collection and recycling.

O5 To minimise disturbance to existing drainage patterns.

O6 To minimise the risk and impact of flooding.

Controls

C1 Disturbance to the existing drainage pattern should be minimised where possible.

C2 Applicants should demonstrate adequate measures to ensure that erosion/sedimentation during construction is minimised.

C3 Applicants should refer to Council's Stormwater Management Code.

8.8 Waste management

One of the aims of this DCP is to provide guidelines on how to minimise waste and reduce the demand for waste disposal. This section contains objectives, and controls that must be complied with which apply specifically industrial developments with both designated and communal waste storage areas.

Objectives

O1 Assist in achieving Federal and State Government waste minimisation targets in accordance with regional waste plans.

O2 Minimise overall environmental impacts of waste and foster the principles of ecologically sustainable development (ESD).

O3 Facilitate source separation and provide design standards that complement waste collection and management services offered by Council and private service providers.

Controls

C1 All development applications involving demolition or construction are to be accompanied by a Waste Management Plan.

A Waste Management Plan form may be obtained from Council's website or Councils Customer Service Centre.

C2 Sufficient space shall be provided for on-site separation and storage of recyclables and garbage.

C3 For multi-use and industrial units, a waste storage and recycling area shall be provided for each unit or in communal areas. This area shall be designed to accommodate a range of uses as well as a change of use of the units.

C4 The waste storege and recycling area is to be easily accessible from each unit and from the collection point and clear access for collection vehicles is provided.

C5 The waste collection area shall be covered, drained to sewer through a Sydney Water Trade Waste Agreement and may need bunding depending on the material to be stored within the area.

A Waste Management Plan form may be obtained from Council's website or Council's Customer Service Centre

part 9

Signs and advertising structures

The purpose of this section is to ensure signs and advertising structures can be designed and located so they have maximum visibility, fit into the environment and do not detract from the character of an area.

The role of signs and advertising structures

Signs and advertising structures:

- are important for business advertising and the creation of a company's corporate image;
- provide information and identification; and
- are used for community purposes such as advertising local events, informing of community services and identifying features of historic interest.

The controls aim to minimise excesses, such as advertisements which are so large they overwhelm buildings and landscaping, or the clutter which results from too many advertisements of different shapes and sizes on one site.

Fewer, simpler and "clean-lined" signs which are well located have greater visual impact, are of greater value to businesses and better for the visual environment.

Making an application

Council should consider the following matters when dealing with an application to erect an advertising sign:

(a) class of advertising structure, eg. awning sign, fascia sign, roof sign, pole or pylon sign, etc.;
(b) design of the structure;
(c) the siting, location and colour of the structure;
(d) the area of the advertising structure;
(e) the nature of any advertisement intended to be associated with the structure;
(f) the number of advertising structures proposed;
(g) the multiplicity of existing signs;
(h) the architectural qualities, appearance and balance of the building;
(i) the erection of signs without relationship to the function of the premises upon which the sign is to be erected;
(j) the erection of signs without relationship to other signs erected on the premises or other premises within the vicinity;
(k) the visual impact on the local environment; and
(l) the benefit to the community of the proposed advertising signs.

9.1 General objectives and standards applicable to all development

General Objectives

The siting, location, size, heights, scale, design, colour, shape and materials of construction of advertisements should:

O1 Complement and enhance the predominant character of the locality;

O2 Complement and enhance any building, structure or site of heritage significance on which it is to be erected or located;

O3 Not obscure the view of attractive landscapes, streetscapes, or significant buildings; and

O4 Not adversely affect the safety of traffic or pedestrians.

Control

C1 The minimum controls for all signs are included in Table 9.1

Inappropriate development

C2 The following signs and advertising structures are not considered to be appropriate:

(a) Signs erected or attached to the sides of buildings where such side is adjacent to residences or residential flat buildings, or where the side of the building faces a residential street unless special circumstances as determined by Council are considered to exist;
(b) Signs or advertisements other than those relating to the occupier(s) of the building;
(c) Flashing , moving, or video signs;
(d) More than one (1) projecting wall sign, flush wall sign or painted wall sign per building, or any such sign which is not exclusively for business or building identification purposes;
(e) Signs located on an awning or signs attached above the awning;
(f) Any sign or signboard exhibited on Council's footpath;
(g) Signs attached above the roof;
(h) Permanent inflatable signs;
(i) Flag pole signs; and
(j) Signs of more than $20m^2$ in area or 8 metres in height.

Refer to Illustration 9.1.

Table 9.1 – Minimum Standards for Signs

Type of sign	*Maximum size/area and number*	*Location/ other requirements*
Under Awning Sign (Illuminated or non-illuminated)	• 2.5m x 0.3m (maximum) • One per shop; or • One every 5m provided that distance of not less than 3m between the centres of signs on adjoining properties is maintained	• Erected at right angles to the building • Minimum clearance of 2.6m to footpath • Not to project beyond the awning
Top Hamper Sign	• Restricted to that portion of the shop front above the level of the head of the doorway or window to which it is attached. • Restricted to the underside of the awning • Not illuminated • Where shop front facade comprises full glass, hamper signs will only be permitted behind the glass.	• Not to project more than 20mm beyond the face of the building and below the head level of the doorway or window to which it is attached.
Pole or Pylon Sign	• Max advertising area 4.65m^2 • Max height 8m • One per site	• At least 2.6m above ground level and not to project more than 1.2m beyond the street alignment • Only where buildings are remote from the street alignment
Flush Wall Signs	• 5m^2 or 5% of the wall area* up to 100m^2 • One per building • Should not extend beyond wall edges	• For wall areas* over 100m^2 proposed signs will be considered on a merit basis but should not exceed 7.5% of wall area or a maximum of 30m^2 whichever is the lesser
Projecting Wall Sign (Vertical) where: 1. lowest part of sign is between 2.6m and 3.7m 2. lowest part of sign is 3.7m-4.5m 3. lowest part of sign exceeds 4.6m	• 0.6m maximum projection from wall face & maximum 1.8m height • 0.7m maximum projection from wall face & maximum 2.4m in height • 0.9m maximum projection from wall face & maximum 3.0m in height	• Only permitted where no awnings exist on a building • Height of sign should not be less than width • Should be erected at right angles to the face of the building • Should provide 2.6m clearance to footpath from underside of sign • Should not extend within 0.6m of the kerb alignment • One per building • Maximum width 0.4m
Projecting Wall Sign (Horizontal)	• Maximum dimensions as follows: • 1.3m (length) x 0.8m (height) x 0.4m (width) for rectangular signs • 1.2m x 1.2m for square signs • 1.2m diameter for round signs • One per building	• Only permitted where no awnings exist on a building • Height of the sign is less than its width • Should be erected at right angles to the face of the building • Should provide 2.6m clearance to footpath from underside of sign but not more than 4m above footpath • Should not extend within 0.6m of the kerb alignment
Multi-Occupancy Buildings	• One sign per building for identification.	• Under awning signs should meet above requirements for such signs
Signs attached above awning	• Not permitted	
Fascia Sign	• Not permitted except painting of a sign on the fascia on an awning	
Roof Sign	• Not permitted	
Floodlit Sign	• Not permitted except where special circumstances exist	

* Measurement of the wall area does not include the area below awning area or any area obscured by the adjoining property.

Illustration 9.1 Types of advertising signs

9.2 Sign proliferation and dominance

The number of signs displayed on any site should be minimised in order to avoid visual clutter, duplication of message and adverse impacts on the amenity of adjacent areas from which the signs are visible.

Refer to Illustration 9.2.

Objectives

O1 To minimise the proliferation of signs and visual clutter.

O2 To ensure signs are clearly visible without dominating buildings or streets.

Controls

C1 Signs, other than those relating to the occupier of the building are not permitted.

C2 Maximum size/area and number are included in Table 9.1.

C3 The number of advertisements displayed on any site should be minimised in order to avoid visual clutter and duplication of message.

C4 Signs should be designed to provide clear property and business identification without dominating the site or the streetscape.

C5 Signage should be visually sub-ordinate to the building as a whole and its façades.

C6 In multi-tenanted buildings, a single coordinated free-standing advertisement or directory board should be used.

Undesirable sign dimensions

Preferred sign dimensions

Illustration 9.2 Undesirable and preferred sign dimensions

9.3 Sign dimensions

Signs should be designed to provide clearly identifiable business identification without dominating the appearance of the site or streetscape.

Objective

O1 To ensure signs do not dominate buildings or streetscape and are in keeping with the character of the surrounding area.

Controls

C1 Maximum size/area and number are included in Table 9.1.

C2 The supporting structure of free-standing advertisements should be of dimensions which provide good visual balance to the structure in addition to the necessary structural supports.

C3 Supporting structures should not dominate the sign, building or streetscape.

C4 Free standing signs and advertisements on multi-tenanted buildings should be limited to one per building.

9.4 Integration

Signs and advertising structures are valuable in providing information, identification and warning. Signs need to be clearly visible. Signs and advertising structures should be sensitively sited and designed so they are well integrated with building and landscape design to minimise adverse impacts on streetscape and urban character.

Objective

O1 To ensure signs are well located and integrated with building and landscape design where possible.

Controls

C1 Signs attached to buildings should be of appropriate colour, scale and proportion, and of an integrated design that is coordinated with the architectural form and design of the building upon which the advertisement or advertising display is located.

C2 Free-standing advertisements should not rely upon the removal of trees or lopping of branches in order to be visible.

9.5 Conservation areas

Outdoor advertising should be designed and located in a manner which conserves the character and heritage significance of the building, street or area which have been identified as significant. Generally, signs on individual buildings or within conservation areas should be sensitively designed and located and should complement the building or area.

Objectives

O1 To ensure signs associated with heritage buildings are sensitively designed and located.

O2 To ensure signs do not detract from the appearance and character of Conservation Areas.

Controls

C1 Signs and advertising structures should be designed and located in a manner which conserves or enhances heritage places and buildings, and the appearance and character of conservation areas.

C2 New signs should not be placed on the side of buildings.

C3 Signs should observe traditional sign locations, and wherever possible original signs should be retained and conserved at the site.

C4 Signs should not break the historic parapet or roofline.

C5 Signs should temper modern advertising styles with sympathetic design details (eg. sympathetic colours, margins, type, style) without trying necessarily to recreate a "historic" theme.

C6 Proponents should demonstrate through research that the advertising proposal is in keeping with the historic building or place.

C7 Illuminated signs should not be placed on heritage items

C8 Signs should be constructed with a high standard of materials and graphics

C9 Signs should be minimalist in their scale and design.

Refer to Illustration 9.3.

Undesirable sign dimensions

Preferred sign dimensions

Illustration 9.3 Undesirable and preferred signs for conservations areas

9.6 Architectural amenity and residential character

The scale of advertising signs should be compatible with the buildings they are on as well as with nearby buildings and other existing signs. Many traditional building designs can be easily broken into a grid based on the alignments of the parapet (skyline), cornice, verandah, window and door. Appropriate dimensions are often achieved by restricting signs to grid locations or panels. This ensures that the original architectural character (set by the lines of awnings, window and door openings, parapet lines and setbacks) remains dominant.

Objectives

O1 To ensure signs and advertising structures respect the architectural character of the building and the locality.

O2 To ensure the location of signs maintains and protects the amenity of residential areas.

Controls

C1 The scale of advertising signs should be compatible with the buildings they are on, nearby buildings, street widths and other existing signs.

C2 On buildings with decorative facades, signs should not be placed on the decorative forms or mouldings. Instead they should appear on the undecorated wall surfaces, unless architecturally designed sign panels are provided.

C3 Where commercial areas adjoin residential areas, signs should not be permitted on walls facing adjoining dwellings.

9.7 Public safety

Signs and advertising structures should be designed and located so they are clearly visible and do not endanger public safety.

Objective

O1 To ensure signs and advertising structures do not endanger public safety.

Control

C1 An advertisement should not endanger public safety, or cause nuisance or hazard by reason of its location, construction or design by:

(a) Emitting excessive glare or reflection from internal or external illumination or surface materials; or
(b) Obscuring the view of drivers or pedestrians; or
(c) Screening potentially hazardous road features; or
(d) Signage should not contain designs or messages that may confuse or distract motorists.

part 10

Child care centres

10.1 Child care centres

The aim of this DCP is to achieve Child Care Centre developments within Canada Bay which:

- are attractive and sympathetic to the streetscape;
- are appropriate for the surrounding built and natural environment;
- have a minimum impact on surrounding land uses;
- encourage the provision of high quality child care which meets the needs of families and the community;
- encourage best practice in the planning and design of Child Care Centres;
- ensure that Child Care Centres are appropriately located on sites which have high levels of safety, security, environmental health and amenity for children; and
- encourage the sustainable development of Child Care Centres.

The City of Canada Bay's Child Care provisions relate to the erection/ operation of Child Care Centres and alterations to existing Child Care Centres. Schools are exempt from full compliance with the child care provisions of this DCP, as schools are purpose built facilities which accommodate existing educational needs and are generally located on sites which are suited for such services.

The DCP is intended to be a comprehensive guide for developers of the minimum provisions of this DCP, or may modify the development by way of conditions so that it does comply.

The Council may, if it is satisfied, approve development that does not comply with the provisions of this DCP. In general, it is recognised that a particular provision may not be appropriate or relevant in every particular case. Where a proposed development does not comply with a provision of this DCP, it is essential that the applicant sets out the reasons in documentation supporting the application. Such reasons should include the manner in which the objectives of this DCP are otherwise achieved.

General objectives

O1 To encourage the provision of high quality child care which meets the needs of the community, including users of the facility and owners and users of surrounding land uses.

O2 To encourage best practice in the planning and design of Child Care Centres.

O3 To ensure that Child Care Centres are compatible with neighbouring land uses.

O4 To ensure the amenity of adjoining neighbours is retained (including protection of privacy, access to property, etc) and is not detrimentally affected by noise emissions from the site.

O5 To ensure child care centres are located with adequate, convenient and safe parking for visitors that do not impose on any residential neighbourhoods or commercial areas.

O6 To ensure that child care centres integrate into existing residential environments that are unobtrusive in terms of size, bulk, height and the amount of landscaped area provided.

O7 To provide child care centres that are located or designed so as not to pose a heath risk to children using the centre.

O8 To retain and protect significant existing vegetation in the City of Canada Bay.

O9 To ensure the health, safety and wellbeing of children and staff in childcare centres.

10.2 Regulatory process

The approval of a Child Care Centre is a two part process. Development consent under the *Environmental Planning and Assessment Act, 1979* (EP&A Act) is required from the City of Canada Bay and a License to operate is required from the NSW Department of Community Services (DoCS).

Where development consent is required under the EP&A Act, an application for a license may not be made until development consent has been obtained. Therefore, a development application for a child care centre is to be approved prior to the lodgement of a License Application from DoCS.

Approval for the development of a Child Care Centre or the expansion of an existing Child Care Centre requires the lodgement of a development application with the City of Canada Bay, with the necessary plans and other documentation required for assessment of the proposal against the provisions of this DCP, and any other relevant legislation. The Development Application checklist contains details regarding the information required by the City of Canada Bay to be submitted as part of the development application.

Licensing approval for the operation of a Child Care Centre or the expansion of an existing Centre approval is to be obtained from the DoCS. Applicants are strongly recommended to contact DoCS to ensure that the development proposal complies with State Government regulations.

It should be noted that the granting of development consent for a proposal by Council will not necessarily result in the issue of a license from DoCS.

10.3 Seven steps of the development process for child care centres

Step 1

Locate a suitable site according to the criteria established by the Local Environmental Plan and this DCP.

Step 2

Ascertain the requirements of the licensing of the new child care centre by the Department of Community Services. Reference should be made to the relevant legislation, regulations and policies. Refer to the Department of Community Services publication The Licensing Process for Establishing a New Child Care Centre in NSW as a guide.

Step 3

Prepare Development Application documentation for lodgement with the City of Canada Bay with all the necessary plans and information.

Step 4

If necessary, arrange a pre-Development Application meeting with Council officers to confirm the pertinent issues have been addressed and required information for submission has been provided.

Step 5

Lodge the Development Application and associated plans and documentation with the City of Canada Bay.

Step 6

The City of Canada Bay will undertake the assessment of the development application. Where necessary, the Assessment Officers may request additional information on the development application.

Step 7

Should consent be granted, a License Application should be obtained from the Department of Community Services. An application can be obtained from the Department of Community Services Website at www.community.nsw.gov.au

10.4 Planning and design criteria

Children's Services Regulation 2004 outlines a number of requirements for Child Care Centres, including minimum staff to child ratios, minimum areas for indoor and outdoor space and maximum numbers of places for children and other requirements which impact on the design of a Child Care Centre. Some parts of the Children's Services Regulation 2004 are referred to in this DCP where appropriate and relevant to the assessment of a development application. Please note however that not all the provisions of Children's Services Regulation 2004 are included; therefore applicants are advised to refer to the Regulation to ensure compliance with all relevant provisions.

Objectives

O1 To ensure that the relationship between a Child Care Centre and adjoining land uses is favourable in terms of traffic, parking and noise impacts; and

O2 To ensure that site layout and building design take into account the characteristics, constraints and opportunities of the site and its surrounds, and consider the users of surrounding areas with respect to privacy and noise.

Controls

C1 The minimum site area for a Child Care Centre is 800m2.

C2 Child Care Centres are not to have a direct street frontage or vehicle access point to an arterial road, or any other road which in the opinion of the Council is unsuitable for a Child Care Centre, having regard to:
(a) Prevailing traffic conditions;
(b) Pedestrian and vehicle safety; and
(c) The likely impact of the development on traffic flows.

A list of arterial roads is included in on Appendix D of this DCP.

C3 The design and siting of a Child Care Centre should consider the following attributes:
(a) Existing vegetation;
(b) Land slope and changes in level;
(c) Site orientation and solar access;
(d) Prevailing winds;
(e) Natural drainage;
(f) Retention of any special qualities or features of the site;
(g) Significant noise sources;
(h) Views to and from the site;
(i) Pedestrian and vehicular access;
(j) Existing buildings on the site;
(k) Location of surrounding building, uses, open space areas adjoining or adjacent to the site;
(l) Overshadowing from existing buildings;
(m) The predominant built form and character; and
(n) Major trees or landmarks on surrounding sites.

C4 Child care centres should not be located on an allotment within a residential cul-de-sac (as cul-de-sacs do not allow for good traffic circulation). The additional traffic generated by a child care centre may create a noise and traffic nuisance to surrounding residences within a cul-de-sac.

C5 Child care centres should not be located on allotments which adjoin service stations or industrial developments (as harmful fumes or noise or fumes being emitted from either type of development may affect the health of children).

C6 Child Care Centres are not to be located within close proximity to mobile phone towers and base stations, transmission line easements or other sources of significant electromagnetic radiation. Where a Centre is to be located within 300 metres of these electromagnetic sources, a report by a suitably qualified person is to be prepared to assess the potential exposure impacts on the Child Care Centre.

C7 Child care centres will not be allowed on sites with existing swimming pools.

10.5 Building design, appearance and neighbourhood character

Objectives

O1 To ensure the height and scale of a child care centre relates to site conditions, complements the prevailing character of the streetscape and minimises any adverse amenity impacts upon surrounding properties.

O2 To ensure that the appearance of the development is of a high visual quality, enhances streetscape and complements good quality surrounding development.

Controls

C1 The Child Care Centre should comply with the relevant height, floor space ratio and setback controls as stipulated in the Canada Bay LEP and this Policy as are applicable to the zone in which the Child Care Centre is to be located.

C2 Council encourages the use of single storey buildings for the purposes of Child Care Centres for reasons of safety, access within the centre and access to outdoor areas.

In residential zones, the maximum height limit for a Child Care Centre is two (2) storeys. In circumstances where a two (2) storey building is proposed, the use of the first floor should be restricted to office/staff and storage uses.

Where a Child Care Centre is proposing to locate in an existing building in a commercial/business zone, the location of the Child Care Centre is limited to the ground floor of the building.

Child Care Centres proposed in a commercial/business zone, must be located on the ground floor of the building that they occupy.

C3 The built form should be in character with the existing streetscape. In residential areas, the building should be designed so that it is in character with the surrounding residential areas in terms of bulk, scale and form.

C4 Roof design is to be compatible with surrounding properties with respect to height, pitch, building materials and colour.

C5 A Child Care Centre will not be permitted on the ground floor of residential flat buildings, where balconies of the building are open and overlook/overhang the outdoor play space.

C6 Should a Child Care Centre be proposed in a commercial/business area, balconies overlooking/overhanging the centre should be enclosed/designed so objects do not fall into the outdoor play space.

10.6 Traffic, parking and access

Objectives

O1 To ensure a safe environment for pedestrians, particularly children, motorists and cyclists around Child Care Centres.

O2 To ensure that vehicular access and parking provisions of Child Care Centres do not detrimentally affect the traffic safety of surrounding areas.

O3 To ensure the adequate provision of car parking.

Controls

C1 One (1) car parking space is to be provided for every four (4) licensed places at the Child Care Centre.

C2 All on-site parking arrangements should ensure the visual attributes of the streetscape are maintained, particularly having regard to the built form, existing landscaping, tree removal and number of vehicle crossings.

C3 Vehicle and pedestrian access points to the centre and parking areas are to be appropriately marked and signposted.

C4 All vehicles should be able to enter and leave the site in a forward direction.

C5 Parking and vehicle areas are to be separated from any area used by children by appropriately safety fencing and gates.

C6 All applications for Child Care Centres involving greater than 20 children should be supported by a Traffic Report, prepared by a suitably qualified person, addressing as a minimum the following factors:

(a) The prevailing traffic conditions;
(b) The likely impact of the proposed development on existing traffic flows and the surrounding street system;
(c) Pedestrian and traffic safety;
(d) Justification of any variation to the parking requirements; and
(e) How impacts of drop off and pick up will be accommodated.

C7 Development proposals for centres containing 50 or more children may require referral to the Roads and Traffic Authority as identified in Schedule 1 of State Environmental Planning Policy (Infrastructure) 2007.

C8 There should be one pedestrian point of entry and exit for parents/children/visitors so as to ensure separation with vehicles and unauthorised access.

C9 Car parking areas are to include a designated footpath, that is separated from the driveway, entry/exist and manoeuvring areas, to ensure safety and welfare of pedestrians using the child care centre.

10.7 Indoor spaces

Objectives

O1 To provide attractive and functional indoor spaces which provide positive experiences and development growth for children.

O2 To provide indoor spaces which are safe and functional, and enable adequate staff supervision for children at all times.

O3 To ensure that Child Care Centres comply with the provisions of Children's Services Regulation 2004, and to encourage the use of best practice principles for Child Care Centres where possible.

O4 To ensure that facilities can comply with the requirements of a food business, where the provision of food is intended.

Controls

C1 The design of indoor spaces within the Child Care Centre is to take into account the following factors:

(a) A minimum of 3.25m² of unencumbered indoor floor space must be provided for each child;
(b) Safety and security within the Child Care Centre in relation to occupational health and safety of children, staff and visitors, and external security to ensure that access into the centre is monitored, which may require the installation of camera surveillance, and installation of a security system with access only permitted to authorised persons;
(c) Clear and unobstructed lines of site to all areas within the Child Care Centre for views of staff and children at all times, especially in toilets, nappy change areas and sleeping areas.
(d) Easy accessibility between different areas within the Child Care Centre;
(e) Convenient access from indoor to outdoor spaces;
(f) The convenient location of children's toilets, nappy change areas and storage cupboards and ensuring clear and unobstructed lines of sight for staff and children.
(g) The provision of kitchen areas which enable safe food preparation;
(h) The provision of windows to allow for access to natural light and views to the outdoors;
(i) Where achievable, windows of indoor play areas are to be located with a northern orientation and should receive at least three hours of sunlight between the hours of 9am and 3pm on June 21;
(j) Appropriate external shading of windows;
(k) Access to natural ventilation though appropriate placement of openings (including Nappy change rooms);
(l) Use of safety glass and safety markers at child and adult height is required;
(m) The use of energy efficient appliances;
(n) Adequate storage and construction of garbage and recycling areas; and
(o) Mechanical ventilation of nappy change areas and toilets.

C2 Indoor space to include the following facilities within the Child Care Centre:

(a) A room or an area that is used only for administration of the Child Care service and for private consultation between staff and parents;
(b) A room or an area, located away from the areas used by children that is used for respite of staff;
(c) A room or an area that is used only for sleeping for children under two years of age;
(d) Where children under the age of three years are cared for, the Child Care Centre should have laundry facilities, that include at least a laundry tub connected to both hot and cold water;
(e) Separate craft preparation facilities, including sink, bench top and lockable cupboard. This area can be located in a play room but is not to be included in the calculation of useable indoor or outdoor floor space, or located next to a food preparation area or nappy change area;
(f) Designated area that is safe and hygienic for food preparation and storage, that is designed, located and maintained to prevent children gaining access to harmful substances or equipment, and includes a stove or microwave, sink, refrigerator, suitable disposal facilities and hot water supply;
(g) Where a separate kitchen is provided, the kitchen should have a door, half gate or other barrier to prevent unsupervised entry by children into the kitchen;
(h) Designated area that is safe and hygienic for the preparation of bottles for children under two years of age, which is located away from nappy change areas;
(i) Safe toilets, hand washing and bathing facilities that are appropriate to the ages of children cared for in the Child Care Centre and consistent with the Building Code of Australia;
(j) Nappy change facilities, with adult hand washing facilities in the immediate vicinity and sanitary storage facilities is for centres catering for under three year olds or any child in nappies.
Nappy change areas should be adequately ventilated.
(k) Sleeping areas, with cots, beds, stretchers, mattresses and other bedding to be arranged so as to be in an area that has natural light and allow easy access to and exit of any child;
(l) Storage facilities for indoor and outdoor equipment that are secure and inaccessible to children;
(m) Storage facilities for children's belongings; and
(n) Garbage storage and recycling facilities.

C3 Children's toilets are to be located so they are directly accessible to children's indoor and outdoor play spaces.

C4 Food preparation areas are to be constructed and provided in accordance with the relevant sections of the Australian/ New Zealand Food Standards Code. Guidance may be obtained from the National Code for the Construction and Fitout of Food Premises published by the Australian Institute of Environmental Health and relevant Australian Standards. In the case of any inconsistency between these documents, the Australian/New Zealand Food Standards Code should prevail.

C5 New hot water systems are to have a minimum Greenhouse score of 3.5. Hot water systems are to be located as close to the kitchen and bathrooms as possible to reduce pipe lengths. Hot water pipes are to be insulated with a minimum of 10mm thick foil outer wrap.

C6 The structural fittings and fixtures for all internal rooms should be selected to enhance non-chemical pest management of the premises with all cracks and crevices being sealed.

C7 Power points in indoor play areas should be at adult height.

10.8 Outdoor areas

Objectives

O1 To ensure children have easy access to outdoor space that allows them to move freely and engage in vigorous play. Well designed outdoor space enhances the well being of the users of the Child Care Centre and also offers sensory stimulation, provided by different surfaces, exposure to fresh air, sunlight, wind and even rain.

O2 To ensure generous outdoor play areas that provide a variety of experiences for children, including learning, play, active and quiet time and other developmental experiences.

O3 To provide outdoor spaces which are safe, secure and functional, and enable adequate staff supervision of children at all times.

O4 To minimise noise transmission and other nuisances to the surrounding area.

Controls

C1 A minimum of 7m² of usable outdoor space per child that is exclusively for the use of children is to be provided. Plans of outdoor spaces are to demonstrate that they meet this requirement.

C2 In accordance with best practice principles, outdoor spaces are to provide for a variety of experiences through the provision of different spaces within the outdoor area. These different areas are to be:
(a) Open areas for activities such as running;
(b) Quiet areas and formal quiet areas; and
(c) Active areas.

C3 Outdoor play spaces are to be:
(a) Located away from the main entrance of the Child Care Centre, car parking areas or vehicle circulation areas;
(b) Integrated with indoor space and provide direct and easy access between those areas;
(c) Of a design and layout to enable clear lines of sight to all areas of the outdoor space to allow direct staff supervision from other areas of the Child Care Centre;
(d) Located away from existing and potential noise and environmental pollution sources;
(e) Where is a predominantly residential area, located away from the living/bedroom windows of surrounding dwellings;
(f) Inaccessible from public areas outside the Child Care Centre, except in the case of an emergency evacuation or centre deliveries such as sand replacement.

(g) Located away from areas where objects can be projected down onto play areas; and
(h) Adequately fenced on all sides.

C4 A physical division, in the form of a low level fence (600mm high) or a similar structure, is to be maintained between the play spaces provided for children under the age of two years, and children over the age of two years to ensure that younger children have access to adequate spaces and equipment. Proposed divisions of play spaces are to be shown on a plan, ensuring that the allocation of play space is appropriate to the numbers of children to be cared for in the Child Care Centre.

C5 Outdoor play spaces are to be adequately shaded in accordance with Shade for Child Care Services published by the NSW Cancer Council and NSW Health Department. Refer to the Appendix D for further information. Physical shading devices are to provide sun protection to children and be integrated into the design of the building and the outdoor area.

C6 Physical shading devices are to provide sun protection to children and be integrated into the design of the building and the outdoor area. Shade devices should be fire retardant.

C7 Rainwater tanks are required for new Child Care Centres. The rainwater tanks should be plumbed for toilet flushing, laundry and irrigation purposes.

C8 Outdoor balconies above ground floor level do not constitute satisfactory out door space.

C9 In commercial zones particular consideration must be given to isolating the children from the effects of noise, pollution and winds and providing access to natural light and air.

C10 Outdoor space should be exposed to the sky to provide direct sunlight, breezes and fresh air, and have access to shelter and shade. Planting, climbing equipment and visual features must provide an interesting and stimulating experience for the children.

C11 Transitional Area:
(a) A transitional area between the building and the play area supporting space for both indoor and outdoor activities is to be provided. It is space additionally required for the building and the playground. It may comprise a verandah;
(b) The roof area of the transitional area must be a minimum of 4m in width to ensure sufficient activity zones with access space around them;
(c) The transitional area must be designed in a manner that offers protection from unfavourable weather conditions, including strong winds and rainfall; and
(d) The transitional area must be designed in a manner that utilises natural temperature controlling measures, including cross ventilation.

10.9 Visual and acoustic privacy

Objectives

O1 To ensure the privacy of surrounding properties is maintained and protected from overlooking and noise.

O2 To protect the visual and acoustic privacy needs of children using the Child Care Centres, staff and other users.

O3 To ensure the noise from Child Care Centres does not adversely impact upon the amenity of the Child Care Centre itself and surrounding properties.

Controls

C1 Where noise abatement from or to the Child Care Centre is required, an acoustic report prepared by a suitably qualified acoustic consultant is required to be submitted with the development application, describing and assessing the impact of noise emissions from the Child Care Centre or to the Child Care Centre from surrounding noise sources. The investigation should include but not be limited to the following:
(a) The identification of sensitive noise receivers potentially impacted;
(b) A statement of the proposed hours of operation of the Child Care Centre;
(c) The qualification of the existing acoustic environment at the receiver locations (measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW EPA requirements);
(d) The identification of all noise that is likely to emanate from the Child Care Centre and the subsequent predication of resultant noise at the identified sensitive receiver locations from the operation of the premises. Where appropriate the prediction procedures should be justified and include an evaluation of prevailing atmospheric conditions that may promote noise propagation;
(e) Details of any acoustic control measures that will be incorporated into the proposal; and
(f) The prevention of a sense of enclosure.

C2 Consideration is to be given to the following design mechanisms in respect to noise abatement for properties in the surrounding area:
(a) The appropriate design and siting of the Child Care Centre;
(b) The appropriate layout and arrangement of outdoor space and activities;
(c) The location of windows in respect to the location of windows in neighbouring properties;
(d) The appropriate location of outdoor play areas away from main living area or bedroom windows of any surrounding dwellings in predominantly residential area, and away from external noise sources;

(e) The use of acoustic barriers and design, such as screen fencing or planting as noise buffers for external noise sources or transmission of noise from the child care centre to surrounding properties; and
(f) Noise abatement measures are to be undertaken to ensure that inside noise levels do not exceed 40dB(A) (Leq 24).

C3 Where sites are adjoining or adjacent to railway land, the State Rail publication entitled Rail Related Noise and Vibration: Issued to consider in Local Environmental Planning - Development Applications and Building Applications should be considered.

10.10 Landscaping

Objectives

O1 To improve the overall visual amenity of Canada Bay.

O2 To protect existing significant vegetation.

O3 To protect the privacy of any adjoining residences.

Controls

C1 A detailed landscape plan prepared by a suitably qualified landscape professional should be submitted with all development applications for Child Care Centres and should demonstrate the following:
(a) Separation of outdoor space into active quiet areas;
(b) Proposed planting, with a variety of trees and plants to be used which create visual interest for children, and can provide shading where appropriate;
(c) Locations of play equipment;
(d) Separation of outdoor space according to age ranges, including the locations of lower fencing or other structures which divide the outdoor space spaces; and
(e) Outdoor spaces which include a variety of surfaces such as grass, sand, soft porous paving and the like. Surfaces should comply with AS4422 – Playground surfacing.

C2 Landscaping and fencing should be designed to provide a noise barrier and privacy screen for adjoining residents. In residential zones or on land adjoining residential zones, a 1.5 metre wide landscaping strip is to be provided on all boundaries to help with noise abatement and privacy.

C3 Minimum soil depths for outdoor space and landscaped areas above basement parking should be a minimum of 600mm.

C4 The minimum depth of sandpits is 600mm.

C5 Outdoor play equipment is to comply with Australian Standards.

C6 Existing natural features and significant vegetation of a site should be conserved where possible to help increase the amenity of the area.

C7 All existing vegetation on the site and on the sites directly adjoining the site are to be assessed in order to ensure they are free of toxins or safety hazards such as seeds, poisonous, spiky or potentially dangerous plants. Landscaping is to be free of toxins or safety hazards such as seeds, poisonous, spiky or potentially dangerous plants.

C8 Preference is to be given to plant species that require little or no watering, and planting should be grouped according to species with similar water needs.

C9 Areas likely to be subject to high water demand are fitted with a water efficient irrigation system such as drip irrigation with moisture sensors.

C10 Irrigation should use rainwater or recycled water in preference to mains water.

10.11 Fencing

Objectives

O1 To ensure child care centres provide a safe environment for children.

O2 To minimise access by children to dangerous areas.

Controls

C1 Outdoor space is required to be fenced on all sides and have regard to:
- (a) The safety and security of children;
- (b) The prevention of children climbing over, under or though fences and leaving the premises unsupervised;
- (c) The prevention of those from outside the centre to access the site though climbing over, under or through fencing;
- (d) The integration with building design and proposed materials and colour scheme;
- (e) The integration of existing and proposed landscaping with fencing; and
- (f) The prevention of a sense of enclosure.

C2 A series of barriers in the form of child proof gates are to be provided at the entry to the premises. This may include a gate on the front boundary and a gate into the reception area.

C3 Outdoor play areas should be fenced on all sides by fencing of at least 1800mm in height.

C4 Gates are to be self closing and child proof, with child proof locks and latches, and able to be permanently locked.

10.12 Signage

Objectives

O1 Complement and enhance the predominant character of the locality;

O2 Not obscure the view of attractive landscapes, streetscapes, or significant buildings; and

O3 Not adversely affect the safety of traffic or pedestrians.

Controls

C1 For Child Care Centres in residential zones, advertising should be limited to not more than one sign per Child Care Centre which
(a) Has a maximum area of 0.5m2; and
(b) Serves only to identify the name and phone number of the Child Care Centre and the hours of operation.

C2 For Child Care Centres in all other zones, compliance should be achieved with Council's signage requirements.

10.13 Access for people with disabilities

Objectives

O1 To ensure all new Child Care Centres, and alterations and additions including any associated spaces such as outdoor space, parking areas and the like, are designed to be accessible for all people within the community.

Controls

C1 All new Child Care Centres, building conversions and additions to existing premises should comply with the minimum access requirements of the BCA.

10.14 Emergency evacuation

Objectives

O1 To ensure that Child Care Centres have emergency evacuation plans that ensure the safe evacuation of occupants.

Controls

C1 Prior to the issue of an Occupation Certificate for child care centre an evacuation plan complying with AS3745 should be prepared and implemented. The emergency evacuation should consider:

(a) The mobility of children and how this is to be accommodated during an evacuation;

(b) The location of a safe congregation area, away from the evacuated building, busy roads, other hazards and the evacuation points of other residents or tenants within the building or surrounding buildings;

(c) Where the Child Care Centre is part of a larger building or complex, that the emergency evacuation plan is complementary and consistent with other emergency evacuation plans in place; and

(d) The supervision of children during the evacuation and at the safe congregation area with regard to the capacity of the Child Care Centre and the child:staff ratios.

C2 Centres which accommodate children under 2 years of age are to have a large mobile cot (on wheels) so groups of babies can be quickly evacuated.

10.15 Operational controls

Objectives

O1 To ensure that the hours of operation of Child Care Centres do not adversely impact on the amenity of surrounding properties, particularly in residential areas.

Controls

C1 Hours of operation within residential areas should not extend outside the core hours of 7.00am to 7.00pm.

Consideration may be given to a variation in the hours of operation within residential areas if the proposed Child Care Centre is adjoining or adjacent to a commercial or other non-residential land use.

C2 Within mixed-use areas or predominantly commercial areas, the hours of operation for each Child Care Centre will be assessed on its merits in terms of compatibility with adjoining or upper level land uses.

Definitions

Acid sulfate soils
Acid sulfate soils means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

Attic
Attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as a dormer windows and the like.

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

Bicycle parking facility
Bicycle parking facility is an area reserved or designed for short term parking of one or more bicycles. It includes a device to which the bicycle frame and wheels can be locked. It is mostly used by visitors to the development at which it is provided.

Bicycle storage facility
Bicycle storage facility is an area reserved or designed for long term parking of one or more bicycles. It is usually enclosed to provide security. It is mostly used by employees or residents of the development at which it is provided.

Building envelope
Building envelope - means the three-dimensional space within which a building is to be confined.

Building footprint
Building footprint - means the area of land measured at finished ground level which is enclosed by the external walls of a building

Building height (or height of building)
Building height (or height of building) means the vertical distance between ground level (existing) at any point to highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Building height plane
Building height plane means a plane projected at an angle of 45o over the actual land to be built upon from a vertical distance of 5 metres above ground level at the side boundaries of the site.

Building identification sign
Building identification sign means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol, but that does not include general advertising of products, goods or services.

Building line or setback
Building line or setback means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

(a) A building wall, or
(b) The outside face of any balcony, deck or the like, or
(c) The supporting posts of a carport or verandah roof,
whichever is the shortest.

Business identification sign
Business identification sign means a sign:

(a) That indicates:
  (i) the name of the person or business, and
  (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
(b) That may include the address of the premises or place and a logo or other symbol that identifies the business, but does not include any advertising relating to a person that does not carry on business at the premises or place.

Ceiling height

Ceiling height in relation to buildings means the greatest distance measured vertically from the ceiling of the upper most habitable room, or in the case of raked or cathedral ceilings a line projected from associated ceilings, to the existing ground level, or the lowest habitable floor immediately below that point, whether or not at natural ground level, excluding chimneys, attic rooms, and non-habitable rooms which are entirely below natural ground level and have no visible external elevation whatsoever.

Child care centre

Child care centre means a building or place used for the supervision and care of children that:

(a) Provides long day care, pre-school care, occasional child care or out-of-school-hours care, and

(b) Does not provide overnight accommodation for children other than those related to the owner or operator of the centre,

but does not include:

(c) A family day care home or home-based child care home, or

(d) An out-of-home care service provided by an agency or organisation accredited by the NSW Office of the Children's Guardian, or

(e) A baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) A service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or

(g) A regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children's parents are using the facility, or

(h) A service that is concerned primarily with the provision of:

(i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or

(ii) private tutoring, or

(i) A school, or

(j) A service provided at exempt premises (within the meaning of section 200 of the Children and young Persons (Care and Protection) Act 1998), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

Co-located facilities

Co-located facilities – means one or more facilities on or within an original facility or a public utility structure

Co-siting

Co-siting – means the siting of a number of telecommunication facilities, often owned by different carriers, in one location

Collection area

Collection area - is the location where garbage or recyclable material is transferred from a building's storage containers to a collection vehicle for removal from the site.

Communal open space

Communal open space - means useable shared open space for the recreation and relaxation of residents of a housing development and which is under the control of a body corporate or equivalent.

Conservation plan

Conservation plan - means a document establishing the significance of a heritage item recommending an appropriate policy to enable that significance to be retained.

Cumulative impact

Cumulative impact – in relation to Telecommunications and Radiocommunications infrastructure means the impact of radiation from various sources or over time.

Council

Council means the City of Canada Bay Council or any officer or delegated authority authorised to act on behalf of Council.

Development Control Plan (DCP)

Development Control Plan (DCP) - a plan made under Section 72 of the Environmental Planning and Assessment Act 1979 to provide more detailed provisions than those included in a local environmental plan. The DCP can be amended by Council resolution.

Dormer window

Dormer window - means a construction containing a vertical window framed into and projecting through a steeply sloping roof. It can be a window or a group of windows forming a bay or recess in a room projecting outward from the general line of the wall.

Dual Occupancy

Dual Occupancy – means 2 dwellings (whether attached or detached) on one lot of land.

Dwelling house

Dwelling house - means a building containing only one dwelling.

Ecologically sustainable development

Ecologically sustainable development - means development that meets the needs of the present without compromising the ability of future generations to meet their own needs. ESD encompasses energy efficiency, minimising greenhouse gas emissions, the efficient use of land and resources, biodiversity conservation and equity within and between generations.

Electromagnetic radiation (EMR)

Electromagnetic radiation (EMR) – means the radiation in the microwave and radiofrequency band of the electromagnetic spectrum

Floor Space Ratio

Floor Space Ratio – See clause 4.5 of the Canada Bay Local Environmental Plan.

Frontage

Frontage - means the alignment at the public road reserve at the front of a lot and in the case of a lot that abuts two or more streets, the boundary of which, when chosen, would enable the lot to comply with the DCP provisions.

Garbage

Garbage - means refuse or waste material other than trade waste, effluent, compostable material, green waste or recyclable material.

Garbage and Recycling Room

Garbage and Recycling Room - means a room where garbage and recycling receptacles are stored, awaiting reuse or removal from the premises.

Gross Floor Area

Gross Floor Area – means the sum of the floor area of each storey of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

(a) The area of a mezzanine within the storey, and
(b) Habitable rooms in a basement, and
(c) Any shop, auditorium, cinema, and the like, in a basement or attic, but excludes:
(d) Any area for common vertical circulation, such as lifts and stairs, and
(e) Any basement:
(i) storage, and
(ii) vehicular access, loading areas, garbage and services, and
(f) Plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
(g) Car parking to meet any requirements of the consent authority (including access to that car parking), and
(h) Any space used for the loading and unloading of goods (including access to it), and
(i) Terraces and balconies with outer walls less than 1.4 metres high, and
(j) Voids above a floor at the level of a storey or storey above.

Ground level (existing)

Ground level (existing) means the existing level of a site at any point.

Gross Leaseable Floor Area

Gross Leaseable Floor Area – the sum of the areas of each floor of a building that is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage area.

Habitable room

Habitable room - means a room in a dwelling used for normal domestic activities that includes:

- a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom and sunroom; but excludes:
  a bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, ancillary storage or parking area and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Injuring

Injuring includes the administration to any part of a tree of any chemical or compound or substance which has the potential to harm the tree, irrespective of whether it actually harms the tree; “injuring” also includes altering the ground level in the near vicinity of the tree; “injuring” also includes changing the level of the water table so as to adversely affect the tree.

Landscaped Area

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

Large Dwelling

Large Dwelling - means a three (3) or more bedroom dwelling, the floor space of which is more than 98m2.

Local Environmental Plan (LEP)

Local Environmental Plan (LEP) - a plan made under Section 70 of the Environmental Planning and Assessment Act 1979. An LEP is a legal document and generally provides the land use zones, Council objectives and development standards for different types of development.

Low impact facility (LIF)

Low impact facility (LIF) - a facility that is exempted from state and council local planning under the Telecommunications (Low-impact Facilities) Determination 1997.

Medium Dwelling

Medium Dwelling - means a two (2) bedroom dwelling, the floor space of which is not less than 79m2 but not more than 98m2.

Multi Dwelling Housing

Means 3 or more dwellings (whether attached or detached) on one lot of land (not being an individual lot in a strata plan or community title scheme) each with access at ground level, but does not include a residential flat building.

NatHERS or equivalent

NatHERS or equivalent - NatHERS (Nationwide House Energy Rating System) is a computer simulation tool developed by the CSIRO for rating the thermal performance of houses across Australia. The

Energy Management Task Force is responsible for delivering a NatHERS compliance protocol. Any software or paper checklist which passes under this protocol is deemed "NatHERS or equivalent" (SEDA 1997).

North facing
North facing means the orientation within 20 degrees east and 30 degrees west of true north.

Outbuilding
Outbuilding means a detached building or structure used for purposes ancillary to the main dwelling on an allotment and includes cabanas, gazebos, garden sheds, greenhouses, garages, carports and the like.

Private open space
Private open space - means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoors purposes ancillary to the use of the building.

Radiocommunications facility
Radiocommunications facility – means a base station or radiocommunications link, satellite-based facility or radiocommunications transmitter

Recyclable
Recyclable - means capable of being reprocessed into useable material or re-used.

Removal and Cutting down
Removal and Cutting down means the cutting down of a tree so that the tree, including its branches, foliage, trunk, stump and root system will not regrow. This includes the poisoning of the stump and/or roots and/or removal or grinding out of its remains to prevent regrowth. "Transplanting" is "Removal" when a tree is relocated from one property to another.

Residential flat building
Residential flat building – means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

Semi-detached dwelling
Semi-detached dwelling - means a dwelling that is on its own lot of land (not being an individual lot in a strata plan or community title scheme) and is attached to only one other dwelling.

Site Coverage
Site Coverage – means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

(a) Any basement,
(b) Any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
(c) Any eaves,
(d) Unenclosed decks, pergolas and the like.

Small Dwelling
Small Dwelling - means a one (1) bedroom dwelling, the floor space of which is not less than 60 m^2 and not more than 79m^2.

Solar access
Solar access - means the amount of direct access to sunlight enjoyed by a building, room or open space.

Statement of Heritage Impact (SOHI)
Statement of Heritage Impact (SOHI) - means a statement prepared in accordance with the requirements of the Heritage Manual and addresses the significance of the place or item; adequately describes the existing features of the item or place; describes the proposed works and its contribution to the significance of the item; and justifies any proposed works.

Special waste
Special waste - means a waste that posed or is likely to pose an immediate or long-term risk to human health or the environment. This includes hazardous waste, clinical waste and contaminated waste. Special arrangements need to be made for the management of these wastes.

Storey
Storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) A space that contains only a lift shaft, stairway or meter room, or
(b) A mezzanine, or
(c) An attic.

Telecommunications facility
Telecommunications facility - any part of the infrastructure of a Telecommunications Network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use in connection with a Telecommunications Network.

Telecommunications Network
Telecommunications Network – means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided and/or unguided electromagnetic radiation

Tree
Tree means a perennial plant with at least one self-supporting woody or fibrous stem.

Wall height
Wall height means the greatest distance measured vertically from the topmost point on an external wall of a building, other than a gable wall or the wall of a dormer window, to existing ground level immediately below that point.

Waste

Waste – means any substance that is no longer able to be used for the purpose for which it was originally intended, and defined under the Waste Minimisation and Management Act, 1995, as:

(a) Any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume or manner as to cause an alteration in the environment; or

(b) Any discarded, rejected, unwanted, surplus or abandoned substance; or

(c) Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or recycling, reprocessing, recovery or purification by a separate operation from that which produced the substance; or

(d) Any substance prescribed by the regulation to be waste under the Waste Minimisation and Management Regulation.

For the purpose of the DCP, a substance is not precluded from being waste merely because it can be re-processed, re-used or recycled.

Waste Management Plan

Waste Management Plan – means a checklist showing the volume and type of waste to be generated, stored and treated on site, and how the residual is to be disposed, re-processed, re-used or recycled.

Waste storage and recycling area

Waste storage and recycling area – means a designated area or a combination of designated areas on the site of a building for the housing of approved containers to store all waste material (including recyclable material) likely to be generated by the occupants of the building.

For a comprehensive list of definitions please refer to the Canada Bay LEP.

Schedule 1

The following sites are covered by site or precinct specific DCP's:

1. 27 George Street, North Strathfield
2. Breakfast Point
3. Tuscany Court (aka the former Crompton Parkinson site)
4. Rhodes Corporate Park (aka the former Digital site)
5. Edgewood and Kendall Inlet (aka the former Dulux site)
6. Kings Bay (aka the former Hycraft site)
7. Liberty Grove
8. Abbotsford Cove (aka the former Nestle site)
9. Pelican Point, Pelican Quays and Phillips Landing
10. Strathfield Triangle
11. Sydney Wire Mill site (aka the former BHP site)
12. Cape Cabarita (aka the former Wellcome site)
13. Mortlake Point
14. Drummoyne Village
15. Rhodes West

Illustration S1 | Sites Covered by Site or Precinct Specific DCP's