# Woollahra Development Control Plan 2015
## (Amendment 24)

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|---|---|
| Prepared Date: | January 2024 |
| Adopted: | TBC |
| Commenced: | TBC |
| Division/Department: | Strategic Planning/ Planning & Place |
| HPE CM Record Number: | 23/181595 |

**Acknowledgement of Country**
Woollahra Council acknowledges that we are on the land of the Gadigal and Birrabirragal people, the Traditional Custodians of the land. We pay our respects to Elders past, present and emerging.

# Contents

# Woollahra Development Control Plan 2015 (Amendment No 24)

# Part 1 Preliminary

## 1.1 Background

This instrument seeks to make administrative amendments to the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) to update references to employment zone names.

In 2022, the NSW Department of Housing, Planning and Infrastructure (DPHI) made changes to business and industrial zone names in all local environmental plans across NSW. These reforms aimed to support long-term economic recovery through job creation and increased productivity across the state.

On 16 December 2022, *State Environmental Planning Policy Amendment (Land Use Zones) (No 6) 2022* (the SEPP) came into force. It formally introduced new employment zone names into the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) that were mandatory for every local government organisation in NSW. It also included provisions on the scale and function of local centres in Clause 6.10. These changes were applied to Woollahra LEP 2014 on 26 April 2023.

The changes relevant to the Woollahra LEP 2014 are shown in **Figure 1** below:

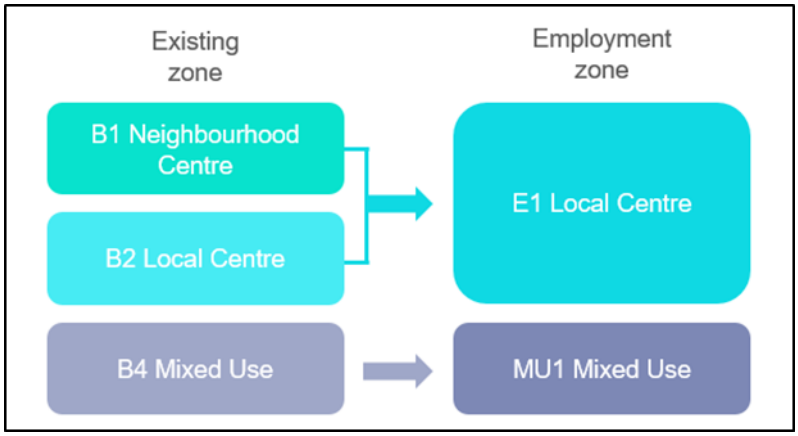



**Figure 1**: Relevant employment zone name changes to the Woollahra LGA.

As a consequence of the above changes, it is necessary to update the names of relevant zones in the Woollahra DCP 2015 to ensure our local controls can continue to be enforced after the two period transitional period expires. This will also make the Woollahra DCP 2015 consistent with the Woollahra LEP 2014.

## 1.2 Name of plan

This plan is the *Woollahra Development Control Plan 2015 (Amendment No 24)*.

## 1.3 Objectives of the plan

The objectives of the plan are to:

a) Ensure the employment zone names in the Woollahra DCP 2015 are consistent with the Woollahra LEP 2014.
b) Ensure local controls in the Woollahra DCP 2015 can continue to be enforced after transitional arrangements expire.
c) Provide clarity to applicants using the Woollahra DCP 2015 to prepare development applications.

## 1.4 Land to which this plan applies

This plan applies to the whole of the Woollahra Local Government Area (LGA).

## 1.5 Relationship of this plan to the Act, Regulation and other plans or environmental planning instruments

This plan has been prepared under Division 3.6 of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Assessment Regulation 2021*.

The plan aligns with employment zones changes enforced by the *Standard Instrument (Local Environmental Plans) Order 2006* (the Order) and the SEPP.

*Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) applies to the land to which this plan applies. In the event of an inconsistency between this plan and the Woollahra LEP 2014, the Woollahra LEP 2014 prevails.

## 1.6 Approval and commencement of this plan

This plan was approved by Woollahra Council on TBC and came into effect on TBC.

## 1.7 How this plan amends Woollahra DCP 2015

This plan amends Woollahra DCP 2015 in the manner set out in Part 2 of this plan.

# Part 2 Amendments to Woollahra Development Control Plan 2015

This draft development control plan amends the Woollahra DCP 2015 in the following manner:

- All references to B1 Neighbourhood Centre and B2 Local Centre are replaced with E1 Local Centre.
- All references to the B4 Mixed Use are replaced with MU1 Mixed Use.

These changes are purely administrative, to bring the Woollahra DCP 2015 in line with the Woollahra LEP 2014.

Amendments are shown as follows:

Insertions – identified in blue and underlined
Deletions – ~~identified in red and strikethrough~~

## Chapter A1 Introduction

### 2.1 Amendments to clause A1.1.9 Savings and transitional provisions relating to development applications

2.1.1 Insert at the end of the clause

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 24 to this DCP.

### 2.2 Amendments to clause A1.4 List of amendments

2.2.1 Insert at the end of the clause

| Amendment | Date of approval and Commencement | Description of amendment |
|---|---|---|
| No 24 | Date approved – TBC<br>Date commenced – TBC | Amend Chapters A1, C1, D1, D2, D3, D4, E1, E7 and F3 by updating references to employment zone names (administrative only). |

## Other Chapters

### 2.3 Amendments to Chapters A1, C1, D1, D2, D3, D4, E1, E7 and F3

2.3.1 Amendments to the above chapters are at **Attachment 1.**

# Attachment 1 - Amendments to Chapters A1, C1, D1, D2, D3, D4, E1, E7 and F3

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Part A
# Introduction and Administration

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015

# Chapter A1
# Introduction

Part A ▸ Introduction and Administration

CHAPTER A1 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

~~Last amended on 22 December 2023~~

Last amended on TBC

# Chapter A1
# Introduction

## Contents

# A1.1 About this development control plan

## A1.1.1 Name of development control plan

This plan is Woollahra Development Control Plan 2015 (DCP).

This DCP has been prepared consistent with Part 3, Division 6 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (Regulation).

## A1.1.2 Commencement

This plan was adopted by Council on 27 April 2015 and commenced on 23 May 2015.

## A1.1.3 Land where this plan applies

This plan applies to all land within the Woollahra Municipality.

## A1.1.4 Development to which this plan applies

This plan applies to development requiring consent under the Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014).

Under section 79C of the EP&A Act, Council is required to take into consideration the relevant provisions of any applicable DCP when determining an application for development.

## A1.1.5 Objectives of this plan

The Woollahra DCP is Council's main non-statutory document for regulating development, establishing the detailed planning and design guidelines for development across the municipality.

The overarching objectives of the DCP are:

O1 To give effect to the aims of Woollahra LEP 2014.

O2 To facilitate development that is permissible under Woollahra LEP 2014 with reference to the unique characteristics of the area where the development is proposed.

O3 To achieve the objectives contained in Woollahra LEP 2014.

O4 To establish controls that provide a balance between flexibility and certainty in the development assessment process.

O5 (Repealed)

O6 To establish a consistent set of definitions for terms used in the DCP.

Note: In addition to these overarching objectives, the objectives in each chapter of the DCP also apply to development.

## A1.1.6 Definitions

The definitions in Chapter A3 of this part define words and expressions for the purpose of this DCP. Where specified in Chapter A3, a word or expression used in this DCP can have the same meaning as it has in Woollahra LEP 2014.

## A1.1.7 Relationship to other documents

### State environmental planning policies

State environmental planning policies (SEPPs) may apply to the land to which this DCP applies. Where this occurs, the statutory provisions of those SEPPs prevail over this DCP.

Clause 6A of SEPP No 65 Design Quality of Residential Apartment Development sets out the relationship between certain provisions contained in Parts 3 and 4 of the Apartment and Design Guide (NSW Department of Planning and Environment, June 2015) and provisions in a development control plan. Clause 6A makes the objectives, design criteria and guidelines for the following eight matters in the Apartment and Design Guide prevail over a DCP. The eight matters are:

Visual privacy (Part 3F)

Solar and daylight access (Part 4A)

Natural ventilation (Part 4B)

Ceiling heights (Part 4C)

Apartment size and layout (Part 4D)

Private open space and balconies (Part 4E)

Common circulation and spaces (Part 4F)

Storage (Part 4G)

Those provisions in Woollahra DCP 2015 that specify requirements, standards or controls that relate to any of the eight matters listed in clause 6A and contained in Parts 3 and 4 of the Apartment Design Code have no effect in the assessment and determination of a development application for development to which SEPP No 65 applies.

All other provisions of Woollahra DCP 2015 can be applied to the assessment and determination of a DA for development to which SEPP No 65 applies.

### Woollahra LEP 2014

This DCP supplements the requirements of Woollahra LEP 2014 and must be read in conjunction with the LEP. If there is any inconsistency between this DCP and Woollahra LEP 2014, the LEP prevails.

### Woollahra Community Participation Plan

Division 2.6 of the EP&A Act sets out the mandatory community participation requirements with respect to the exercise of relevant planning functions. It states that the mandatory requirements are those identified in:

- Part 1 Schedule 1 of the EP&A Act, and
- a community participation plan prepared under Division 2.6.

The Woollahra Community Participation Plan sets out how and when Council will undertake community participation when exercising relevant planning functions. This includes notification of development applications and applications to modify a development consent.

### Contributions plans

Section 94 of the EP&A Act contains provisions that allow Council to impose, as a condition of development consent or as a condition of a Complying Development Certificate, a requirement that the applicant dedicate land free of cost, or pay a monetary contribution, or both. This is in order to meet demand for public amenities and public services, the demand for which would be generated by the proposed development.

Section 94A of the EP&A Act contains provisions that allow Council to impose, as a condition of development consent or as a condition of a Complying Development Certificate, a requirement that the applicant pay a levy based on a percentage of the proposed cost of carrying out the development.

These contributions are used for providing, extending or augmenting public facilities such as recreational open space or public car parking. The development contributions plans supplement the provisions of Woollahra LEP 2014 and DCP.

## A1.1.8 Repealed development control plans

This DCP repeals the following DCPs:

- Woollahra Residential DCP 2003;
- Paddington Heritage Conservation Area DCP 2008;
- Woollahra Heritage Conservation Area DCP 2003;
- Watsons Bay Heritage Conservation Area DCP 2003;
- Double Bay Centre DCP 2002;
- Edgecliff Commercial Centre DCP 1995;
- Rose Bay Centre DCP 2000;
- Neighbourhood Centres DCP 2009;
- 13 Albert Street, Edgecliff DCP (Monte Oliveto) 2000;
- Babworth House DCP 1999 (103 Darling Point Road, Darling Point);
- Bishopscourt DCP 1995 (11 Greenoaks Avenue, Darling Point);
- 9 Cooper Park Road, Bellevue Hill DCP 1995;
- 9a Cooper Park Road, Bellevue Hill DCP 2014;
- Hawthornden DCP 1996 (6-12 Roslyndale Avenue, Woollahra);
- Kilmory DCP 2002 (6 Wentworth Street, Point Piper);
- 188 Oxford Street, Paddington and Part Lot 1 DP 215537 DCP 1997;
- 118 Wallis Street, Woollahra DCP 1995;
- Advertising and Notification DCP 2007;
- Exempt and Complying DCP 2005;
- Parking DCP 2011;
- Access DCP 2004;
- Contaminated Land DCP 2010;
- Site Waste Minimisation and Management DCP 2010;
- Child Care Centres DCP 2006;
- Educational Establishments DCP 2012; and
- Woollahra Telecommunications and Radiocommunications DCP 2004;
- Draft Flood Risk Management DCP; and
- Draft Stormwater Drainage Management DCP.

This DCP also repeals various policies and codes including: Code for Advertising (1987), Development Control Guidelines for the Provision of Foreshore Open Space and Access (1991), Private Stormwater Code (2009) and the Landscape Code (1988).

## A1.1.9 Savings and transitional provisions relating to development applications

Despite Section 1.1.8 regarding the repeal of DCPs, policies and codes, the DCPs listed in Section 1.1.8 above will continue to apply to development applications (DAs), applications to modify development consents and applications for review of a determination, that were made prior to but not determined on the date of commencement of this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 96 of the EP&A Act and applications for review of determinations under section 82A of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 1 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 96 of the EP&A Act and applications for review of determinations under section 82A of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 2 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 96 of the EP&A Act and applications for review of determinations under section 82A of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 3 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 96 of the EP&A Act and applications for review of determinations under section 82A of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 4 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 7 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No. 8 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 9 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determinations under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 10 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of

determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 11 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development application to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 13 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development application to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 5 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development application to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 12 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development application to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 15 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 14 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 16 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 17 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 18 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 19 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of

determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 20 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 21 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 23 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 25 to this DCP.

This DCP (as commenced on 23 May 2015) continues to apply to development applications, applications to modify consents under section 4.55 of the EP&A Act and applications for review of determination under Division 8.2 Reviews of the EP&A Act that were made prior to but not determined before the commencement of Amendment No 24 to this DCP.

## A1.2 Structure of this development control plan

This DCP contains seven parts, and comprises chapters within each part. The content structure of the DCP is illustrated in the table below.

Applicants and designers must read all applicable parts of the DCP to ensure they have met the DCP's requirements.

| Woollahra DCP 2014 | Where the parts apply |
|---|---|
| **Part A: Introduction and Administration**<br>A1 Introduction<br>A2 (Repealed)<br>A3 Definitions | **Part A** applies to all DAs.<br>It contains information for all applications including the dictionary that defines the words and expressions used in this DCP. |
| **Part B: General Residential**<br>B1 Residential Precincts<br>B2 Neighbourhood Heritage Conservation Areas<br>B3 General Development Controls | **Part B** applies to DAs proposed on land located within the residential precincts of Darling Point, Double Bay, Wallaroy, Manning Road, Point Piper, Bellevue Hill South, Bellevue Hill North, Rose Bay, Vaucluse West, and Vaucluse East or within the neighbourhood heritage conservation areas of Etham Avenue, Darling Point Road, Mona Road, Loftus Road and Mona Road, Aston Gardens, Victoria Road, Balfour Road, Beresford Estate, Rose Bay Gardens Estate, Kent Road and Bell Street. |
| **Part C: Heritage Conservation Areas**<br>C1 Paddington HCA<br>C2 Woollahra HCA<br>C3 Watsons Bay HCA | **Part C** applies to DAs proposed on land located within the heritage conservation areas of Paddington, Woollahra and Watsons Bay. |
| **Part D: Business Centres**<br>D1 Neighbourhood Centres<br>D2 Mixed Use Centres<br>D3 General Controls for Neighbourhood and Mixed Use Centres<br>D4 Edgecliff Centre<br>D5 Double Bay Centre<br>D6 Rose Bay Centre | **Part D** applies to DAs proposed on land zoned Edgecliff, Double Bay and Rose Bay Centres, as well as to land zoned ~~B1 Neighbourhood~~ E1 Local Centre or ~~B4~~ MU1 Mixed Use under Woollahra LEP 2014. |

| Woollahra DCP 2014 | Where the parts apply |
|---|---|
| **Part E: General Controls for All Development**<br>E1 Parking and Access<br>E2 Stormwater and Flood Risk Management<br>E3 Tree Management<br>E4 Contaminated Land<br>E5 Waste Management<br>E6 Sustainability<br>E7 Signage<br>E8 Adaptable Housing | **Part E** contains general controls which can apply to development irrespective of location.<br>It establishes controls that all applications must consider. |
| **Part F: Land Use Specific Controls**<br>F1 Child Care Centres<br>F2 Educational Establishments<br>F3 Licensed Premises<br>F4 Telecommunications | **Part F** applies to DAs relating to specific development types.<br>The controls in Part F apply in addition to the controls in Parts B, C or D (as relevant). |
| **Part G: Site-Specific Controls**<br>G1 Babworth House, Darling Point<br>G2 Kilmory, Point Piper<br>G3 Hawthornden, Woollahra<br>G4 9a Cooper Park Road, Bellevue Hill<br>G5 3-9 Sisters Lane, Edgecliff<br>G6 4A Nelson Street and 118 Wallis Street, Woollahra<br>G7 Former Royal Women's Hospital, Paddington<br>G8 252-254 New South Head Road, Double Bay | **Part G** applies to DAs proposed on specific sites.<br>The controls in Part G apply in addition to the controls in Parts B, C or D (as relevant). |

## A1.3 The development assessment process

Development and building works can be classified as exempt development, complying development, or development which requires consent from the relevant planning authority, which in most cases is Council.

Exempt development applies to minor development which does not require any approval. Complying development requires a complying development certificate to be issued by a principal certifying authority, which can be either Council or a private certifier.

Development that is exempt or complying development is set out in:

- Woollahra LEP 2014 (Schedule 2 and 3); and
- Various SEPPs including: *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, *State Environmental Planning Policy (Infrastructure) 2007*, and *SEPP (Affordable Rental Housing) 2009*.

All other development requires consent. This DCP applies to development that requires consent.

Applicants should ensure development complies with the objectives and controls in both the LEP and this DCP.

### A1.3.1 Development that requires consent

In the Woollahra Municipality, due to the topography, proximity to the harbour and the nature of the development proposals, development consent from Council is usually required for the following activities, unless otherwise specified in a SEPP:

- to erect a new building or structure, or to add to or alter an existing building;
- to carry out development relating to a heritage item listed under Woollahra LEP 2014;
- to demolish a building;
- to change the use of an existing building or parcel of land to another use;
- to subdivide land or strata subdivide a building; and
- to carry out earthworks, excavation or filling.

Applicants are strongly advised to make an appointment for a formal pre-DA consultation with Council's Assessment Officers before detailed plans for the proposal are drawn up. This will help to identify important issues at an early stage and avoid later problems in the assessment process.

Before lodging a development application, applicants must also consider whether the proposal will require other approvals or licences from a NSW Government agency, in addition to Council's development consent. In these cases, Council will refer the application to the relevant agency so that there is an integrated assessment of the proposal. These referral agencies include the Roads and Maritime Services, Office of Environment & Heritage and the Department of Primary Industries.

To assist applicants, Council has also prepared a DA Guide which explains how to prepare a development application.

## A1.3.2 How applications are assessed

Development applications are assessed by Council under the EP&A Act. Council assesses applications on their merits having regard to Woollahra LEP 2014 and this DCP.

However, compliance with Woollahra LEP 2014 and this DCP does not guarantee Council's approval. In particular, the following factors in section 79C of the EP&A Act must also be taken into account:

- the provisions of any other environmental planning instrument and any other development control plan applying to the land;
- the provisions of any planning agreement that has been entered into under section 93F of the EP&A Act, or any draft planning agreement that a developer has offered to enter into under section 93F;
- any relevant provisions of the Regulation;
- the provisions of any coastal zone management plan (within the meaning of the *Coastal Protection Act 1979*) that apply to the land to which the development application relates;
- the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- the suitability of the site for the development;
- any submissions made in accordance with the EP&A Act or the Regulation; and
- the public interest.

## A1.3.3 How applications are determined

Development applications can be determined at a local government level in one of four ways depending on the significance of the proposal, the level of non-conformity with Council's development controls and the number of objections received:

1. Delegated determination by a Council officer.
2. Determination by the Application Assessment Panel, which comprises senior Council officers.
3. Determination by the Woollahra Local Planning Panel, which comprises three approved independent persons with relevant expertise and a representative of the local community who is not a councillor or mayor.
4. Determination by the relevant Sydney district and regional planning panel, which comprises three members appointed by the Minister and two council nominees.

## A1.4 List of amendments

| Amendment | Date of approval and commencement | Description of amendment |
|---|---|---|
| **No 1** | Date approved - 12 December 2016<br><br>Date commenced - 21 December 2016 | Replace Chapter E1 Parking and Access updating existing provisions and inserting new provisions for vehicle parking and access |
| **No 2** | Date approved - 10 April 2017<br><br>Date commenced - 19 April 2017 | Replace Chapter B3 General Development Controls inserting new objectives for design excellence, simplify setback controls and other minor amendments relating to wall height controls, acoustic and visual privacy, on-site parking, landscaping, swimming pools, outbuildings, fence and battle-axe lot controls |
| **No 3** | Date approved - 26 November 2018<br><br>Date commenced - 2 January 2019 | Amend chapter B3 General Development controls to inert a new section called B3.5.5 - Internal Amenity to ensure that rooms in a dwelling, particularly rooms that are located below natural ground level, have high levels or indoor residential amenity for health and well-being. |
| **No 4** | Date approved - 26 November 2018<br><br>Date commenced - 2 January 2019 | Amend Chapter B3 General Development Controls by amending and inserting various objectives, controls, introductions and notes relating to:<br>• Roof forms and roof structures<br>• Plant equipment (including lifts and lift over runs)<br>• Planting on elevated areas<br>• Use of reflective material. |
| **No 5** | Date approved - 26 October 2020<br><br>Date commenced - 7 December 2020 | The amendment responds to the introduction of the Low Rise Housing Diversity Code.<br><br>The amendments are distributed throughout the DCP and insert references to the new housing types of Manor house and Multi dwelling housing (terraces) alongside existing references to residential flat buildings and multi dwelling housing. |
| **No 7** | Date approved - 11 November 2019<br><br>Date commenced - 2 January 2020 | Chapter A3 Definitions: Amend definitions for “infill” and “pavilion”. Insert new definition for “courtyard”.<br><br>Chapter C1 Paddington Heritage Conservation Area: Amend and insert various objectives, controls, introductions and notes relating to single storey buildings, multi-storey terrace style housing, infill development and general controls for all development. |

| Amendment | Date of approval and commencement | Description of amendment |
|---|---|---|
| **No 8** | Date approved - 9 December 2019<br><br>Date commenced - 20 January 2020 | Amend Chapters D5 Double Bay Centre, E5 Waste Management and F3 Licensed Premises by modifying and amending various introductions, controls and objectives to:<br>• Address potential tensions between business activities and residential amenity in Double Bay.<br>• Insert examples of design solutions that could reduce noise transmission in Double Bay.<br>• Address noise and nuisance arising from waste and recycling collections.<br>• Amend bin sizes and types for Paddington and West Woollahra. |
| **No 9** | Date approved - 11 November 2019<br><br>Date commenced - 2 January 2020 | Amend Chapter A1 by inserting additional savings and transitional provisions.<br><br>Amend Chapter E1 Parking and Access by modifying and amending various sections, controls and objectives to:<br>• Update electric vehicle circuitry controls to reflect evolving industry and policy development.<br>• Insert mandatory requirements for electric circuitry to accommodate future installation of electric vehicle charging points.<br>• Insert mandatory requirements for electric vehicle charging points in certain developments. |
| **No 10** | Date approved - 25 November 2019<br><br>Date commenced - 2 January 2020 | Repeal Chapter A2 Advertising and Notifications and amend Chapter A1 General Development Controls to remove references to the repealed Chapter A2 and insert relevant references to the Woollahra Community Participation Plan. |
| **No 11** | Date approved - 24 February 2020<br><br>Date commenced - 16 March 2020 | Amend Chapter A1 by inserting additional savings and transitional provisions.<br><br>Amend Chapter D4 Edgecliff Centre, D5 Double Bay Centre and D6 Rose Bay Centre by adding various sections, controls and objectives for public art in major development. |
| **No 12** | Date approved – 22 February 2021<br><br>Date commenced – 12 April 2021 | Amend Chapter C1 Paddington Heritage Conservation Area by inserting additional objectives and controls relating to the protection of pub buildings. |

| Amendment | Date of approval and commencement | Description of amendment |
|---|---|---|
| **No 13** | Date approved – 29 September 2020<br><br>Date commenced – 12 October 2020 | Chapter A3 Definitions: insert the definition for "courtyard housing". Delete the definition for "pavilion".<br><br>Chapter C1 Paddington Heritage Conservation Area: Amend clause 1.3.1 Single storey buildings, clause 1.4.3 Rear elevations, rear additions, significant outbuildings and yards and Table 8 in clause 1.5.8 Materials, finishes and details. Amendments include:<br>• replacing the definition of "pavilion" with "courtyard housing"<br>• adding and amending controls and diagrams for rear additions to single storey buildings. |
| **No 14** | Date approved - 26 July 2021<br><br>Date commenced - 30 August 2021 | Amend Part B Chapter B1 and B3; Part C Chapters C1, C2 and C3 by modifying and amending various sections, controls and objectives to strengthen provisions for Inter-War flat buildings and timber buildings in Paddington and Watsons Bay. |
| **No 15** | Date approved – 22 March 2021<br><br>Date commenced – 12 April 2021 | Amend Chapter A1 by inserting additional savings and transitional provisions.<br><br>Amend Part B Chapter B3; Part C Chapters C1, C2 and C3; Part D Chapter D3 and Part G Chapter G4 by modifying and amending various sections, controls and objectives to strengthen controls for air-conditioning and other mechanical plant equipment to help protect streetscape character and amenity. |
| **No 16** | Date approved - 26 July 2021<br><br>Date commenced - 30 August 2021 | Amend Part B Chapter C1 by modifying and amending various sections, controls and objectives affecting single storey buildings, multi-storey terrace style housing, infill development, side elevations and additions, rear elevations, roof forms and lofts over garages and studios. |
| **No 17** | Date approved - 26 July 2021<br><br>Date commenced - 30 August 2021 | Amend Chapter A1 by inserting additional savings and transitional provisions.<br>Amend Part B Chapter B3; Part C Chapters C1, C2 and C3; Part D Chapter D3, D4, D5 and D6 to strengthen controls for fire hydrant systems to address streetscape character and amenity impacts. |
| **No 18** | Date approved - 25 October 2021<br><br>Date commenced - 6 December 2021 | Amend Chapter D5 Double Bay Centre, section D5.6.7 Geotechnology and hydrogeology by deleting this section and combine with Chapter E2 Stormwater and Flood Risk Management section E2.2.10 Groundwater (hydrogeology). Amend Chapter E2 Stormwater and Flood Risk Management, section E2.2.10 Groundwater (hydrogeology). |

| Amendment | Date of approval and commencement | Description of amendment |
|---|---|---|
| **No 19** | Date approved - 25 October 2021<br><br>Date commenced - 6 December 2021 | Amend Chapter A3 Definitions and Chapter B2 by modifying and amending various sections, controls and objectives to strengthen provisions for Neighbourhood HCAs. |
| **No 20** | Date approved - 14 November 2022<br><br>Date commenced - 5 December 2022 | Amend Chapter B3 by modifying the objectives and controls relating to excavation works. |
| **No 21** | Date approved - 28 November 2022<br><br>Date commenced - 14 July 2023 | Amend Chapters B3 and E3 to introduce urban greening requirements, remove floorplate controls for dwelling houses, semi-detached dwellings and dual occupancies that are being replaced by floor space ratio controls in the Woollahra Local Environmental Plan 2014, and other associated administrative changes. |
| **No 22** | Date approved - 9 October 2023<br><br>Date commenced - 27 October 2023 | Amend Part G by inserting Chapter G8 – 252-254 New South Head Road, Double Bay and introducing controls and objectives to address environmental and other amenity impacts that could result from future development on the site. |
| **No 23** | Date approved – 15 November 2023<br><br>Date commenced – 8 December 2023 | Amend Chapter A1 by inserting additional savings and transitional provisions.<br><br>Amend Part B Chapter B3; Part C Chapters C1, C2 and C3; Part D Chapters D3, D4, D5 and D6, by modifying and amending various sections, controls and objectives to address the amenity impacts of electrical infrastructure, including particularly substations. |
| **No 25** | Date approved 11 December 2023<br><br>Date commenced – 22 December 2023 | Amend Chapter A1 by inserting additional savings and transitional provisions.<br><br>Amend Chapter A3 to insert a new definition of solar energy systems.<br><br>Amend Chapter E6 to modify controls relating to solar energy systems.<br><br>Amend Chapters B2, C2, C3 and D1 to made administrative changes in support of the above amendments. |

| Amendment | Date of approval and commencement | Description of amendment |
|---|---|---|
| **No 24** | Date approved - TBC<br><br>Date commenced - TBC | Amend Chapters A1, C1, D1, D2, D3, D4, E1, E7 and F3 by updating references to employment zone names (administrative only). |

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Part C ▸ Heritage Conservation Areas

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015

# Chapter C1
# Paddington Heritage Conservation Area

Part C ▸ Heritage Conservation Areas

CHAPTER C1 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

~~Last amended on 8 December 2023~~

Last amended on TBC

# Chapter C1 ▸ Paddington HCA

## Contents

# C1.1 Introduction

## C1.1.1 Background

Paddington is a unique urban area of outstanding national heritage significance and the conservation of Paddington and its heritage significance should be the foremost outcome of development.

The special character of Paddington is derived from its historical development and associations. This unique character is also evident in its interrelationship of buildings, spaces, topography, landscape settings and land uses. Paddington's sense of place and its significance results from a multi-layered interrelation of various built forms and spaces and historical and social values.

Paddington needs to be understood as a whole precinct. Some of the individual buildings and sites within the precinct are heritage items, however all other buildings (except for intrusive buildings) are contributory buildings as they make a positive contribution to the character of the area. For Paddington, the whole is greater than the sum of its parts.

Paddington is a living place which will continue to undergo change; appropriate contemporary design is encouraged and necessary if change is to occur in a manner which respects the significant characteristics of Paddington.

### Conservation philosophy

The controls for the Paddington Heritage Conservation Area (HCA) contained in this chapter are based on the Paddington Heritage Conservation Area DCP 2008. The Paddington Heritage Conservation Area DCP 2008 was the culmination of a review of the Paddington DCP 1999. The review of the Paddington DCP 1999 included input from a working party comprising representatives from The Paddington Society, the National Trust of Australia (NSW), the Woollahra History and Heritage Society, the NSW Heritage Office and Woollahra Councillors.

This chapter of the DCP adopts the conservation philosophy embodied in the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter).

The Burra Charter is widely accepted by Government agencies at all levels and by private industry as the standard philosophy for heritage conservation practice in Australia. The Charter sets down principles, processes and practices for the conservation of significant places. Certain terms used in the Burra Charter are also used in this chapter and are defined in Section C1.1.6.

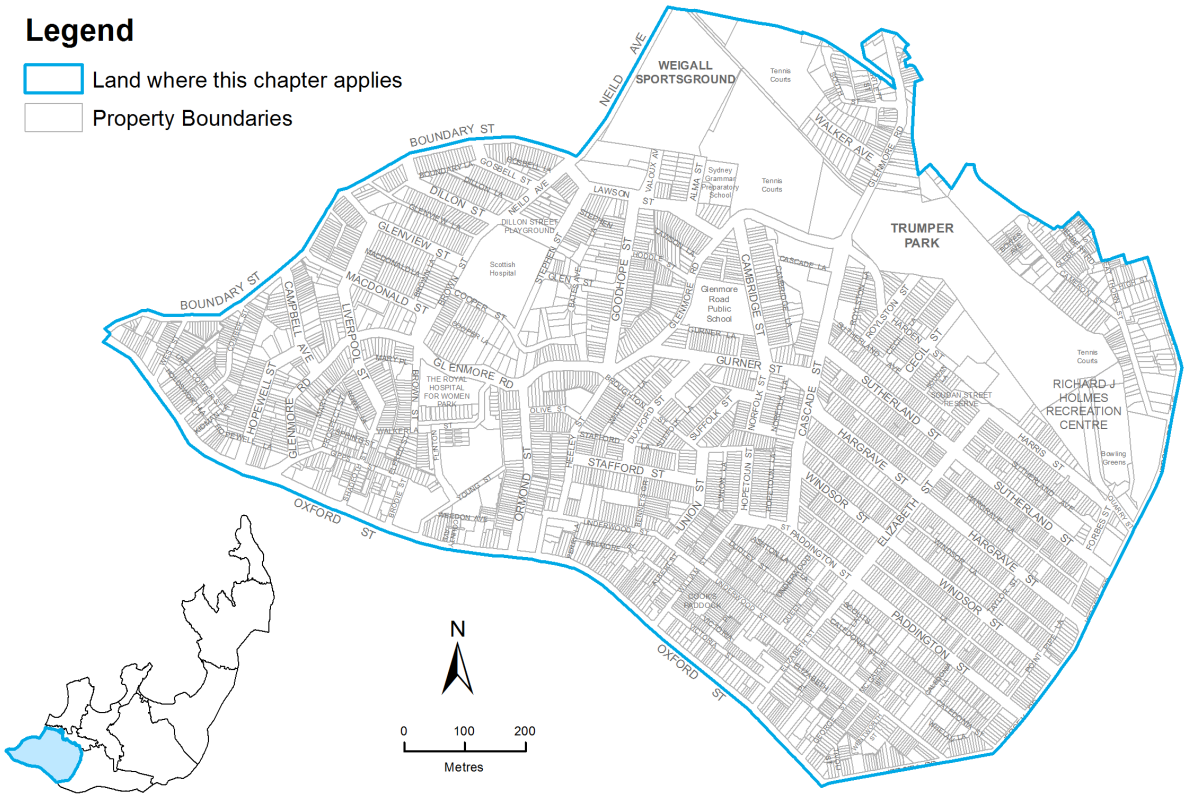
Note: The term 'original' as used throughout the DCP refers to any significant fabric. This may be from a range of historic periods.

## C1.1.2 Land where this chapter applies

This chapter applies to the Paddington HCA as identified in Map 1.

Parts of the suburbs of Edgecliff and Woollahra are located in the Paddington HCA; this chapter applies to those parts.

### MAP 1 Paddington Heritage Conservation Area boundary map



## C1.1.3 Development to which this chapter applies

This chapter applies to development that requires consent under Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014).

Generally this will be residential or commercial development, but may include other permitted uses such as child care centres, community facilities, educational establishments and places of public worship.

## C1.1.4 Objectives

The objectives of this chapter are:

O1 To facilitate the implementation of the objectives and provisions relating to heritage conservation contained in Woollahra LEP 2014.

O2 To acknowledge and conserve the unique National heritage significance of Paddington.

O3 To conserve the significant types of buildings within the Paddington Heritage Conservation Area.

O4 To provide guidelines and controls which seek to protect the significant character of Paddington and which encourage contemporary design which responds appropriately to that character.

O5 To encourage and promote public awareness, appreciation and knowledge of heritage conservation.

O6 To enhance amenity and heritage values within Paddington.

O7 To ensure that development is consistent with the heritage significance of the Paddington Heritage Conservation Area.

## C1.1.5 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

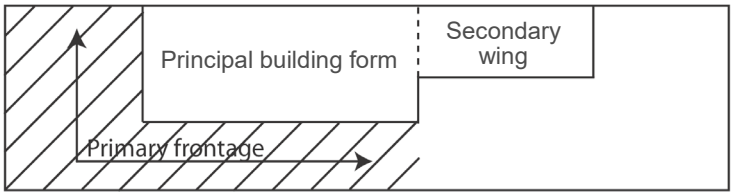
- Part B: Chapter B3 General Development Controls, but only if the proposal is for a dual occupancy development (refer to Section B3.8 Additional controls for development other than dwelling houses).
- Part E: General Controls for All Development – this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- Part F: Land Use Specific Controls – this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

## C1.1.6 Definitions

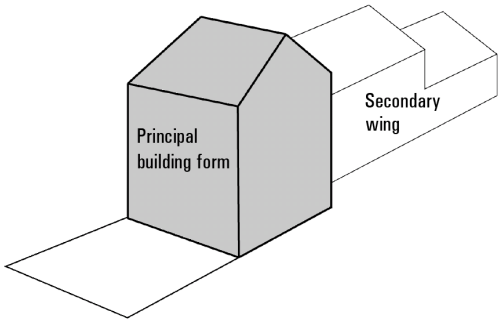
The definitions below define words and expressions for the purpose of this chapter.

These definitions apply in addition to the definitions in Part A Chapter A3 of the DCP, the Environmental Planning and Assessment Act and Woollahra LEP 2014.

| | |
|---|---|
| **ancillary development** | a building or structure, other than a dwelling house, dual occupancy, semi-detached dwelling, mixed development, attached housing, multi-dwelling housing, residential flat building, manor housing, multi dwelling housing (terraces) or other housing type, but including sheds, pool houses, detached garages, gazebos, separate laundries, pagodas, swimming pools and pergolas. |
| **balconet** | is an area incorporating a guard rail only and a very minor projection from the outer wall of a building, fronting windows with deep sashes or inward opening doors, preventing people from falling. |
| **breezeway** | an unenclosed passage or void between the side boundary and rear wing. |
| **missing elements** | based on known evidence, including where the missing elements exist to related properties rather than speculation). |
| **primary frontage (corner lots)** | that part of the site in the street front zone and the part between the side street and the principal building form (see diagram). |



**principal building form** the original front building section and main roof, which contains the main rooms (see diagram).




## C1.1.7 How to use this chapter

The provisions of this chapter are to be used by applicants in the sequence set out below.

**TABLE 1** How to use this chapter

| Steps to be considered for all development |
|---|
| **Step 1 Understanding the context**<br>▶ Read the statement of significance for the Paddington HCA in Section 1.2.1.<br>▶ Read the desired future character statement for the Paddington HCA in Section 1.2.4.<br>▶ Development is to achieve the outcomes expressed in the desired future character statement. Applications will be assessed against their ability to satisfy those outcomes relevant to the proposal, amongst other matters. |
| **Step 2 Investigating heritage significance**<br>▶ Identify whether the subject building or site is a heritage item as identified in Woollahra LEP 2014.<br>▶ All other buildings within the Paddington HCA are 'contributory buildings' as they make a positive contribution to the character of the area. The only exception to this is for 'intrusive buildings' which are inappropriate to the character of Paddington in regard to scale, proportions, materials and design.<br>▶ Consider the history and relationship of the subject site and surrounding sites, having particular regard to the building type/s to which the development applies. The history and relationships are to be conserved.<br>▶ Identify the key building fabric relevant to the building type and the site. Original key fabric is to be conserved. |

**Step 3 Addressing the objectives and controls**

For all development, each section must be read and the relevant controls applied:

- Section C1.3 Building types: There are 14 building types, each with specific objectives and controls. Note, more than one building type may apply to your development.
- Section C1.4 General controls for all development. This section applies to all development including existing buildings and infill development.
- Section C1.5 Specific policy for building and site elements: Specific controls for building and site elements on residential and non-residential buildings.
- Section C1.6 Public domain: Applies to land owned and/or managed by Council or other public authorities.

# C1.2 Understanding the context

## C1.2.1 The significance of the Paddington Heritage Conservation Area

Paddington is a unique urban area which possesses historical, aesthetic, technical and social significance at a National and State level. An important factor in the significance of Paddington is its exceptional unity, encompassing scale, character, history, architecture and urban form.

The built environment of Paddington is an excellent example of the process of 19th century inner city urbanisation of Sydney which was largely completed by 1890. The predominant Victorian built form is an excellent representative example of the phenomena of land speculation and a 'boom' building period between 1870 and 1895.

The terraces of Paddington clearly trace the evolution of the imported English Georgian and Regency terrace models into the distinct Australian style evident in the Victorian era terraces.

Paddington retains many significant types of buildings that represent all phases of the suburb's historical development. These building types range from modest, small-scale, single storey timber and masonry cottages, to remnant examples of former gentry mansions, boom style middle-class terrace houses, apartment blocks and contemporary infill development, all of which are set in a varied network of streets, lanes and pedestrian accessways which reflect the phases of subdivision and development.

Paddington has a multitude of important historical and social associations. It is linked with the early transport routes along South Head Road (Oxford Street) and Point Piper Road (Jersey Road), the construction of Victoria Barracks in the 1840s, the gentry estates, prominent figures of the early colony, the speculative building boom between 1870 and 1890, and the development of Australian tennis at the White City site. Its historical and social associations extend to the periods of occupancy by immigrant groups and minority groups including the Chinese market gardeners, the Jewish community around the turn of the century, the European immigrants in the 1950s and an alternative artistic and intellectual population in the 1960s and 1970s. Today Paddington has a high level of social esteem and is regarded as one of Sydney's most desirable inner-city urban areas. The changing sociology of Paddington demonstrates phenomenal variations in status and changes in community attitudes to the 19th century suburb.

Paddington has important associations with the evolution of the conservation movement in Australia, in particular with the actions by the National Trust and the Paddington Society, which ensured its conservation at a time of redevelopment threat in the 1960s. It is significant as the first suburb classified by the National Trust, a community based, non-government organisation committed to promoting and conserving Australia's heritage.

Paddington has a unique aesthetic significance due to the superimposition of the built form on a sloping topography which overlooks Sydney Harbour and its foreshores. The coherent and extensive Victorian built form comprising groups of terrace buildings on narrow allotments which step down hills, turn corners or sit in ranks along tree lined streets produces a singularly recognisable image.

Inter-War flat buildings are also present in Paddington, ranging from around 1918 to circa 1950. Many of these buildings make an important historic, aesthetic, social and representative

contribution to the character and illustrate the historical evolution of development of the area. They demonstrate the key characteristics of architectural styles of the Inter-War period.

Paddington provides vast opportunity for research, education and interpretation through the physical layout of its road network, its subdivision pattern and the varied form of buildings.

These buildings provide an excellent record of past technologies and domestic lifestyles through features such as original external and internal building fabric, detailing and room layouts. Terrace houses, semi-detached dwellings, flat buildings and freestanding houses all show the evolving attitudes towards families and the home from the early 19th to the late 20th century.

## C1.2.2 Building types in Paddington

The built environment of Paddington reveals the historic development of the area. Building types and styles exemplify stages of development and support the overall cultural significance of the area.

Examples of the 1840 to 1870 phase of development include small workers' cottages and boldfaced terraces from the original Paddington village, and grand mansions from the large gentry estates built along the ridgelines, such as Juniper Hall. Rows of Victorian boom style terraces were built between 1870 and 1910 on the subdivisions of the early land grants and large estates.

Later development which occurred on further subdivisions, vacant blocks, or on redeveloped sites includes Federation era terraces, Inter-War flat buildings, 1960s and 1970s high rise style units, and more recently some excellent examples of contemporary infill.

The building types most commonly found in Paddington include multi-storey and single-storey terrace house rows, single-storey timber and masonry houses, freestanding houses, mixed commercial and residential buildings, commercial and industrial buildings, pubs and contemporary infill buildings. To ensure that development proposals recognise and respect the particular characteristics of particular building types, Section C1.3 of this chapter sets out specific objectives and controls for these and other building types.

## C1.2.3 Character elements

The character elements represent the distinguishing features of the area that are to be retained. Applications to change the character elements will be assessed against the desired future character controls.

### Introduction

Paddington has a valuable historic and predominantly 19th century residential character, which is represented by late-Victorian terrace houses, modest workers' cottages, including single-storey timber and masonry houses, and former mansions. It also contains a mix of shops and pubs, residential flat buildings, commercial buildings and a few surviving light industrial and warehouse buildings, with many being adapted to residential uses.

To protect the heritage significance of Paddington it is important to retain and conserve the many building types that represent the significant phases of the suburb's historical development. These are important buildings and many have original outbuildings, fences and garden settings that are important elements to preserve.

Other townscape features such as significant trees and historical sandstone kerbs and gutters also contribute to the significance of the Paddington HCA.

It is particularly important to conserve the significant fabric and layout of the original front building section which contains the main rooms. This section, including its roof, is referred to as the "principal building form", and commonly faces the street front, with a secondary section behind. The main rooms often contain the most significant details such as plaster work, timber joinery and fireplace surrounds.

Many terrace houses have a small setback from the street. This area, referred to as the "street front zone", provides an important setting for buildings. The setting for freestanding buildings, including timber cottages, is established with their front, side and rear setbacks.

Additions and alterations to existing buildings and the construction of new buildings should be designed with respect to the architectural character of the building and the context of the significant streetscapes of the Paddington HCA. Retention of original fabric and detail is key.

Reconstruction and reinstatement of missing details and building elements is important and encouraged. This includes the removal of inappropriate building elements.

Even small changes to buildings in Paddington require careful consideration. This is critical when changes are visible from the street or from other public spaces.

Alterations to the rear of properties require detailed consideration so as not to alter the proportion, scale and the cohesion in groups of buildings. Due to the topography and the subdivision patterns, rear elevations are often highly visible from the public domain.

In Paddington, the aim should always be to establish a cohesive relationship between new work and the existing building fabric. Contemporary design must respond appropriately to relevant aspects of the historical context.

### Natural and built character elements

The existing distinguishing natural and built character elements of the Paddington HCA include:

- A topographical form which is shaped into a natural amphitheatre facing north over flatlands and former swamps allowing views to Rushcutters Bay, Sydney Harbour and westwards to the city. This land form also enables internal views of secondary ridges and gullies.
- A variable and intricate street, lane and pedestrian network. The western side of Paddington, originally the Paddington Village, is characterised by short, angled narrow roads with closed vistas and dogleg junctions influenced by the boundaries of early land grants. Dense rows of cottages and terrace housing often have zero setback.

  Later street patterns in the eastern half of Paddington were laid out in the Victorian building boom period. The subdivisions are more strictly ordered with alternating wide streets and rear lanes and are set out on a rectangular grid. Development on corner sites is usually

sensitive to the pivotal position they occupy in both streetscapes. Streets provide long vistas. Road surfaces are asphalt and kerbing and guttering is a mix of sandstone and concrete.

- A strong pedestrian character which is reflected in the multitude of passageways, rear and side interconnecting lanes, narrow streets and intermix of residential and non-residential uses. Footpath pavement material is a mixture of asphalt, fly ash concrete and modern concrete.
- A land use character which is predominantly residential but which also contains a mix of shops and pubs (often located on corners), some commercial buildings, and a few remaining light industrial and warehouse style buildings.
- Evidence of the evolution of building styles which reflect historical patterns of growth and land use.
- Terrace housing which forms continuous facades along the streets and steps down the hillside.
- Modest housing forms such as single-storey timber and masonry cottages.
- Variable building heights between terrace groups, one-off buildings and different building types, including timber and masonry cottages.
- Terrace housing, predominantly in distinguishable groups, which displays similar character in terms of form but variation in architectural styles, surface decorative details, verandahs and balcony design, window, door, roof forms and chimney treatments.
- A strong contrast between the formal and frequently more decorative front of the terrace to the street and the simple and utilitarian back of the terrace.
- A street front which in many terraces is characterised by a cast iron palisade fence returning to form side party fencing, a small front garden and path, recessed verandah on the ground floor and balcony on the upper level enclosed by a cast iron balustrade. Other terraces have only a small setback from the street, no front garden, and a cast iron fence to the verandah. Some terraces are built to the front boundary and have an upper floor balcony which cantilevers the footpath. Many Victorian boom style terraces terminate with a street front parapet.
- Some laneways which retain culturally significant fabric including paling fencing, pedestrian gates, brick lavatories and backyard planting.
- A restricted palette of materials including stone, painted stucco, cast iron and tessellated tiles, corrugated roof materials and slate, nearly universal to all street frontages.
- A perceived homogeneity of a Victorian era terrace built form which on close examination is made up of a diversity of building types reflecting the historical development of Paddington.
- A variety of open space and landscape features which are represented in:
  - flatland parks and playing fields - Trumper Oval, Weigall Sportsground, White City;
  - escarpment areas - Trumper Park;
  - public open space created by street closures;
  - early municipal street tree plantings;
  - pocket parks often created on gap sites within the terrace streetscape;
  - remnant established gardens from earlier gentry estates such as the former Scottish Hospital grounds;

- private open space within institutions - Sydney Grammar's Weigall Grounds, White City; and
- private gardens which contribute significantly to the townscape quality of streets and laneways.

## C1.2.4 Desired future character

The desired future character is a vision statement about the future image and function of the Paddington HCA. Applications will be assessed, among other matters, against their ability to satisfy those outcomes relevant to the development proposal.

This chapter seeks to achieve a desired future character for the Paddington HCA which:

a) retains the unique national heritage significance of Paddington and recognises it as a rare and distinctive urban area;

b) reinforces the area as a special residential precinct;

c) retains and promotes evidence of the historical development of the area and enables interpretation of that historical development;

d) retains the cohesive character evident in the low scale, high density built form;

e) retains distinctive features such as parapets, chimneys, mixture of roofs, complex of roads, laneways and alleyways, consistency of colours, subdivision patterns and buildings which follow the landform and the distinctive patterns of terrace house groups;

f) continues to cater for varied uses and building types within the residential area;

g) retains the diversity of building types including multi-storey and single-storey terrace house rows, modest scale timber and masonry cottages, semi-detached dwellings, dwelling houses, commercial buildings, pubs, former industrial buildings, places of public worship, Inter-War flat buildings and public buildings;

h) enables people to walk or cycle to shops, public transport, schools, parks and entertainment facilities in a safe, pleasant and healthy environment;

i) provides attractive and vibrant shopping areas for locals and tourists;

j) provides for sharing of views and vistas; and

k) exhibits contemporary design excellence.

As Paddington is a living place and will be subject to change over time, Council seeks to encourage new development of a high design standard which respects the significance of the area.

The statement below on contemporary design emphasises the role that modern day design plays in the evolution of Paddington. Issues of contemporary design are relevant to development in the public and private domains.

## C1.2.5 Contemporary design in Paddington

Contemporary design provides the basis for the continuing enrichment of the historic interpretation of Paddington by adding to our understanding of contemporary life as expressed in the built environment. Issues of contemporary design are relevant to new development of a minor and major nature in the both the public and private domains. Quality architectural design must form the basis of any proposed new works. Contemporary design must be respectful of the HCA.

Paddington is characterised by rows of 19th century buildings. Paddington has a number of significant buildings and building elements that represent the changing character of design from the 19th century-21st century. The presence of buildings and building elements representing the various design elements of the 20th and 21st centuries enrich the character of Paddington and the interpretative aspects of its history.

A range of contemporary design approaches, philosophies and techniques can be employed in Paddington. These are encouraged in appropriate locations and circumstances.

Council does not advocate replication of previous architectural styles in cases of infill development. However, infill development should be based on a contemporary design approach which respects the context, especially the predominant scale, form and articulation of buildings that characterise an area. New contemporary design should respect the historic built form of the Paddington HCA.

Certain types of new work require a traditional design approach. Such an approach may be appropriate where alterations and additions are proposed for those areas of a building which have original significant fabric.

A thorough understanding of the physical and historical aspects of the site and its context will act as a guide to the appropriateness of the design approaches. Applicants must demonstrate that contemporary design techniques, materials or idioms provide an appropriate response to relevant aspects of the physical and historical context. Applications are required to demonstrate that contemporary design techniques, materials and design elements provide an appropriate response to the relevant aspects of the historical and physical context.

The use of contemporary design approaches, particularly to infill development, work to an intrusive building, work to the public domain, and work to buildings or building elements of heritage significance, must achieve a cohesive relationship between new and existing urban fabric, and respect and respond to the context of the HCA.

## C1.3 Building types

To protect the heritage significance of Paddington it is important to retain and conserve the many building types that represent the significant phases of the suburb's historical development.

The applicant is to identify which of the building types listed below are relevant to the proposal, and comply with the objectives and controls for those building types.

Where development involves an existing building, more than one building type control may apply. For example:

- for single storey dwellings— the building type controls for single storey buildings and dwelling houses apply;
- for a single storey corner shop— the building type controls for single storey buildings, corner shops and corner commercial buildings, and commercial and industrial buildings apply;
- for a single storey freestanding dwelling house— the building type controls for single storey buildings and dwelling houses apply.

### Building types

The building types in this section are:

- 1.3.1 Single storey buildings (applies to residential and non-residential buildings)
- 1.3.2 Timber buildings
- 1.3.3 Corner buildings:
  - Corner terrace houses
  - Corner shops and corner commercial buildings
- 1.3.4 Multi-storey terrace style housing (defined in Woollahra LEP 2014 as either semi-detached dwellings or attached dwellings)
- 1.3.5 Dwelling houses
- 1.3.6 Residential flat buildings, manor houses, multi dwelling housing (terraces) and multi dwelling housing
- 1.3.7 Buildings in the William Street ~~B4~~ MU1 Mixed Use Zone
- 1.3.8 Commercial and industrial buildings including shops
  - All commercial buildings
  - Commercial development in Oxford Street
- 1.3.9 Pubs
- 1.3.10 Places of public worship and educational establishments
- 1.3.11 Public buildings
- 1.3.12 Existing contemporary infill
- 1.3.13 Infill development (new development)
- 1.3.14 Intrusive buildings

## C1.3.1 Single storey buildings

Single storey buildings include timber, stone, brick and weatherboard cottages, terraces, semi-detached houses and single storey shops.

Architectural styles include Georgian, Victorian and Federation. The scale of buildings generally range from the typical small and narrow fronted buildings to medium to large houses ranging in date from 1840s to 1920s.

Single storey buildings, in particular the timber cottages, are significant because of their rarity. Many single storey buildings are also significant because of their historical association with the evolution of the early Paddington village and the artisan community that developed at the junction of Glenmore Road and New South Head Road.

Additions to these single storey buildings need to be carefully considered (see Figure 1). Refer to Figures 2 and 3 for examples of intrusive and non-intrusive extensions.

### Objectives

O1 To retain and conserve single storey buildings.

O2 To conserve the settings of single storey buildings.

O3 To ensure that the scale and form of single storey buildings are retained and that alterations and additions do not dominate the building.

O4 To retain and enhance the distinctive shared characteristics of the rear elevations of pairs or groups.

### General Controls

These controls apply to all alterations and additions to single storey buildings, including courtyard housing additions:

C1 Principal building forms and original external materials are to be retained.

C2 Retain or reinstate façade details and open verandahs where physical or documentary evidence exists demonstrating an earlier state.

C3 Where alterations are required to meet the National Construction Code requirements, materials must be consistent with traditional materials and finishes.

C4 Additional storeys are not permitted to the principal building form where the existing roof height will be increased, and changes to the existing roof pitch and eaves height will occur.

C5 Roof space within the principal building form may be used where there will be no change to the existing roof height, roof pitch, eaves height or ceiling below. No change to the rear roof plane is permitted to the principal building form with the exception of a compliant dormer and skylight.

Note: Control C5 is included to ensure that the rear roof of the principal building is not raised to incorporate a higher extension or higher link structure to courtyard housing.

C6 The addition of dormers or skylights in the rear roof slope of the principal building form is to comply with controls in Section 1.5.1 Dormers and skylights.

C7 Ground floor additions and courtyard housing additions to the rear of a single storey building must not compromise the form of the principal building.

C8 Existing setbacks from the front and side boundaries for the principal building form are to be retained.

C9 Additions at the rear of buildings must not extend beyond the predominant rear building setbacks at any level of a group or row of buildings.

C10 Additions of an appropriate form and scale are permitted at the rear of the principal building form if:

a) the addition is a ground floor rear addition attached to the principal building below the existing eve or employs a courtyard housing style addition (refer to controls below); and

b) for additions other than courtyard housing additions, the addition incorporates a skillion roof. Reverse skillion roofs are not permitted.

C11 Additions to single storey semi-detached and terrace groups must not compromise the architectural character of the pair, or the group of houses.

*Courtyard housing additions*

Courtyard housing is not an infill development or a garage or a loft over a garage or a studio. Controls for infill development are included in C1.3.13. Controls for a loft over a garage or studio are included in C1.5.7.

C12 A courtyard housing addition may be permitted if:

a) it would not have an adverse impact on the heritage significance of the existing building, adjoining properties, or the group of buildings, where the building forms part of a group;

b) it does not disrupt a coherent pattern of pairs or groups;

c) it is not visible, directly or obliquely, from any part of the street to which the property's street front zone abuts and from the front yard within the street front zone;

d) it will have a negligible impact on the amenity of neighbouring properties in terms of loss of sunlight, ventilation and privacy;

e) it will not adversely affect the setting of the existing building; and

f) it is subsidiary to the existing building and will not dominate the existing building in terms of bulk and scale.

C13 A courtyard housing addition must be single storey and must not be able to be seen over the roof of the principal building.

C14 A courtyard housing addition must be wholly located at the rear of the existing principal building. Additions that wrap around the principal building are not appropriate.

C15 Where a courtyard housing addition is appropriate:

a) a narrow, non-habitable linking structure may be provided between the principal building form and the courtyard housing addition;

c) the linking structure must be single storey, with a maximum height of 2.4m or below the eaves of the principal building form, whichever is the lower;

d) the width of the linking structure must be a maximum of 1.5m internally;

e) the linking structure must be a narrow, non-habitable lightweight construction to differentiate the new work from the original. Lightweight construction should comprise appropriate materials, roof form and overall design. Appropriate materials include glass, steel and timber. Very minor masonry material may be included;

f) it must include a usable courtyard, provided that a compliant rear building alignment can be achieved and the bulk and scale of the addition does not result in adverse privacy and overshadowing impacts on adjoining properties;

g) the inclusion of a courtyard must comply with the controls and minimum requirements in Section C1.4.8 Private open space, swimming pools, courtyards and landscaping; and

h) the height of the courtyard housing addition must not exceed the ridge height of the principal building form (chimneys not included).

Note: see Figure 3B for reference.

C16 The roof of the courtyard housing addition must:

a) be an appropriate response to the traditional roof form and pitch of the principal building. Skillion roofs must comprise a single roof plane. Curved roofs, flat roofs, mansard roofs, parapet roofs and reverse skillion roofs are not permitted; and

b) match the pitch of roofs where an unchanged established pattern of rear roofs exists or, where an unchanged pattern does not exist, must be a minimum pitch of 6 degrees.

C17 Provided that C12 and C15 are satisfied, a contemporary design for the courtyard housing may be used.

C18 An attic is permitted within the roof space of the courtyard housing addition, provided that:

a) satisfactory floor to ceiling height standards are achieved;

b) the form and pitch of the courtyard housing addition roof matches the form and pitch of the roof of the principal building;

c) only one dormer is permitted (in either the front or rear roof plane). Where the width of the addition is greater than 6m, a second dormer may be permitted in the same roof plane, provided that each dormer is identical in type, size and no greater than 1.2m maximum width overall. The top of the dormer must be set below the main ridge by at least 300mm. The inclusion of a dormer must comply with the controls in Section C1.4.10 Acoustic and visual privacy; and

d) no more than 2 skylights (compliant with the controls for Skylights in C1.5.1 Dormers and Skylights) are located within the entire roof plane.

C19 Roofing materials must comply with C1.5.8.

Refer to objectives and controls in C1.4 General controls for all development and C1.5 Specific policy for building and site elements.

**FIGURE 1** Generic version of a single storey terrace

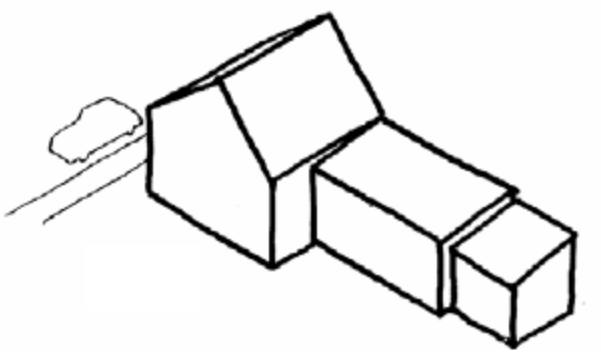


**FIGURE 2A** Intrusive additions

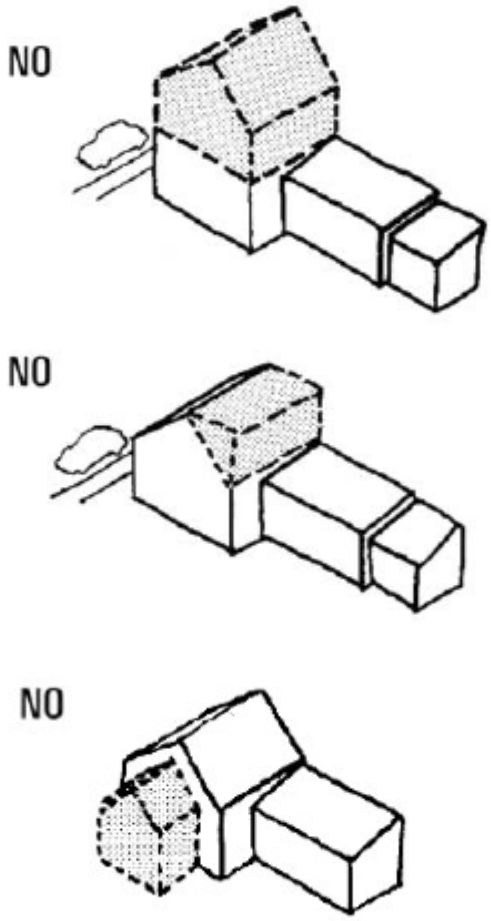
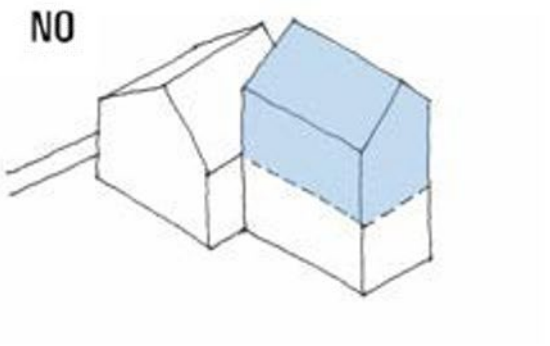
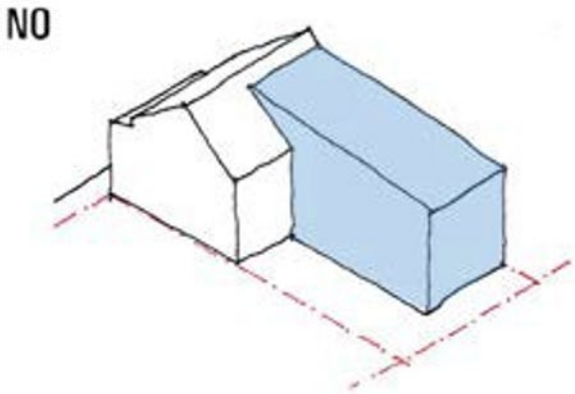



**FIGURE 2B** Intrusive additions


NO


NO

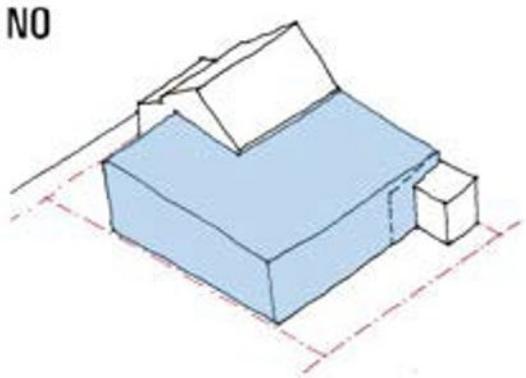

NO

**FIGURE 3A** Non-intrusive development

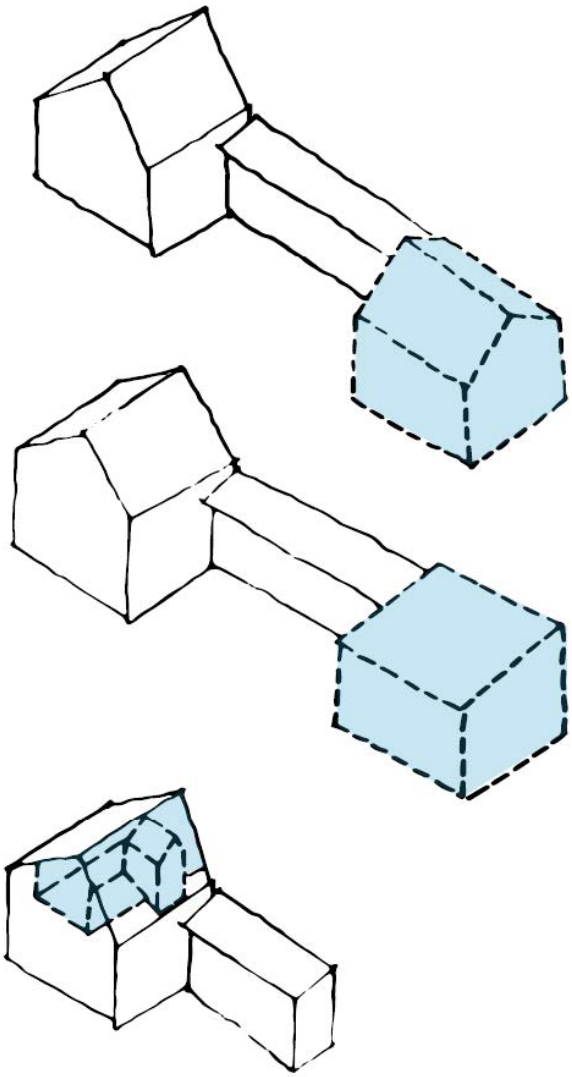
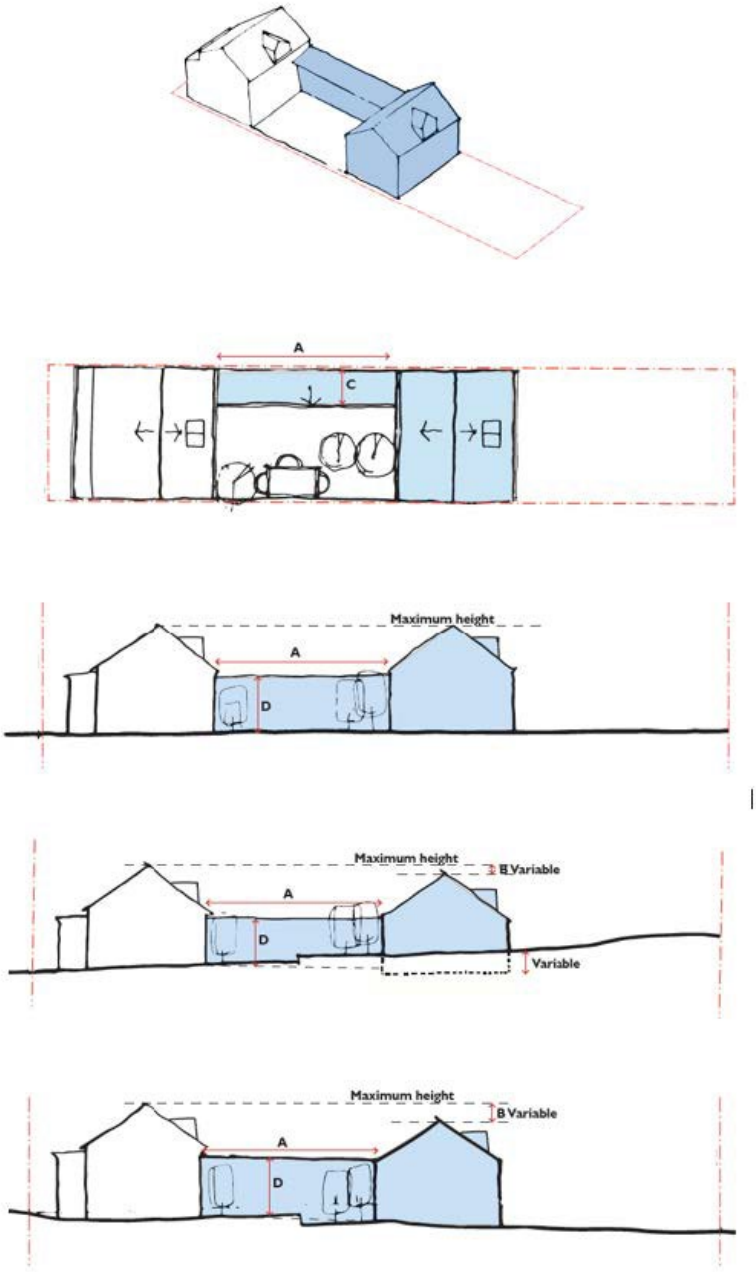


**FIGURE 3B** Non-intrusive development. Example of a courtyard housing addition with the same pitch, form and orientation as the principal building form.



**Measurement A:** dimension must provide a usable courtyard and must comply with the controls and minimum requirements in Section C1.4.8 - Private open space, swimming pools, courtyards and landscaping - provided that a compliant rear building alignment can be achieved.

**Measurement B:** dimension must provide an addition that is single storey, may be equal to or lower than the ridge height of the principal building form (not including chimneys), and must not be able to be seen over the roof of the principal building.

**Measurement C:** dimension must be a maximum of 1.5m internally.

**Measurement D:** dimension must be a maximum of 2.4m or below the eaves of the principal building form, whichever is lower.

The diagrams in Figures 1, 2A, 2B, 3A and 3B must be read in conjunction with relevant controls which set out detailed additional requirements. The diagrams do not show examples that reflect all the relevant controls.

## C1.3.2 Timber buildings

Timber buildings within the Paddington Heritage Conservation Area include single storey Victorian workers' cottages, two storey Victorian workers' houses, Early Victorian single storey cottages, Late Victorian terraces and semi-attached timber houses.

All forms of timber buildings contribute to the diverse character of Paddington streetscapes and the aesthetic value of the conservation area. Timber buildings are also significant because of their rarity and historical association with the evolution of the Paddington Heritage Conservation Area.

The vast majority of timber buildings in Paddington are single storey workers' cottages constructed between 1840 and 1870. These buildings were built to accommodate local artisans and working class families who played an important role in the development of the Paddington village.

Timber buildings are vulnerable to change and many have been modified over time, are in a deteriorated condition or suffer from structural instability. Despite these changes timber buildings in Paddington continue to make an important contribution to the character of the conservation area and should be conserved.

### Objectives

O1 To retain and conserve timber buildings and their setting.

O2 To retain, restore and conserve the special characteristics and details of timber buildings.

O3 To restore and reconstruct missing elements of the principal building form within the street front zone.

O4 To retain and conserve significant side and rear forms of timber buildings.

O5 To retain, restore and promote the significance, contribution and relationship of a timber building within the context of the conservation area.

O6 To ensure that additions and alterations for fire and access upgrading are discreet, and retain and respect the significant building and its fabric.

### Controls

C1 Additional storeys are not permitted to the principal building form of timber buildings.

C2 When works are proposed to the principal building form or original significant elevations visible from the street or lane, Council strongly encourages and may require restoration or reconstruction of missing elements appropriate to the architectural style of the building or reversal of uncharacteristic elements where:

a) balconies or verandahs have been enclosed and details such as balustrade panels, rails, columns, friezes and fringes have been removed;

b) original door or window types and patterns have been removed;

c) roof cladding is in a unsympathetic material;

d) details are missing from chimneys; and

e) inappropriate reconstruction of period detail and elements has occurred.

Note: Reconstruction and restoration may be guided by traditional models and physical or documentary evidence of an earlier state of the building or architectural style.

C3 Existing setbacks from the front and side boundaries of the principal building form are to be retained.

C4 Alterations and additions to the rear of buildings must not dominate or compete with the form, height, proportions or scale of the timber building.

C5 Where structural stabilisation of a timber building is necessary, a sympathetic structural solution that ensures the conservation of as much original external and internal fabric as possible is required.

C6 Where alterations to timber buildings are required to meet the provisions of the Building Code of Australia, materials must be consistent with traditional materials and finishes.

C7 No parking is permitted under or within the principal building form of a dwelling.

C8 Fire upgrade and access works must be done sympathetically and avoid removal of significant fabric.

C9 Refer to relevant objectives and controls in section 1.3 – Building types, section 1.4 – General policy for existing buildings and infill development and section 1.5 – Specific policy for building and site elements.

## C1.3.3 Corner buildings

***Corner terrace houses***

Corner terrace housing terminates a terrace row at an intersection street or lane. The form of corner terraces makes an important contribution to views and vistas at street intersections.

Generally they are built to the street boundary, having no setback at all on the side. Frequently the side gable end walls are blank, but sometimes there are windows and balconies.

Materials include stone, brick, stucco, render, cast iron and terracotta.

### Objectives

O1 To retain and conserve the architectural detail and special character of corner terraces.

O2 To ensure that traditional side elevations, forms and alignments are retained.

O3 To ensure that side additions are of a sympathetic design and construction to the original building.

### Controls

C1 Refer to objectives and controls in Section C1.4 General controls for all development and Section C1.5 Specific policy for building and site elements.

***Corner shops and corner commercial buildings***

Corner shops and corner commercial buildings are typically one or two storeys in height and are often located at cross streets. Corner shops are usually the corner terrace of a row of terraces, but may be a corner building on their own. Often they have an angled entry elevation, as well as elevations on two street sides, all of which are built to the boundary.

Many corner shops remain as shops but others have been changed to restaurants, cafes, galleries and residences. The typical shop windows are large and face the streets on either corner with the entrance at the corner. Building materials include stone, brick, stucco, render, cast iron, terracotta and some timber.

Corner shops and commercial buildings reflect the neighbourhood evolution of Paddington and have a high social and historical significance.

Note: The controls and objectives in this section apply in addition to the objectives and controls for 'All commercial buildings'. If there are any inconsistencies, these corner controls take precedence.

### Objectives

O1 To retain and conserve corner shops and corner commercial buildings as distinct building forms and as evidence of the evolution of Paddington.

O2 To retain and conserve corner shops and corner commercial buildings because of the service they provide to residential neighbourhoods and because they provide a positive contribution to the pedestrian environment of Paddington.

O3 To encourage the reinstatement of suitable retail and commercial uses within existing shops and commercial buildings in recognition of the social and historic significance of these types of uses and their role in the neighbourhood evolution of Paddington.

### Controls

C1 Retain original shopfront windows, joinery and architectural details irrespective of a building's use.

C2 Shopfront windows must remain as showcases and not be obscured by walls or partitions.

C3 Refer to the objectives and controls in Section 1.3.1 Single storey buildings, Section 1.3.8 Commercial and industrial buildings including shops, Section C1.4 General controls all development and Section C1.5 Specific policy for building and site elements.

## C1.3.4 Multi-storey terrace style housing

Multi-storey terrace housing includes mostly two and three storey terraces, some containing additional basement and attic levels. This housing was traditionally built in uniform rows; occasionally containing distinct subgroups or individual buildings within groups.

The lot width and configuration is the main determinant of the terrace house size, scale and arrangement pattern, with the three storey terraces generally occurring on the larger lots.

Architectural styles and the periods of construction vary and include Georgian, Victorian and Federation.

Predominantly terraces have front verandahs and balconies built to address the street, and party walls which separate the dwellings.

Groups of terrace houses occasionally contain subgroups of varying building widths and detailing, or may be terminated by an individual end terrace (see Section 1.3.3 Corner buildings) or mixed residential/corner shops and commercial buildings (see Sections 1.3.3 and 1.3.8 ).

### Objectives

O1 To retain and conserve the principal building forms of rows, pairs and groups of terraces.

O2 To retain significant rear and side forms.

O3 To retain the rear forms of unaltered pairs and groups of terraces.

O4 To retain the shared distinctive characteristics of pairs and groups of buildings.

O5 To retain, restore and promote the significance, contribution and relationship of a building within the context of a pair or a group of buildings.

### Controls

**All multi storey terrace style development**

C1 Refer to objectives and controls in Section C1.4 General controls for all development and Section C1.5 Specific policy for building and site elements.

## C1.3.5 Dwelling houses

There is a range of freestanding dwelling houses in the Paddington HCA, including Victorian manor houses, timber cottages and freestanding buildings with terrace style form.

However, freestanding dwelling houses in the context of the Paddington HCA are generally constructed in a terrace style form, and though they tend to abut adjoining buildings they do not share a common party wall with the adjoining dwelling. To that end, these dwelling houses are freestanding, and are distinguished from semi-detached dwellings and attached dwellings as defined in Woollahra LEP 2014.

The dwelling houses include small timber, brick and stone cottages to larger stone and brick mansions. These range from workers' cottages, middle class housing and mansions built on original gentry estates. Examples include single storey buildings, two storey or multi-storey buildings.

A garden setting is often associated with freestanding houses. Within the curtilage there may be associated culturally significant outbuildings.

Refer also to Section 1.3.1 Single storey buildings for additions to single storey cottages.

### Objectives

O1 To retain and conserve dwelling houses, their curtilage and settings.

O2 To ensure that additions to multi-storey dwelling houses do not compromise or dominate the original main front section of the house, and are suited to the architectural style of the building.

### Controls

C1 Refer to objectives and controls in Section C1.4 General controls for all development and Section C1.5 Specific policy for building and site elements.

## C1.3.6 Residential flat buildings, manor houses, multi dwelling housing and multi dwelling housing (terraces)

Residential flat buildings and multi dwelling housing in Paddington generally consist of small two, three and four storey buildings dating from the 1930s to 1950s, taller buildings dating from the 1960s to1970s, and the infill buildings of the 1990s. This includes some public housing built during the 1950s.

Early building materials include brick and terracotta with the later buildings constructed from masonry, concrete and glass.

Some of these buildings, because of their scale, bulk and materials, are intrusive elements in the general context of Paddington, and therefore are not contributory buildings.

Inter-War flat buildings illustrate the Inter-War development of Paddington. They make an important historic, aesthetic, social and representative contribution to the character of Paddington, demonstrating the key characteristics of architectural styles of the Inter-War period.

***General***

### Objectives

O1 To mitigate the effects of intrusive residential flat building, manor house, multi dwelling housing (terraces) and multi dwelling housing development.

O2 To encourage redevelopment or modification of intrusive development.

O3 To ensure that parking does not detract from the character of the streetscape.

### Controls

C1 Redevelopment or modification of intrusive development must be to a design that is appropriate to the relevant aspects of the historic context.

C2 Alterations and additions that reverse unsympathetic works are encouraged.

C3 Alterations and additions to intrusive development must be an appropriate response to the historic streetscape and mitigate intrusiveness.

***Inter-War flat buildings***

### Objectives

O1 To conserve and maintain Inter-War flat buildings and multi dwelling housing in Paddington by ensuring these buildings and their significant characteristics are retained and protected.

O2 To conserve the principal street elevations and the character of Inter-War flat buildings.

O3 To ensure that the character of original roofscapes, including key elements such as chimneys, is maintained.

O4 To ensure that alterations and additions to the roofs are discreet and do not detract from the original character, proportions or key elements.

O5 To conserve the established garden settings, including significant elements and features.

O6 To ensure that external materials, details and finishes respect and complement the original building.

O7 To ensure that works to balconies and verandahs do not detract from the character and form of Inter-War flat buildings.

O8 To ensure that fences, gates and mailboxes are consistent with the character of Inter-War flat buildings.

O9 To ensure that internal additions, alterations and repairs retain and respect internal common areas and significant internal character elements.

O10 To ensure that the installation and maintenance of security devices does not detract from the character and form of Inter-War flat buildings.

O11 To ensure that additions and alterations for fire upgrading and safety are discreet, and retain and respect the original and significant building fabric.

O12 To ensure that ancillary development does not detract from the style and character of Inter-War flat buildings and their settings.

O13 To promote restoration and reconstruction works to restore significance.

### Controls

C1 Significant and/or original forms, details, fabrics, materials or finishes of the principal building elevations are to be retained, except for restoration or reconstruction.

C2 Changes to the significant forms, details, materials or finishes of the principal building elevations are sympathetic to the style and period of the building.

C3 Alterations and additions do not impact on the overall form and character of the building, and are not visually prominent from the public domain.

C4 Additions are limited to undercroft areas, roof spaces and the provision of balconies.

C5 Alterations and additions are no higher than the existing roof level, and generally retain the original roof form of the building.

C6 External windows and doors are repaired or replaced to match the style, materials and finishes of the original building.

C7 Existing original fanlights and other openings are retained and sealed from behind, if necessary.

C8 Original leadlight, glass blocks, etched and patterned glazing are retained and conserved.

C9 Existing original external and internal doors and door hardware are retained and upgraded rather than replaced.

C10 New additional security elements are in character with the building. Security bars are:

a) fitted internally;

b) respect the existing glazing patterns; and

c) painted in a dark recessive colour.

C11 Original verandahs and balconies to the principal elevation of the building are not enclosed, glazed, or otherwise altered, except to reinstate original detailing.

C12 New verandahs and balconies are allowed to the rear or side elevations only if they:

a) respect the character of the existing building; and

b) are sympathetically integrated with the character and form of the building.

C13 Alterations to improve accessibility (including lifts, ramps and stairs) are sympathetically integrated with the original building and retain the original character and design of the building and landscape areas.

C14 Materials are similar in type and finish to those on the original building or sympathetically integrate with the fabric of the building.

C15 Original face brickwork, terracotta or decorative concrete panels must not be painted, rendered or coated.

C16 Dormer windows or skylights are not visually prominent from the public domain or the principal elevations of the building. Skylights are flush with the roof surface.

C17 Original chimneys and their details are retained.

C18 Privacy screens are discreet and do not impact on the overall character of the building.

C19 Protruding shade structures, including awnings and canopies, are not located on the principal building elevations.

C20 The roof maintains traditional roofing materials of the area, such as glazed terracotta tiles. Any replacement or repair matches the original roofing in type, profile, colour and materials. Concrete roofing tiles and corrugated metal roofing are not appropriate.

C21 Internal common areas and significant character elements are retained. This includes: entry doors, foyer areas and fittings, mailboxes, noticeboards, staircases, balustrades, wall details, light fittings, internal doors and the like.

C22 New lifts are designed and located so that the addition:

a) is located outside the principal building form, if practical; and

b) does not require significant alterations to existing common areas.

C23 Unsympathetic additions and modifications to the building, and its grounds, are to be removed and replaced with sympathetic works, or reinstatement of original forms and matching fabric.

C24 Services upgrading and fire safety works must minimise adverse visual impact and damage to original building fabric.

C25 Alarm bell boxes and the like, are not attached to the principal building elevations.

C26 New or upgraded services are discreetly and sensitively located to minimise visual impact. They are located within existing ducts, behind cornices or bulkheads or within external lightwells that are not visually prominent. Wiring or other services are housed in concealed conduits.

C27 Original timber staircases are retained and smoke isolated, if necessary.

C28 Where the height of the original stair balustrades is to be modified —the modification is discreet and sympathetically integrated with the existing stair balustrade.

C29 Stair treads applied to existing stairs are discreet.

C30 Emergency and exit lighting is incorporated into existing original light fittings, where practical.

C31 Smoke and/or thermal detectors are discreetly located and do not impact on decorative plaster cornices and ceilings.

C32 Car parking and garage structures are located at the rear, with access from the rear lane or side driveway.

C33 Original fencing, gates and mailboxes are retained and conserved.

C34 New ancillary development:

a) is smaller in scale than the principal building;

b) is not located between the principal building and the street front, and generally located at the rear behind the principal building;

c) is constructed in a style, form, materials and finishes that complement the principal building;

d) is single storey with a maximum clear internal height of 2.4m; and

e) is sympathetic in scale and style to traditional forms of ancillary structures.

C35 Characteristic front gardens, and their elements, are retained with minimal alteration.

C36 Structures erected in the front garden do not significantly reduce or compromise the landscaped area or key elements and features.

C37 New fences and gates to the front building alignment must complement the streetscape and the existing building.

C38 Mailboxes are discreetly located and do not impact on the character of the building.

Note: Refer also to Section 1.2.5 Contemporary design in Paddington and Section 1.3.14 Intrusive buildings.

## C1.3.7 Buildings in the William Street ~~B4~~ MU1 Mixed Use Zone

The controls in this section apply to land in William Street zoned ~~B4~~ MU1 Mixed Use under Woollahra LEP 2014. The building types in this ~~B4~~ MU1 Zone include:

- residential buildings
- purpose built commercial buildings;
- residential buildings which have been lawfully altered for a non-residential use; and
- residential buildings that retain their residential external appearance and are used for a commercial purposes.

William Street contains a mix of residential terrace buildings as well as shopfronts with residences above; these unite the busy retail promenade of Oxford Street with the dense residential terrace housing of Paddington. Since the 1980s William Street has grown to become a popular location for small fashion specialty shops, and shops with a boutique or artisan character.

It is important that the built form in William Street retains its mix of residential and non-residential building facades. In particular, development of a residential terrace for a commercial use must be undertaken in a sensitive manner to ensure that the overall character of the original building is retained, and that particular elements of the terrace house are sympathetically addressed.

The use of the terrace houses in William Street must ensure that development does not involve the demolition of common walls. This requirement is sought to retain the small scale and low key nature of dwellings and shops within the terraces by preventing amalgamation of buildings.

The ground floor non-residential uses should contribute to, and reinforce, William Street's boutique retailing character. Development should retain and enhance the heritage character of the street, with particular regard to the use of sympathetic external colour schemes and signage.

### Objectives

O1 To ensure that work to any building in William Street is consistent with the original character of the building type and its architectural style, and makes a positive contribution to the streetscape.

O2 To ensure that a premises originally designed and built for a residential purpose retains a distinctive residential character.

O3 To provide a varied streetscape by retaining a mix of residential and commercial external facades.

O4 To ensure that development retains and enhances the heritage character of the street.

O5 To minimise the impact of non-residential uses on the heritage significance of the street.

O6 To ensure that ground floor commercial uses contribute to William Street's boutique retailing character.

O7 To ensure that security devices do not detract from traditional architectural elements, and the amenity and visual presentation of the streetscape.

### Controls

C1 The use of a residential building for a commercial use is to retain the traditional residential appearance at the street frontage.

C2 Development must not involve the removal of internal party walls, external common walls or dividing fences between attached terrace buildings, whether or not those buildings are on separate lots.

C3 Development is to respect the existing traditional façade of the building and not detract from its heritage character through inappropriate materials, finishes, external colours and character elements and the like.

C4 Traditional architectural elements, including sash windows, inward opening timber panelled front doors, balcony doors, balustrades and palisade fences are to be retained.

C5 The following works to the street front elevation are not supported:

a) replacement of timber double hung sash windows with other window types, such as single sheet glass windows or windows with false glazing bars and the like;

i) widening of window and door openings;

j) replacement of multiple window openings with a single window opening; and

k) replacement of original front doors.

C6 Fully glazed shopfronts are not permitted on residential buildings.

C7 Display of goods and all business operations are confined to the building. (Note, in the case of residential terraces, verandahs and balconies are deemed to be external to the building.)

C8 An outward opening security door in front of a traditionally panelled front door may be permitted if the design complies with Section 1.5.3 Windows, doors, shutters and security.

C9 Signage is to be integrated with the building and is not to intrude upon the Victorian character of the area. Traditional colours for signwriting include: light brown, rich brown, Indian red, and chrome green. Overly bright colours will not be permitted.

C10 Individual business branding and identity in external painting and colour schemes is to be subordinate to the main colour schemes in the street.

C11 In a residential building, signs for shops or other commercial uses are limited to a maximum of two signs per building, being:

a) one single sign with a maximum dimension of 500mm high by 450mm wide mounted or painted adjacent to the front door; or

b) one single flush mounted wall sign or painted sign within the ground floor verandah blind arch; or

c) one projecting wall sign that:

i) has a maximum area of 300mm x 300mm;

ii) does not project more than 500mm from the building façade;

iii) does not impact on the decorative stucco of the party wall; and

iv) is no lower than 2.6m off the pavement, and no higher than the partywall corbelling.

## C1.3.8 Commercial and industrial buildings including shops

Retail and commercial buildings have always been a major feature of Paddington.

For example, Oxford Street is a homogenous Victorian commercial precinct established since the 1860s and is the main shopping area of Paddington. A smaller group of retailers is located at Five Ways, which was established by 1910. More recently, William Street, as an extension of Oxford Street, has emerged as a boutique retailing street adapted from residential terraces.

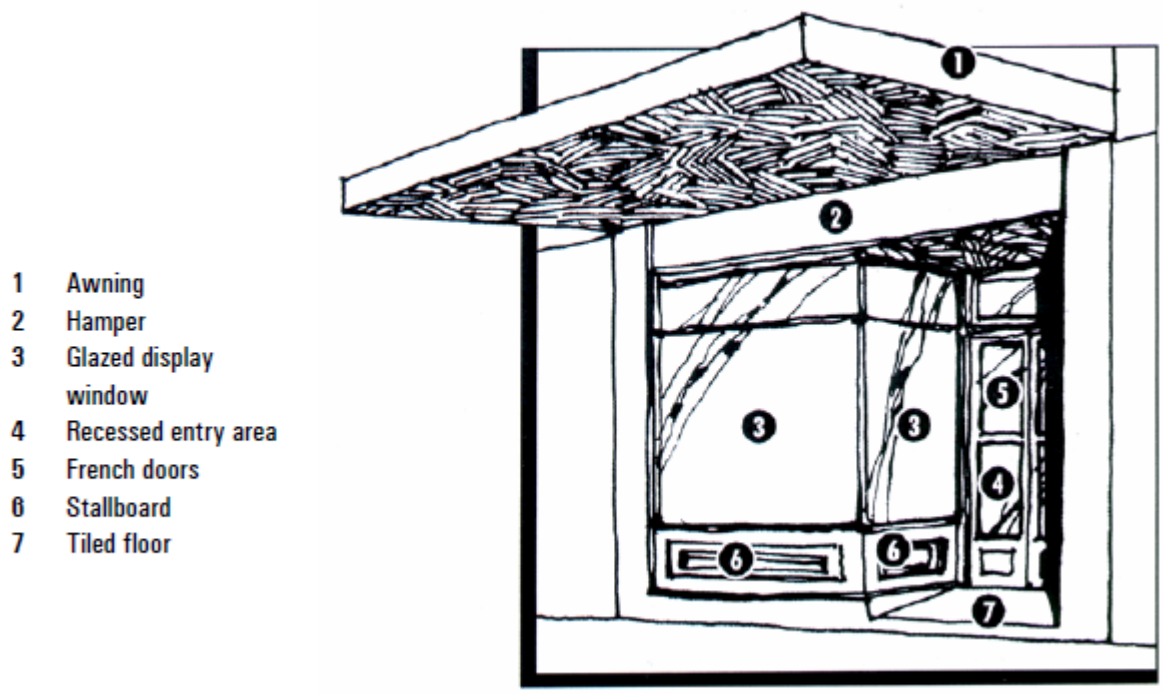
Other shops are scattered throughout Paddington, mostly on street corners. These shops have survived; many with changed uses and most have a high degree of integrity.

In Oxford Street the general cohesiveness of the streetscape comes from the original above-awning elevations. Decorative parapets are common. Architectural styles include Victorian, Federation and Inter-War and date from the early 1860s to the 1940s. Building materials include stone, brick, stucco, render and timber.

Shops are typically one or two storey in height and include single storey and two storey residential terraces with shopfronts. Shopfronts are stylistically diverse. They include original Victorian shopfronts, and Federation, Inter-War and Post War shopfronts.

Commercial and industrial buildings are also spread throughout the area, with mixed architectural forms and varying degrees of integrity. Industrial buildings include garages, workshops, service stations and light industry factories. These buildings include large single storey buildings constructed from brick and corrugated iron.

**FIGURE 4** Traditional shop front




*All commercial buildings*

### Objectives

O1 To retain and conserve forms, significant elevations, details and finishes of commercial, industrial and retail buildings.

O2 To retain and conserve good representative examples of significant architectural styles in the historic development of commercial retail and industrial buildings in Paddington.

O3 To retain and conserve original shopfronts.

O4 To ensure that security devices do not detract from the traditional architectural elements and the amenity and visual presentation of the streetscape.

### Controls

*General*

C1 Principal building forms are to be retained.

C2 Significant architectural elevations and significant finishes and details are to be retained.

C3 Works for the adaptive re-use of a building must be consistent with the overall character of the building type, its architectural style and its context within the HCA.

C4 Refer to the objectives and controls in Section 1.2.3 Character elements, Section 1.3.1 Single storey buildings, Section 1.3.3 Corner buildings and Section C1.5 Specific policy for building and site elements.

*Shopfront elevation*

C5 Shopfronts that are examples of significant architectural styles in the historical development of Paddington are to be retained.

C6 New work to significant shopfronts is to be consistent with the style and character of the building and the streetscape.

C7 Original windows above the awning are to be retained and not altered in size.

C8 Shopfronts must not be amalgamated. Where internal spaces of buildings are amalgamated, individual shopfront elements and features such as shop windows and doors must be retained.

C9 For new buildings and existing buildings where no significant fabric or layout is present in the shopfront, contemporary design is permitted if it is consistent with the building's historic streetscape context in terms of:

a) materials, colours and finishes;

b) proportions of windows and doorways, including the division of windows with their bases and vertical sections;

c) detailing; and

d) signage.

C10 Reconstruction of original shopfronts may be permitted where a shopfront forms part of a group or where sufficient evidence exists showing the original shopfront design.

C11 Removal of original shopfronts or elements of an original shopfront is not permitted except for the purposes of restoration.

C12 When work is proposed to an intrusive shopfront, reconstruction, restoration or contemporary interpretation according to C6 is required.

C13 Where awnings are a characteristic element in the streetscape, the awnings must complement the existing streetscape character.

*Additional controls for the Five Ways*

C14 For land zoned ~~B1~~ E1 Neighbourhood Centre in the Five Ways, regardless of the building type, the replacement of timber double hung sash windows with a single street glass window to the street front elevation may be permitted if consistent with the streetscape context and the characteristics of related buildings.

### *Commercial development in Oxford Street*

#### Character statement

Oxford Street, Paddington, is positioned on the ridge running from the City of Sydney to Bondi Junction. A traditional main street has developed along the north side of Oxford Street for almost 1.5km from Boundary Street in the west, to Queen Street in the east.

The centre is a predominantly Victorian and Edwardian (Federation) commercial precinct established since the 1860s and is the main shopping area for Paddington. Oxford Street has attracted fashion shops in the last two decades and has transformed from a strip serving the local population to a destination shopping location.

The north side of Oxford Street is characterised by continuous development with a very consistent architectural scale and character. The built form in Oxford Street consists of shopfronts with a cohesive streetscape established by the original above awning elevations. Decorative parapets are common. Architectural styles are predominantly Victorian and Edwardian buildings with some later Inter-War buildings. Building materials include stone, brick, stucco and timber.

The south side of the road is in the City of Sydney local government area. It contains a number of institutional and civic buildings, interspersed by small groups of commercial buildings. A popular Saturday market also operates on the south side of Oxford Street within the Paddington Public School and the Uniting Church.

Increasing traffic on Oxford Street has impacted on the pedestrian environment, which compromises the interrelationship between the north and south sides of Oxford Street.

#### Desired future character

The character of Oxford Street is defined by its heritage items and contributory buildings generally in the form of two storey buildings with parapet façades establishing a consistent street wall. There are also some distinctive and contributory buildings interspersed amongst the regular shops, including the Post Office building, Juniper Hall and the Imperial Hotel.

The street is part of the Paddington Heritage Conservation Area, and the desired future character is to retain the existing built form and established urban character. Development will primarily involve the adaptive re-use of existing buildings and rear additions.

To ensure the conservation and enhancement of heritage items and contributory buildings, development is to respect the design of neighbouring buildings and the conservation area generally in regard to significant fabric and façade characteristics, scale, massing, materials, details, orientation and setbacks.

The retail vitality of Oxford Street needs to be reinforced. Oxford Street is a destination precinct, attracting shoppers to its boutiques and designer fashion shops from outside the local area. There is a need to continue to encourage fashion retail uses, supported by cafes and restaurants and other active ground floor uses, and to re-establish the strip's role in serving the local community. The development of residential uses may occur as part of mixed use buildings on upper levels.

### Objectives

O1 To reinforce and build on the precinct's reputation as a boutique shopping main street.

O2 To provide for a mix of active ground floor uses that contribute to the vitality and viability of the centre.

O3 To retain and restore the original shopfront windows, joinery and architectural details.

O4 To maintain the consistent street wall and frontage height of Oxford Street.

O5 To ensure that building materials, details, colours, materials and finishes are sympathetic to the conservation values of the street.

O6 To ensure that roof and parapet forms contribute to the established character of Oxford Street.

O7 To ensure that side elevations, particularly those that are visually prominent, do not detract from the visual character of the street.

O8 To ensure that corner buildings are designed to provide important elements in the physical pattern of the street and contribute to the perception of distinct blocks and groups of buildings.

O9 To ensure that awnings provide a consistent element within the streetscape.

O10 To provide shade and wet weather protection for pedestrians.

O11 To encourage opportunities for rear development on deep and narrow sites, particularly those sites with rear lane access.

O12 To provide a sympathetic transition in built form and uses between the residential areas and the Oxford Street commercial strip.

O13 Infill development is to respect the design of neighbouring buildings and the character of the conservation area in regards to scale, massing, materials, details, orientation and setbacks.

O14 To ensure that advertising signs and structures respect the heritage and architectural character of individual buildings and the street as a whole.

## Controls

C1 The ground floor must contain active uses that add to the pedestrian experience on the street:

a) retail uses including fashion boutiques and cafes; and

b) non-retail uses, such as entertainment facilities, must provide strong visual connection with the street and retain and conserve the traditional shopfronts established by the predominant retail frontages.

C2 The adaptive re-use of a building must be consistent with the overall character of the building type, its architectural style and its context within the heritage conservation area.

C3 Uses must protect existing shopfronts and street elevations and must not compromise the established pattern and rhythm of frontages and the heritage character of the street.

C4 The height of development must conform to the predominant heights of adjacent buildings and the prevailing wall height in the streetscape.

C5 Development must respect the relationship of building heights to view corridors and the skyline.

C6 New balconies are not encouraged on the Oxford Street frontage other than to reinstate an original awning/balcony and support columns.

C7 Alterations and additions to heritage items and contributory buildings must retain original shopfronts. Fully glazed shopfronts are not permitted.

C8 Sympathetic use of contemporary design and materials may be considered.

C9 Uncharacteristic elements or structures should be removed, and missing elements reinstated.

C10 The range of colours, materials and finishes of new building work should complement existing heritage and contributory buildings, particularly above the awning line.

C11 Colour schemes are to be appropriate to the individual building and the street as a whole. Extreme colour schemes diminish unity and detract from the streetscape, particularly if above the awning line.

C12 Colour schemes to the under awning façade may have greater variety and visual interest, but should not detract from the established streetscape character.

C13 Parapet height and rhythm is to be consistent. Parapets should predominantly be masonry.

C14 Infill development should include parapets and roof forms that respect the existing conditions in terms of parapet height, pitch and shape of roofs.

C15 Architectural elements of side elevations are to be retained, restored or reconstructed.

C16 Corner sites are to be designed to maintain visual prominence in the street wall of Oxford Street. This is generally achieved through architectural elements such as parapet walls.

C17 New corner buildings are to address both street frontages.

C18 Awnings are reinstated in the original location, where evidence of the original structure exists.

C19 Rear extensions should be designed to:

a) improve casual surveillance and vibrancy of rear lanes;

b) minimise impact to significant landscape elements; and

c) protect the privacy and amenity of adjoining or adjacent residential uses.

C20 New buildings must maintain and reflect:

a) the established patterns and proportions of existing elevations which consist of a horizontal orientation below the awning line and a more vertical character above the awning line;

b) the consistency of horizontal and vertical façade features such as window heights and widths, bay widths, awning and parapet lines;

c) the established rhythm and pattern in the street arising from the original subdivision pattern; and

d) existing setbacks (generally zero setbacks) to front and side boundaries.

C21 Above awning advertising signs are not permitted.

C22 Signs and advertising must comply with the controls for advertising signs on buildings in Part E of this DCP, Chapter E7 Signage.

## C1.3.9 Pubs

Pub buildings are located throughout Paddington and have important historical, aesthetic and social significance that contribute to Paddington's character. Most pubs in Paddington are substantial buildings ranging in height from two to four storeys. They date from the 1840s through to the 1940s and are prominent place markers, often located on corner sites.

The pubs have an imposing presence with distinctive parapet profiles, modulated façades, window and door openings and ornate architectural detailing. Building materials include stone, brick, stucco, timber, glazed tiles and terracotta. The pubs display a diverse range of architectural styles including Victorian, Federation and Inter-War buildings.

Some buildings exhibit original elevation detail and a few retain their original interior detail.

Pubs owe their survival to their ability to offer the latest in comfort, service and amenities, consistent with the demands of their customers. To meet these situations and to also comply with legislative requirements relating to matters such as trading hours and public amenity, alterations and additions to pubs occur from time to time. Despite the fact that pubs are prone to physical change, a number of Paddington pubs remain close to their original configuration, appearance and use.

Some pubs may have been converted to other uses, including (but not limited to) residential, office premises or community centres. However, their exterior form retains its distinctive pub appearance which contributes to Paddington's character.

This section of the DCP applies to all buildings that are currently or were formerly a pub.

Note: A Pre-DA meeting is recommended for major changes to pubs or former pub buildings in Paddington. Council may require the submission of a Conservation Management Plan, subject to the extent of changes.

### Objectives

O1 To ensure that the external integrity, scale, character and relationship of a pub building with the surrounding streetscapes remain unaltered.

O2 To ensure alterations and additions are sympathetic and respect the heritage significance of pub buildings.

O3 To protect interiors that contribute to the heritage significance of a pub or that date from significant phases of development.

O4 To retain original names of pubs as part of the historical and social significance of Paddington.

O5 To retain residential accommodation within pubs.

O6 To support the continued role and presence of pub buildings in Paddington even in the event of an adaptive re-use.

O7 To remove uncharacteristic elements or structures.

O8 To retain original roof forms and appearances of pub buildings in Paddington.

O9 To protect and retain moveable heritage.

O10 To ensure that advertising signs and awning structures respect the heritage and architectural character of pub buildings.

## Controls

### *Internal*

C1 Significant interior features are to be retained.

C2 Missing significant internal elements, details and finishes should be restored or reconstructed. These include:

a) decorative ceilings;

b) significant materials and finishes including (but not limited to) tiles, timber panelling and wall papers;

c) joinery, including stairways;

d) fittings, including light fittings; and

e) traditional signs and advertising.

C3 Original room configurations must remain discernible. Where new openings are proposed, interpretation of original wall positions and room proportions should be provided, such as portal frames, nibs or bulkheads.

C4 Moveable heritage and other significant heritage artefacts must be retained in their context.

C5 Fire upgrade measures must be done sympathetically and avoid removal of significant fabric.

### *External*

C6 Original elevations must be retained and conserved.

C7 Face brick and tiles are not to be painted over, rendered or retiled.

C8 Significant external features are to be retained and maintained. Where appropriate, missing elements, details and finishes should be restored or reconstructed. These include:

a) pressed metal ceilings to awnings;

b) awnings and balconies;

c) traditional signage;

d) typical features of an architectural style;

e) significant doors and openings; and

f) significant materials and finishes (including but not limited to wall tiles).

C9 The restoration of missing detail or reversal of unsympathetic work to street front elevations is required when work is undertaken to the principal elevations.

C10 The original name of a pub must be retained and displayed appropriately in signage.

C11 Traditional hotel signage and product advertising, such as painted glass panels advertising beer brands, wall signs and awning signs should be retained, protected and displayed.

C12 When awnings are to be reinstated, they are to be reinstated in the original location and must complement the existing streetscape character.

C13 The prominence and form of parapets and roof lines must be retained. Additional levels are not to be visible from the public domain.

C14 The original massing and scale, pattern and modulation of façades and the proportions of openings must be retained.

C15 Mechanical plant equipment (including communications, electrical, air-conditioning and kitchen exhaust systems) must not adversely impact the roof form or be visible from the public domain.

C16 Alterations and additions must be consistent with heritage management documents.

C17 Reconstruction and repair works are to use traditional materials and techniques in accordance with best heritage practice and a heritage management document.

## C1.3.10 Places of public worship and educational establishments

Since the 1840s Paddington has always had a strong church and school presence but over time many church and school buildings have been demolished and have been replaced with other types of buildings.

The remaining churches include St George Anglican Church built in 1888 and The Church of Christ built in 1901. Both are masonry with the latter being a much smaller building.

Schools in Paddington include Glenmore Road Public School built of stone and brick in 1884, and Edgecliff Preparatory School built of masonry.

### Objective

O1 To ensure that any new work is carried out with due regard to the significance of the building and its setting.

### Controls

C1 Refer to objectives and controls in Section 1.2.3 Character elements, Section C1.4 General controls for all development and Section C1.5 Specific policy for building and site elements.

C2 Work undertaken on heritage items must comply with the management policies in a conservation management plan, where such a plan is required by Council.

C3 For schools, refer also to objectives and controls in Part F of this DCP, Chapter F2 Educational Establishments.

## C1.3.11 Public buildings

Remaining public buildings in Paddington include the post office and the police station (former courthouse).

The post office is a two storey stuccoed masonry building in the Victorian Free Classical style. Built in 1885, its features include a parapet tower on the western end and a colonnaded loggia between the tower on the west and the curved corner pier on the east.

The former court house building was designed in the Victorian Italianate style and built in the 1880s. Situated between terrace houses it has a recessed portico with a central entrance. Main materials are stuccoed brickwork.

### Objectives

O1 To ensure that any new work is carried out with regard to the significance of the building.

O2 To encourage the ongoing use of public buildings.

### Controls

C1 Refer to objectives and controls in Section 1.2.3 Character elements, Section C1.4 General controls for all development and Section C1.5 Specific policy for building and site elements.

C2 Work undertaken on heritage items must comply with the management policies in a conservation management plan, where such as plan is required by Council.

## C1.3.12 Existing contemporary infill

Existing contemporary infill refers to buildings (generally 1970 to the present) that occur between terrace style housing. Materials often include rendered brickwork, concrete and glass and architectural styles referred to as modern, 'Sydney School', contemporary or post-modern.

### Objectives

O1 To ensure that any new work has regard to the building's context.

O2 To ensure that any new work does not detract from the architectural merit the building may possess.

### Controls

C1 Refer to relevant objectives and controls in Section 1.2.3 Character elements, Section C1.4 General controls for all development, Section 1.1.13 Infill development (new development) and Section C1.5 Specific policy for building and site elements.

C2 Where the building is not intrusive, additions are to be consistent with the character of the existing building and the massing of existing development within the streetscape.

## C1.3.13 Infill development (new development)

The term 'infill development' is defined as the erection of a building that is:

- constructed on an existing vacant registered allotment of land; and
- does not include side, rear or front alterations and additions to an existing building.

Note:

Demolition is generally not supported. All proposals for demolition of a building must be approved via a thorough planning process that includes an assessment of the contribution the building is making to the Paddington Heritage Conservation Area, a fabric analysis and an assessment of the impact that the loss of the building may have on the significance of the heritage conservation area.

Infill development provides the chance for the continuing enrichment of Paddington by adding new built form which is an expression of contemporary life.

Opportunities for infill buildings may occur where existing buildings have been demolished or where vacant allotments exist or have been created. Demolition and subdivision will require assessment through the development application process.

As the opportunities for infill development are rare, designs for such sites are required to demonstrate an appropriate response to context and an approach which enhances the character of Paddington and its cultural significance.

Infill development should not be a 'faux' representation of a historical architectural style. Rather, Council requires a contemporary design approach which respects:

- the historic context;
- siting; and
- architectural forms (including roof form, roof pitch, height, scale, massing, alignment, modulation, articulation and materials);

and achieves a cohesive relationship between the existing and new urban fabric.

Note:

A Pre-DA Meeting is recommended between Council representatives and the applicant for infill development proposals.

The following information is to be submitted for comment for discussion at the Pre-DA Meeting:

- a draft site and context analysis;
- design options explored and the applicant's preferred infill design proposal;
- a statement outlining the proposed measures to minimise the adverse impact of the infill development on neighbouring lands, including the public domain;
- the philosophy of how the design elements relate to the proposal's context in terms of architectural form, materials and character; and
- the historic context and impact sections of a draft statement of heritage impact.

For development applications, applicants are required to provide the following information, not limited to:

- design options and final preferred design;
- a detailed site and context analysis;
- profiles of adjoining development;
- RLs for the subject site and adjoining properties;
- an accurate survey for the subject site (including levels of adjoining buildings and their architectural elements);
- a schedule of materials, finishes and colours. Where contemporary materials are proposed, a statement must be provided that outlines how the contemporary materials are in keeping with the character elements and desired future character of the heritage conservation area, particularly in terms of solid-to-void ratios, detailing and proportions, textures and finishes;
- the structural relationship with adjoining properties (including shared party walls, footings and chimneys); and
- the final version of the statement of heritage impact.

Other required documentation to be submitted with the development application can be found in the Development Application Guide.

## Objectives

O1 To encourage development on infill sites which reflects contemporary values and employs contemporary design, and through a design idiom, materials and construction technique provides an appropriate response to relevant aspects of the historical context of Paddington.

O2 To ensure new development on infill sites is designed and located to achieve a cohesive relationship between new and existing urban fabric, and which retains and enhances the cultural significance of the heritage conservation area.

O3 To ensure infill development respects the scale and setting of adjacent contributory buildings.

O4 To protect the amenity of adjoining or adjacent residential uses.

O5 To ensure that infill development does not prevent the maintenance and conservation of elements that contribute to the significance of the heritage conservation area.

## Controls

*General*

C1 Infill development is to comply with all relevant objectives and controls listed elsewhere in this chapter of the DCP. These objectives and controls are contained in sections including (but not limited to) C1.4 and C1.5.

C2 If development is for a dual occupancy, the additional controls for dual occupancies in Part B, Chapter B3 General Development Controls of this DCP also apply (refer to Section B3.8 Additional controls for development other than dwelling houses).

*Character*

C3 Infill development must:

a) maintain the significant features and qualities that combine to represent the character of the neighbourhood and area;

b) not adversely affect the maintenance of elements that contribute to the significance of the heritage conservation area, for example sandstone walls; and

c) make a positive contribution to the character of the neighbourhood and area.

*Scale*

C4 Infill development must not overwhelm its context and should be consistent with the predominant scale of significant contributory development adjoining the site or within the group/row. The scale of infill development must respect and take cues from the lowest adjoining contributory 19th or 20th century development in terms of:

a) maximum height pattern (measured to the uppermost ridge of the principal buildings [or the base of the parapet where existing], not including chimneys); and

b) massing (building volume and size). On sloping streets, the stepped transitional height pattern must be achieved.

Refer also to Section 1.4.5 Building height, bulk, form and scale.

*Form*

C5 Infill development must be consistent with the predominant built form (volume and configuration) of significant contributory development adjoining the site and in its immediate area in terms of aspects including, but not limited to:

a) roof forms and pitch;

l) three dimensional modelling of neighbouring buildings;

m) modulation and articulation;

n) relationship of solids and voids;

o) fenestration patterns; and

p) relationship of floor to ceiling heights and horizontal alignment of features (especially ground and first floor levels of existing buildings on sloping sites and streets).

Refer also to Section 1.4.4 Roofs and roof forms, Section 1.4.5 Building height, bulk, form and scale, and Section 1.4.6 Site coverage, setbacks and levels.

*Siting*

C6 Infill development must adopt the established orientation pattern of the streetscape.

C7 Where neighbouring buildings are orientated to face the street, infill development is to adopt the existing pattern of orientation.

C8 Orientation across the site is not permitted unless there is a dominant pre-existing pattern in the street.

C9 Where there is a uniform building front setback, the infill development must align with the existing setbacks of adjoining buildings.

C10 Where building front setbacks vary, the following apply:

a) If there is a dominant pattern and the infill development adjoins that pattern, the infill development must align with that pattern.

b) If there is no dominant pattern, the infill development must align with the existing adjoining development whose scale is more compatible with the proposed infill development. The pattern of setbacks must respect and take cues from the nearest contributory 19th or 20th century development and ensure that infill is recessive and does not visually dominate the streetscape.

c) If there is an existing stepped pattern, the infill development must be consistent with the pattern and proportion of the step.

d) If the infill development occurs on a corner site, the infill development must be sited on the street property boundaries to define the corner.

C11 Rear and side setbacks (including side passages) must align with existing patterns, where visible from the public domain.

C12 Infill development must be sited to:

a) include sufficient deep soil landscaped area; and

b) have no adverse impact on significant trees on the site or adjoining land, including public land.

Refer also to Section 1.4.8 Private open space, swimming pools, courtyards and landscaping.

*Materials, finishes, textures and colours*

C13 Materials, finishes, textures and colours must be appropriate to the historic context. They must be similar to the characteristic materials, finishes, textures and colours of the existing contributory buildings within the streetscape.

C14 Traditional materials may be used.

C15 Contemporary materials may be permitted for infill development but only where their proportions, detailing, quantities and location on the building are in keeping with the character elements (refer to C1.2.3), the desired future character (refer to C1.2.4) and the heritage significance of the conservation area.

Note: for C13-C15:

Table 2 below sets out appropriate materials and finishes permissible for infill development. Refer also to Section 1.5.9 Exterior colours.

C16 Infill development must:

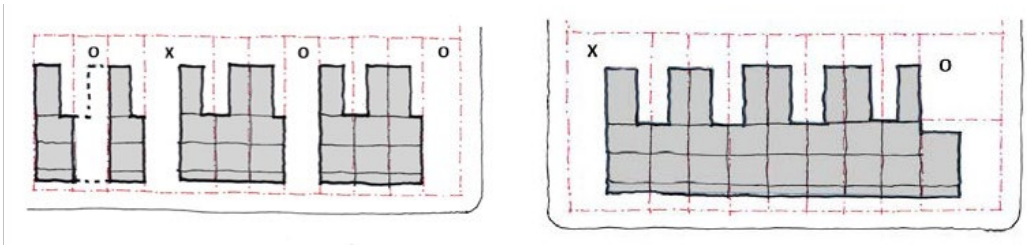
a) use render, masonry and/or timber;

b) avoid large expanses of glass, reflective and metal wall cladding;

c) use roof cladding which conforms with contributing neighbouring development;

d) not have solid masonry front boundary walls; and

e) use colour schemes which respect the character of the neighbourhood.




O = Acceptable infill site X = Unacceptable infill site

**TABLE 2** Materials and details for infill development

| Building component | External building materials |
|---|---|
| **Roofs** | |
| Permitted | ▸ Traditional roof materials including natural slate such as Welsh slate and South Australian slate, corrugated galvanised iron in short lengths and associated galvanised details and fixings, or unglazed terracotta tiles.<br>▸ Pre-painted corrugated steel in light to mid grey tones, similar in appearance to traditional corrugated iron.<br>▸ Contemporary corrugated profile sheeting in appropriate colours and subject to low reflectivity. |
| Intrusive – not permitted | ▸ Concrete roof tiles.<br>▸ Non-traditional metal roof profiles.<br>▸ Glass (other than permitted in skylights). |

| Building component | External building materials |
|---|---|
| **Walls** | |
| Permitted | ▸ Traditional wall materials including sandstone blocks, timber weatherboard and brick.<br>▸ Corrugated galvanised iron, zinc coated corrugated steel ripple iron for small expanses only. Must be in appropriate colours and subject to low reflectivity.<br>▸ Rendered brick, with or without inscribed ashlar coursing where appropriate.<br>▸ Fibrous cement sheeting with a rendered and painted finish - for rear additions but only if window reveals of minimum 100mm external depth are achieved. |
| Intrusive - not permitted | ▸ Smooth, textured or profiled face brick and exposed concrete blocks.<br>▸ Stripped sandstock brickwork.<br>▸ Circular pattern render (mock Spanish).<br>▸ Glazed walls and glass bricks.<br>▸ Metal wall cladding.<br>▸ Metal mesh or perforated metal screens. |
| **Windows** | |
| Permitted | ▸ Timber frames.<br>▸ Steel frames on rear ground floor only.<br>▸ Metal frames for ground floor shops and commercial premises where appropriate.<br>▸ Plain clear glass.<br>▸ Coloured and patterned glass for replacement in appropriate situations.<br>▸ Fine metal frames in neutral tones. |
| Intrusive - not permitted | ▸ Window walls.<br>▸ Bubble glass.<br>▸ Glass blocks.<br>▸ Timber or metal frames not reflecting traditional proportions.<br>▸ Roller shutter security and sunscreen windows.<br>▸ Horizontally sliding windows.<br>▸ Aluminium framed windows in the front elevation and at the upper levels at the rear |

| Building component | External building materials |
|---|---|
| **Doors** | |
| Permitted | ▸ Timber-framed panelled doors.<br>▸ Glazed timber-framed doors.<br>▸ Glazed steel-framed doors.<br>▸ Glazed doors with film/frosted detailing. |
| Intrusive - not permitted | ▸ Fully glazed doors to the street front elevation of residential properties.<br>▸ Hollow core and timber doors with detail and panels inappropriate to the architectural style of the building.<br>▸ Aluminium framed doors within the front elevation and at the upper levels at the rear.0<br>▸ Roller shutter doors to residential houses, retail and commercial premises. |
| **Shutters** | |
| | ▸ Traditionally detailed timber louvered shutters are applicable for windows and French doors on some building types. |
| **Verandahs** | |
| Permitted | ▸ Traditional flooring materials including stone flagging, marble, tessellated tiles, terrazzo, slate, timber.<br>▸ Polished concrete and large form modern tiles.<br>▸ Traditional post materials including stone, cast iron or timber.<br>▸ Materials similar to traditional materials but without elaborate detailing. |
| Intrusive - not permitted | ▸ Pebble-crete.<br>▸ Polycarbonate or similar type material for roofs.<br>▸ Glass roofs to street elevations.<br>▸ Concrete roof tiles.<br>▸ Non-traditional metal roof profiles. |

| Building component | External building materials |
|---|---|
| Balconies | |
| Permitted | ▸ Traditional materials including corrugated iron roofing, slate roofing, timber framing, timber floors, timber balustrades/handrails, cast iron balustrades/handrails or modern-day equivalents.<br>▸ Pre-painted corrugated steel in light to mid grey tones, similar in appearance to traditional corrugated iron.<br>▸ Copper sheeting, zinc sheeting (traditional standing seam profile).<br>▸ Contemporary corrugated profile sheeting in appropriate colours and subject to low reflectivity.<br>▸ Masonry and metal, other than perforated metal or mesh. |
| Intrusive – not permitted | ▸ Smooth, textured or profiled face brick and exposed concrete blocks.<br>▸ Corrugated and other profiled metal sheeting balustrading.<br>▸ Wire balustrading.<br>▸ Fibrous cement sheeting balustrading.<br>▸ Glass balustrading.<br>▸ Perforated metal or mesh screens. |
| **Front Fences** | |
| Permitted | ▸ Traditional fences but with consideration to building style and context, including rendered masonry with ashlar coursing, timber (picket or paling), iron palisade on sandstone, brick or rendered bases, brick and timber, or brick with iron inserts.<br>▸ Contemporary interpretation of traditional fence details and materials such as iron palisade and timber. |
| Intrusive – not permitted | ▸ Smooth, textured or profiled face brick, exposed cement blocks, Ti Tree (brush), or sheet metal fences.<br>▸ Angled vertical blade palisade fencing.<br>▸ Full height brick fences.<br>▸ Materials and forms that are inappropriate to the style of the building. |

## C1.3.14 Intrusive buildings

Intrusive buildings within Paddington are generally 20th century buildings constructed after World War II. These are characterised by scale, proportions, materials and design idioms which are inappropriate to the significant historic character of Paddington.

Intrusive development adversely affects adjoining buildings, the streetscape and the general character of Paddington.

### Objectives

O1 To mitigate the adverse impact of intrusive development.

O2 To encourage appropriate redevelopment of identified intrusive development.

### Controls

C1 Alterations must mitigate the impact of the scale, proportions, materials and design idioms of intrusive buildings and improve the relationship of these buildings to the streetscape.

C2 Design for development on intrusive sites must demonstrate the application of contemporary design techniques, materials and finishes, scale, form, massing, details orientation and setting that respect the character of the adjacent historical context. The design must make a positive contribution to the character of Paddington.

C3 Alterations must retain existing setbacks from side and front boundaries.

## C1.4 General controls for all development

This section applies to all development, including existing buildings and infill development.

The objectives and controls in this section seek to ensure that development is designed to respect the architectural character of the building and the context of the streetscape within Paddington.

The matters addressed in this section are:

- 1.4.1 Principal building form and street front zone of contributory buildings ;
- 1.4.2 Side elevations to streets and lanes;
- 1.4.3 Rear elevations, rear additions, significant outbuildings and yards;
- 1.4.4 Roofs and roof forms;
- 1.4.5 Building height, bulk, form and scale;
- 1.4.6 Site coverage, setbacks and levels;
- 1.4.7 Excavation;
- 1.4.8 Private open space, swimming pools, courtyards and landscaping;
- 1.4.9 Views;
- 1.4.10 Acoustic and visual privacy; and
- 1.4.11 Land subdivision and site amalgamations.

The controls in this section are to be read in conjunction with the controls in:

- Section C1.3 Building types; and
- Section C1.5 Specific policy for building and site elements.

## C1.4.1 Principal building form and street front zone of contributory buildings

Paddington is located in a natural amphitheatre with a variable and intricate street and laneway pattern, so views towards and within Paddington are often characterised by the juxtaposition of terrace houses responding to the changes in direction or slope.

Architectural detail and landscaping elements of the principal building form and street front zone may be individual to a particular building or repeated within a distinct group of terrace buildings. There exists subtle variation in these details throughout the heritage conservation area.

The loss of significant original fabric, in particular of the principal building form and street front zone, weakens the integrity of the heritage conservation area. Where work is proposed to the principal building form and the street front zone, reconstruction or restoration of missing elements and the removal of unsympathetic elements is encouraged. New work should be carefully designed sympathetically within the significant historic fabric.

### Principal building form

The principal building form is the original front building section within a street frontage (see definition). The principal building form, particularly the front façade, is an aspect of exceptional significance of the heritage conservation area, facilitating the understanding of the significant development of the terraced suburb from the mid19th century onwards.

The principal building form includes the fronts, sides, rears and roofscapes of the original front building section, and is often two rooms deep extending the full width of the property beneath a pitched roof.

External elements of the facades which are of importance include balconies and decorative balustrades, fin walls and arched recesses and original doors and windows. External elements of the roof which are of importance include, but are not limited to, original roof cladding and stepped flashing, parapets, decorative detail such as urns and ridge cappings, chimney stacks, chimney pots, form and scale.

### Interiors

The interior of the principal building form is also of significance to the heritage conservation area. Surviving original fabric and layouts have the ability to demonstrate the significant 19th century character. Original elements which are considered of significance include, but not limited to, timber floors, fireplaces, decorative plasterwork and distinctive joinery.

Council does not support the gutting of interiors of terrace houses that contain significant original fabric. The objectives and controls in this part of the DCP identify approaches that applicants should take to prevent loss of significant fabric.

The objectives and controls also address the potential impact of weakening key internal walls through partial or total removal, in particular walls lateral to the party or common walls. The internal walls offer lateral bracing to the party walls and are an important element in the overall structural integrity of the terrace house and its neighbours in the terrace group. Accordingly, the

removal of these walls essentially weakens the fabric of both the individual terrace house and of the terrace group.

While the retention of internal walls is important to interpret the historic layout of the building, their retention is also important in order to retain structural stability for terrace buildings. Partial demolition of internal cross walls within the principal building form may be considered where suitable interpretation of the position of walls and room proportions is provided and the structural integrity of the buildings is not compromised.

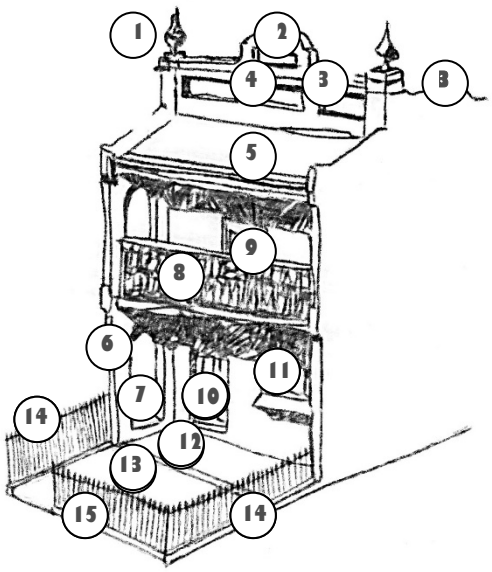
### Street front zone of contributory buildings

The street front zone establishes the connection between the private and the public domain. The predominant building form in Paddington is terrace style housing (generally attached dwellings or semi-detached dwellings as defined in Woollahra LEP 2014), which usually forms a continuous street front along the streets and steps down the hillside. The street front zone comprises the front building elevation and visible roof, front yard, the side boundary fences in the front yard and the street boundary fence.

The street front zone also has a landscaped character, with features which enhance the architectural character of the building and contribute to the historic streetscape.

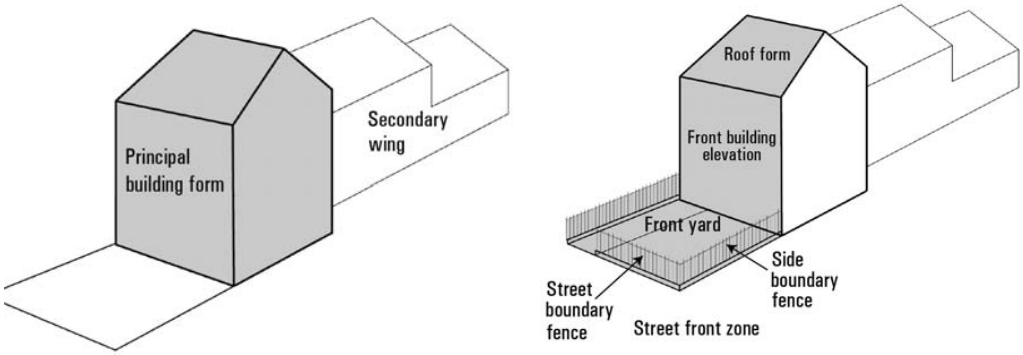
There are many variations in the relationship of the building to the street. Some simple Georgian style buildings are built on the edge of the pavement. Others are set back from the street with gardens. A typical Victorian period terrace has an iron palisade fence, a small garden, a path and a verandah, the latter two elements often incorporating decorative tiling. Its principal street front elevation is embellished with a high concentration of detail.

**FIGURE 5** Typical Victorian street front elevation




1 Urns
2 Pediment
3 Parapet
4 Coping course
5 Balcony roof
6 Fin wall to verandah
7 Arched fin wall recess
8 Balcony
9 French doors
10 Front door
11 Window
12 Front verandah
13 Front yard
14 Side fence
15 Front fence

**FIGURE 6** Principal building form, secondary wing and street front zone.




## Objectives

O1 To retain and conserve the principal building forms and street front zones.

O2 To restore or reconstruct missing elements of the principal building forms and within the street front zone.

O3 To encourage the removal of uncharacteristic elements or structures.

O4 To promote design that conforms to the existing character of the area.

O5 To reverse inappropriate reconstruction work.

O6 To retain the distinctive shared characteristics of groups of buildings.

O7 To retain, restore and promote the significance, contribution and relationship of a building within the context of a group of buildings.

O8 To conserve the significant original fabric of terrace houses, terrace groups and free standing buildings of similar age and character.

O9 To ensure the structural integrity of individual buildings and groups.

O10 To retain and conserve external original fabric and features characteristic to a traditional terrace semi-detached dwellings or dwelling house.

O11 To retain and conserve internal significant original fabric and features characteristic to a traditional terrace house.

O12 To retain the historic framework of the building both as essential structure and as evidence of original patterns of construction and use.

O13 To provide protection for potential heritage artefacts.

## Controls

### *Principal building form*

*Exterior controls*

C1 The significant external elements of a principal building form are to be retained and conserved, that is:

a) significant external fabric is to be retained and conserved;

b) characteristic elements such as roof pitches, eave heights and chimneys are to be retained and conserved;

c) no external alterations or additions are to be made to the significant elevations, details, materials or finishes of the principal building form except to allow for restoration or reconstruction;

d) the main rear wall to the principal building form should be left largely intact; and

e) significant verandahs and balconies are not to be infilled or enclosed.

C2 When works are proposed to the principal building form or original significant elevations visible from the street, Council encourages, and may require, reconstruction or restoration of missing elements (where physical or documentary evidence of an earlier state exists) or reversal of uncharacteristic elements where:

a) original render has been stripped from an external wall surface;

q) balconies or verandahs have been enclosed and details such as balustrade panels, rails, columns, friezes and fringes have been removed;

r) original door or window types and patterns have been removed;

s) roof cladding is in a unsympathetic material;

t) details are missing from chimneys; and

u) inappropriate reconstruction of period detail and elements has occurred.

C3 Where a building forms part of a group, any work to the principal building form must be designed to retain the contribution and relationship of that building to the other buildings or building which comprise the group.

C4 Where the building contains an existing basement level at the street front, no alterations or additions are to be made to the street front basement elevation or external staircase, except for the purposes of restoration or reconstruction of missing elements.

C5 Where structural stabilisation is required, a sympathetic structural solution that retains original external fabric is required.

C6 Where alterations are required to meet the Building Code of Australia, materials must be consistent with traditional material and finishes.

*Interior controls*

C7 The significant original internal elements of the principal building form, in particular distinctive joinery, fireplaces and decorative plasterwork, are generally to be retained.

C8 New openings in internal walls and floors and ceiling structures lateral to party walls must retain the structural integrity of the building and its neighbours, and should retain the significant original ceilings and cornices. Interpretation of original wall positions and room proportions should be provided. The revised structure may incorporate suitable portal frames.

C9 Where structural stabilisation is required, a sympathetic structural solution that retains original internal fabric is required.

*Street front zone*

C10 The location, form and materials of original stairs must be retained. Risers and treads may be reconfigured to conform with BCA requirements.

C11 All original windows and doors including those to basement levels are to be retained.

C12 Non-original doors and windows shall be reconfigured to a traditional type consistent with the architectural style of the building and, where evidence exists of the original doors and windows, they are to be replicated.

C13 Original fences that have been replaced by intrusive fences should be replaced.

C14 When works are proposed in the street front zone Council encourages, and may require reconstruction or restoration of missing elements or reversal of uncharacteristic elements.

C15 Where a building forms part of a group, any work in the street front zone must be designed to retain the contribution and relationship of that building to the other buildings or building which comprise the group.

## C1.4.2 Side elevations and side additions

Side elevations or secondary elevations are less detailed than the main street front elevations. Side elevations of Victorian terrace houses are often built to the street boundary with a strong gabled form reflecting the pitch of the main roof and a lower skillion section at the rear.

Due to the high visibility from streets and laneways, changes to side elevations and additions require an approach that retains the architectural form and character of the building.

Some sites have the opportunity to develop additions to the sides or adjacent to the principal building form between a row of buildings. Where these are on the same registered land parcel, and where they do not affect 'night soil' or right of way passageways, they may be developed in accordance with the following provisions below. Significant 'night soil' or right of way passageways are to be retained in place and interpreted without additional structures other than fencing.

Note: Side elevations are to a street or lane, whilst side additions adjoin other buildings.

Refer also to corner terrace style houses in Section 1.3.3 Corner buildings and other relevant sections in C1.3 Building types.

### Objectives

O1 To retain and conserve the architectural character of side elevations of contributory buildings.

O2 To ensure that side additions are of sympathetic design and construction to the original building.

O3 To ensure that side additions to existing buildings are designed and located to achieve a cohesive relationship between the existing buildings, and retain and enhance the significance of the heritage conservation area.

O4 To ensure that side additions respect the scale and setting of adjacent contributory buildings.

O5 To protect the amenity of adjoining or adjacent residential uses.

### Controls

*Side elevations - street and lane*

C1 Original side elevations of contributory buildings including original fabric, side entrance doors, windows, balconies and other details are to be retained and conserved.

C2 Minor alterations to a side elevation of the principal building form or the secondary wing will be permitted if they do not impact on the architectural form and character.

C3 Changes to the roof pitch of the principal building form of contributory buildings are not permitted.

*Side additions – street and lane*

C4 Additions must be consistent with traditional patterns and proportions of openings and the materials and detailing of the existing building.

C5 The overall length of any addition is to be less than, and appear as a form secondary to, the existing building.

C6 The addition of balconies is not permitted when the building is built to the side street boundary.

C7 Additions must retain the profile of existing traditional party walls and their associated parapets.

C8 Additions shall reflect the existing setbacks.

C9 Where there is a uniform building front setback, the side addition must be set back behind the front wall of the principal building form (not including the balcony) to which it is attached and adjoining buildings.

C10 Where building front setbacks vary, the side addition must be set back behind the front wall of the principal building form (not including the balcony) to which it is attached.

C11 Side boundary fencing shall reference traditional height, forms and materials.

*Side additions between buildings*

C12 Side additions must:

a) maintain the significant features and qualities that combine to represent the character of the neighbourhood and area;

b) make a positive contribution to the character of the neighbourhood and area; and

c) maintain a contextual relationship between the existing building to which it is attached, the adjoining buildings and the streetscape in which it will be located by maintaining the development pattern.

C13 Side additions must not overwhelm the context and should be subservient to and consistent with the predominant scale of the building to which it is attached, significant development adjoining the site and in the group/row in terms of:

a) maximum height pattern (measured to below the gutter line of the principal building form to which it is attached [or the base of the parapet where existing], not including chimneys); and

b) massing (building volume and size).

C14 Side additions must be consistent with the predominant built form (volume and configuration) of the building to which it is attached and significant development adjoining the site and in its immediate area in terms of aspects including, but not limited to:

a) roof forms and pitch;

b) three dimensional modelling of neighbouring buildings;

c) modulation and articulation;

d) relationship of solids and voids;

e) fenestration patterns; and

f) relationship of floor to ceiling heights and horizontal alignment of features (especially ground and first floor levels of the existing buildings to which it is attached).

Refer also to Section 1.4.4 Roofs and roof forms, Section 1.4.5 Building height, bulk, form and scale, and Section 1.4.6 Site coverage, setbacks and levels.

C15 Side additions must adopt the established orientation pattern of the existing building to which it is attached.

C16 Where there is a uniform building front setback, the side addition must be set back behind the front wall of the principal building form (not including the balcony) to which it is attached and adjoining buildings.

C17 Where building front setbacks vary, the side addition must be set back behind the front wall of the principal building form (not including the balcony) to which it is attached.

C18 If the side addition occurs on a corner site, the controls in C1.4.2 apply.

C19 Rear and side setbacks (including side passages) must align with existing patterns, where visible from the public domain.

C20 Side additions must be sited to:

a) include sufficient deep soil landscaped area; and

b) have no adverse impact on significant trees on the site or adjoining land, including public land.

Refer also to Section 1.4.8 Private open space, swimming pools, courtyards and landscaping.

C21 Materials, finishes, textures and colours must be appropriate to the historic context. They must be similar to the characteristic materials, finishes, textures and colours of the existing building to which it is attached and existing contributory buildings within the streetscape.

C22 Contemporary materials are permitted where their proportions, detailing, quantities and location on the building are in keeping with the character elements (refer to C1.2.3) and the desired future character of the heritage conservation area (refer to C1.2.4).

Refer also to Section 1.5.8 Materials, finishes and details and Section 1.5.9 Exterior colours.

C23 Side additions must:

a) use render, masonry and/or timber;

b) avoid large expanses of glass and reflective wall cladding;

c) if visible from the street or public domain, use roof cladding which matches the existing building to which it is attached;

d) not have solid masonry front boundary walls; and

e) use colour schemes which respect the character of the neighbourhood.

Note:

For side additions between buildings, a draft site and context analysis is to be submitted to Council for comment as part of a predevelopment application meeting between Council representatives and the applicant.

The following information is to be submitted for comment prior to the lodgement of the development application:

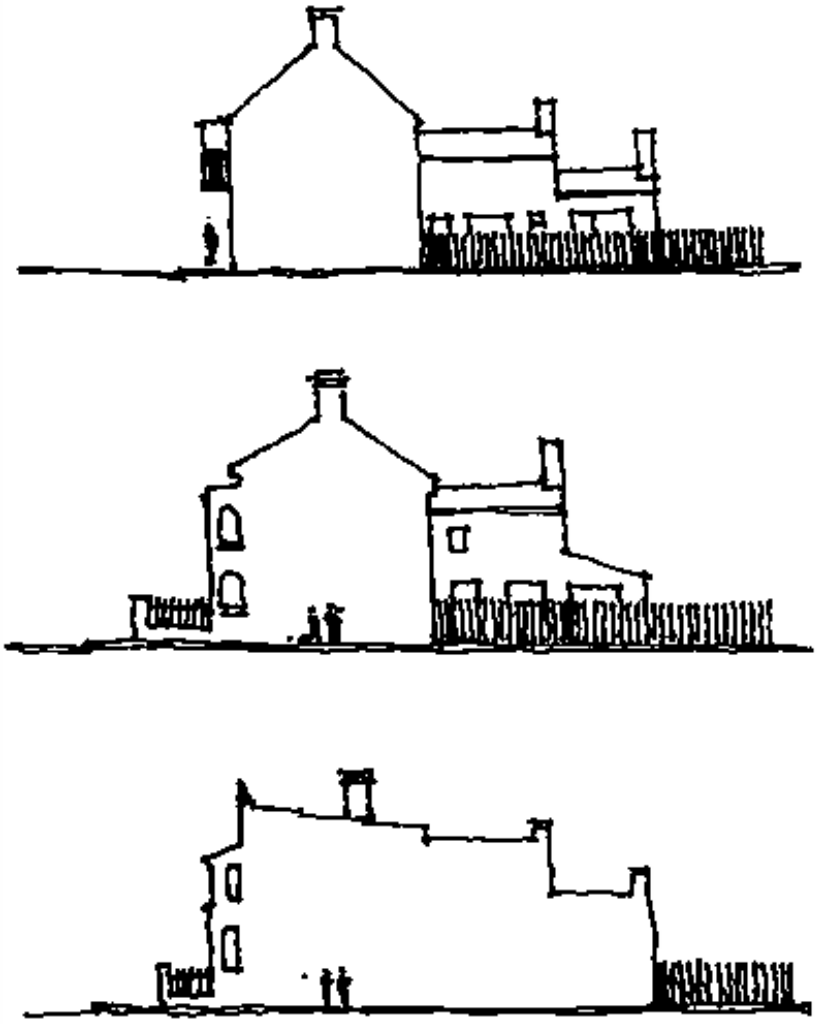
- design options explored and the applicant's preferred design proposal;
- a statement outlining the proposed measures to minimise the adverse impact of the side addition on neighbouring lands, including the public domain;
- the philosophy of how the design elements relate to the proposal's context in terms of architectural form, materials and character; and
- the historic context and impact sections of a draft statement of heritage impact.

For development applications, applicants are required to provide the following information, not limited to:

- design options and final preferred design;
- a detailed site and context analysis;
- profiles of adjoining development;
- RLs for the subject site and adjoining properties;
- an accurate survey (including RLs, and the accurate location or eaves/gutters, chimneys and other structurers on adjoining properties);
- the structural relationship with the existing building and any adjoining properties (including shared party walls, footings and chimneys); and
- the final version of the statement of heritage impact.

Other required documentation to be submitted with the development application can be found in the Development Application Guide.

**FIGURE 7** Side elevations



There is a variety of shapes and forms, but the general treatment of visible side elevations is simpler than the front elevations.

Ornamentation is rare and in the expanse of walls, fenestration is limited.

## C1.4.3 Rear elevations, rear additions, significant outbuildings and yards

There is a distinct visual contrast between the front and the rear of houses.

In a typical Victorian terrace, the highly decorative front contrasts with the restrained and utilitarian finish at the rear. Traditional rear additions are smaller in scale than the main house, with simple forms punctuated with vertically proportioned window openings. The rear of the Victorian style double storey terrace is often characterised by a one or two storey structure, commonly under a single pitched or skillion roof which maintains a side breezeway. The simple pitched or skillion roof form on rear elevations is visible, unlike the front elevation roof which may be screened by a parapet. Street corner buildings sometimes employ a parapet to both front and side elevations. Frequently rear elevations are paired with a neighbouring property.

There is a distinct typology of rear building forms within Paddington. Due to the elevated siting and topography of Paddington, many rear forms of buildings are highly visible.

Some rear building forms survive in unaltered groups of houses and contribute significantly to the character of the heritage conservation area.

An unaltered group is defined as a building or group of buildings that has retained its original form and character, there may be some minor changes to windows and doors or the loss of some original detail, but notwithstanding the original form and character of the group is generally retained.

Traditionally the rear yard of 19th century housing was utilitarian in use and character, usually enclosed by a paling fence with a gate leading to a laneway. Many groups of houses such as terrace houses had a rear passageway for servicing outdoor rear yard brick toilet structures. The remaining 'night soil passageways' and rear yard outdoor toilet structures are a significant element in Paddington. Remnant stable structures are rare.

### Objectives

O1 To retain the forms and character of traditional rear elevations of contributory buildings, particularly where they exist in unaltered groups.

O2 To ensure that rear alterations and additions are of sympathetic design and construction.

O3 To ensure that the distinctive shared characteristics of groups of contributory buildings are retained and enhanced.

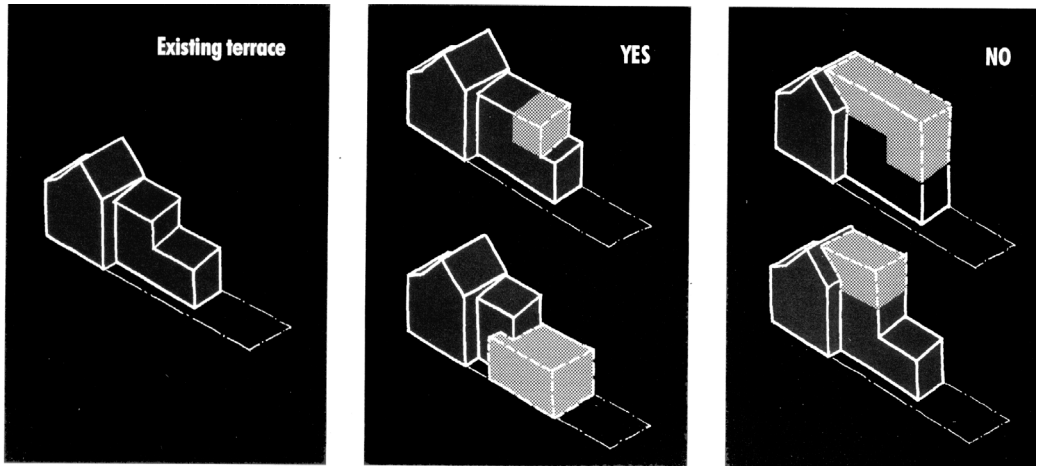
O4 To enable sympathetic contemporary design and use of contemporary materials in appropriate circumstances.

O5 To ensure that significant outbuildings are retained and conserved.

**FIGURE 8** Rear elevations

Where a coherent group of rear elevations exist, any development should occur within the existing envelopes. New development which ignores its context will not be permitted.

**FIGURE 9** Rear additions




Rear extensions should respect the traditional hierarchy of scale and form. Greater freedom is permitted of the architectural treatment of ground floor extensions than for visible upper floor additions.

## Controls

*Rear additions*

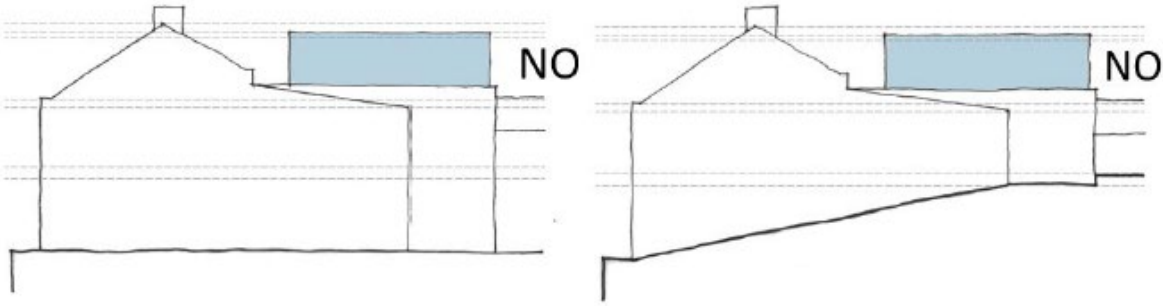
C1 Alterations and additions to a building which comprises one of a group, or pair, must be designed with regard to the overall balance of the group, or pair, in terms of height, alignment, form, scale, breezeway pattern and architectural character and detail.

C2 The roof of an extension or the new roof for an existing component must be of traditional form appropriate to the building type.

C3 Roofs must be visible and not screened partly or wholly be features such as parapets. The exception may be corner sites. Parapet roof forms may only be considered appropriate where it can be demonstrated that a parapet form is consistent with the bulk, scale and character of the existing building and group.

C4 No part of a rear alteration and addition can be higher than the gutter line of the principal building form (chimney excluded).

**FIGURE 9A** Intrusive development: rear additions showing additional levels above the gutter line which are not supported by C5. The difference between the two drawings is the topography of the site.




C5 Alterations and additions at the rear of buildings must:

a) not dominate or otherwise adversely compete with the form, height, proportions and the scale of that part of the building which is to be retained;

b) not reproduce or match a building which in terms of its height, bulk, scale and detailing is inappropriate to the heritage character of the area;

c) retain traditional solid to void ratios on elevations visible from the public domain;

d) not employ large areas of glass on upper levels;

e) be designed to minimise or avoid an adverse impact on neighbouring properties in terms of overlooking, loss of sunlight and ventilation;

f) not extend beyond the predominant rear building setbacks at any level of a group or row of buildings; and

g) retain all original chimneys.

C6 Building boundary to boundary on the ground floor level is permissible provided that:

a) the development does not adversely affect the privacy, ventilation, light and the amenity of the adjoining properties; and

b) the development does not disrupt an existing pattern of a group of unaltered contributory buildings.

C7 Additions are not permitted where single or double storey rear skillion forms exist in an unaltered group. In such cases alterations are to occur within the existing building envelope.

C8 Where significant original decorative internal elements exist outside of the principal building form they are generally to be retained.

*Unaltered groups*

C9 Unaltered groups with single storey rear wings must retain their single storey form. Single storey, courtyard housing style additions with attic rooms may be permitted, where the addition does not result in view loss of the main wing from the public domain.

*Contemporary design*

C10 Sympathetic contemporary design may be permitted at the rear where:

a) intrusive fabric or fabric of low significance exists;

b) the proposal will achieve an aesthetically cohesive relationship between new and existing fabric; and

c) the proposal is consistent with the character of the site, the streetscape and the precinct in which it is contained.

*Significant structures and areas at the rear*

C11 If development is in the form of a dual occupancy, the additional controls for dual occupancies in Part B, Chapter B3 General Development Controls of this DCP also apply (refer to Section B3.8 Additional controls for development other than dwelling houses) .

C12 Significant backyard toilet structures on rear laneways are to be retained in place if they are one of a group of at least two adjacent original toilets.

C13 Significant 'night soil' passageways are to be retained in place and interpreted without additional structures other than fencing.

C14 Significant ancillary structures including stables, coach houses and wells in the rear yard are to be retained in place.

## C1.4.4 Roofs and roof forms

Main roof forms vary with building types and architectural styles. Cottages have hipped or gable roof forms, or a combination of the two. In terrace housing there are two predominant roof forms. Some roofs are pitched both ways from a central ridge. This is often articulated by the projecting gabled party walls. Corner terraces have segmented hipped forms which address the corner site or composite roofs concealed behind a parapet. Less common is the skillion roof form terrace with a parapet to the street front that steps down along the side elevation.

Below main roof forms there are verandah roofs. Some are stepped down from the main roof. They have distinct profiles and include convex or concave and skillion profiles depending on the architectural character of the building.

There are also secondary roof forms. Lower roofs to rear additions are generally skillion forms. When paired with a similar property, roofs produce patterns of gabled forms to the rear of properties. The simple pitched or skillion roof form on rear elevations is visible, unlike the front elevation roof which may be screened by a parapet.

The earliest roofs in the original Paddington village were covered in timber shingles. Later materials used throughout Paddington are slate, corrugated galvanised iron and zinc coated corrugated steel. Consistent with the style, roofs of Federation period buildings have the characteristic unglazed terracotta tiles.

Associated with the roof and the roofscape are a number of important elements such as traditional flashings, barge rolls, eaves and ridge detailing.

The arrangement of terraces stepping down the hills of Paddington affords views to the roofs. As a consequence, the roofscape is a significant element in the urban character of Paddington.

Replacement of original roofing materials with concrete tiles or glazed tiles, and the replacement of original roof details such as the covering over of lower verandah roof profiles are eroding Paddington's roofscape.

### Objectives

O1 To retain and conserve the character of the original roofscape of Paddington.

O2 To restore or reconstruct missing roof elements.

O3 To ensure that contemporary roof forms are consistent with the historic roofscape character of Paddington.

O4 To ensure that the roof form and pitch of upper storey rear additions is consistent with the roof form and pitch of the existing group or pair.

### Controls

C1 The removal of original roofing materials and their details is not permitted unless deteriorated materials are replaced by the same or similar materials and details.

C2 Existing patterns of roof forms within groups of unaltered buildings must be retained.

C3 The roofscape of the principal building form of contributory buildings is to be retained. The possible exceptions are:

a) a dormer and skylight to the rear roof slope where permitted under Section 1.5.1 Dormers and skylights; and

b) a dormer to the front roof slope where permitted under Section 1.5.1 Dormers and skylights.

C4 Missing roof elements must be reinstated when unsympathetic roofs are replaced.

C5 Secondary or rear roof forms must not be raised or altered if the rear skillion forms part of a group of similar roof forms. The possible exception is a dormer and a skylight to the rear roof slope. Refer to Section 1.5.1 Dormers and skylights.

C6 Roof forms are to be consistent with appropriate traditional roof forms, which reflect the diminishing scale of roofscapes towards the rear of buildings.

C7 Reverse skillion roof forms are not permitted to contributory buildings.

C8 Roofs are to be clad in materials with profiles that are appropriate to the architectural style of the building. Appropriate materials are described in Section 1.5.8 Materials, finishes and details.

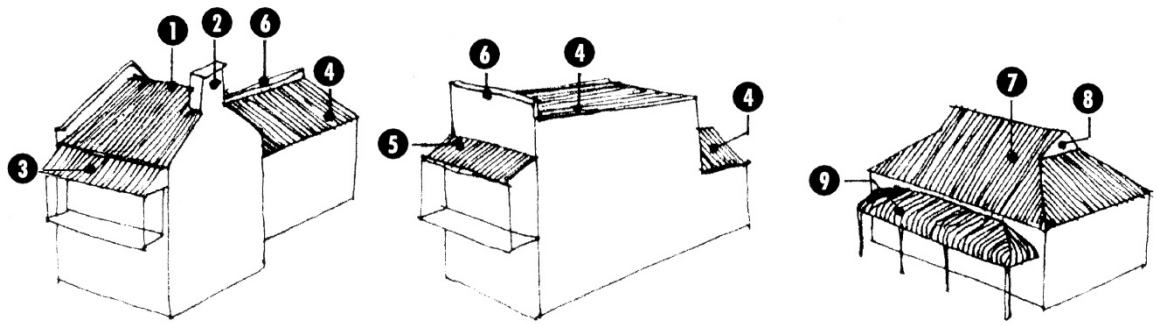
C9 Unsympathetic roofing materials must only be replaced by roof cladding in either traditional materials or in contemporary materials, which are similar in appearance and profile to traditional materials.

C10 Rear roof planes are not to incorporate more than 25% transparent material. This includes the area of skylights and dormer windows.

C11 New rear additions to multi-storey buildings must remain consistent with the group or pair in terms of roof form and roof pitch.

**FIGURE 10** Roof elements

1 Gable roof
2 Chimney stack
3 Balcony roof
4 Skillion roof
5 Skillion balcony roof
6 Parapet
7 Hipped roof
8 Gablet
9 Bullnosed verandah roof



## C1.4.5 Building height, bulk, form and scale

Building heights in Paddington vary with the type of building but generally there is a predominance of two and three storeys. An important part of the character of a group of buildings can be its uniform height particularly when viewed from the street frontage.

Less prevalent in numbers are single storey terrace groups and individual single storey buildings. Many of these single storey buildings and groups are highly significant because of their rarity and because they represent a particular building type in the early historic development of the area.

The bulk, form and scale of buildings in Paddington are also important contributing elements to the character of the area generally and to the character and significance of groups of buildings.

The height bulk, form and scale of new development have the potential to adversely impact on the amenity of private and public lands.

### Objectives

O1 To retain the distinctive height, bulk, form and scale of particular building types.

O2 To retain the existing heights of single storey buildings.

O3 To maintain the visual consistency of established heights in historically significant streetscapes.

O4 To ensure that the height of new development conforms to the appropriate heights in the street or lane and the historic character of the street or lane.

O5 To minimise the impact of new development on the access to sunlight for private properties and public places such as neighbourhood parks.

O6 To protect the amenity of adjoining or adjacent residential uses.

### Controls

C1 The height of existing buildings on street frontages must not be increased.

C2 Upper floor additions to significant single storey buildings, which will result in an increased building height, are not permitted. This will apply irrespective of whether the single storey building adjoins or is located between higher buildings.

C3 The height, bulk, form and scale of infill and new development must be consistent with the predominant height, bulk, form and scale of appropriate adjoining buildings. Conformity with adjoining buildings is not appropriate in circumstances where the development site adjoins a building which is a substantially taller landmark building, or is a building considered to be intrusive due to its excessive height and incompatible design.

C4 Infill development and alterations and additions must be designed and sited so that sunlight is provided to at least 50% or 35m$^2$ with minimum dimensions of 2.5m, whichever is the lesser, of the main ground level private open space of adjoining properties for a

minimum of two hours between 9am and 3pm on 21 June. Where existing overshadowing is greater than this, sunlight is not to be further reduced.

C5 Where adjoining dwellings have greater than three hours of sunlight to a habitable room, the north facing windows to the habitable room are not to have sunlight reduced to less than three hours between 9am and 3pm on 21 June.

C6 New dwelling houses are to have at least one habitable room with windows which receive at least three hours of sun over a portion of their surface between 9am and 3pm on 21 June.

C7 Storey heights must conform to those of appropriate adjacent buildings.

## C1.4.6 Site coverage, setbacks and levels

Paddington is notable for a predominant pattern of repetitive terrace building types on long rectangular blocks running between streets and laneways.

The prevalent street alignment is close to the street. Setbacks from street boundaries vary overall from nil to setbacks that allow the establishment of large gardens.

Within rows of buildings there are varied front and rear alignments depending on whether the building is one of a group of similar buildings, a pair or an individual building. Occasionally a building is a one-off building located on a corner site.

Terraces with east-west orientation step down reflecting the topography of the hills. Terraces with north-south orientation sometimes incorporate a basement level taking up the fall of the site.

Terraces were a speculative building type where the group of terraces usually relies on the structural integrity of the group. The footings to a row of terraces may be considered minimal by current building standards and subfloor drainage poor. Structural and groundwater alterations to one terrace may have an adverse impact on others in the area.

### Objectives

O1 To maintain setbacks along the street frontage.

O2 To retain established building alignments, setbacks and levels.

O3 To ensure that new development continues the established alignments and setbacks of the established historic development in the streetscape.

O4 To ensure that the siting of new development responds appropriately to levels established by relevant historic development in the streetscape.

O5 To retain and protect front yards and their significant fabric.

O6 To encourage the retention or creation of useable open space at the rear of sites.

### Controls

*Site cover*

C1 The proportion of building footprint is to be consistent with similar properties in the immediate vicinity.

*Setbacks*

C2 Existing setbacks on street frontages are to be maintained.

C3 Siting and setbacks of all structures are to continue the immediate established patterns.

C4 New development outside a commercial area is not to be built forward of existing building alignments.

C5 The existing siting pattern within the commercial area is to be maintained.

C6 Additions at the rear of buildings in the commercial areas must not extend beyond the rear setbacks of adjacent contributory buildings. In such cases, balconies may project beyond the rear setback.

*Levels*

C7 New development is to be consistent with ground and first floor levels established by existing buildings and topography in the context of a sloping site.

## C1.4.7 Excavation

The geology of the Paddington area varies from sandstone, loose sandy soils or a combination of sandy soils overlaying a sandstone stratum. Other foundation materials are very rare and less problematic than the worst case of sand over rock.

There are some site typologies where excavation for the purposes of establishing a basement may be considered reasonable. However, it should be recognised that the majority of the site typologies in Paddington do not lend themselves to excavation. The objectives and controls in this section are informed by an understanding of the methods involved, and potential impact, of excavating certain foundation types.

The majority of the common walls between terrace style housing in Paddington are constructed of sandstock bricks and lime mortar on brick footings or on sandstone blocks. The density of development in Paddington has resulted in many buildings, primarily groups of terrace row style housing, with a shared structural system of footings, common party walls and lateral cross walls. These walls are interconnected and interdependent brick walls set over a number of properties.

Excavation together with alteration of these footing systems can have detrimental effects on an individual property and also impact on neighbouring properties within a terrace group. The original footings and walls, built to differing standards, cannot tolerate any foundation movement without cracking and sometimes structural failure. Council's records provide evidence that excavation works under and near common wall footings have caused damage to the significant original fabric of many buildings in Paddington.

The objectives and controls below apply to any excavation proposed under the principal building form (refer to Section 1.4.1 Figure 6), secondary wing, or any other location on a property. The controls require an understanding of the subsurface conditions, and seek to protect the structural integrity of the individual building, the row of houses of which it is a part, adjoining properties, and their heritage significance.

Excavation is controlled in order to preserve the heritage fabric and structural integrity of buildings that collectively contribute to the significance of Paddington.

Excavation and below ground construction can also impact on natural groundwater flows, resulting in potential damage to buildings. Most masonry terrace houses and Victorian cottages do not have cavity walls or damp proof courses, which may result in rising damp and the potential for mould internally. Maintaining subfloor ventilation is an important part of controlling damp for it allows soil moisture to evaporate beneath the floors and to pass out through the air vents in the walls.

Replacing a timber floor with an on-ground concrete slab within a building without damp proof courses will usually direct the soil moisture towards the walls, creating a rising damp problem. Changing the natural groundwater pattern other than by controlling the direction of groundwater by through-site systems may result in a 'damming effect', which may result in rising damp problems.

The objectives and controls contained in this part have adopted the principle of precautionary behaviour, one of several principles that form the basis of ecologically sustainable development.

Note:

The following information must be submitted with the development application:

- A geotechnical report that identifies surface and substratum conditions and survey levels of original footings and walls. The report must be prepared in accordance with Council's guidelines.
- A structural report that cross-references the geotechnical report and identifies the structural systems to be employed to maintain structural integrity.
- Construction details for any new wall in the vicinity of any original external wall. Surveyed levels of the original building fabric are to be included.

In granting a development consent, Council may impose a condition requiring the preparation and submission of pre-commencement and post-completion dilapidation reports for properties adjoining and neighbouring the development.

Applicants may also require consent under the *Heritage Act 1977* or the *National Parks and Wildlife Act 1974* for the excavation of land which is known or suspected to have archaeological potential.

### Objectives

O1 To ensure the structural integrity and stability of individual buildings and the terrace of buildings of which they are a part, and neighbouring properties.

O2 To protect the original fabric of the buildings significant to the area both during and after excavation.

O3 To ensure that objectives O1 and O2 are achieved by limiting the circumstances where excavation may occur.

O4 To limit the impact of excavation on the natural landform and vegetation.

O5 To relate development to the existing topography and existing ground levels.

O6 To avoid potential damage to all buildings and structures during and after excavation.

O7 To ensure that any new floor levels resulting from excavation and development do not compromise external heritage features of the building or those of its neighbours.

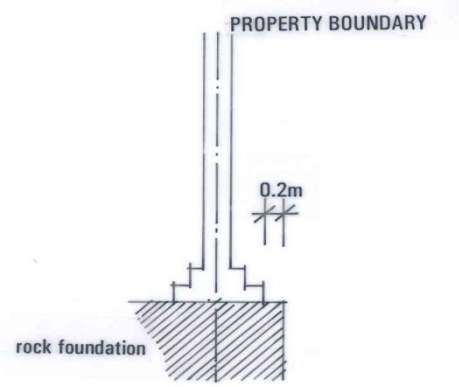
O8 To ensure that habitable rooms created by excavation are supplied with adequate natural light and ventilation in order to meet sustainable building principles.

O9 To maintain natural subsurface ground water flows.

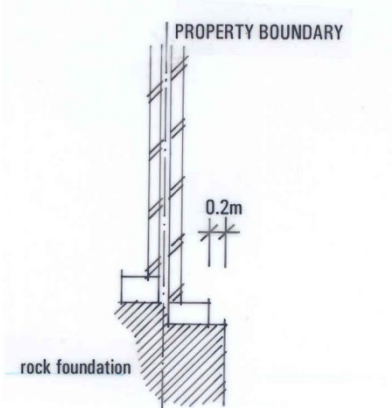
O10 To recognise the protection necessary for potential archaeological objects.

## FIGURE 11 Guidelines for excavation

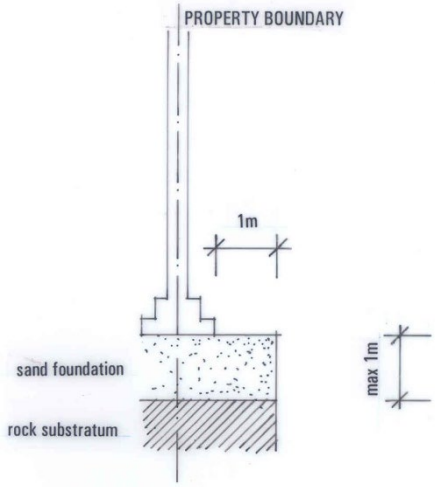
### Common party wall



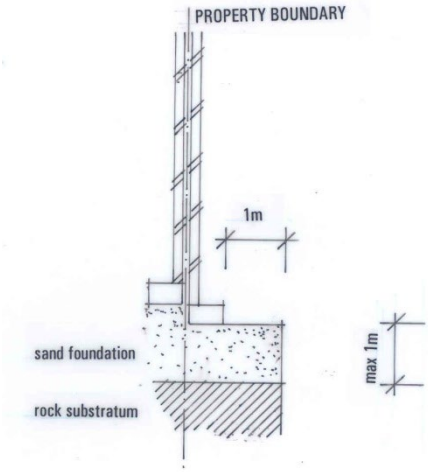

### Freestanding boundary wall



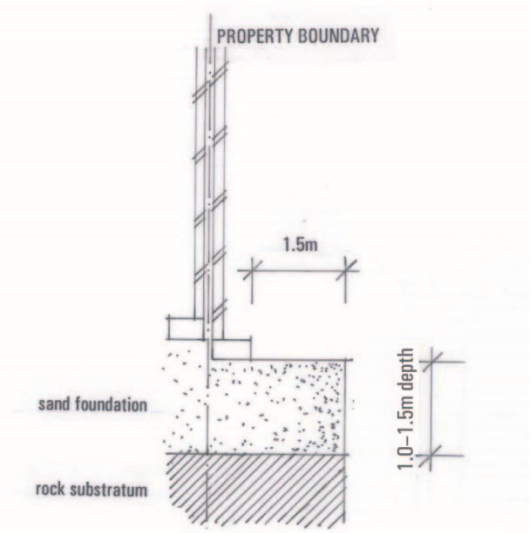

### Common party wall



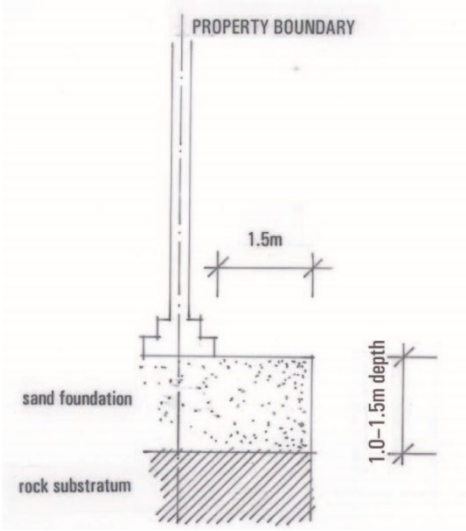

### Freestanding boundary wall




### Common party wall




### Freestanding boundary wall



## Controls

*General*

C1 Excavation will not be permitted if:

a) it will occur under common walls and footings to common walls, or freestanding boundary walls, or under any other part of adjoining land; and

b) it will occur under or forward of the front façade; and

c) the outer edge of the excavation is within 0.2m of the footings of the front wall, party walls, or freestanding boundary walls, where the existing footing has bearing directly on rock foundation; or

d) the outer edge of the excavation is within 1m of the footing of the front walls, party walls, or freestanding boundary walls, where the existing footing has bearing on sand foundation or sandy soils up to 1m deep over a rock substratum; or

e) the outer edge of the excavation is within 1.5m of the footing of the front wall, party walls, or freestanding boundary walls, where the existing footing has bearing on sand foundation or sandy soils of a depth greater than 1m but not more than 1.5m over a rock substratum;

f) the rock substratum is greater than 1.5m below original footings; and

g) habitable rooms formed from the excavation:

- do not have at least one external wall fully above existing ground level; and
- will not receive adequate natural light and ventilation; and

h) a geotechnical and structural report cannot ensure that the works will not have any adverse effect on the neighbouring structures. The report must be prepared in accordance with the Council's publication 'Guide for preparing Geotechnical and Hydrogeological Reports';

i) the removal of the existing floor structure above the excavation is required in order to carry out the excavation other than the temporary, partial removal of floor boards to allow exploratory investigation of subsurface conditions.

Note: The above diagrams are not definitions but are provided to assist with interpretation of the controls. Front façade includes the outer edge of balconies and verandahs.

C2 In order to prevent damp problems for the subject building or any neighbouring properties, all buildings that do not have damp proof courses within their party walls, must have timber floor at the lowest floor level.

C3 For a subsurface structure, an effective groundwater drainage system must be incorporated within the design. This will not be required in cases where the applicant demonstrates through a hydrogeological report that:

a) the works will not affect groundwater flows; and

b) the proposed development will not have an adverse impact on the existing moisture level of an original external wall of an adjoining building which contributes to the significance of Paddington, especially those without existing damp proof courses.

C4 The ground and first floor levels of alterations and additions and infill development are to be consistent with the levels established by existing buildings and topography on adjoining sites.

C5 Despite C1, minor excavation may be allowed in the following cases:

a) maintenance or replacement of existing footings and subfloor walls;

b) maintenance or repair of existing essential services or the introduction of new essential services.

Note: Services include sewer and drainage.

*Excavation for garage structures*

C6 Boundary to boundary excavation may be permitted for garage structures on rear laneways if:

a) the structure complies with Section 1.5.6 On-site vehicle parking, garages, carports, driveway access and servicing facilities;

b) the structure does not adjoin the principal building form or secondary wing of a building constructed on the common boundary of an adjoining site; and

c) no original footings on adjoining sites will be disturbed.

*Excavation for other structures beyond the principal building form or secondary wing*

C7 Excavation may be permitted for structures such as pools, spas, or other permissible development if:

a) for properties less than 6m in width, the outer edge of excavation is setback from side boundaries by at least 900mm;

b) for properties 6m or more in width, the outer edge of excavation is setback from side boundaries by at least 1.5m;

c) the lowest habitable room, if any, of the proposed development has at least one external wall fully above the existing ground level;

d) no original footings on an adjoining property will be disturbed; and

e) a geotechnical report ensures that works will not have any adverse effect on the neighbouring structures. The report must be prepared in accordance with Council's guidelines.

## C1.4.8 Private open space, swimming pools, courtyards and landscaping

Paddington's characteristically small lots with boundary to boundary buildings provide limited opportunities for ground level open space and landscaped areas.

In many instances with residential properties, a small landscaped area occurs in the street front zone. This area creates an open appearance and provides visibility to and from the street, both of which are important to the setting of each building and to the streetscape. There is greater scope for useable private open space and landscaping at existing ground level at the rear of residential properties, and Council requires that the principal area of private open space is located at the rear.

For residential flat buildings and manor houses, including those built as infill development or those which adapt existing buildings, open space may be provided as private and communal areas. In these buildings private open space may be provided at ground or above ground level. The latter may comprise balconies and verandahs.

Roof terraces are not characteristic of Paddington and are not generally acceptable as private or communal open space. Further, because of the dense built character and sloping landform of Paddington, use of roof terraces can produce detrimental impacts on privacy due to overlooking and noise transmission.

The amount and composition of landscaped open space play important roles in stormwater management, energy efficiency of developments and access to sunlight. Trees and vegetation can support indigenous wildlife populations and habitat.

Deep soil landscaped area is an important element of the overall landscape capabilities on a site. To be effective, deep soil landscaped area needs to be a suitable size, configuration and location to sustain medium to large vegetation. This means there needs to be adequate width and depth of soil profile for root volumes and long term stability of vegetation.

Refer to Section 1.5.10 Gardens and trees for specific objectives and controls for gardens and trees.

### Objectives

O1 To maintain open areas at the front of buildings and their visibility from the street.

O2 To retain and reinstate traditional landscaping and open areas at the front of buildings.

O3 To maintain an area at the rear of each site which enables planting at natural ground level and assists on-site drainage.

O4 To ensure that provision is made for accessible and useable private open space at the rear of properties.

O5 To ensure the provision of semi-permeable and permeable areas of open space in rear gardens to assist with on-site drainage.

O6 To ensure that the design and use of private open space areas has regard to environmental impact, impact on the fabric of adjoining properties, infrastructure, and on the amenity of the occupiers of adjoining properties.

O7 To ensure that trees and other vegetation do not have an adverse impact on the fabric of buildings, and that works have no or minimal adverse impact on the amenity of the occupiers of properties.

O8 To ensure adequate and reasonable acoustic and visual privacy for neighbours.

O9 To ensure provision of adequate deep soil landscaped area capable of sustaining medium to large vegetation.

### Controls

*Open and unbuilt upon area and deep soil landscaped area*

C1 The open and unbuilt upon area within the street front zone must be retained and is to remain visible from the street.

C2 Traditional landscaped and open areas in the street front zone are to be retained.

C3 The design of new open space areas in the street front zone must use features and materials that are appropriately scaled and consistent with the architectural character of the building and the group, where the building forms part of a group.

C4 A dwelling that is a dwelling house, dual occupancy, semi-detached dwelling or an attached dwelling is to provide the following: an unbuilt upon area including a principal open space area to be located at the rear, and deep soil landscaped area in accordance with Table 2.

C5 A new residential flat building, manor house, multi dwelling housing (terraces) or multi dwelling housing, or the adaptive reuse of a building as a residential flat building, manor house, multi dwelling housing (terraces) or multi dwelling housing is to be provided with private open space, unbuilt upon area and deep soil landscaped area in accordance with Table 3, except where compliance would require demolition of significant structures.

C6 Each new dwelling within a mixed use development is to be provided with private open space and deep soil landscaped area in accordance with Table 3.

C7 Deep soil landscaped area must be in a location and have an adequate soil profile depth to allow for root volumes and the long term stability and health of vegetation.

C8 Appropriate vegetation types are to be planted in the deep soil landscaped areas having regard to the dimensions of the area and the nature of subsurface soil and rock profiles. Note: Advice from an arborist/horticulturist is recommended.

C9 Part of the private open space must be capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play area and should be directly accessible from the main living area of the dwelling.

C10 Stairways and ramps may be used to provide access from the building to the open space in cases of sloping sites and grade variations.

C11 The raising of open space areas to provide level access from a building is not permitted if there would be an adverse impact on adjoining properties and the significance of the property generally.

C12 Private and communal space is generally not permitted in the form of a roof terrace.

**TABLE 3** Minimum unbuilt upon area and deep soil landscaped area requirements for a dwelling that is: a dwelling house, dual occupancy, semi-detached dwelling or an attached dwelling

| Lot size | Minimum unbuilt upon area for each dwelling | Minimum deep soil landscaped area for each dwelling |
|---|---|---|
| Up to and including 100m² | ▸ 10% of site area | 5m² |
| More than 100m² and less than 180m² | ▸ 16% of site area<br>▸ Principal rear area—minimum area of 15m²<br>▸ Principal rear area to have a minimum dimension of 3m | 8% of site area |
| 180m² and above | ▸ 18% of site area<br>▸ Principal rear area—minimum area 35m²<br>▸ Principal rear area to have a minimum dimension of 3m | 12% of site area |

Note: The unbuilt upon area includes areas such as the deep soil landscape area, courtyards, unroofed swimming pools or tennis courts and the like. Uncovered parking areas and driveways are not to be calculated as unbuilt upon area.

**TABLE 4** Minimum private open space, unbuilt upon area and deep soil landscaped area requirements for residential flat buildings, manor houses, multi dwelling housing (terraces), multi dwelling housing and mixed use developments

| Residential type | Minimum unbuilt upon area | Minimum deep soil landscaped area required | Minimum private open space required for each dwelling |
|---|---|---|---|
| **New development** | | | |
| Residential flat building, manor house, multi dwelling housing (terraces) or multi dwelling housing | 40% of site area | 20% of site area | (See below for dwellings) |
| Each new dwelling within the development | N/A | N/A | ▸ Minimum area of 8m$^2$<br>▸ Minimum dimension of 2m in the form of a courtyard, balcony or verandah |
| **Adaptive re-use of an existing building** | | | |
| Adaptive re-use of a building for a residential flat building, manor house, multi dwelling housing (terraces) or multi dwelling housing | N/A | ▸ 8% of site area where site less than 180m$^2$<br>▸ 12% of site area where site is at least 180m$^2$ | (See below for dwellings) |
| Each new dwelling within the development | N/A | N/A | ▸ Minimum area of 8m$^2$<br>▸ Minimum dimension of 2m in the form of a courtyard, balcony or verandah |
| **Mixed use development** | | | |
| Mixed use development | N/A | ▸ 8% of site area where site less than 180m$^2$<br>▸ 12% of site area where site is at least 180m$^2$ | (See below for dwellings) |
| Each new dwelling within the mixed use development | N/A | N/A | ▸ Minimum area of 8m$^2$<br>▸ Minimum dimension of 2m in the form of a courtyard or verandah |

Note: The unbuilt upon area includes areas such as the deep soil landscaped area, courtyards, unroofed swimming pools, or tennis courts located at or near ground level, and the like. Uncovered parking areas and driveways are not to be calculated as unbuilt upon area.

*Swimming pools and spa pools*

C13 Pools are to be located at the rear of properties.

C14 For corner lots, and where the property has two street or lane frontages, pools are not to be located in the primary frontage (that is, they may be located in the secondary frontage).

C15 Pools must not have an adverse impact on the fabric of adjoining properties or an adverse impact on the amenity of the occupiers of adjoining properties in terms of noise from pool equipment, flood lighting and discharge of backwash.

C16 Pools will not be permitted if:

a) construction of the pool would result in the removal of a tree that is a prescribed tree; or

b) the deep soil landscaped area requirement cannot be satisfied.

C17 Pool coping must be flush with or not higher than 300mm above the existing ground level and no portion of the pool casing is to be visible from the public domain or an adjoining property.

*Courtyards*

C18 Courtyards and lightwells must have an adequate system of stormwater drainage to avoid flooding of the property and adjoining properties in the event of one system being blocked, and to provide more efficient drainage when excessive stormwater occurs, such as double systems or long strip drainage.

*Landscaping*

C19 Trees and shrubs at maturity should not have an adverse impact on the fabric of buildings, infrastructure, powerlines or other structures, and have only a minimal adverse impact on the amenity of the occupiers of properties.

C20 Where prescribed trees are to be retained, structures are setback so they do not impact on the health of the tree.

C21 Where possible, vegetation should be located to improve privacy between dwellings.

C22 For infill development, trees are to be selected and located to contribute to energy efficiency and amenity by providing substantial shade in summer, especially to west facing windows, and by admitting sunlight to indoor and outdoor living areas in winter.

C23 Landscaping must ensure the retention of adequate sight lines for pedestrians and vehicles, especially at street corners.

## C1.4.9 Views

Paddington's sloping topography and the orientation of streets and subdivisions combine to offer panoramic and lesser views of the harbour, distant foreshores and city skyline from private properties and public areas. Views from private and public lands also take in the built landscape, including the stepped development pattern of terraces, roofscapes and winding streets.

Public views from streets, footpaths, parks and other public areas are among Paddington's prized assets and are significant features of the area's character. Protection of public views allows people to see and interpret the landscape and landmark features.

The height, bulk, form and scale of new developments have the potential to adversely impact on views gained from private and public lands. For private lands, the concept of view sharing is promoted. View sharing controls seek to strike a reasonable balance between new development and access to views from existing development.

Note: Refer to Section 1.6.2 Views and vistas for further information on views from public spaces and a map showing a selection of public views.

### Objectives

O1 To minimise the impact of new development on views from existing development.

O2 To promote the concept of view sharing from private properties as a means of ensuring equitable access to views.

O3 To protect and enhance views from streets and other public spaces.

O4 To provide additional views from streets and other public spaces where opportunities arise.

### Controls

C1 New development must enable view sharing with surrounding development, particularly from main habitable rooms of that development.

C2 Views from public open spaces to the harbour, foreshore areas and city skyline are to be preserved.

C3 Location of new trees should enable views to be framed and protected when the trees reach maturity.

## C1.4.10 Acoustic and visual privacy

The predominant terrace building style in Paddington has resulted in a dense urban environment. Potential noise sources associated with more people living, working and recreating closer to each other often raises issues relating to acoustic and visual privacy.

Acoustic and visual privacy are major determinants of the ability of residents to enjoy their homes. Issues of acoustic and visual privacy are compounded in Paddington due to the historic mix of land uses, which may find retail, commercial and residential uses existing side by side.

The acoustic and visual privacy needs of residents should influence all aspects of design, including the location of new building works, building scale, the placement of windows, the location of main living rooms in a building, and the type of materials and construction techniques.

Various design solutions are possible for maintaining and improving acoustic and visual privacy. Solutions need to be considered having regard to matters such as the likely impact on heritage significance, the impact on bulk and scale, and the impact on the amenity of adjoining properties, including overshadowing.

Landscaping with vegetation is not considered to be an effective screening measure or a means of maintaining and improving privacy and is not a preferred solution. This is because it cannot be guaranteed that vegetation will be suitably and continually maintained by current and future owners, the long term health of vegetation is dependent on climatic conditions and the absence of disease, future building works can pose a threat to vegetation despite careful design, and effective vegetation screening often has to be of such a size and density which can create issues with proximity to buildings and structures and impact on light to living and recreation areas.

Note: An acoustic report prepared by a suitably qualified and experienced professional may be required as part of the site and context analysis process.

### Objectives

O1 To ensure an adequate degree of acoustic and visual privacy in building design.

O2 To minimise the impact of new development on the acoustic and visual privacy of existing development on neighbouring lands.

### Controls

C1 Sound attenuation measures such as acoustic glazing and insulation are to be provided for new development close to high noise sources, such as busy roads and the Eastern Suburbs railway line.

C2 In sensitive locations, such as where commercial, retail or other non-residential buildings adjoin or are adjacent to residential properties, or on busy roads, designs must meet the criteria for the Southern Sydney Regional Organisation of Councils Code for Road, Rail Noise Levels – External Noise Insulation Requirements for Multi Unit Residential Housing Against Road and Rail Noise.

C3 Windows to bathrooms and toilet areas must have translucent glazing if they have a direct view to and from habitable rooms and private open space on adjoining and adjacent properties.

C4 Direct overlooking of the main living areas and private open space areas of adjoining and adjacent properties should be minimised by the sensitive location of windows, balconies, and screening devices.

C5 Rear and side balconies must not impact on:

a) the privacy and amenity of the building occupants; or

b) on the amenity of the occupants of adjoining and adjacent properties.

C6 Privacy screens are to be designed with regard to the architectural style of the building and relevant aspects of the historic context.

C7 Privacy screens must minimise view loss from other buildings and not unreasonably impact on solar access to neighbouring properties. (Refer to solar access requirements in Section 1.4.5. Building height, bulk, form and scale).

## C1.4.11 Land subdivision and site amalgamations

The distinct street pattern of Paddington arose out of the historic stages of the area's development. The earliest development on the western side of Paddington evolved as the Paddington village along cart tracks and is characterised by short angled narrow roads with closed vistas and dogleg junctions influenced by the boundaries of early land grants. Dense rows of cottages and terrace housing often have zero setbacks.

Later street patterns in the eastern half of Paddington were laid out in the Victorian boom period. The subdivisions are more strictly ordered with alternating wide streets and rear lanes (for night soil) and set out in the rectilinear grid. Development on corner sites is usually sensitive to the pivotal position they occupy in both streetscapes.

Generally there are narrow allotments with pairs, groups, and rows of housing which have similar setbacks and alignments. Within the allotments there are typical building footprints. In the commercial area, shops adjoin each other in terrace style arrangements. The buildings are aligned to the footpath edge.

Note:

i) Woollahra LEP 2014 sets the minimum lot size for subdividing land.

ii) Where a proposal for subdivision or site amalgamation involves the creation of a new lot or a number of lots and that lot or lots are capable of accommodating new buildings, the development application should be accompanied by at least a conceptual plan of the new buildings.

### Objectives

O1 To retain existing subdivision and building patterns.

O2 To retain public lanes and public passageways which service Paddington's pedestrian network.

O3 To ensure that subdivision or amalgamation of sites provides an appropriate response to the relevant historic character of Paddington and the relevant aspects of its historical pattern of development.

### Controls

C1 A proposed subdivision of an existing lot to create a new lot or an amalgamation of a number of lots must be of a size in area and dimensions which reflects the characteristics of historically relevant allotments adjoining and in the vicinity of the site.

C2 Subdivision or site amalgamation must not compromise:

a) the significant features of the existing building on the site including outbuildings;

b) the setting of the existing site including significant fences and landscape elements; or

c) the setting of the building on adjoining sites.

C3 Public lanes and public pedestrian passageways are not to be amalgamated with private land.

## C1.5 Specific policy for building and site elements

This section contains specific controls for building and site elements on residential and non-residential buildings, as relevant. The objectives and controls in this section apply to alterations and additions to existing buildings, and when constructing a new building.

The building and site elements addressed in this section are:

- 1.5.1 Dormers and skylights
- 1.5.2 Chimneys
- 1.5.3 Windows, doors, shutters and security
- 1.5.4 Verandahs and balconies
- 1.5.5 Fences, walls and gates
- 1.5.6 Onsite vehicle parking, garages, carports, driveway access and servicing facilities
- 1.5.7 Lofts over garages
- 1.5.8 Materials, finishes and details
- 1.5.9 Exterior colours
- 1.5.10 Gardens and trees
- 1.5.11 Satellite dishes, aerials and site facilities

The controls in this section are to be read in conjunction with the controls in:

- Section C1.3 Building type; and
- Section C1.4 General controls for all development.

## C1.5.1 Dormers and skylights

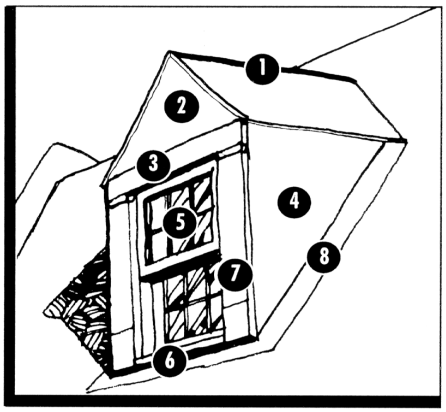
Adaption of the roof void areas of the principal building forms of Victorian and Federation period dwellings was a traditional building method to increase the area available for bedrooms. Typically light and ventilation was provided to these attic level rooms by constructing a dormer window located vertically within the principal roof planes.

Notwithstanding, more numerous are the houses which exist without dormers to the street front elevations. Dormers to the street front significantly alter the character of the streetscape. Skylights located in highly visible positions, large skylights and skylights with protruding profiles can also detract from Paddington's roofscape.

Current pressures for accommodation make the use of the roof space desirable. Where the principal roof form has sufficient slope and height an attic room may be possible with a dormer in the rear slope of the principal roof form.

Using the roof space is possible if the original ceilings are retained, except where interrupted by a new stair or ladder access. To maintain the consistency of new dormers, traditional models for Victorian and Federation period buildings, with specific proportions and dimensions, are provided in this section.

**FIGURE 12** Dormer - typical elements




1 Dormer roof
2 Pediment
3 Lintel
4 Cheek
5 Double hung window
6 Sill
7 Pilaster
8 Flashing

### Objectives

O1 To minimise the impact of dormers and skylights on the form, appearance and fabric of the principal roof form.

O2 To ensure that dormers to Victorian and Federation period terraces and cottages are traditional in form, proportions, scale and materials.

O3 To ensure that new attic spaces do not unnecessarily impact on original significant fabric, especially original ceilings.

## Controls

*Dormers – general*

C1 Dormers must not be added to street front and side elevations of the principal form of contributory buildings unless documentary evidence sufficiently shows that an original dormer or dormers existed in these locations as part of the original design. In these instances the design of the reconstructed dormer window is to conform to the documentary evidence.

C2 Attic spaces in a Victorian or Federation period building that contributes to the significance of Paddington may be permitted if the original ceiling to the principal form remains intact except for the provision of a stair or access ladder.

C3 A dormer may be located within the rear slope of the principal roof form only if this would have no impact or negligible impact on:

a) the architectural integrity and style of the main roof form;

b) the building's significance;

c) the group's significance, where the building forms part of a group; and

d) the significance of the heritage conservation area.

C4 More than one dormer may be located within the rear slope of the principal roof form subject to:

a) the width of the roof being greater than 6m;

b) each dormer being identical in type, size and no greater than 1.2m maximum width overall; and

c) consideration of the impact on the building's significance, on the group's significance where the building forms part of a group, and on the streetscape.

C5 The design, proportions and materials of new dormers, where permitted, must be based on traditional models and must be appropriate to the architectural style of the building and the building's context (see Figures 13 and 14).

C6 Dormers must be arranged symmetrically on the roof plane.

C7 Dormers must not incorporate balconies, balconets or Juliet balconies.

C8 Pediment infill and side cheeks to traditional and contemporary dormers must not be glazed.

C9 Pediments may be infilled with flush fitting timber ventilators.

*Dormers to Victorian period cottages, semi-detached dwellings and terraces*

C10 For buildings 4m wide or wider, a dormer, or each dormer where more than one is possible due to roof width, must not exceed 1.2m in width.

C11 Where buildings are less than 4m wide, a single dormer must not exceed one third of the width of the roof or 1m overall, whichever is the lesser.

C12 For a dormer with a pitched roof:

a) the height of a window is to be 1.4 times its width, as measured from the head of the window to the bottom of the sill; and

b) the roof pitch is to be between 32° and 45°.

C13 For a round headed dormer, the height of a window measured from the bottom of the sill to the springing point of the rounded head is to be equal to the overall width of the dormer.

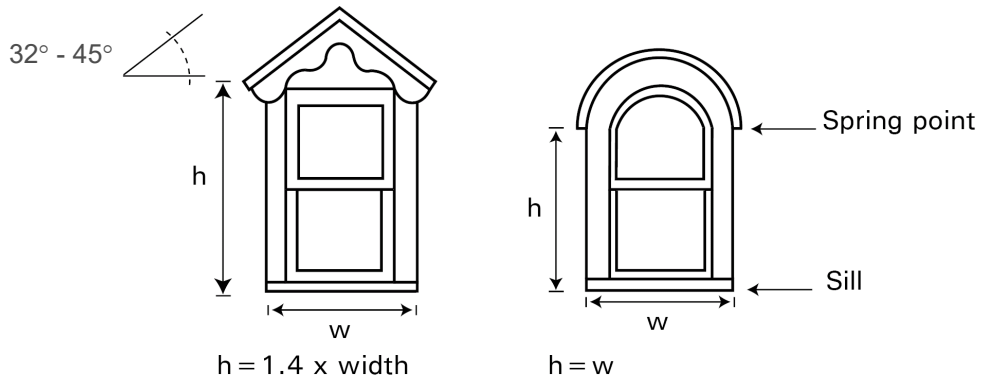
C14 The top of a dormer must be below the main roof ridge by at least 300mm.

C15 The top of the dormer window sill must be set at least 400mm above the finished floor level.

C16 The roof of the dormer must be clad with corrugated metal sheeting and flashing that matches the existing roof colour. The roof sheeting and bargeboard must not exceed a 150mm overhang. Dormers must have a timber pilaster facing and no wall cladding below the sill. Cheeks must be clad in timber weatherboards.

C17 Where dormers are reconstructed on street front elevations (as allowed under C1), they must use traditional windows appropriate to the building style. Documentary evidence must be provided to support the appropriateness of the window type.

**FIGURE 13** Traditional 'Victorian' period dormers



*Dormers to Federation period cottages, semi-detached dwellings and terraces*

C18 Dormers to Federation period contributory buildings should be appropriate to the architectural style of the building.

C19 Vertically proportioned Victorian period dormers with double hung or casement windows are permitted if they comply with the proportions and location of C10 or C11, and C12 to C15.

C20 Horizontally proportioned dormers with casement windows are permitted with eyelid or hipped roof forms if:

a) designed appropriately to the building's type;

b) the top of the dormer is located at least 600mm below the main roof ridge line;

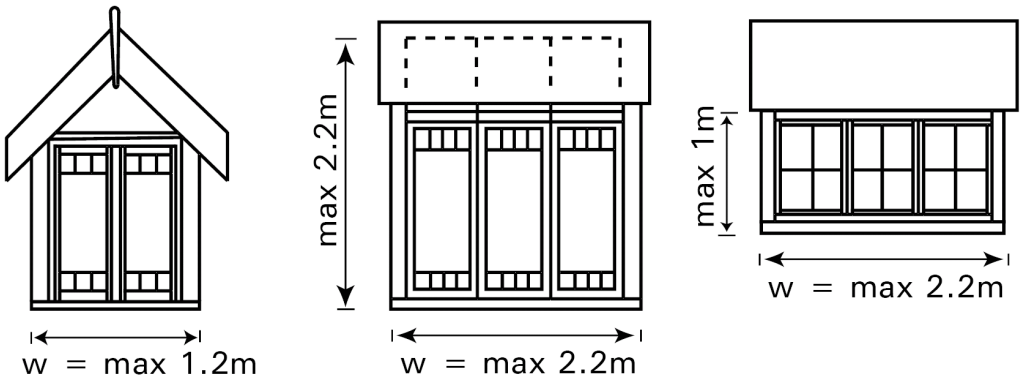
c) the top of the sill is set at least 900mm above the gutter line;

d) the dormer width is limited to 2.2m;

e) the window height is limited to 1m maximum or 2.2m maximum depending on the window type (see Figure 14); and

f) the dormer complies with Figure 14.

**FIGURE 14** Federation period dormers



*Dormers to infill buildings*

C21 A contemporary styled dormer may be located within the rear roof plane of the principal roof form of an infill building where:

a) there would be no impact or negligible impact on the heritage significance of the adjoining buildings and on the significance of the heritage conservation area;

b) the proportions comply with C10 or C11, and C12 to C15; and

c) the provisions of C6, C7, C8 and C9 are met.

C22 More than one dormer may be located within the rear slope of the principal roof form subject to:

a) the width of the roof being greater than 6m;

b) each dormer being identical in type, size and no greater than 1200mm maximum width overall;

c) the height of each dormer complying with C12 to C15;

d) the provisions of C6, C7, C8 and C9 being met; and

e) consideration of the impact on the significance of the adjoining properties and on the streetscape.

*Skylights*

C23 Skylights are not to be placed in front or side facing roofs of the principal roof form.

C24 A single skylight may be placed in the rear facing slope of the principal roof form by itself, or with a single dormer.

C25 A maximum of two skylights may be placed in the rear facing slope of the principal roof form provided:

a) they are arranged symmetrically; and

b) there is no dormer.

C26 Two skylights may only be placed non-symmetrically where it can be demonstrated that their location is essential to internal amenity.

C27 No skylights may be placed in the rear facing slope of the principal roof form where there are two or more dormers.

C28 Skylights must be of a low profile and should be flush with the roof surface. They should have simple, unobtrusive detailing and be non-reflective. Colouring must merge with the roofing material.

C29 A skylight on the principal roof form is to not to exceed an area greater than 1.5m$^2$.

C30 Rear roof planes are not to incorporate more than 25% transparent material. This includes the area of skylights and dormer windows.

## C1.5.2 Chimneys

Chimneys are important elements within the heritage conservation area. They add vertical emphasis to the roofscape and richness by the variety of forms and detail.

### Objectives

O1 To retain and conserve original chimneys and their details.

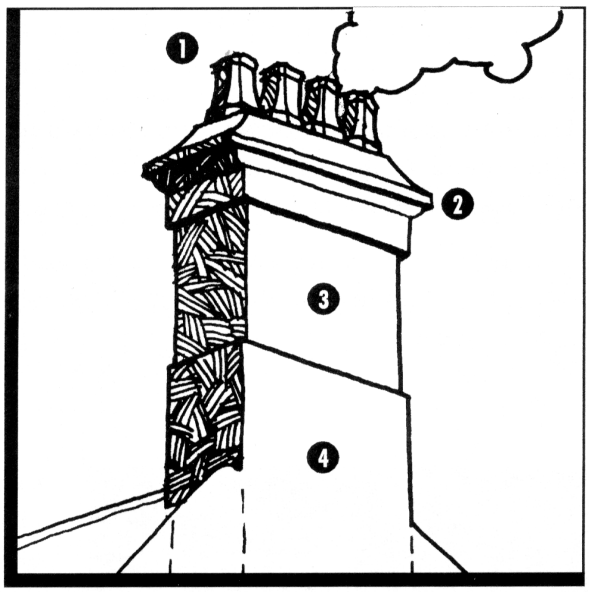
O2 To encourage reinstatement of missing chimney elements.

### Controls

C1 Original chimneys and their details must be retained.

C2 When works are proposed to the roof of the principal form of the building, missing details from existing chimneys, where substantiated by evidence, are to be reinstated and repairs to existing chimneys are to be undertaken in a traditional manner.

**FIGURE 15** Typical chimney stack




1 Chimney pot
2 Coped and moulded cornice
3 Shaft
4 Stump

## C1.5.3 Windows, doors, shutters and security

The majority of window types available in the late 19th and early 20th century were double hung timber framed sashes. Windows were commonly rectangular in shape and vertically proportioned. Where a larger opening was desired, windows were set in groups. Rear windows were vertically proportioned and relatively plain.

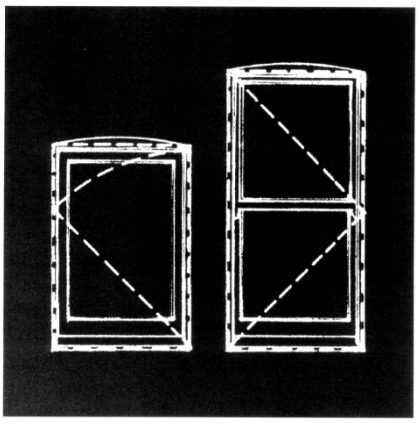
Casement windows became fashionable in the early 20th century. Often these were grouped in threes. Glazing bars, glazing and the number of panes reflected stylistic fashions and advances in the manufacture of the size of sheets of glass. Both casements and double hung windows were sometimes embellished with coloured and patterned glass. This decorative treatment is usually located on the street front location. Rear glazing is comparatively plain.

The front door was the most elaborately detailed timber door of the house. Commonly it featured moulded and recessed panels and good quality hardware. The quality and level of detail diminished in secondary areas of the house. Doors to verandahs at the first floor level were usually timber French doors with solid lower panels.

Louvered timber shutters were commonly used for windows and doors to assist with cooling buildings and providing privacy and security. In two storied or higher buildings, shutters might only have been fitted to the ground floor windows and French doors.

Security devices which conceal the windows and doors to the street front elevations of a building adversely affect the visual character of the building.

**FIGURE 16** New windows



**Window 1** **Window 2**

Traditional vertical proprtions of fenestration should be maintained. New windows should be vertical in proportion, preferably within the range suggested. The width of a window should not be greater than the height given by the radius of the diagonal, as shown on **Window 1**. The height of the window should not exceed twice the width, as shown in **Window 2**.

These controls are applicable for new windows in existing walls and additions to existing buildings. Greater freedom of interpretation is permitted for infill development.

## Objectives

O1 To retain and conserve original windows, and doors and their associated detailing and joinery components including original shutters on significant elevations of the principal building form, such as street fronts and side elevations facing streets.

O2 To reinstate traditional windows, doors, and shutters consistent with the architectural style of the building on significant elevations facing streets.

O3 To retain the visual prominence of windows and door openings visible from the public domain.

## Controls

*Windows and doors*

C1 Original windows, doors and shutters on the elevations of the principal building form and side elevations facing the street are to be retained.

C2 When works are proposed to the street front elevations on the principal building form and on side elevations facing the street, unsympathetic windows and doors on those elevations are to be removed and replaced with windows and doors that are consistent with traditional elements of known earlier configuration in terms of size, proportion, materials and detail.

C3 Traditional shutters to windows and French doors should be reinstated where they have been known to exist previously where visible from the public domain.

C4 New doors and window openings must be consistent with traditional materials and patterns, use vertically proportioned openings appropriate to the building type and comply with Section 1.4.3 Rear elevations, rear additions, significant outbuildings and yards.

C5 Where rear wings are extended boundary to boundary at the ground floor, new doors and windows must be vertically proportioned, but may use contemporary detailing.

C6 New doors replacing a rear window opening at the upper level of a rear wing are to be limited to the size of a set of traditional French doors.

*Security*

C7 Security should be provided by the least obtrusive method such as the use of mortice deadlocks, window and door locks, an alarm system or internal security bars, internal timber window shutters or security film attached to the internal face of glazing, and other measures in preference to external security grilles.

C8 External metal security doors and window grilles are permitted where they use simple, unembellished, rectangular bars in a vertical pattern or a pattern that reflects the configuration of the glazing bars, and are painted in recessive colours that match the colour of the door or window frame.

C9 Highly visible grilles embellished with pseudo period detail over windows and doors are not permitted.

C10 Roller shutters will not be permitted to windows or doors.

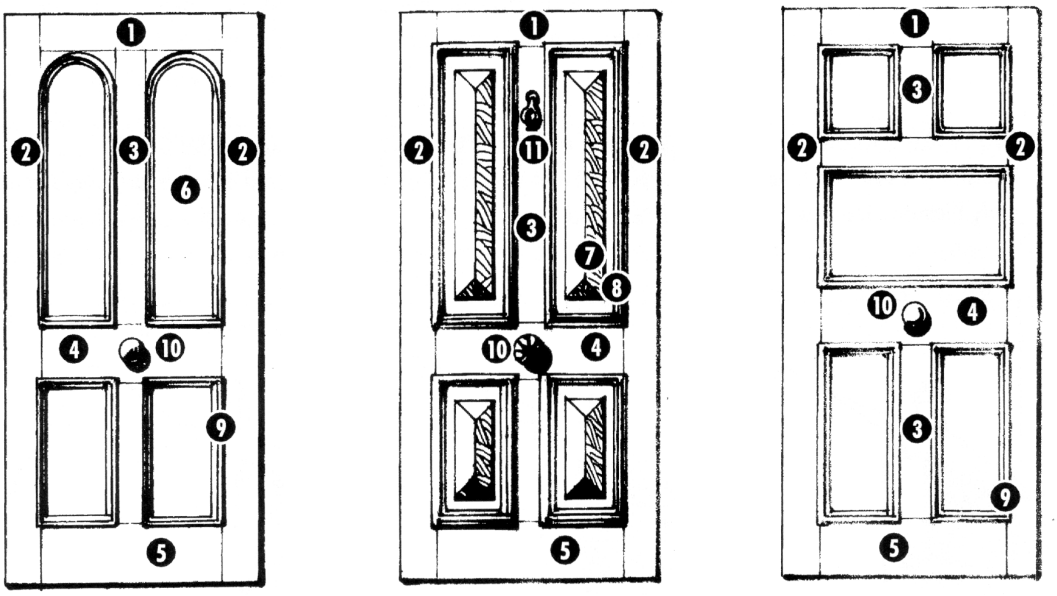
C11 Motorised window sunscreens are permitted only to ground floor windows not visible from the public domain.

*Door types*

Some common examples of front doors are shown. All are panelled doors with stiles and rails. Type A and Type B are four panel doors, while Type C is a high-waisted Edwardian door.

**FIGURE 17** Door types

**Type A – Mid Victorian** **Type B – Late Victorian** **Type C – Edwardian**



Some common examples of front doors are shown. All are panelled doors with stiles and rails. Type A and Type B are four panel doors, while Type C is a high-waisted Edwardian door.

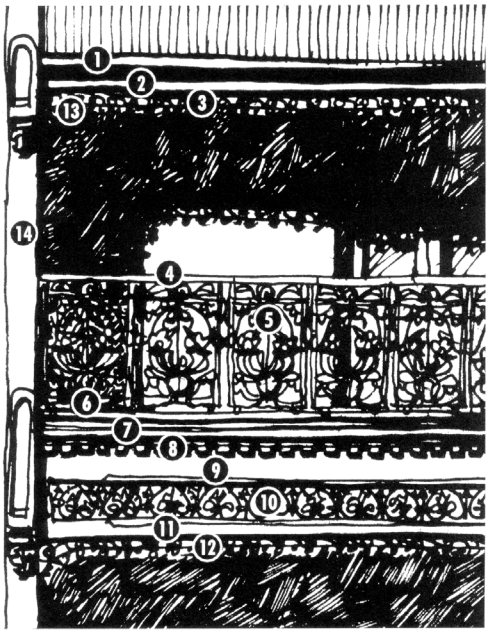
1 Top rail
2 Stile
3 Muntin
4 Mid rail
5 Bottom rail
6 Sunken panel
7 Raised field panel
8 Bolection mould
9 Lamb's tongue mould
10 Knob
11 Knocker

## C1.5.4 Verandahs and balconies

Many buildings obtain their visual interest from verandahs and balconies, which create a strong pattern of light and shade by their projection, decorative timber or cast iron and the covering balcony roof. Verandahs that are traditionally located on the front elevation are an important element in the streetscape and should be conserved.

Note: Balconies associated with dormers are not permitted, as addressed in Section 1.5.1 Dormers and skylights.

**FIGURE 18** Verandahs and balconies



1 Ogee gutter
2 Timber mouldings
3 Cast iron lace frieze
4 Handrail
5 Cast iron lace balustrade panel
6 Balcony timber floor
7 Bead moulding
8 Dentils
9 Stop-chamfered verandah beam
10 Cast iron frieze panel
11 Stop-chamfered frieze
12 Cast iron lace frieze
13 Cast iron bracket
14 Fin wall

**FIGURE 19** Types of balconies

**Suspended balcony**
Usually present on Georgian or early Victorian terraces and restored

**Balcony between fin walls**
Typical for mid or late Victorian and Edwardian terraces

**Enclosed balconies**
Enclosed balconies are intrusive and they should be re-opened

### Objectives

O1 To retain and conserve original verandahs and balconies and their associated detailing and components.

O2 To encourage the reinstatement of traditional open balconies and verandahs where verandahs and balconies have been altered or removed.

O3 To promote sympathetic contemporary design of new rear balconies and verandahs that responds to the historic character of the area.

### Controls

C1 Original verandahs and balconies are not to be altered except for the reinstatement of original detail, and the reversal of unsympathetic alterations. Patterns of replacement cast iron should be based on physical or documentary evidence of original cast iron elements on the building or in the group.

C2 Verandahs and balconies may be reinstated where they have been known to exist at an earlier date. The design must be consistent with the architectural style, materials and detailing of the building and the group, where the building is part of a group.

C3 The step down from the main roof to the balcony roof must be retained or reinstated where a new or replacement balcony or reinstatement of a balcony is proposed.

C4 The heights of original balustrade panels and rails must conform to the heights of original and appropriate balustrades within Paddington. Balustrade heights may only be increased by inserting a fine horizontal bar above the existing balustrade, supported behind the existing balustrade.

C5 New verandahs and balconies are not permitted at the upper levels if the building is part of an unaltered group of buildings.

C6 If the building is part of an altered group of buildings, a rear balcony is permitted where:

a) the original rear window opening is widened to a maximum of 1.2m to accommodate a pair of traditionally scaled French doors;

b) the balcony width does not exceed the width of the door opening by more than 300mm and must not have a depth greater than 600mm;

c) the balcony is a similar form to a traditional balcony, but is detailed in a contemporary manner; and

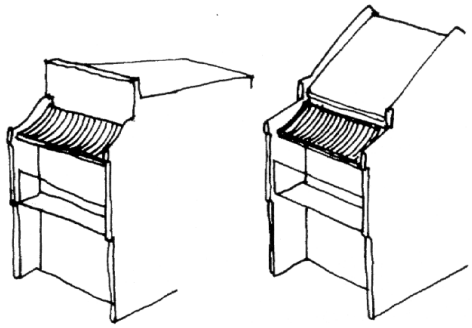
d) a glass balustrade is not used.

C7 New rear upper floor balconies and verandahs must be designed with regard to the amenity of adjoining and adjacent properties. Privacy screens may be required to reduce the impact of new balconies.

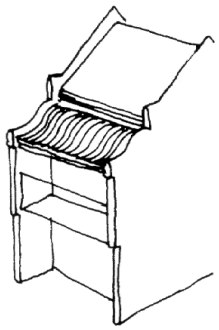
C8 Verandahs and balconies on infill buildings must be of a contemporary design and materials that demonstrate an appropriate response to the relevant aspects of the historic context.

## FIGURE 20 Balcony roofs

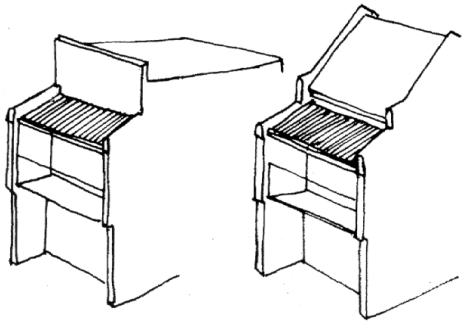
**Concave balcony roof**
Convex was also common



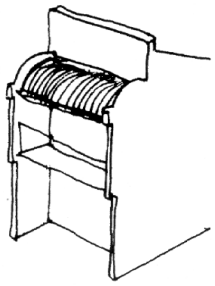
**Ogee balcony roof**
This form is often reversed



**Skillion balcony roof**
This form is rare on late Victorian terraces

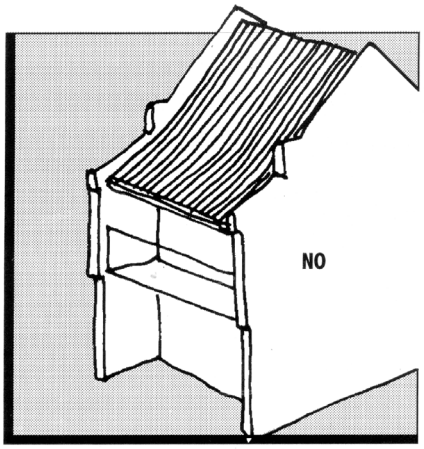


**Bullnosed balcony roof**
This form is common on late Victorian terraces



## FIGURE 21 Intrusive balcony roof

In the 50s and 60s many terraces were re-roofed, mainly using terracotta or concrete tiles, removing the separation between the roof and the main balcony roof. Renovators are encouraged to reverse this intrusive trend.



## C1.5.5 Fences, walls and gates

In Paddington, the majority of houses with a setback from the street originally had a front fence. As well as performing the usual range of functions the fence presented the household to the street. Through pickets and iron palisade fences the passer-by could obtain glimpses of gardens and the house.

Each architectural period or building type had an associated style of fence, so the materials and the design of the front fencing varied. Typical Victorian terraces had an iron palisade fence on a sandstone base. Cottages often had a timber picket fence.

Front fences enriched the visual appeal to the street. Side and rear fences were usually rough sawn timber palings or brick and performed a utilitarian function.

Fences play an important role in forming the character of a house. A well designed fence will complement and enhance the qualities of a building. Too often the appeal of a house will be considerably diminished by a fence of inappropriate design and materials. The blank masonry fence on the street front elevation is an example of an unsympathetic fencing type.

Where groups of buildings were elevated, a boundary wall was constructed using local sandstone, with a traditional fence on top. Often these changes in level occurred beside old quarry sites. Where these street walls are high, they form significant townscape elements.

Note: For garage doors and associated gates refer also to Section 1.5.6 On-site vehicle parking, garages, carports, driveway access and servicing facilities.

### Objectives

O1 To retain and conserve original fences and gates.

O2 To reinstate traditional fences and gates on street frontages and side streets of an appropriate architectural style to existing buildings.

O3 To maintain traditional heights of fences and their elements.

O4 To ensure fences and gates for infill development respond in a contemporary manner to the relevant aspects of the historic context.

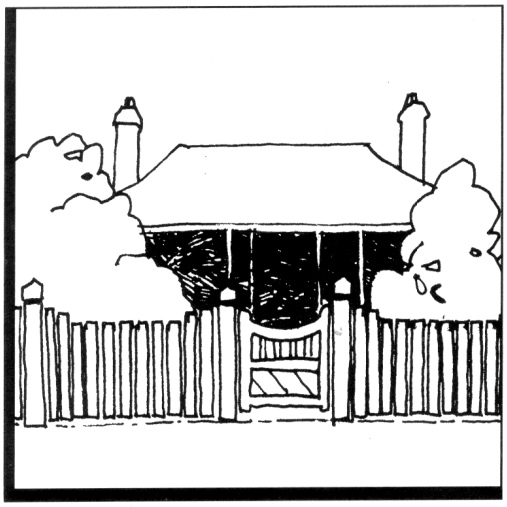
O5 To retain views towards the rear of properties from the laneways or over side fences.

O6 To ensure fences are built with regard to the topography of sloping sites.

O7 To ensure boundary fences between allotments provide visual privacy without adversely affecting the amenity of adjoining properties in terms of views and sunlight.

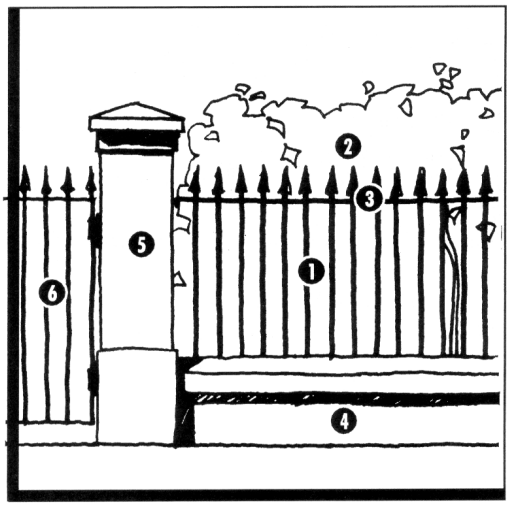
O8 To retain and conserve significant sandstone walls.

**FIGURE 22** Picket fences



Early Colonial and Edwardian buildings are associated with timber picket fences. Picket designs varied from Colonial times through to Edwardian times from small rounded tops, to scalloped, spear-ended and flat tops.

**FIGURE 23** Palisade fence




Detailing of iron palisade fences varied from Colonial to early 20th century times.

1 Iron palisade bar
2 Iron spearhead top
3 Top rail
4 Coped masonry plinth
5 Masonry pier
6 Iron gate

## Controls

*General - all areas*

C1 Fences and gates must be constructed to the boundary or, where the adjoining owner's consent has been obtained, on the boundary (except for public land where no encroachment must occur).

C2 Gates must not encroach over or onto public land when opening and closing.

C3 Gates must be constructed in line with fences.

C4 The configuration, finishes and details of original sandstone walls must be retained and conserved. Alterations for the purpose of maintenance, reinstatement or reinstatement of missing elements may occur.

*Street front zone*

C5 There is to be no alteration to original fences and gates, except for maintenance, reconstruction or the reinstatement of missing elements.

C6 Unsympathetic fences, walls and gates must be removed and replaced by fences, walls and gates that are of the form, height, details, materials, finishes and quality appropriate to the architectural character of the building and group, where the building forms part of a group.

C7 New and replacement fences and gates must be consistent with the architectural style of the building and be an appropriate traditional height. If part of a group, a fence must match the original fence in the group.

C8 In the street front zone, traditional types of fencing permitted for Victorian or Federation buildings comprise one or a combination of the following:

a) iron or steel palisades on sandstone or rendered bases;

v) timber pickets; and

w) low brick fences (for Federation type buildings).

C9 The configuration, finishes and details of original sandstone retaining walls located in the street front zone are to be retained and conserved.

C10 Breeching an original sandstone retaining wall to incorporate an opening for parking is not permitted.

C11 New or replacement fences must incorporate root barriers at the street front boundary where street trees occur.

C12 On corner sites, new fences and gates must allow good visibility for pedestrian and vehicular traffic. This may be achieved by low fences and gates or designs with at least 50% transparency.

C13 Fences and gates on infill sites should be a contemporary design and of a form, height, detail, finish and materials that demonstrate an appropriate response to the physical and historical context of the streetscape.

**FIGURE 24** Palisade fence in the streetscape

Palisade fences were common for Victorian terraces

**FIGURE 25** Boundary masonry fence


Contemporary high masonry walls as front fences are intrusive in the streetscape and they are not permitted

*Side boundary*

C14 Side boundary fencing must be consistent with traditional fence, forms and materials.

C15 The height of side boundary fencing is not to exceed 1.8m.

C16 On sloping sites, the height of side boundary fences may be averaged and fences may be regularly stepped.

*Rear boundary and side street*

C17 New fences and gates to side and rear streets and rear lanes are to be of a design and height, and are to use materials and details, which are consistent with the building's context and with the controls contained in Table 4 and in Section 1.5.8 Materials, finishes and details.

**TABLE 5** Rear boundary and side street fence and gate controls

| | Scale | Materials |
|---|---|---|
| **Fences** | ▶ Side street fence maximum height of 1800mm, unless building is designed to face both front and side streets.<br>▶ Side street fence where building is designed to face both front and side, maximum height consistent with architectural style of building and appropriate traditional height.<br>▶ Rear fence maximum height 1800mm. | ▶ Rear and side fences should be timber palings.<br>▶ Fully transparent or semi-transparent materials such as lattice are not permitted.<br>▶ Palisade fences to side streets may be permitted where the building is designed to face both front and side streets.<br>▶ Bagged or rendered brick walls may be permitted if appropriate to the context. |
| **Rear street or laneway gates** | ▶ Maximum gate height 1800mm.<br>▶ Maximum gate width 1200mm.<br>▶ Minimum gate width 900mm.<br>▶ Maximum double gates width 2400mm. | ▶ Ledged and braced timber gates.<br>▶ Timber painted bi-fold gates. |
| **Side street gates** | ▶ Maximum gate height 1800mm, unless lower height required to match fence height for building designed to face both front and side streets.<br>▶ Maximum gate width 1200mm.<br>▶ Double gates maximum width 2400mm.<br>▶ Minimum gate width for pedestrian gates 900mm. | ▶ Materials to relate to context.<br>▶ Palisade style gate where palisade fence used. |

## C1.5.6 On-site vehicle parking, garages, carports, driveway access and servicing facilities

Garages, carports and onsite parking areas for motor vehicles were not elements incorporated into Victorian buildings and their sites. Garages emerged as a building structure with the advent of the motor vehicle just prior to World War I. By the 1930s garages were proliferating and being constructed on the street frontages and rear lanes. Garages were generally of a size allowing single car access only and were treated as secondary or utilitarian buildings with little embellishment. During the late 1960s, double garage doors and roller shutters and carports became common. Two car families and the desire for vehicle security have created pressure for large garages and car spaces within sites in Paddington.

The rear lanes of Paddington are now often lined with garage doors and brick walls. They form an impenetrable and unattractive barrier between private gardens and the public spaces, and have an adverse effect on the character and use of laneways. Their height and mass prevent views towards the rear of buildings, whose forms contribute to the character of the lane. There is an alienation of the pedestrian in these spaces. High solid walls and fences on the rear boundaries can also provide opportunities to screen burglars. This section of the DCP aims to readdress the treatment of these forms.

The demands for car spaces have resulted in a reduction of landscaped area and useable open space to the rear of properties. Consequently, there has been a reduction in trees and a loss of permeable surface, which is increasing the pressure on surface drainage systems. Additionally sandstone kerbing, which forms part of the laneway character, has been removed to provide driveway crossovers.

The pressure for parking has also resulted in proposals for alternate means of providing onsite parking. One alternative involves the use of car stackers. There may be certain circumstances where a stacker arrangement may be acceptable due to the existing site and context characteristics and the scale and form of an existing building. However, generally car stackers are not acceptable in Paddington. Stackers require a substantial surge in electrical power to operate and are therefore environmentally unacceptable, lead to vehicles queuing in laneways and streets due to delays in operating the stacker system which can cause impacts on traffic and pedestrian movements, generally require out of scale garage structures to accommodate the stackers, and involve excessive excavation for basement stackers.

### Objectives

O1 To conserve original elements and structures on street frontages and laneway boundaries, including coach houses, stables and rear lane toilets.

O2 To ensure that contributory buildings rather than vehicular access and parking structures remain the dominant element in the streetscape.

O3 To improve the character of laneways where unsympathetic earlier development such as high brick walls and full width garages has eroded the quality of these urban spaces.

O4 To ensure that the designs of garages, carports, fences and gates are sympathetic in their massing, form and scale to the relevant aspects of the historic context and setting of the building and allow visual connectivity to the principal building form of a significant group.

O5 To encourage development that is scaled for the pedestrian in terms of height, articulation and modulation.

O6 To provide off street car parking and servicing facilities where feasible.

O7 To retain sandstone kerbing on streets and laneways where feasible.

O8 To ensure that the amount and quality of deep soil landscaped area and private open space are not compromised by providing on-site parking and servicing areas.

O9 To minimise vehicle and pedestrian conflicts.

O10 To ensure there is no net loss of vehicle parking spaces in the area.

O11 To ensure that use and quantity of on street parking spaces is not adversely affected.

O12 To prevent vehicle car stackers.

O13 To minimise overshadowing, loss of privacy and the impact of building bulk on adjoining properties.

O14 To minimise excavation.

## Controls

*General*

C1 Onsite parking areas, parking structures and servicing areas such as loading facilities are not a mandatory requirement. In addition, and subject to circumstances listed in the following controls, on-site parking will only be permitted or may only be required where:

a) the parking area, servicing area or structure will not have a detrimental impact on:
   - the amenity of adjoining properties;
   - the architectural character or significance of a building, including original coach houses, stables or rear lane toilets (where the toilets occur on adjoining properties);
   - the character of a streetscape or laneway; or
   - the health of a significant tree;

b) vehicle entries and exits will not have a detrimental impact on pedestrian movements, traffic movements, Council infrastructure or service authority infrastructure;

c) the parking area, servicing area or structure will comply with the current Australian Standard 2890.1-2004;

d) a driveway will comply with AS 2890.1 - 2004;

e) extensive excavation is not required and the excavation controls in Section 1.4.7 are met;

f) private open space and deep soil landscaped area controls are met;

g) there are adequate sight distances to allow safe vehicle movement into and from the site;

h) there is no net loss of vehicle parking spaces in the immediate area; and

i) the use and quantity of on-street parking spaces is not adversely affected.

C2 No further vehicle crossings are permitted at street frontages that form part of the street front zone.

C3 No parking is permitted on that area of the site which forms part of the street front zone or within or beneath the principal building form.

C4 Vertical car stackers are not permitted.

C5 The design and location of car parking spaces and structures must allow an 85th percentile vehicle to manoeuvre into and out of a space without the loss of on-street parking opposite or abutting the proposed vehicle entry. This is particularly relevant where the street or lane is less than 5m between kerbs.

Note: Vehicle turning paths are to be determined in accordance with Australian Standard 2890.1.2004. The 85th percentile vehicle is a standardised vehicle based on the significant characteristics of various vehicle types operating on Australian roads. More information about the 85th percentile vehicle, including its dimensions, can be found in AS 2890.1.2004.

C6 Garages and carports must comply with the dimensions, settings, forms and materials shown in Tables 5 and 6.

*Street front zone*

C7 A single uncovered car space, single carport or single garage, may be permitted if:

a) an approved vehicle crossing exists on the street frontage;

x) the existing building is setback from the side boundary which adjoins another building by a minimum of 3m in the case of a proposed uncovered car space or carport, and a greater distance in the case of a proposed garage;

y) the car space, carport or garage is setback behind the outer front wall of a building in the street front zone, excluding any projecting balconies or decks; and

z) the general controls C1-C6 can be met.

C8 Where parking is permitted under C7, new garage and carport structures are to be of a design and in materials that respond to the relevant aspects of the historic context. An appropriate contemporary design is permitted and should not be an historic imitation.

*Rear lane or rear street*

C9 Rear lane or rear street vehicle access and associated on-site parking are permitted if:

a) the distance from the rear of the building, whether existing or proposed, to the rear boundary is 10m or more;

aa)the block width is 3.4m or more;

bb) the lane or street width between kerbs is 4.8m or more, but if less the applicant can demonstrate to Council that access can be achieved by compliance with C6 and C1(d); and

cc) the general controls of C1-C6 can be met.

C10 Where rear lane or street parking is permitted under C9, and the property is 4.7m or more in width, proposals must provide an acceptable interface between the private and public domain by incorporating elements such as pedestrian gates or fencing a minimum of 1200mm wide along rear boundaries. Where possible, gateways on adjoining properties should be grouped.

C11 Where rear lane or street parking is permitted under C9, double garages, double carports, double car spaces are permitted only where the property is a least 7.1m wide and a 1.2m wide gateway is provided. Structures must not exceed a width of 6m.

C12 Any loss of on-street parking due to construction of a new driveway access must be compensated by an equivalent number, or more, of onsite parking spaces.

C13 Laneway garages with roof landscaping are permitted only where:

a) the property slopes steeply to the rear;

dd) the floor level of the roof landscaping is below the floor level of the existing lowest floor of the principal building form;

ee) the roof is non-trafficable except for garden maintenance purposes;

ff) there is compliance with the deep soil landscaped area requirement; and

gg) the roof landscaping area, including planter boxes, parapets and landscaping will not adversely impact on adjoining and adjacent properties.

*Residential parking rates*

C14 For residential parking requirements refer to Chapter E1 Parking and Access.

C15 Onsite parking must comply with the provisions of C1-C13. Maximum parking may not be permitted where non-compliance with the provisions of C1-C13 will occur.

*Retail, commercial and other non-residential parking and servicing rates*

C16 For retail, commercial and other non-residential development, the average number of onsite parking spaces and servicing facilities must comply with the controls in Chapter E1 Parking and Access.

C17 Onsite parking and servicing facilities must comply with the provisions of C1-C13. Maximum parking may not be permitted where non-compliance with the provisions of C1-C13 will occur.

## TABLE 6 Dimensions for garages and carports

### Rear lane, rear street and existing street-front access locations (unless otherwise specified)

| | | Width | Height | | Door | | | Piers | |
|---|---|---|---|---|---|---|---|---|---|
| Garage carport type | | Max | Max to top parapet[1] | Max wall height below eve | Height | Max width | Min width[2] | Min width | Max width |
| Garage - flat roof parapet form[3] | Single space | 4340 | 2800 | 2800 | 2200 | 3400 | 2400 | 350 | 470 |
| | Double space | 6000 | 2800 | 2800 | 2200 | 5000 | N/A | 470 | 600 |
| Garage - pitched roof form[4] | Single space | 4340 | N/A | 2700 | 2200 | 3400 | 2400 | 350 | 470 |
| Garage - with garden roof[5] | Single space | 4340 | 3000 | 3000 | 2200 | 3400 | 2400 | 350 | 470 |
| | Double space | 6000 | 3000 | 3000 | 2200 | 5000 | N/A | 470 | 600 |
| Carport - flat roof form[3] | Single space | 4340 | N/A | 2700[6] | 2200 | 3400 | 2400 | 350 | 470 |
| | Double space | 6000 | N/A | 2700[6] | 2200 | 5000 | N/A | 470 | 600 |
| Carport - pitched roof form[3] | Single space | 4340 | N/A | 2700[6] | 2200 | 3400 | 2400 | 350 | 470 |

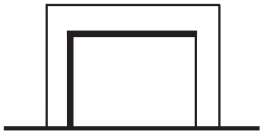
Notes:

All dimensions in millimetres

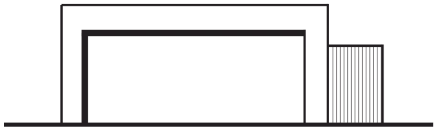
1. Top of parapet from lane or street level
2. Doorway width will vary depending on road/lane width. Refer to C5 in Section 1.5.6. The minimum acceptable doorway width is 2400mm.
3. Double space garage and carport (adjoining or tandem) not permissible in front yard
4. Pitched roof form only permitted for single space garage and single space carport
5. Landscaped roof form only permitted in rear lane and rear street
6. Column or pier height for carport

## FIGURE 26 Garage and carport design diagrams

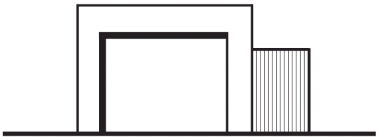
Laneway garage



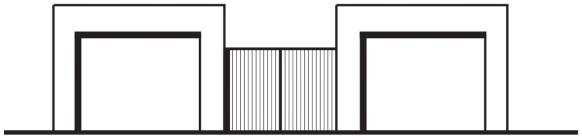
Laneway double garage – with side gate/fence



Laneway garage – with side gate/fence



Grouped garages – with side gates/fences



Laneway garage – with gabled roof form

Laneway garage – with roof garden

## TABLE 7 Setting, form and materials for garages and carports rear street

| | Setting | Form | Materials |
|---|---|---|---|
| **Rear lane and rear street garages parapet and gabled roof form** | ▶ Build on rear boundary.<br>▶ Minimise ramp up to garage.<br>▶ Provide an acceptable interface on laneway (refer to C10). | ▶ Horizontal parapet (flat roof) or pitched roof form.<br>▶ Corner sites to have pitched roof form.<br>▶ Pitched roof to match appropriate traditional roof pitch.<br>▶ Double garages to have horizontal parapet form only.<br>▶ A masonry to door ratio 1:1 is preferred. | ▶ Rendered and painted masonry walls.<br>▶ Corrugated steel roofing.<br>▶ Timber or metal bi-fold doors, timber sliding doors, panel-lift doors or roller shutters.<br>▶ Roller shutter and panel lift doors only if set within a masonry surround.<br>▶ Paint finish to all doors (dark colour recommended) |

| | Setting | Form | Materials |
|---|---|---|---|
| **Rear lane and rear street garages with garden roof** | ▶ Build on rear boundary.<br>▶ Minimise ramp up to garage.<br>▶ Provide an acceptable interface on laneway (refer to C10). | ▶ Flat roof form only. | ▶ Rendered and painted masonry walls.<br>▶ Concrete slab to roof garden.<br>▶ Timber or metal bi-fold doors, timber sliding doors, panel-lift doors or roller shutters.<br>▶ Roller shutter and panel-lift doors only if set within a masonry surround.<br>▶ Paint finish to all doors (dark colour recommended).<br>▶ Simple timber or metal balustrade set behind masonry parapet if required. |
| **Rear lane and rear street carport** | ▶ Build on rear boundary.<br>▶ Minimum ramp up to carport.<br>▶ Where site widths allow, a row of more than two carports must be interspersed with fencing or pedestrian gates. | ▶ Flat or pitched roof form. | ▶ Timber or metal posts or masonry reveals.<br>▶ Timber, metal or masonry fascia.<br>▶ Timber or metal bi-fold doors, timber sliding doors, panel-lift doors or roller shutters.<br>▶ Paint finish to all posts, reveals and fascias. |

| | Setting | Form | Materials |
|---|---|---|---|
| **Single garage or carport with existing street front zone access** | ▶ Behind outer front wall of building (refer to C8 for other criteria).<br>▶ Minimum ramp up to garage or carport. | ▶ Horizontal parapet (flat roof) or pitched roof form.<br>▶ Pitched gabled roof form to match appropriate traditional gable roof pitch.<br>▶ A masonry to door ratio 1:1 is preferred. | ▶ Garage walls to be rendered and painted masonry.<br>▶ Roof material to be slate, terracotta tile or corrugated steel appropriate to the building with which the garage or carport is associated.<br>▶ Timber and metal posts to be paint finished.<br>▶ Timber or metal bi-fold doors, panel-lift doors or roller shutters.<br>▶ Roller shutter and panel-lift doors only if set within a masonry surround.<br>▶ Paint finish to all doors (dark colour recommended). |
| **Rear lane and rear street garage with loft** | ▶ Build on rear boundary.<br>▶ Minimise ramp up to garage.<br>▶ Provide an acceptable interface on laneway or street (refer to C10). | ▶ Gable ended to rear laneway, rear street and rear yard along allotment axis.<br>▶ Single loft only.<br>▶ Traditionally proportioned double hung sash windows.<br>▶ Skylights to be flat version. | ▶ Rendered and painted masonry walls.<br>▶ Corrugated steel roof.<br>▶ Paint finish to all laneway and street doors (dark colour recommended).<br>▶ Timber windows to loft. |

## C1.5.7 Lofts over garages and studios

There is a demand for additional structures located over single storey garages and studios located at the rear of properties. Lofts provide benefits such as added accommodation, surveillance to laneways, increased public and private security and safety, and in some instances improvements to a laneway appearance.

However, there are many parts of Paddington where loft structures are inappropriate. To determine whether a loft structure over a single storey garage or a studio would be acceptable, consideration must be given to the significance of the existing rear building form and lot size, the relationship to the adjoining properties, the laneway characteristics where relevant and impacts on privacy.

### Objectives

O1 To ensure that loft structures over garages or studios are sympathetic in their location, massing, form and scale to the traditional rear elevations, yards, and laneways.

O2 To ensure that loft structures over garages or studios do not detract from the significance of unaltered groups of buildings.

O3 To ensure that loft structures over garages or studios do not impact on the privacy of adjoining properties.

O4 To ensure that loft structures do not result in a non-compliance with the private open space and deep soil landscaped area requirements.

O5 To ensure that loft structures are appropriately orientated to minimise overshadowing on adjoining/adjacent open space.

O6 To minimise the visual impact of loft structures when viewed from public areas and private land.

O7 To ensure that loft structures above garages and studios do not preclude the maintenance and conservation of items that contribute to the significance of the heritage conservation area.

### Controls

C1 Loft structures may be permitted where:

a) the site dimensions are a minimum of 30m long and 5.24m wide and where the structure will not adversely impact on the traditional character of the rear elevations, yards, and laneways;

b) the structure will not adversely impact on the amenity, visual privacy and overshadowing of the property, neighbouring properties and public open space (the controls in Section 1.4.5 Building height, bulk, form and scale apply);

c) the structure does not require the footprint of the garage or studio to be extended so that the controls in Section 1.4.8 Private open space, swimming pools, courtyards and landscaping cannot be satisfied. Where there is an existing non-compliance with

these controls, the existing private open space and deep soil landscaping is not to be further reduced;

d) all access to the loft is provided internally;

e) habitable room windows within the loft with a direct sightline to the habitable room windows in the existing building on the site and neighbouring buildings have a separation distance of at least 9m;

f) the structure extends over only a single space garage or studio;

g) the loft and garage (or studio) structure is a maximum of 4.34m wide;

h) the roof structure is gable ended to the rear boundary, with a maximum ridge height of 5.5m and maximum wall height of 3.9m (on or adjacent to a side boundary);

i) windows are located only in the centre of gable ends and must be either: a single double hung sash window, or inward opening window of traditional proportions;

j) does not include balconies, decks, or other similar cantilevered structures;

k) a maximum of two skylights per roof plane, provided they comply with controls C28, C29 and C30 in Section 1.5.1 Dormers and skylights;

l) the ground floor level of the principal building form is higher than the natural ground level at the rear boundary; and

m) the maintenance of elements that contribute to the heritage conservation area, such as sandstone walls, will not be adversely affected. Also refer to C1.5.6 Fences, walls and gates.

C2 Loft structures will not be permitted:

a) over garages or studios in the street front zone;

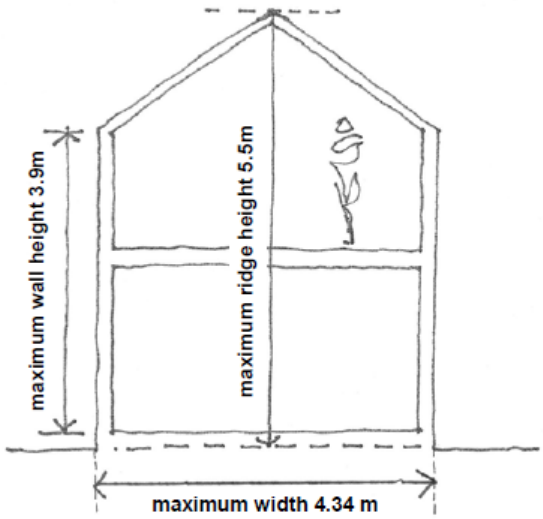
hh) if the subject property is part of an original row of houses, comprising an unaltered group, and the proposal demonstrates an adverse impact on this group;

ii) if the rear of the property is orientated towards the north between NNE and NNW (true north) (see Appendix 1);

jj) with a dormer window; and

kk) over a multiple space garage.

**FIGURE 27** Loft structure design example including dimensions




## C1.5.8 Materials, finishes and details

Buildings in Paddington were constructed from a distinct and limited range of materials. Similarly, there is a pronounced repetition of detailing in surface treatments and building components.

Materials, finishes and detailing are two important elements which unite the area and contribute to Paddington's character. The repetitive combination of materials and the manner in which they were used for specific parts of buildings also forms part of Paddington's significant character.

The use of modern day materials and contemporary design approaches can be successfully employed in Paddington provided the relevant aspects of context are respected.

The table following the objectives and controls below sets out traditional external materials found within Paddington. It lists materials suitable for new development, alterations and additions. Additionally it lists materials which are intrusive elements, either by their very nature or if used in inappropriate situations.

### Objectives

O1 To retain and conserve traditional materials, finishes and details.

O2 To promote high quality design, materials, finishes and detailing which is appropriate to the architectural style, building type, and historic context.

O3 To conserve original external finishes.

## Controls

C1 Surviving original materials, finishes, textures and details on street front elevations are to be retained and conserved.

C2 Original brickwork, sandstone, terracotta, glazed or tessellated tiling that is unpainted or unfinished by other mediums must not be rendered, bagged, painted or otherwise refinished in a manner inappropriate to the architectural style of the building.

C3 Render must not be removed from the exterior face of buildings unless it is proposed to re-render the surface immediately. Where original render has been removed from the exterior face of a building, new render must be applied and painted. Special consideration will be given to a building in a group.

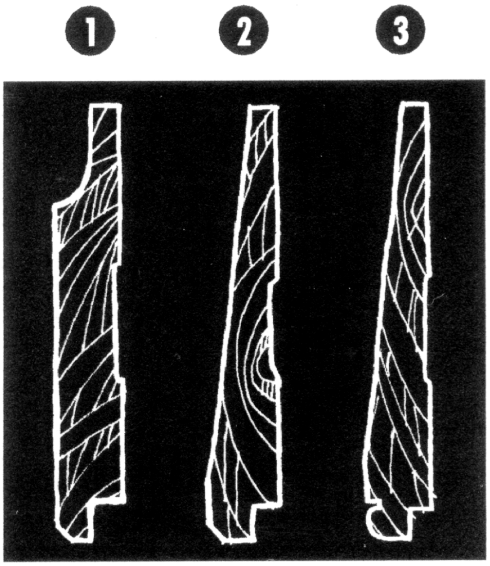
C4 New materials, finishes, textures and details on the principal building form and elevations visible from a public space, must be traditional and appropriate to the architectural style of the building. Intrusive materials are not permitted.

Table 8 below sets out traditional external materials found within Paddington and those materials permissible for new development, including alterations and additions.

C5 New external materials and details to additions must complement the architectural character of the existing building and minimise the apparent bulk of the addition.

C6 Infill buildings must use materials, finishes, textures and details appropriate to the building type and style but should not replicate traditional details.

**FIGURE 28** Traditional cladding profiles




1 Rusticated weatherboard
2 Chamfered boarding
3 Beaded boarding

**TABLE 8** Materials and details

| Building component | External building materials |
|---|---|
| **Roofs** | |
| Traditionally | ▸ Natural slate such as Welsh slate and South Australian slate. Later Victorian or Edwardian terraces occasionally had traditional ornamental patterns which may have been in contrasting colours.<br>▸ Corrugated galvanised iron in short lengths and associated details and fixings.<br>▸ Unglazed terracotta tiles on Federation period buildings and post- Federation buildings. |
| New roofs to existing buildings – replacement and additions (including courtyard housing additions and lofts over garages) | ▸ Galvanised corrugated steel with associated galvanized gutter details and fixings.<br>▸ Pre-painted corrugated steel in light to mid grey tones, similar in appearance to traditional corrugated iron.<br>▸ Traditional roof materials as outlined above. |
| Intrusive roofs for existing buildings – replacement and additions | ▸ Concrete roof tiles.<br>▸ Metal roofing sheets or panels in inappropriate colours.<br>▸ Non-traditional metal roof profiles.<br>▸ Terracotta tiles on pre-Federation period buildings.<br>▸ Glass (other than permitted in skylights). |
| **Walls** | |
| Traditionally | ▸ Sandstone blocks for walls or as a base course to brick walls.<br>▸ Timber weatherboards (depending on the building type). The profiles vary depending on the construction date.<br>▸ Brick, which was usually rendered in Victorian era buildings and was often inscribed with ashlar coursing.<br>▸ Face brickwork on Edwardian and late Federation style buildings. The associated details may include tuck pointing on the principal elevation and areas of roughcast render.<br>▸ Corrugated galvanised iron, zinc coated corrugated steel ripple iron and weatherboards on sides of dormer windows and outbuildings. |

| Building component | External building materials |
|---|---|
| New walls to additions | ▶ Traditional wall materials including sandstone blocks, timber weatherboard or brick.<br>▶ Corrugated galvanised iron, zinc coated corrugated steel ripple iron for small expanses only. Must be in appropriate colours and subject to low reflectivity.<br>▶ Rendered brick, with or without inscribed ashlar coursing where appropriate.<br>▶ Fibrous cement sheeting with a rendered and painted finish – for rear additions but only if window reveals of minimum 100mm external depth are achieved. |
| Intrusive walls for existing buildings and additions | ▶ Stripped sandstock brickwork.<br>▶ Circular pattern render (mock Spanish)<br>▶ Glazed walls and glass bricks.<br>▶ Metal wall cladding.<br>▶ Metal mesh or perforated metal screens. |
| **Windows** | |
| Traditionally | ▶ Timber framed, double hung sash windows, plain or multi-paned windows.<br>▶ Plain glass, traditional patterned or coloured glass in some building types. |
| New windows to existing building (replacement and additions) | ▶ Timber frames.<br>▶ Steel frames on rear ground floor only.<br>▶ Metal frames for ground floor shops and commercial premises where appropriate.<br>▶ Plain clear glass.<br>▶ Coloured and patterned glass for replacement in appropriate situations.<br>▶ Fine metal frames in neutral tones. |

| Building component | External building materials |
|---|---|
| Intrusive windows | ▸ Metal frames (including steel) to the principal building form and original secondary wings.<br>▸ Window walls.<br>▸ Bubble glass.<br>▸ Glass blocks.<br>▸ Timber or metal frames not reflecting traditional proportions.<br>▸ Roller shutter security and sunscreen windows.<br>▸ Horizontally sliding windows.<br>▸ Aluminium framed windows in the front elevation and at the upper levels at the rear. |
| **Doors** | |
| Traditionally | ▸ Timber solid core; principal doors are often panelled; utilitarian doors are often ledged and braced.<br>▸ Etched or frosted glass in the top panels of late Victorian style doors and small coloured glass panes in Federation style doors. |
| New doors to existing building (replacement and additions) | ▸ Solid core framed timber panelled doors to match original doors are required for reconstruction work.<br>▸ Solid core timber framed, glazed timber-framed doors, glazed steel frame in appropriate locations. |
| Intrusive doors | ▸ Fully glazed doors to the street front elevation of residential properties.<br>▸ Hollow core and timber doors with detail and panels inappropriate to the architectural style of the building.<br>▸ Roller shutter doors to residential houses, retail and commercial premises. |
| **Shutters** | |
| | ▸ Traditionally detailed timber louvred shutters are applicable for windows and French doors on some building types. |
| **Verandahs** | |
| Traditionally | ▸ Floors of stone flagging, marble, unglazed multi-coloured tessellated tiles.<br>▸ Slate, timber and sandstone edging.<br>▸ Cast iron posts of a flat profile or circular in section, cast iron friezes.<br>▸ Timber posts and associated timber details for early Victorian buildings and Federation period buildings. |

| Building component | External building materials |
|---|---|
| New verandahs - reconstruction | ▶ Traditional materials for reconstruction.<br>▶ Materials similar to traditional materials but without elaborate detailing. |
| Intrusive verandahs | ▶ Pebble-crete, modern concrete, large form modern tiles for original building types.<br>▶ Polycarbonate or similar type material roofs.<br>▶ Glass roofs to street elevations. |
| **Balconies** | |
| Traditionally | ▶ Corrugated iron or slate roofs where appropriate to the style of the building.<br>▶ Timber for floors and timber framing for the underside of verandah roofs.<br>▶ Cast iron friezes and balustrade panels with iron or timber handrails for Victorian period buildings.<br>▶ Timber balustrades for early Victorian buildings and Federation period buildings. |
| New balconies - reconstruction | ▶ As with traditional materials for reconstruction on original building types or with modern-day equivalents.<br>▶ Masonry and metal, other than perforated metal or mesh screens.<br>▶ Reuse of salvaged cast iron friezes and balustrade panels with iron or timber handrails. |
| Intrusive balcony materials | ▶ Smooth, textured or profiled face brick and exposed cement blocks.<br>▶ Corrugated and other profiled metal sheeting.<br>▶ Wire fencing.<br>▶ Fibrous cement sheeting.<br>▶ Glass balustrading.<br>▶ Perforated metal or mesh screens. |

| Building component | External building materials |
|---|---|
| **Fences** | |
| Traditionally | ▸ Occasionally rendered masonry with inscribed ashlar coursing.<br>▸ Timber post, rail and paling.<br>▸ Iron palisade, on sandstone or rendered bases.<br>▸ Timber pickets.<br>▸ Brick and timber fences or brick with iron inserts on Federation period buildings. |
| New fences – additions | ▸ As with traditional fences but with consideration to building style and context.<br>▸ Appropriate traditional materials for reinstatement of fences on original building types.<br>▸ Contemporary interpretation of traditional fence details and materials such as iron palisade and timber. |
| Intrusive fences | ▸ Smooth, textured or profiled face brick, exposed cement blocks, Ti Tree (brush), colourbond or sheet metal fences.<br>▸ Full height brick fences.<br>▸ Materials and forms that are inappropriate to the style of the building. |

Materials and details for infill development are provided in Table 2 in C1.3.13 – Infill development.

## C1.5.9 Exterior colours

Colour schemes make important contributions to the character of individual buildings and groups of buildings. Colour schemes can influence the cohesiveness of a group of buildings and an entire streetscape. They can be used to enhance important building features and reduce intrusive features. The use of historic based colour schemes is appropriate where an original colour scheme contributed to the architectural style of a building.

Exterior colours used on buildings constructed between 1850-1895 and 1895-1915, and even during the Inter-War period were from a comparatively narrow range. These colours were used to enhance the architectural style and to enhance the natural colours of construction materials. A range of exterior colours was used on buildings constructed in the early, mid and late Victorian period and in the Edwardian period. Colours were often used to enhance the architectural style and to highlight particular features and building components.

In determining a colour scheme the architectural style of the building must be considered. Georgian style buildings tended to have simply decorated exterior surfaces with only two or three colours. By the late Victorian period, when buildings where designed with a profusion of decoration, six or eight colours may have been used. Edwardian and Federation buildings used one or two lighter tones with a darker contrasting colour to enhance the unpainted brickwork. A wider range of colour finishes and a higher level of gloss were used for door and window joinery, verandah posts, valances, bargeboards and ornamental work.

For signwriting, trimmings and metal finishes typical colours included light brown, rich brown, Indian red, chrome green, and in rare instances Prussian blue, black and dark tints, and slate grey.

Special roof paints were available in the 19th century in a variety of colours. Common colours for roofs that were originally painted were light stone, slate grey and Indian red. Original colours schemes may be determined by the careful scraping of protected difficult to paint areas. They may survive under hardware, behind eaves, under window sills and on the more protected elevations of a building. Care should be taken to distinguish layers of paint finishes from undercoats.

Old photographs can provide valuable evidence of the original paint treatment, particularly in regard to the use of contrasting colours and tonal relationships for the various elements of the building.

## Objectives

O1 To promote colour schemes that are appropriate to the character of the individual buildings, groups of buildings, the historic context.

## Controls

C1 Colour schemes must be appropriate to the building type and style.

C2 The use of fluorescent paints and primary colours are not permitted.

C3 New buildings and additions in both the residential and commercial areas are to use colour schemes that have hue and tonal relationships with traditional colour schemes.

C4 The intensity and hue of colour must relate to the style of the building and the streetscape context.

C5 The whole face of the dividing party wall between attached buildings including terraces must be painted one colour. Painting with different colours to the centreline of a party wall is not permitted.

C6 Matching buildings in a terrace row must be painted colours that are consistent in tone with the group.

C7 Where terraces step down a hill, the colour of the front elevations of a terrace and its lower party wall including the return face and chimney above the roof line must be the same colour.

C8 Where terraces are set back in plan, the forward terrace must be the colour of the exposed party wall, including the return face, up to the adjacent party wall.

C9 Where it is proposed to introduce new exterior paint colours or modify the existing external paint scheme a colour board to be submitted to Council.

Note: Section 1.5.8 Materials, finishes and details specifies that original brickwork, sandstone, terracotta, glazed or tessellated tiling that is unpainted or unfinished by other mediums must not be rendered, bagged, painted or otherwise refinished in a manner inappropriate to the architectural style of the building.

## C1.5.10 Gardens and trees

The private gardens in Paddington have a considerable effect on the townscape quality. Both streets and lanes are enhanced by significant landscaping from adjacent private properties. Development, including excavation and landfill, can impact on the conditions in which trees grow. Remnant established gardens, parks and street trees make an important contribution to the character of the area.

### Objectives

O1 To retain traditional planting schemes and hard landscape elements where they exist.

O2 To promote landscaping that is consistent with the character of the individual building, the characteristics of a group of distinctive buildings and the character of the heritage conservation area.

O3 To ensure that front gardens are planted with a species selection that relates to the building type and is appropriate to the size and aspect of the garden space.

O4 To create zones of rear planting with appropriate species of trees and shrubs.

O5 To ensure that trees and shrubs do not have an adverse impact on the fabric of buildings and do not have an unreasonable impact on the amenity of occupiers or properties such that would warrant refusal or modification.

### Controls

C1 Significant gardens, or remnants of gardens with original planting schemes and hard landscape elements, such as paving and associated decorative elements, are not to be removed.

C2 Significant trees are to be retained in place.

C3 Front gardens should include original pathways and low formal planting which is appropriate to the building type, and allows views of the street front elevation to be maintained.

C4 Rear gardens are to include one medium sized tree.

C5 New trees must be a species which is suitable for a Paddington garden. The tree selection should have regard to matters such as size and orientation of the garden~~.~~

C6 Excavation and landfill must not impact on the current and future health of significant trees that are located on the development site or on adjoining sites.

## C1.5.11 Satellite dishes, aerials, air conditioning units and other site facilities

Paddington's roofscape is an integral component of its overall significance. The introduction of unsympathetic and uncharacteristic elements such as satellite dishes, aerials and air-conditioning units and external condensers can have a detrimental impact on the aesthetic significance of individual buildings and on the area generally.

The fixing of these structures on roofs and chimneys can also contribute to physical damage and possible loss of original fabric and detail.

The location and design of other site facilities such as fire safety systems, mail boxes, external storage facilities, clothes drying areas and laundry facilities can also have a detrimental impact on the appearance and character of the area and must be carefully considered.

Note: Solar energy systems such as photovoltaic electricity generating systems, solar hot water systems, or solar air heating systems are addressed in Chapter E6, Section 6.3 Solar energy systems.

### Objectives

O1 To retain the character of the original roofscape of Paddington.

O2 To protect the original fabric and details of roofs and chimneys.

O3 To ensure that satellite dishes, air handling systems, external hot water heaters, air conditioning units, aerials, fire safety systems and other site facilities do not detrimentally impact on the character and significance of individual buildings and the streetscape.

O4 To minimise visual and acoustic impacts on adjoining properties.

### Controls

*Satellite dishes, aerials and similar devices*

C1 Satellite dishes, aerials and other similar devices:

a) are to be designed and scaled to minimise their visual impact and impact on the amenity of adjoining properties;

b) must not be located on any part of a roof or chimney which is visible from the street frontage or the public domain; and

c) must not have a detrimental impact on the architectural style or significance of the building to which they are attached.

*Air conditioning units, condensers and other mechanical plant equipment*

C2 Air conditioning units, condensers and other mechanical plant equipment in infill development or substantial additions must be located internally within the building.

C3 Any part of an air conditioning unit, condenser and any other mechanical plant equipment located externally must be located:

d) behind the outer front wall of the building and not be visible from the public domain;

e) less than 1.8m above existing ground level or a basement level or part underground level (but not on a roof); and

f) to minimise noise impacts on adjoining properties.

C4 Air conditioning units, condensers and other mechanical plant equipment must be wholly contained within the permissible building envelope and not be visible from an adjoining property whilst being suitably located, designed, sized, enclosed, concealed, screened and/or otherwise integrated with the building.

C5 External conduits must not exceed 3m in length and must not be visible from the public domain.

C6 Condensers, units and conduits must not have a detrimental impact on the architectural style or significance of the building to which they are attached.

*Internal air conditioning systems and packaged air conditioning systems*

C7 Any associated wall opening must be:

a) behind the front setback and not be visible from the public domain; and

ll) no higher than 600mm above the ground level abutting the wall containing the new opening.

*Fire safety systems*

C8 Hydraulic fire services such as fire hydrants and booster installations must be concealed. These services are to be:

a) enclosed with doors if located in the building façade, or

b) housed in a cabinet or enclosure if located external to the building.

The location, design, colour and material of the doors, cabinet or enclosure must be visually unobtrusive and suitably integrated with the development, including fencing and landscaping.

*Electricity substations*

C9 An electrical substation is to be suitably located, screened and/or concealed so it is not visible from the street, or any other adjoining public place. Council's preference is for a chamber substation. Any screening or enclosure to conceal the substation is to be visually unobtrusive and suitably integrated with the development, including the fencing and landscape design.

C10 The substation is to be located away from neighbouring properties or sufficiently screened from neighbouring properties.

C11 The location and design of the electricity substation must be considered and integrated with the landscaping of the proposed development, and must ensure that:

a) Vegetation does not overhang or encroach within the substation site.

b) The substation is installed outside of the mature growth root zone of any trees to be retained, or proposed to planted, to prevent roots damage to underground cables.

C12 The design and location of all other aboveground utility infrastructure (such as electrical pillars etc.) should minimise visual clutter within the streetscape and provide for a continuous accessible path of travel, where practical to ensure safe and equitable pedestrian circulation for people of all abilities. (Where this provision and Ausgrid's requirements cannot both be satisfied, the applicant is to develop in consultation with Council and Ausgrid a solution that meets the acceptance of both consent authorities.)

Notes:

- At the DA stage the applicant should demonstrate that they have engaged with Ausgrid and have a network capacity assessment undertaken for the proposed development.
- Where a substation is required, the substation should be identified on the DA plans and addressed in the *SEPP 65 Design Verification Statement* (also see Apartment Design Guide Objective 3C-2 Amenity of the public domain is retained and enhanced)
- The DCP requirements for substations apply in addition to the Ausgrid Network Standards, such as *NS113 Site selection and construction design requirements for chamber substations*. Separate Ausgrid approval for the substation will be required.
- A dedicated access way/easement through the site to the substation will also need to be provided in accordance with the requirements of Ausgrid and Council.

*Other Site facilities*

C13 Site facilities, including mail boxes, external storage facilities, clothes drying areas and laundry facilities, must be unobtrusively integrated into new development.

Note: Information relating to specific requirements for garbage and recycling is in Part E of this DCP, Chapter E5 Waste Management and in Council's DA Guide.

## C1.6 Public domain

The public domain describes those areas of land owned and/or managed by Council or other public authorities. The public domain includes roadways, gutters, kerbs, footpaths, street name inlays, retaining walls, landscaped verges and reserves, natural landforms and other elements located beyond private property boundaries.

Historically, the streetscapes of Paddington were characterised by a restricted use of materials, including paving, kerbing, street trees and street furniture. The simplicity of this palette allowed the built form to dominate, with embellishment being restricted to the often intricate detailing within the architecture.

The public domain plays a significant role in determining the overall character of the HCA. In addition to the following provisions, the general development objectives and controls in Section C1.4 also apply within the public domain.

### C1.6.1 Kerbs and gutters

The texture and colour provided by the sandstone kerbs and gutters in Paddington is an important characteristic of many streets and further defines the simplicity of the street geometry. Sandstone kerbs and gutters were deliberately introduced by the Paddington Council after 1871 as part of a works program aimed at improving the standard of public roads. These features therefore have historical and social significance as well as aesthetic significance.

#### Objectives

O1 To retain the original sandstone kerbs and gutters.

O2 To limit the range of materials used in kerbs and gutters to sandstone and concrete.

O3 To ensure a homogeneity of colour and texture in materials when introducing or replacing kerbs and gutters.

O4 To replace existing sandstone kerbs at the end of their useful life with new sandstone kerbs.

O5 To re-establish sandstone kerbs and gutters where possible.

#### Controls

C1 All original sandstone kerbs and gutters should be retained and, where possible, reinstated. If sandstone kerbs and gutters are required to be removed (for example in instances of new crossovers) they should be stockpiled for reuse in new works.

C2 Where new sandstone kerbing is used it should be detailed to match the existing kerbing.

C3 Where concrete kerbs are to be used, preference should be for precast segmental elements.

C4 Damaged original sandstone kerbs and gutters should be restored where possible or replaced with new sandstone kerbs and gutters.

C5 Vehicle crossings and chicanes are discouraged as they interrupt the original line of the streets and sandstone kerbing.

C6 Maintain the line of kerbs parallel to the building line to preserve the character of the streets.

C7 Where footpaths are widened, original sandstone kerbs should be left in their original position so that the earlier street form can be understood.

C8 The profile of all new kerbs should reflect the traditional kerb detail.

## C1.6.2 Views and vistas

Paddington is characterised by panoramic views and closed vistas. Panoramic views result from the suburb's dramatic topography and position in relation to the harbour and City skyline.

The closed vistas are created by the street configuration which is strongly defined by the terraces with their zero setbacks from street and lane junctions.

The skylines along the southern and eastern edge of the heritage conservation area are formed by the profile of buildings on the Oxford Street and Jersey Road ridges. Landmarks do not feature on the horizon with notable exceptions such as the Royal Hospital for Women chimney and occasional contemporary multi-storey buildings.

Downhill panoramic views from points west of Cascade Street can extend as far as the Harbour especially from elevated viewpoints. Views of the harbour do not occur from points below the level of the Scottish Hospital or from east of Cascade Street.

Views of the City skyline and especially known landmarks such as Centrepoint Tower can be seen from many of the streets with east-west and north-west orientation. Views towards Paddington from New South Head Road and from the ridge along Jersey Road are panoramic and reveal the close-textured fabric of Paddington.

Closed vistas are characterised by the stepped alignments of terrace houses following a change in street direction or up a slope and punctuated by gable walls and corner shops on corners. The closed vista skyline is notable for the fine serrated profile of gabled parapet walls and chimney stacks.

### Objectives

O1 To retain existing vistas and create opportunities for new views where possible.

O2 To ensure street tree planting enhances views both to and from Paddington.

### Controls

C1 New development and street tree planting should respect existing view corridors.

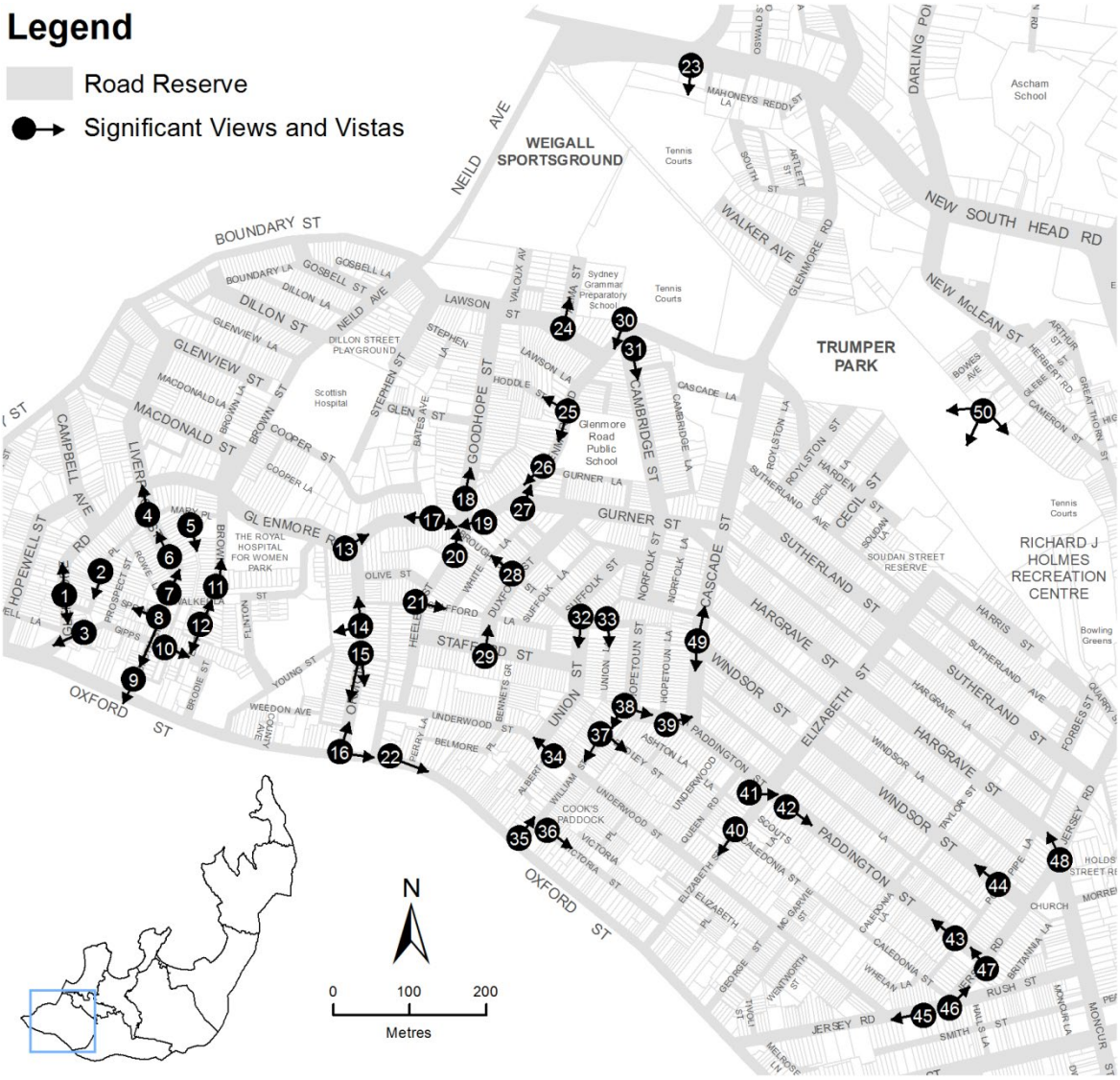
C2 New development in the public and private domain should be designed and located to minimise the impact on existing vistas or improve existing vistas where possible.

C3 Removal of trees and demolition of contributory buildings, in whole or part, for the sole reason of creating or improving views and vistas will not be supported.

## Significant views and vistas

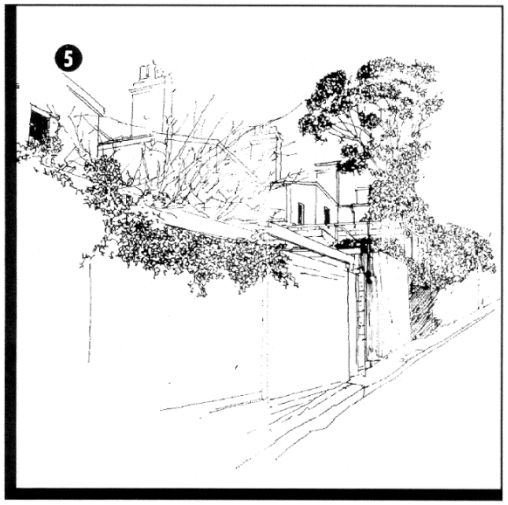
### MAP 2 Significant views and vistas

Note: The following diagrams show a selection of significant views and vistas.
These diagrams are not intended to represent all the significant views and vistas.



## Significant views and vistas

1 (a) Glenmore Road - View north from Mary Place
(b) Glenmore Road - View south to Gipps St corner
2 Mary Place - View south
3 Gipps St - View to Oxford St from Bethel Lane
4 Liverpool St - View north from Mary Place
5 Laneway west of Brown St - View from Mary Place
6 Liverpool St - View north
7 Liverpool St - View north from Rowe Lane
8 (a) Spring St - View from Shadforth St to Prospect St
(b) Shadforth St - View to Oxford St from Spring St
9 Shadforth St - View to Oxford St from Gipps St
10 Gipps St - View east from MacLaughlin Pl
11 Brown St - View north from Walker Lane
12 (a) Elfred St - View from Walker Lane to the south
(b) Elfred St - View north
13 Glenmore Rd - View east from Ormond St
14 (a) Ormond St - View north
(b) Ormond St - View to the front wall of Engehurst
15 (a) Ormond St - View south-east
(b) Ormond St - View south
16 (a) Oxford St - Looking west from Ormond St
(b) Ormond St - View from Oxford St
17 (a) Glenmore Rd - View west from Five Ways
(b) Five Ways - Looking east from Glenmore Rd
18 Goodhope St - View north from Five Ways
19 Five Ways - View west along Glenmore Rd
20 Five Ways - View north from the corner of Heeley St
21 Olive St - View from Heeley St
22 Oxford St - Looking west from Underwood St
23 Paddington from New South Head Rd
24 Alma St - View from Lawson St
25 (a) Hoddle St - View west from Glenmore Rd
(b) Glenmore Rd - Looking south from Hoddle St
26 Glenmore Rd - Looking south to the corner of Gurner St and Five Ways
27 Corner Glenmore and Gurner Rds - Looking north
28 Broughton St - View to Five Ways
29 Stafford St - View from Duxford St
30 Corner of Glenmore Rd and Cambridge St
31 Cambridge St - View from Glenmore Rd
32 Union St - View from Broughton St
33 Union Lane - View from Broughton St
34 Underwood St - View from William St
35 William St - View north from Victoria St
36 Victoria St - View to Elizabeth St
37 (a) William St - View from Duxford St looking south
(b) Dudley St - View from William St
38 (a) William St - View south from Paddington St
(b) Paddington St - View from William St
39 Cnr Paddington St and Cascade St - View east from Paddington St
40 Elizabeth St - View south from Caledonia St
41 Paddington St - Close view from Elizabeth St
42 Paddington St - Looking east from Elizabeth St
43 Paddington St - View east from Jersey Rd
44 Windsor St - View west from Point Piper Lane
45 Jersey Rd - Looking south from Underwood St
46 Jersey Rd - View north from Rush St
47 Cnr Paddington and Jersey Rds
48 Cnr Jersey Rd and Hargrave St
49 (a) Cascade St - View north from Windsor St
(b) Cascade St - View south form Windsor Lane
50 Trumper Park - Panoramic view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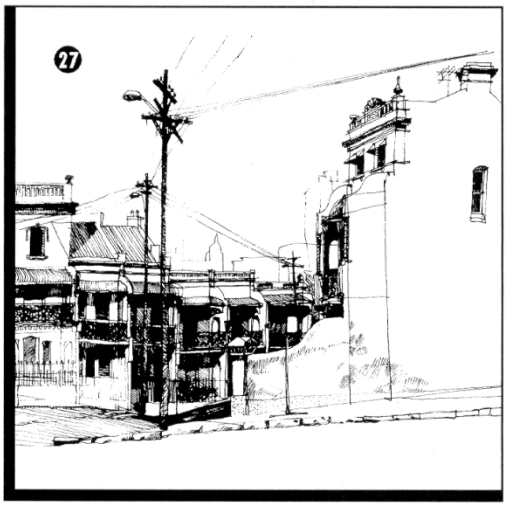
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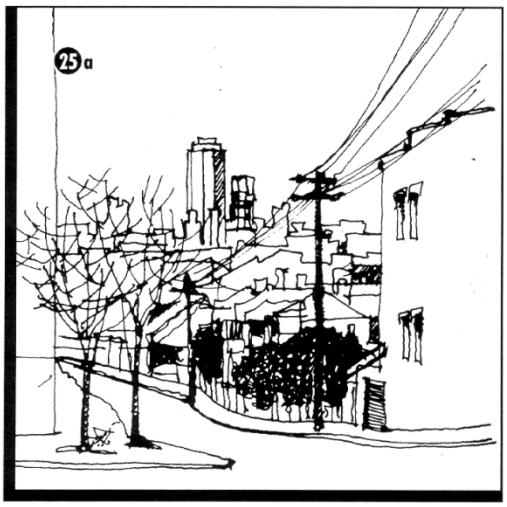
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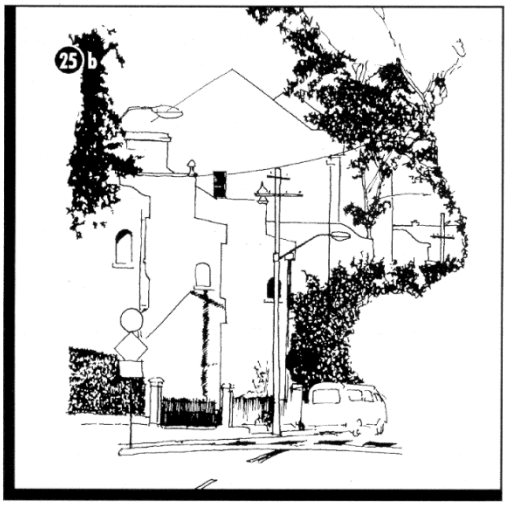
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38a

## C1.6.3 Public art

Paddington has a special cultural, social and educational value associated with the 1950s Bohemian movement and a number of outstanding Australian 20th century artists. The large number of art galleries and resident artists in the suburb are symbolic of Paddington's importance to the art world.

This cultural component of Paddington can be expressed through the incorporation of art works within its public domain.

Although the built form of Paddington maintains a remarkable uniformity, there is a wealth of incidental decoration within the articulation of the buildings. The detailing within a row of terraces was typically the work of a single builder, and as such, this handiwork now stands as a signature of that builder. Similarly, there is a richness of individual expression within the built form of Paddington that could be replicated within public spaces.

Note: Provision of public art is subject to Council's Public Art Policy.

### Objectives

O1 To enrich and enliven the experiential quality of the public domain through the provision of high quality works of contemporary art.

O2 To provide opportunities for professional artists and the community to develop and manifest skills and capabilities.

O3 To reinforce the unique qualities of Paddington through the provision of site-specific art work.

### Controls

C1 Selection of artworks should favour innovation and diversity.

C2 Opportunities to showcase art by young designers may appear in places where transient displays are appropriate.

C3 Artwork should have resonance and meaning to the community of Paddington.

C4 Proposals should be low maintenance and vandal resistant.

## Appendix 1: Orientation of lots in the Paddington HCA

Note: This map is indicative only.

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Part D ▸ Business Centres

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015

# Chapter D1
# Neighbourhood Centres

Part D ▸ Business Centres

CHAPTER D1 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

~~Last amended on 22 December 2023~~

Last amended on TBC

# Chapter D1 Neighbourhood Centres

## Contents

# D1.1 Introduction

This is Chapter D1 of the Woollahra Development Control Plan 2015 (DCP), Part D Business Centres.

This chapter contains controls for nine centres, zoned ~~B1 Neighbourhood~~ E1 Local Centre under Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014).

This chapter seeks to ensure that development has regard to its context and is compatible with the desired future character of each centre as described in this chapter.

## D1.1.1 Land where this chapter applies

This chapter applies to the following centres, as identified on Map A (see next page):

- Hopetoun Avenue, Vaucluse
- South Head Roundabout, Vaucluse
- Vaucluse Shopping Village, Vaucluse
- Plumer Road, Rose Bay
- O'Sullivan Road, Rose Bay
- Streatfield Road, Bellevue Hill
- Bellevue Hill Shops, Bellevue Hill
- Manning Road, Woollahra
- Darling Point Road, Darling Point.

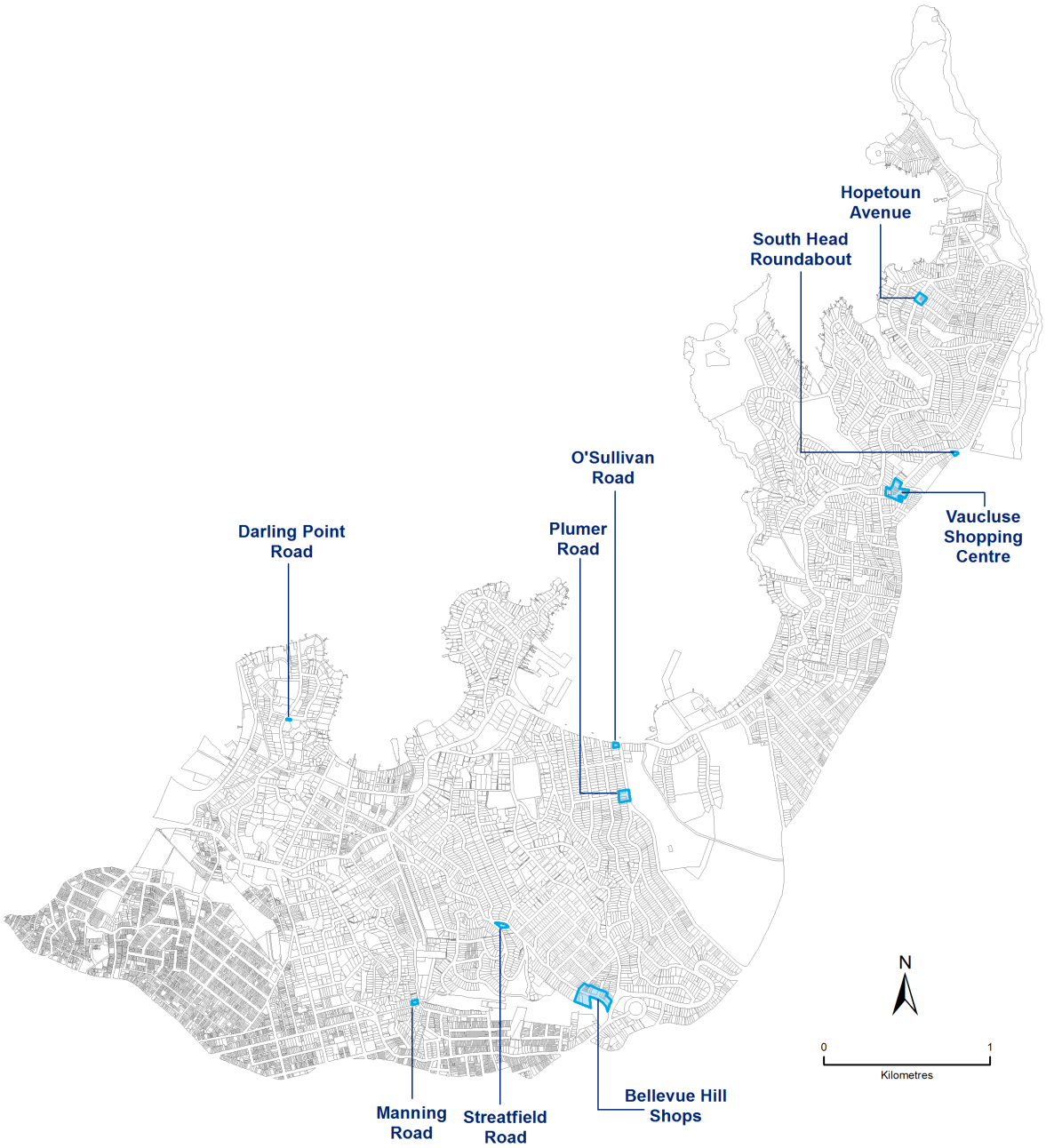
## D1.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

A key objective of the ~~B1~~ E1 zone is to provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

The ~~B1~~ E1 zone permits a limited range of retail premises including shops, restaurants and cafes, take-away food and drink premises; the zone also permits business premises, office premises, community facilities and shop top housing. (Refer to Woollahra LEP 2014 for all the types of development permitted in the zone.)

## MAP A Land where Chapter D1 applies



## D1.1.3 Objectives

The objectives of this chapter are:

O1 To support the long term retail health of the neighbourhood centres.

O2 To facilitate development in a way that reflects desired future character objectives for each centre.

O3 To preserve the small shop character of each centre.

O4 To ensure a high standard of architectural and landscape design.

O5 To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street.

O6 To ensure that the design and siting of development is compatible with the surrounding built form.

O7 To encourage active ground floor uses that contribute to the vitality of the centre.

O8 To encourage a complementary mix of small scale retail, business, office and residential uses compatible with the desired future character of the centre.

O9 To facilitate people living in mixed use developments in the centres, and provide for good residential amenity.

O10 To provide a range and mix of dwellings that are compatible with shops and/or business and office uses.

O11 To minimise adverse impacts of development on the amenity of adjoining and neighbouring properties.

O12 To retain significant views and vistas.

O13 To improve the amenity of public domain and pedestrian safety.

## D1.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- Part D: Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.
- Part E: General Controls for All Development – this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- Part F: Land Use Specific Controls – this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

## D1.1.5 How to use this chapter

The primary controls for the neighbourhood centres are contained in two chapters:

- Chapter D1 Neighbourhood Centres; and
- Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

### Chapter D1 Neighbourhood Centres

Each section in this chapter represents an individual centre. Applicants need only refer to the particular centre that is relevant to their site.

The controls for each centre comprise the following elements:

- map showing the extent of the centre;
- centre character statement, providing a brief description of the centre;
- desired future character, establishing the direction and outcomes to be achieved through development in the centre; and
- table of objectives and controls relating to uses, built form, amenity, the public domain etc. The controls represent specific ways in which a development proposal can meet the objectives. A street section diagram is also provided for some centres to illustrate certain controls.

The objectives and controls in this chapter are to be read in conjunction with the controls in Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

### Chapter D3 General Controls for Neighbourhood and Mixed Use Centres

The general controls apply to all ~~B1~~ E1 zoned land addressed in Chapter B1, regardless of the centre in which the land is located.

Development is required to fulfil the relevant requirements of all general controls. Unless otherwise indicated, where there is a disparity between the objectives and controls in Chapters D1 and D3, the centre specific objectives and controls in this chapter take precedence over the general controls.

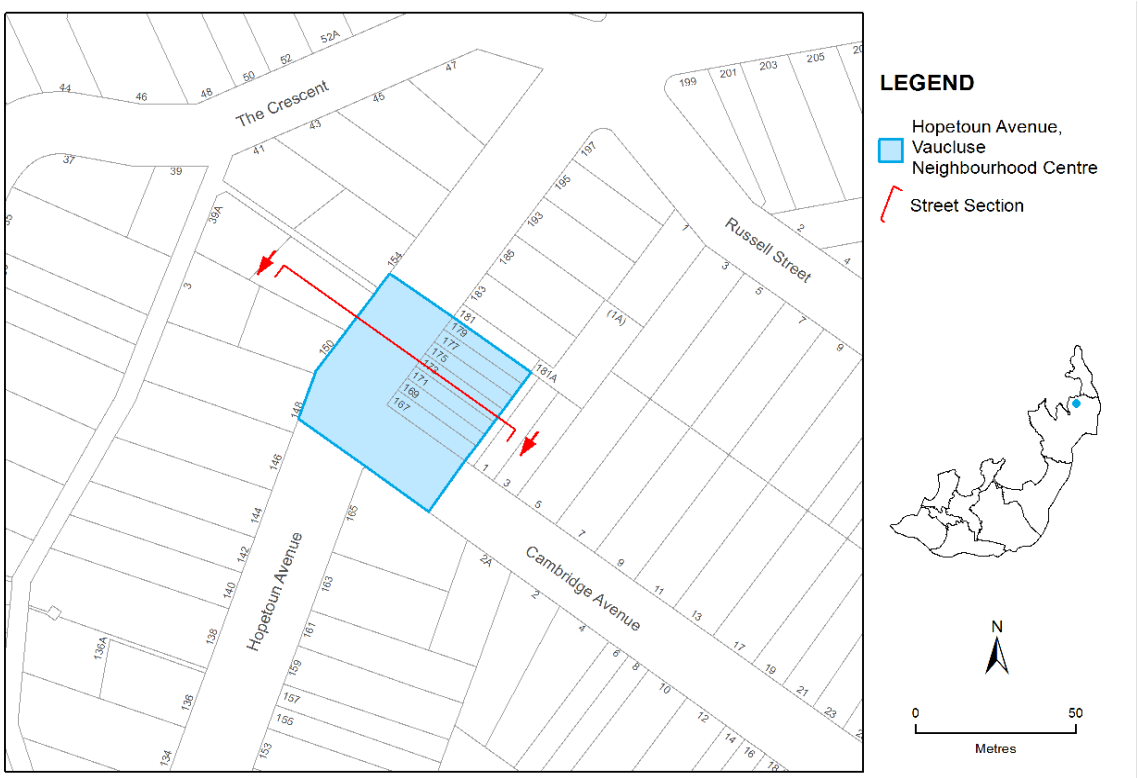
Applicants need to demonstrate how their development fulfils the relevant objectives and preserves or enhances the important character elements for the centre, having particular regard to:

- surrounding building height, bulk and scale;
- any predominant architectural styles, roof forms, materials and colours;
- prevailing building lines;
- existing and proposed uses;
- landscape and vegetation features;
- topography;
- view corridors;

- pedestrian access and amenity;
- cumulative traffic and parking impacts;
- interface between the private and public domain; and
- adjacent residential areas and heritage conservation areas.

# D1.2 Hopetoun Avenue, Vaucluse

**MAP 1** Hopetoun Avenue centre map




## D1.2.1 Centre character statement

The Hopetoun Avenue neighbourhood centre is located on an elevated slope on Hopetoun Avenue, at the corner of Cambridge Street Vaucluse; it is within a kilometre of Watsons Bay.

This is a relatively small centre, comprising a row of seven shop top premises, including a neighbourhood shop. Other businesses currently located in the centre are a pool shop and food catering business. Some of the ground floor shopfronts do not provide active uses, and one of these appears to contain a residential use. These inactive shopfronts detract from the role of the centre, its vitality and amenity.

### Historical development of the area

Land in and near the centre was subdivided in the early 1900s. Access to Vaucluse was by ferry landing at nearby Parsley Bay or near Gibson Reserve. Larger waterfront blocks were released and built upon first. Substantial housing development followed in the 1920s and 1930s, whilst Vaucluse Council resisted residential flat building in the municipality. The nearby Vaucluse Primary School opened in 1925.

### Built form

The centre comprises two groups of buildings at 167-171and 173-179 Hopetoun Avenue. These are a short row of Inter-war two storey shop top housing with some recent three storey additions. The shop top buildings are all built to the street alignment with continuous awnings and parapets. The building stock around the centre is represented by larger detached residential dwellings of generally high quality and set in generous gardens.

### Public parks and community facilities

Gibson Park, Parsley Bay Reserve and Vaucluse Public School are located close to the centre.

### Public domain

The asphalt footpath and minimal street furniture provide a basic standard of pedestrian amenity.

### Access and circulation

The centre is on the Watsons Bay bus route, although most shoppers would use car transport or arrive on foot from nearby residences. On street parking is adequate for the low levels of retail activity.

### Views and aspect

The centre enjoys a pleasant elevated north-westerly aspect. The church steeple of Our Lady Star of the Sea on New South Head Road at Watsons Bay may be seen when looking north-east from the upper levels of the shop top housing in the centre.

## Hopetoun Avenue

## D1.2.2 Desired future character

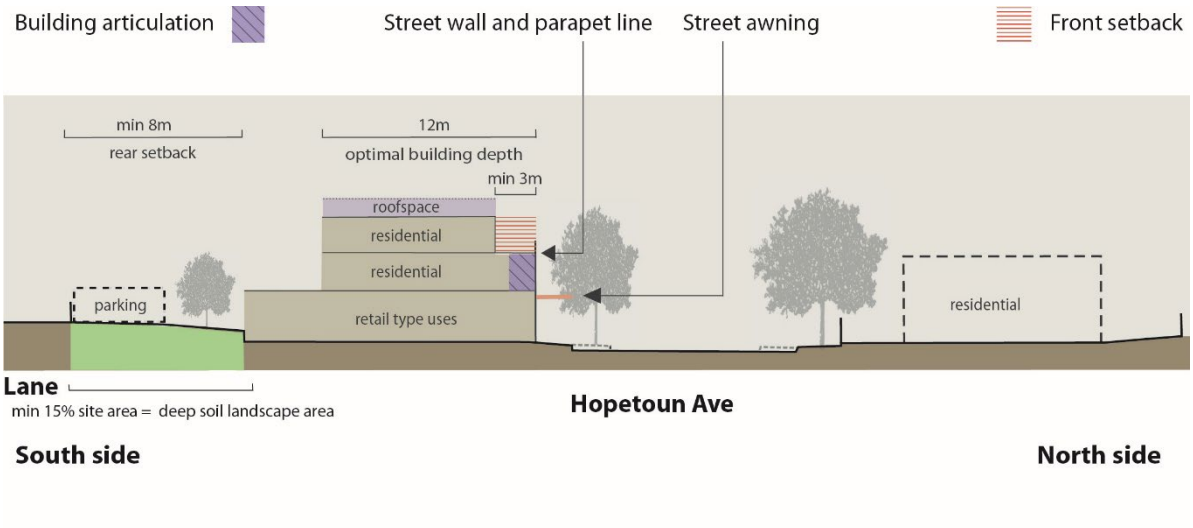
The Hopetoun Avenue neighbourhood centre is a small centre located within a continuous row of shop top housing. The Inter-war buildings 167-171 and 173-179 Hopetoun Avenue make an attractive contribution to the streetscape, exhibiting a cohesive street wall, strong character elements, and establishing the scale and character of the centre. Redevelopment within the centre should protect the fabric and character of these buildings.

The centre is located within an established residential area and there is great potential for the centre to become more of a community hub. The ground floor uses are to establish active frontages with small scale shops and services, particularly those that provide for the daily convenience needs of surrounding residents, such as a cafe, bakery and grocers. Residential uses will occur on the upper levels.

## D1.2.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

**FIGURE 1** Hopetoun Avenue street section

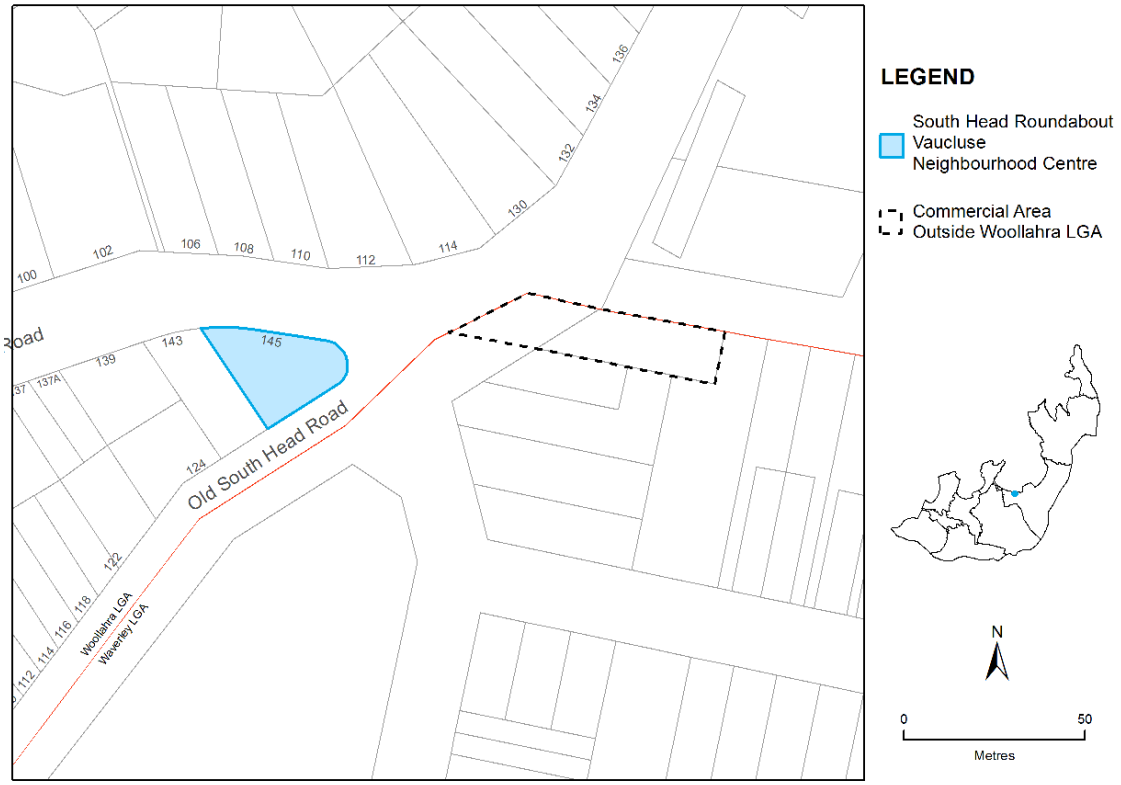


| Objectives | | Controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | Development supports the adaptive re-use of existing shop top units. |
| | | C2 | The ground level contains active uses, preferably shops, and cafés including outdoor dining, that meet the daily convenience needs of the local community. |
| | | C3 | Residential uses located above street level in the form of shop top housing. |
| O2 | To protect the fabric and character of the existing Inter-war shop top buildings. | C4 | Development does not include infill of original verandahs. |
| | | C5 | Development includes a continuous solid suspended awning over the public footpath and along the return into Cambridge Street. |
| O3 | To retain a coherent streetscape with a consistent street wall and parapet line. | C6 | Development is a maximum of three storeys. |
| | | C7 | Development retains two storeys built to the street alignment, as well as the continuous parapet line. |
| | | C8 | Development on the third level is setback from the street boundary as shown. |
| | | C9 | Development does not include vehicular access off Hopetoun Avenue. |
| O4 | To encourage good building design and limit building bulk. | C10 | Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets. |

| Objectives | | Controls | |
|---|---|---|---|
| O5 | To provide for the amenity of occupants and adjoining properties. | C11 | The building depth for storeys above the ground floor level is generally not more than 12m. |
| | | C12 | The building is setback from the rear boundary by at least 8m. |
| | | C13 | At least 15% of the site is provided as deep soil landscaped area. |
| O6 | To improve the pedestrian environment. | C14 | Development includes advanced tree planting as a formal row of shade trees. |
| O7 | To encourage footpath dining in areas with good solar access. | C15 | Footpath dining areas receive a minimum 2 hours solar access each day. |

# D1.3 South Head Roundabout, Vaucluse

**MAP 2** South Head Roundabout centre map




## D1.3.1 Centre character statement

South Head Roundabout shops are located on New South Head Road at the junction with Old South Head Road. These shops are located in an Inter-war building which provides a significant landmark at this broad open intersection. The centre provides a small selection of specialty shops and personal services, such as a hair dresser, clothes alterations, art gallery, homewares shop and fitness studio. Residential uses occur on the upper level.

This centre is located across the road from a small group of two shopfronts currently used as a café and bakery, located in the Waverley Council area. The connections and relationship between these centres are compromised by the relatively busy roundabout at the intersection New South Head Road and Old South Head Road.

### Historical development of the area

New South Head Road was constructed as a link to Watsons Bay during the 1830s. The South Head Cemetery was dedicated in 1845. Land in and near the centre was subdivided in the early 1900s at the same time as a tramline along New South Head Road was introduced. However, substantial housing development did not proceed until the 1920s and 1930s. Vaucluse Council resisted residential flat building in the municipality, but there were some Inter-war flat buildings built on New South Head Road near the centre. Vaucluse High School adjacent to the centre opened in 1960, the same year that the tram service ceased.

### Built form

This neighbourhood centre is contained in a single well conserved Inter-war building that includes a sympathetic third floor addition for residential use. The building addresses the corner at the roundabout and New South Head Road, and has a continuous parapet line and a series of canvas awnings. Across the roundabout in the Waverley Municipality is a mix of 20th century architecture of varying quality and scale, and a recent five storey residential flat building facing Christison Park.

### Public parks and community facilities

Christison Park and the South Head Cemetery are both within 100m of the site. Christison Park offers recreational opportunities in proximity to the neighbourhood centre.

### Public domain

The standard asphalt footpath pavement and the exposed corner situation on the roundabout afford little pedestrian amenity.

### Access and circulation

The centre is well located on bus routes operating on both New South Head Road and Old South Head Road. It is accessible by car and provides a limited number of off-street car parking spaces. The speed and volume of vehicles moving through the roundabout compromise pedestrian amenity and safety.

### Views and aspect

To the north-east, beyond the roundabout, the centre has a distant outlook to Christison Park. To the north, harbour views are afforded from the upper storeys of the Inter-war building.

### New South Head Road and Old South Head Road

## D1.3.2 Desired future character

The South Head Roundabout neighbourhood centre will continue to be a relatively small centre that provides a range of specialty shops and personal services that service the local community, and supplement the nearby Vaucluse village which provides a greater range of local convenience shops and services. Office and residential uses will occur on the upper levels.

This neighbourhood centre is located in an Inter-war building which provides a strong and visually attractive landmark at this major intersection of New South Head Road and Old South Head Road. The building is a good intact example of the ocean liner style and it is important that the building and key elements, such as the continuous parapet line, stay intact. Although the original face brickwork has been painted and the original awning has been removed, the consistent canvas awnings and under-awning signage make a positive contribution to the streetscape and this visual unity should be retained.

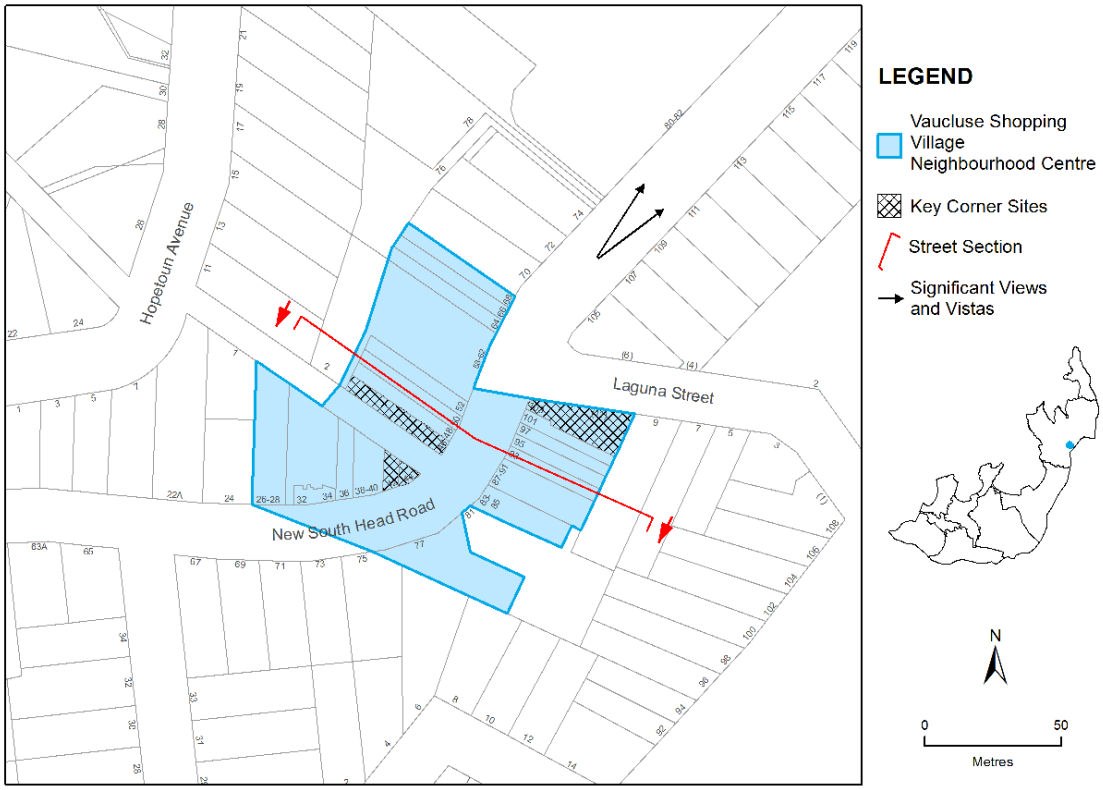
At the street level, large glass shop frontages provide great opportunity for interesting and attractive shopfront displays that contribute to the amenity of the pedestrian environment; the surface area of these windows should generally remain transparent to provide for permeability into shopfronts and promote active street frontages.

## D1.3.3 Objectives and controls

| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | Development supports adaptive re-use of existing retail units. |
| | | C2 | The ground level contains active uses, preferably a range of local and speciality shops and business premises that meet the needs of the local community. |
| | | C3 | The upper levels generally contain office uses, and/or residential uses. |
| O2 | To protect the fabric and character of the existing Inter-war building. | C4 | Development is sympathetic to the existing character and fabric of the Inter-war building. |
| | | C5 | Development retains a coherent streetscape with a consistent street wall and parapet line. |
| | | C6 | Development is a maximum of three storeys. |
| | | C7 | Development reinstates a fixed stepped awning, on its original alignment, to the building façade. The colour and materials of the awning respect the architecture and character of the building. |
| O3 | To improve the pedestrian environment and connections to commercial activity on the eastern side of the roundabout. | C8 | Development improves the existing landscape treatment and includes streetscape improvements. |

# D1.4 Vaucluse Shopping Village, Vaucluse

**MAP 3** Vaucluse Shopping Village centre map




## D1.4.1 Centre character statement

Vaucluse Shopping Village is located on the ridgeline on a curved section of New South Head Road. It provides a good mix of local convenience retailing and services, including a post office, newsagent, fruit and vegetable grocer, butcher, cafes, bottle shop and florist.

The centre is characterised by two storey shop top housing, with some recent three storey infill development on the western side.

### Historical development of the area

New South Head Road was constructed as a link to Watsons Bay during the 1830s. In 1880 the Shaftesbury Institute was opened on land currently occupied by Samuel Park and the site known as the former Vaucluse High School. The Shaftesbury Institute operated as a girls' reformatory and then was used an institution for non-criminal men in 1915.

Land in and near the centre was subdivided in the early 1900s and at the same time the tram line along New South Head Road was introduced. However, substantial housing development did not occur until the 1920s and 1930s.

In 1930 three acres of land from the Shaftsbury Institute grounds was dedicated to Council for public recreation purposes and named "Samuel Park".

Although Vaucluse Council resisted residential flat building in the municipality, some Inter-war flat buildings were built on New South Head Road near the centre. In 1960, the Vaucluse High School opened. In that same year the tram service ceased.

### Built form

The building stock in and around the centre includes 20th century architecture of varying quality.

The built form generally consists of:

- shop top housing in the form of predominantly two storey Inter-war buildings interspersed with more contemporary buildings;
- two and three storey mixed use developments at the north-eastern and south-western end of the centre; and
- a two storey mixed use building on the corner of New South Head Road and Laguna Street.

The buildings generally address the street, provide continuous awnings, and have parapet or hipped rooflines.

### Public parks and community facilities

Samuel Park, which also includes the Vaucluse Bowling Club, is located close to the centre.

### Public domain

The centre provides a relatively good standard of pedestrian amenity, and fairly consistent footpath treatment, street furniture and planting.

### Access and circulation

The centre is on the Watsons Bay bus route. However, most shoppers access the centre by car and are reliant on car transport and turnover of on-street car parking spaces. Pedestrian safety is somewhat compromised by the restricted sightlines on New South Head Road.

### Views and aspect

The north-eastern end of the shopping centre has views towards the Vaucluse Bowling Club and Samuel Park.

### New South Head Road and Laguna Avenue

## D1.4.2 Desired future character

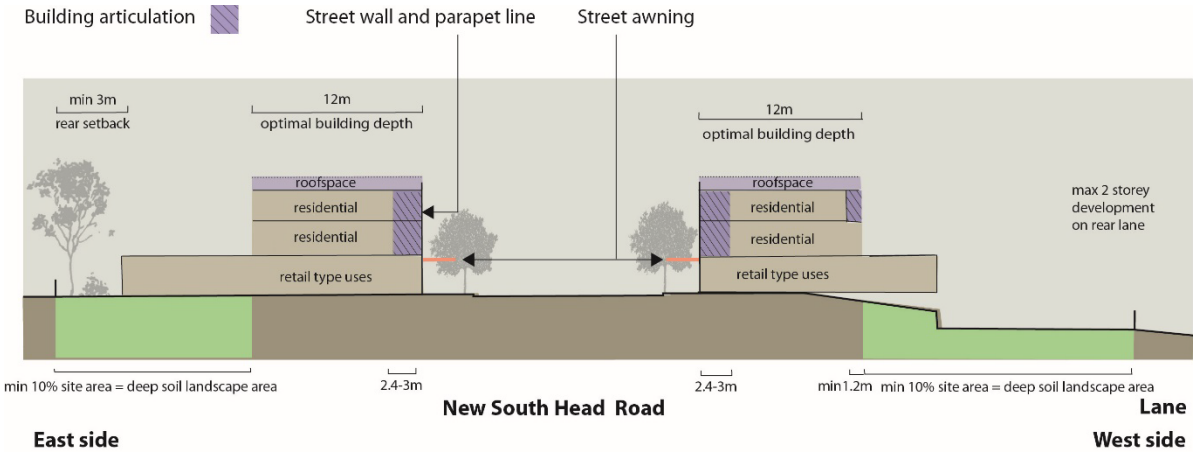
The Vaucluse neighbourhood centre is a lively village that provides for the daily convenience needs of the local community. It is expected that this role will continue and strengthen. Higher order retailing, such as banking and weekly shopping, will be provided at larger centres such as the Rose Bay local centre.

The redevelopment of the former Vaucluse High School site for seniors living will increase the residential population within walking distance of the centre and increase the demand for daily goods and personal services. Possible redevelopment on the carwash site for mixed use development will also provide for a small extension of the centre along the eastern side. New and infill development will reinforce the village feel of the centre, providing well designed buildings that reflect the scale and rhythm of the existing built form and shopfronts.

## D1.4.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

## FIGURE 2 Vaucluse Village street section




Note: Street section does not apply to 26-36 New South Head Road

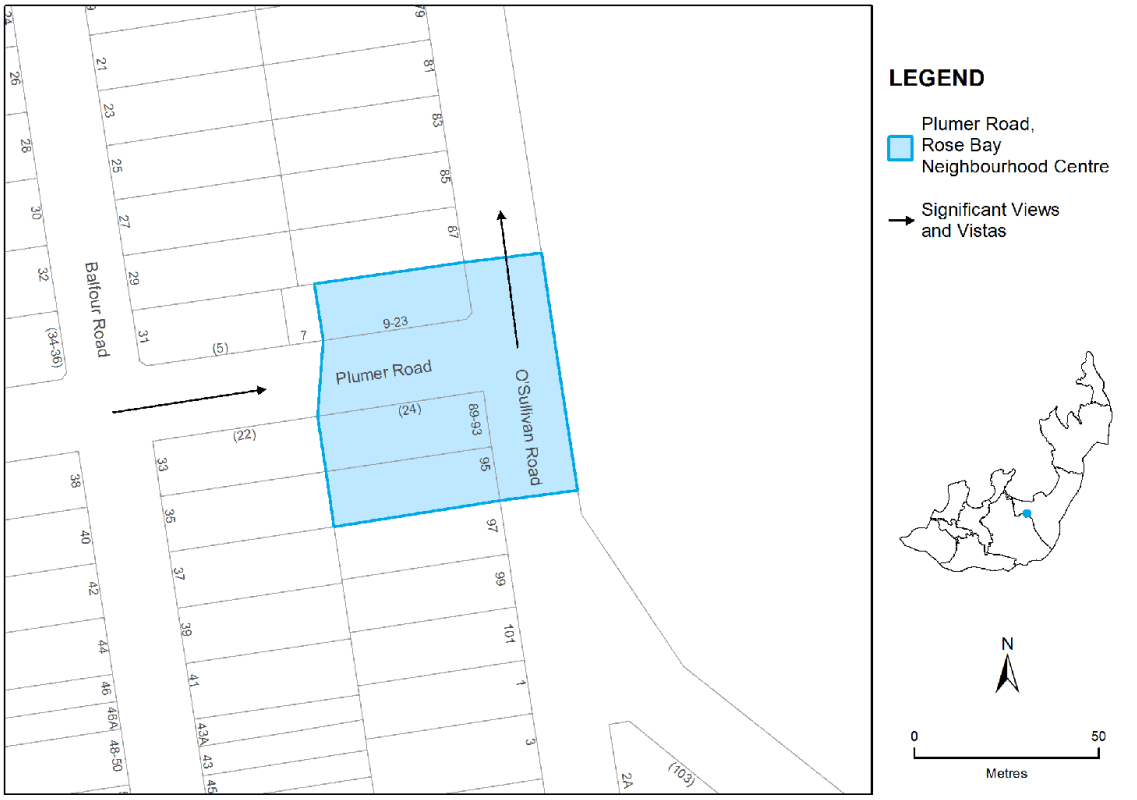
| Objectives | Local controls |
|---|---|
| O1 To provide uses that are consistent with the desired future character of the centre. | C1 Development supports adaptive re-use of existing retail units.<br>C2 The ground level contains active uses, preferably local and speciality shops, business premises and cafes and restaurants that meet the needs of the local community.<br>C3 Residential uses located above street level in the form of shop top housing. |
| O2 To develop a coherent streetscape with a consistent street wall.<br>O3 To ensure consistency of built form and presentation to the street. | C4 Development is a maximum of three storeys at the New South Head Road frontage.<br>C5 For properties 26-36 New South Head Road, development provides:<br>a) two storey street wall built to the street alignment, with a continuous and consistent parapet line; and<br>b) an upper level setback of at least 1.2m for at least 80% of the frontage, where setback walls are aligned parallel to the street boundary.<br>C6 For all sites other than 26-36 New South Head Road, development provides a three |

| Objectives | | Local controls | |
|---|---|---|---|
| | | | storey street wall built to the street alignment, with a continuous and consistent parapet line above. |
| | | C7 | For development on the west side of the street, as identified in the street section diagram:<br>a) building form responds to the fall of the land; and<br>b) development is a maximum of two storeys to the rear lane. |
| | | C8 | Development includes a continuous solid suspended awning over the public footpath of New South Head Road and along the secondary frontage of corner sites. |
| | | C9 | Development does not include vehicular access off New South Head Road. |
| O4 | To define and reinforce the corner sites in the centre. | C10 | Development on corner sites provides three storeys built to the street alignment with a continuous and consistent parapet line above. |
| O5 | To encourage good building design and limit building bulk. | C11 | Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets. |
| | | C12 | At the street alignment, the depth of these balconies and loggia is between 2.4m to 3m. |

| Objectives | | Local controls | |
|---|---|---|---|
| O6 | To provide for the amenity of occupants and adjoining properties. | C13 | The building depth for storeys above the ground floor level is generally not more than 12m. |
| | | C14 | For development on the eastern side of New South Head Road, the building is setback from the rear boundary by at least 3m. |
| | | C15 | For development on the western side of New South Head Road, the building may be built to the rear lane. |
| | | C16 | At least 10% of the site is provided as deep soil landscaped area. |
| O7 | To increase tree planting in the public domain. | C17 | Development which includes public domain use, includes advanced tree planting in the footpath. |

# D1.5 Plumer Road, Rose Bay

**MAP 4** Plumer Road centre map




## D1.5.1 Centre character statement

The Plumer Road neighbourhood centre is a group of purpose built shops with residential uses above, located at the intersection of Plumer and O'Sullivan Roads opposite Woollahra Golf Club. This is a vibrant neighbourhood centre for the local community, providing a good range of convenience shops, including a local store, bakery, butcher and cafes.

The area has a flat topography and is characterised by mature fig trees along O'Sullivan Road. The centre is located within the Balfour Road Heritage Conservation Area, characterised by Inter-war flat buildings built between Powell Road, Salisbury Road, Plumer Road and O'Sullivan Road.

### Historical development of the area

Speculation to create an exclusive marine estate along the esplanade at Rose Bay was commenced in the 1830s, but apart from the 1835 construction of Rose Bay Lodge (in what is now Salisbury Road) the district remained substantially undeveloped throughout the 19th century. More intensive subdivision of the land surrounding Rose Bay Lodge commenced after the introduction of the Rose Bay tram service in 1903, but development in the area was slow.

The Plumer Road shops were part of the Beresford Estate and were subdivided from 1925 to1928 as business sites. Development of residential blocks occurred in the area from the early to mid-1920s. The Balfour Road Heritage Conservation Area represents the intensified residential development of Rose Bay during the Inter-war period.

### Built form

Like most buildings in the Balfour Road Heritage Conservation Area, the Plumer Road shops are two and three storey builder's blocks of flats (i.e. speculative, not architect designed) built in the 1920s and mid 1930s displaying distinctive architectural characteristics of the Inter-war Art Deco style.

The buildings form a highly distinctive collection of traditionally detailed retail building forms, dating back to the Inter-war period. Some of the important built form characteristics include continuous awnings and a hipped roof form, buildings built to the street alignment with large display windows on the ground floor, and windows and balconies overlooking the street.

### Heritage and contributory buildings

The centre is located within the Balfour Road Conservation Area. The shop top housing at Nos 89-93 O'Sullivan Road and 9-23 Plumer Road make an important contribution to the Balfour Road HCA as they form a gateway to the centre.

### Public parks and community facilities

Woollahra Golf Club is located immediately opposite the shops on O'Sullivan Road.

### Public domain

The centre has high visual amenity. The continuous awnings, common fascia signage and well maintained concrete footpaths and buildings provide good amenity for pedestrians. The fig tree planting on O'Sullivan Road provides a leafy backdrop to the centre. The setback area on O'Sullivan Road facilitates outdoor dining.

### Access and circulation

The centre is located close to the Bondi Junction to City bus route and routes on New South Head Road. However, most shoppers access the centre by foot or are reliant on car and a turnover of the on-street car parking spaces.

### Views and aspect

The centre enjoys views to Woollahra Golf Club, and from O'Sullivan Road there is a tree canopied vista to the harbour.

### Plumer Road and O'Sullivan Road


## D1.5.2 Desired future character

The Plumer Road neighbourhood centre will remain a small but lively village providing for the daily convenience shopping needs of the local community, and serving as a social hub for the community to meet and interact. Higher order retailing, such as banking and weekly shopping, will be provided at larger centres including the Rose Bay and Double Bay local centres.

The centre has a high aesthetic value, predominantly derived from the Inter-war shop top buildings. These contributory buildings should not be altered, and the consistent colour schemes applied to these buildings, awnings and signage are to be retained, as these provide a unifying theme throughout the centre and contribute to its visual amenity and character.

The existing development at 95 O'Sullivan Road detracts from the centre and any future redevelopment on this site should more suitably respond the character of the centre and the significance of the adjoining HCA.

## D1.5.3 Objectives and controls

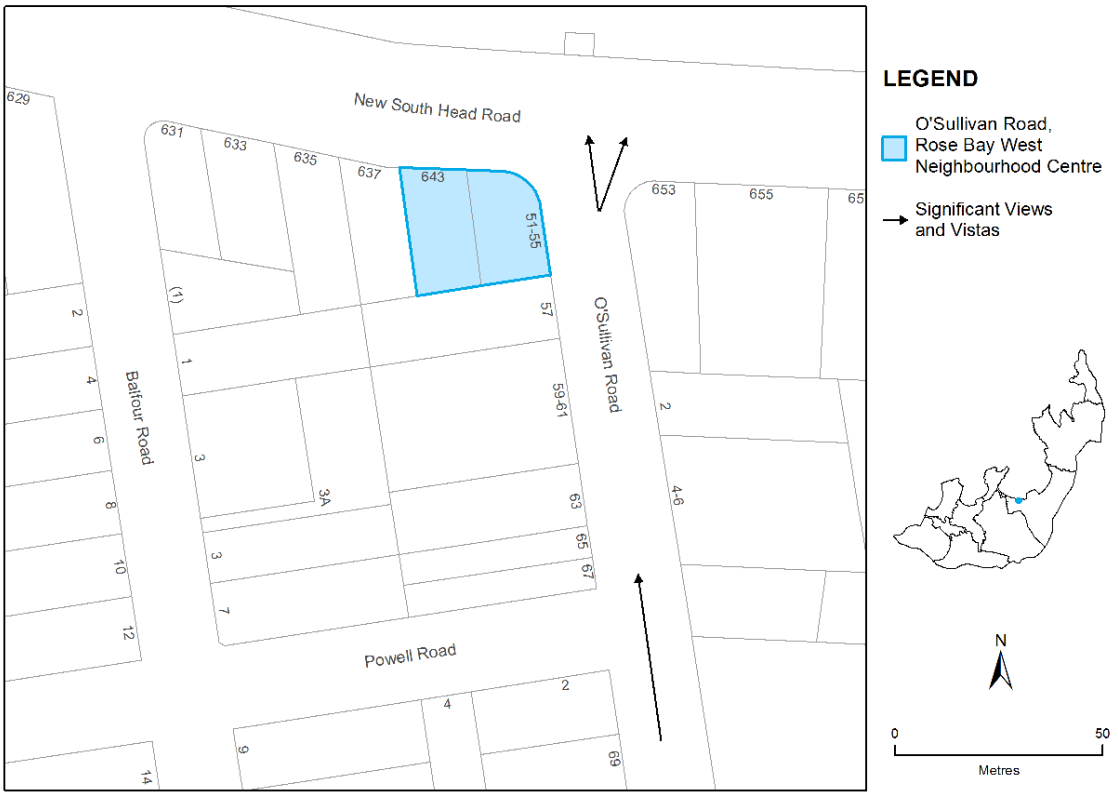
| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | Development supports the adaptive re-use of existing shop top units. |
| | | C2 | The ground level contains active uses, preferably local shops, cafes and restaurants that meet the needs of the local community. |
| | | C3 | Residential uses are located above street level in the form of shop top housing. |
| | | C4 | Development provides high amenity outdoor dining in the O'Sullivan Road setback area. |
| O2 | To maintain the existing built form so that the centre remains the "gateway" to the Balfour Road Centre Heritage Conservation Area. | C5 | Development at 89-93 O'Sullivan Road and 9-23 Plumer Road maintains existing building height, scale and form. |
| | | C6 | Parking is located at the rear of the building. No parking spaces or garages permitted in the front setback area. |
| | | C7 | Development maintains the existing building separation pattern to neighbouring residential lots by retaining the existing driveway crossovers on the edge of the centre. |
| O3 | To retain and enhance the contributory buildings and ensure these retain their streetscape context. | C8 | Development at 89-93 O'Sullivan Road and 9-23 Plumer Road maintains and retains the heritage significant fabric. |
| | | C9 | Development provides a continuous awning to the street frontage to match existing awnings at 89-93 O'Sullivan Road and 9-23 Plumer Road. |
| | | C10 | Development does not include habitable space in the roof structure of an existing building, and does not include any dormer window. |
| | | C11 | Any replacement of heritage significant building fabric is of similar material and |

| Objectives | Local controls |
|---|---|
| | type (e.g. timber for timber). |
| | C12 Development reinstates heritage significant architectural detailing as appropriate. |
| | C13 Development retains and conserves any original chimneys. |
| | C14 Development does not include any painting, bagging or rendering of original face brickwork. |
| | C15 Development retains window and door hardware that have heritage significance. |
| | C16 Development does not include any infill (by glazing or otherwise) of original verandahs or balconies. |
| | C17 Security grilles on windows and doors, if installed, complement the frame and glazing pattern, are fitted on the inside of windows or doors, and should not be visually intrusive. |
| | C18 Security fly screens, if installed, are retractable. |
| | C19 Skylights and the like, are not visible from any street frontage. |
| | Note: Solar energy systems such as photovoltaic electricity generating systems, solar hot water systems, or solar air heating systems are addressed in Chapter E6, Section 6.3 Solar Energy Systems. |

| Objectives | | Local controls | |
|---|---|---|---|
| O4 | To support redevelopment of buildings that detract from the streetscape character. | C20 | Development at 95 O'Sullivan Road is a maximum of three storeys. |
| | | C21 | Development at 95 O'Sullivan Road presents a similar roof form and pitch as adjoining buildings, when viewed from the public domain. |
| | | C22 | Development is setback from O'Sullivan Road to match existing commercial buildings and does not include structures within the setback area. |
| O5 | To maintain the leafy character and ambience of O'Sullivan Road. | C23 | Development which includes public domain use provides advanced tree planting in the O'Sullivan Road setback area that reinforces and complements the existing avenue of mature trees. |
| O6 | To minimise the impact of signs on the amenity and character of the buildings and the significance of the heritage conservation area. | C24 | New signage is of a compatible design and colour to existing signage in the centre. A coordinated approach to the signs within the centre is preferred. |
| | | C25 | Colours used in signs are consistent with the architectural style of the building. Fluorescent and iridescent colours are not permitted. |
| | | C26 | Fonts used in signs are consistent with the style of the building and the historic character of the area. |

# D1.6 O'Sullivan Road, Rose Bay

**MAP 5** O'Sullivan Road centre map




## D1.6.1 Centre character statement

This small group of shops, located within two buildings, is sited at the junction of New South Head Road and O'Sullivan Road. The corner site contains a single storey heritage listed building, which was originally established as a service station and is now used as a drive through dry cleaning business. The other uses in the centre are restaurants and cafes.

The location enjoys views overlooking the Rose Bay waterfront and promenade. However, the quality of the public realm is compromised by the proximity of the busy New South Head Road and a streetscape which would benefit from street trees and a consistent footpath treatment to soften the environment.

### Historical development of the area

The Rose Bay area was originally part of the Cooper Estate. Speculation to create an exclusive Marine Estate along the esplanade commenced in the 1830s, but apart from the construction of Rose Bay Lodge in 1835, the district remained substantially undeveloped throughout the 19th century.

More intensive subdivision of the land surrounding Rose Bay Lodge commenced after the introduction of the Rose Bay tram service in 1903, but development in the area was slow. Early residential flat development in the area dates from the early to mid-1920s. The nearby Balfour Road Heritage Conservation Area represents the intensified residential development of Rose Bay during the Inter-war period.

This small neighbourhood centre occupies land subdivided from the grounds of Rose Bay Lodge in 1900, called the Beresford Estate. The three lots created at O'Sullivan Road and New South Head Road were subsequently merged and re-subdivided in 1928. In that same year, land now known as 51-55 O'Sullivan Road was developed as a service station and shops in response to the increasing number of motorists in the area. The building was constructed in the Spanish Mission style, popular at the time, and is now a heritage item.

### Built form

The O'Sullivan Road shops occupy a single storey Spanish Mission style corner building with driveway apron (that was previously a garage and service station), and a two storey late 20th century shop top built to the New South Head Road street alignment.

Surrounding buildings are typically three storey brick builder's blocks of flats with hipped roof form, setback from the boundary on both O'Sullivan Road and New South Head Road.

### Heritage item

The Spanish Mission style building at 51-55 O'Sullivan Road is a heritage item. It has significance as a rare and representative surviving example of early service station architecture influenced by Californian design.

### Public parks and community facilities

The Rose Bay promenade is located across the road from the centre on the northern side of New South Head Road. The Woollahra Golf Club is located immediately opposite the Plumer Road shops in O'Sullivan Road.

### Public domain

The site has excellent north and east sun access and exposure to harbour breezes. High traffic volumes, fragmented pavement areas, lack of street trees or continuous awnings and the poorly defined corner adversely affect the public domain.

### Access and circulation

The centre is well served by bus routes on New South Head Road. However, most people dining at the restaurants or collecting dry cleaning walk to the centre, or access the centre by car.

There is an existing parking bay for three cars immediately in front of the centre on New South Head Road. Additional on-street parking is available on the other side of New South Head Road, as well as O'Sullivan Road.

### Views and aspect

The centre enjoys broad views over Rose Bay and a green outlook to tree lined O'Sullivan Road.

## New South Head Road and O'Sullivan Road


## D1.6.2 Desired future character

This centre has recently emerged as a small café centre with outdoor dining. There is opportunity for the amenity of the centre to improve if the existing building stock is redeveloped and improvements are made to the public domain to help soften the impact of traffic along New South Head Road, whilst maintaining views across the road to the Rose Bay promenade and Sydney Harbour.

Any redevelopment of the Spanish Mission style building must respect the existing façade elements on O'Sullivan Street, which are built to the boundary. The existing setback of the building to New South Head Road should be maintained to preserve the corner forecourt. For example this area may be suitable as an outdoor dining area.

The corner site contains a heritage item, which has a prominent corner location. Development is to have regard to the original character of the building.

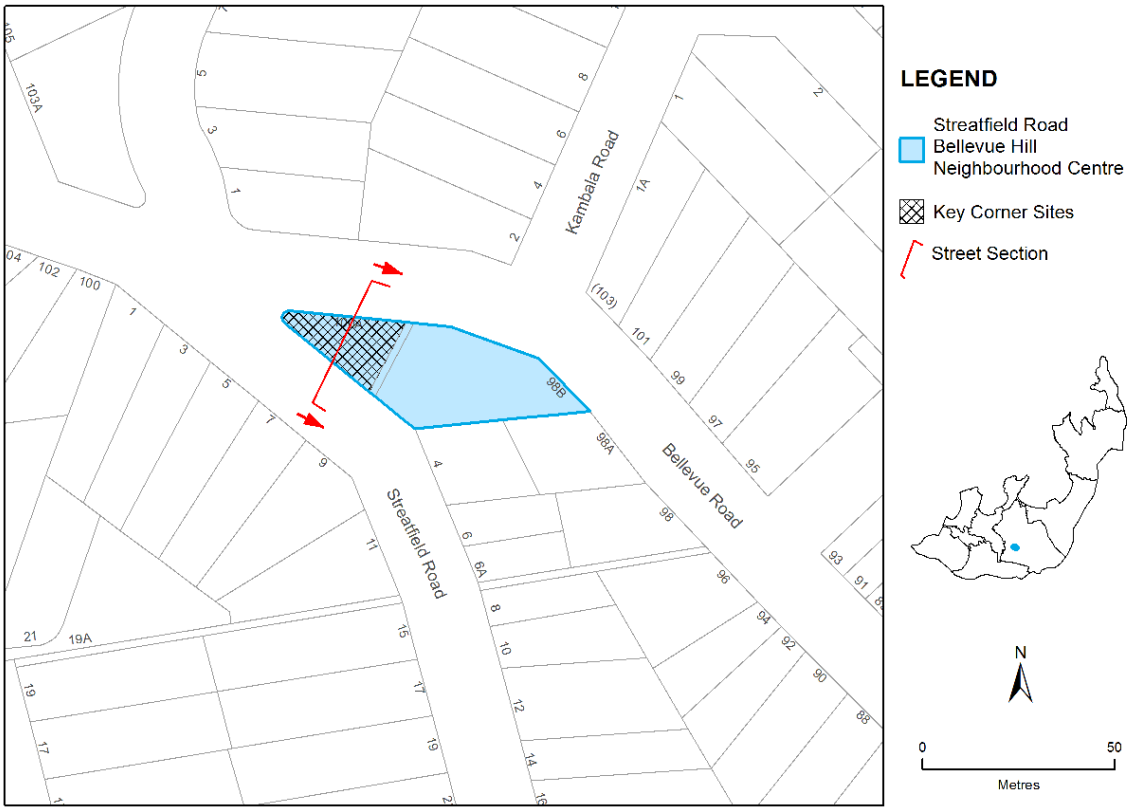
## D1.6.3 Objectives and controls

| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | Development provides active shop frontage and high amenity outdoor trading. |
| O2 | To provide a high amenity pedestrian and outdoor trading area overlooking Rose Bay and the promenade. | C2 | The ground level contains active uses, preferably cafes and restaurants that meet the needs of the local community. |
| | | C3 | Residential uses are located above street level in the form of shop top housing. |
| O3 | To protect the fabric, character and significance of the existing Spanish Mission style heritage building. | C4 | Key original architectural features of the building are retained. |
| | | C5 | The spatial relationship of the existing forecourt to the building is retained. |
| O4 | To support redevelopment of buildings to enhance the streetscape character. | C6 | Development is a maximum of three storeys. |
| | | C7 | Development is sympathetic to the existing character, fabric and heritage significance of the Spanish Mission style building. |
| O5 | To protect identified views within the centre. | C8 | Development retains views from the centre across New South Head Road to the Rose Bay promenade and |

| Objectives | Local controls |
| --- | --- |
| | Sydney Harbour. |

# D1.7 Streatfield Road

**MAP 6** Streatfield Road centre map




## D1.7.1 Centre character statement

The Streatfield Road shops are a small group of shops on the western side of Bellevue Road, approximately halfway between Double Bay and Bellevue Hill, at the junction with Streatfield Road. The centre provides a small selection of local and specialty shops, personal services and cafes.

The appearance and amenity of this neighbourhood centre is largely defined by the Inter-war shop top building at 98B Bellevue Road, but the centre also contains two other buildings at 100A Bellevue Road. These have a single storey elevation to Bellevue Hill Road and contain a bottle shop, dwelling house and café.

### Historical development of the area

In the early 19th century the Bellevue Hill area was part of the Point Piper Estate, an extensive private land grant made to Cooper and Levey in 1820. The Bellevue Hill and Bellevue Park Estates were subdivided and re-subdivided from the estate between 1883 and 1912, producing smaller lots on the higher slopes and areas away from the harbour. Early urban development intensified in 1909 following the extension of the tramline along Old South Head Road.

The Streatfield Road centre is located on Point Piper Estate land subdivided in 1920. The Inter-war building at 98B Bellevue Road was purpose built shop top housing and dates from 1929.

### Built form

The neighbourhood centre is contained in three buildings: a well conserved two to three storey Inter-war residential retail complex that follows the curve and grade of Bellevue Road, a single storey flat roof building of poorer quality, and a two storey cottage on the corner.

These buildings contain active frontages to Bellevue Road, while presenting a more residential character to the Streatfield Road elevation.

### Access and circulation

The centre is well located adjacent to a bus stop for services operating on Bellevue Road. It is readily accessible by car with a limited number of on-street parking spaces. Pedestrian amenity and safety is compromised by vehicular traffic speeds and limited sight lines on Bellevue Road.

### Views and aspect

The centre has a pleasant outlook along Bellevue Road.

## New South Head Road and O'Sullivan Road

## D1.7.2 Desired future character

The Streatfield Road shops will retain its role as a small but vibrant neighbourhood centre that meets the needs of the local community by providing a mix of daily convenience shopping, cafes as well as specialty shops and personal services.

Development should ensure a visually attractive and coherent physical environment recognising the character of the existing built environment, with a built form that addresses Bellevue Road and the corner of Bellevue Road and Streatfield Road.

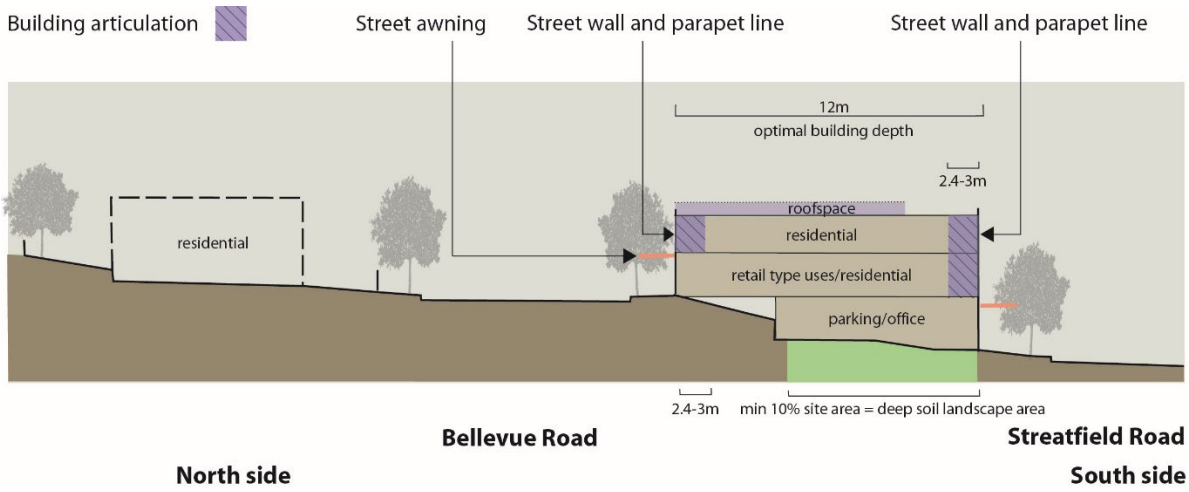
The building at 98B Bellevue Road is a face brick Inter-war residential retail complex with a two storey frontage to Bellevue Road. It is envisaged that this character will remain largely intact. This building is in good condition with much of the external fabric sympathetically maintained. The building establishes a strong street wall and parapet line that responds sensitively to the grade and curve of the site and establishes a strong street wall and parapet line that responds sensitively to the grade and curve of the site and creates a landmark presence. The original stepped awning has been replaced with lightweight structures of varying colours and styles. The appearance of this building would be enhanced if the awnings, including the style and colour, were consistent and more sympathetic to the original character of the building.

Redevelopment at 100A Bellevue Road is to complement the built form and character of the built form at 98B Bellevue Road.

## D1.7.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

**FIGURE 3** Streatfield Road street section



### Note: Street section refers to 100a Bellevue Road only

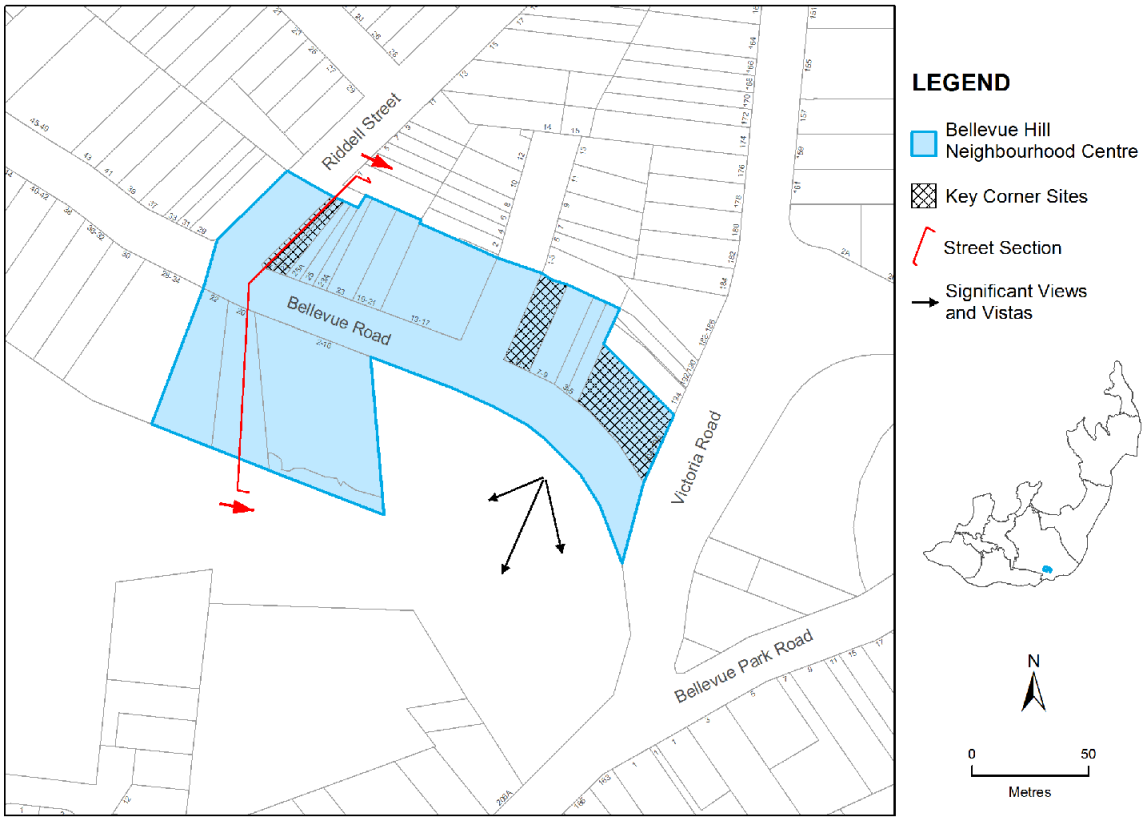
| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | Development supports the adaptive re-use of existing shop top units at 98B Bellevue Road. |
| | | C2 | The ground level contains active uses, preferably local and speciality shops, business premises and cafes and restaurants that meet the needs of the local community. |
| | | C3 | Residential uses are located above the street level in the form of shop top housing. |
| | | C4 | Office uses may be located at the Streatfield Road frontage. |
| O2 | To establish a strong and continuous built form that addresses both Bellevue Road and Streatfield Road. | C5 | Development provides two storeys built to the Bellevue Road street alignment, with a continuous and consistent parapet line above (refer to the street section diagram). |
| | | C6 | Development provides three storeys built to the corner intersection at Streatfield Road, with a continuous but stepped parapet line above. |
| | | C7 | Development provides a built form with small scale shopfronts that step with the street grade. |
| | | C8 | Development includes a continuous but stepped awning over the public footpath of Bellevue Road and around the corner radius into Streatfield Road. |
| | | C9 | Development at 100A Bellevue Road complements the built form and character of 98B Bellevue Road. |

| Objectives | | Local controls | |
|---|---|---|---|
| O3 | To protect the fabric and character of the Inter-war building at 98A Bellevue Road. | C10 | Key original architectural features of the building are retained, or if required synthetically restored or replaced. |
| | | C11 | Development re-instates the fixed stepped awning at 98B Bellevue Road. |
| | | C12 | Colours used in signs are consistent with the architectural style of the building. Fluorescent and iridescent colours are not permitted. |
| | | C13 | Fonts used in signs are consistent with the style and character of the building. |
| O4 | To encourage good building design and limit building bulk. | C14 | At both street frontages at least 80% of the articulation zone is occupied by floor area elements or recessed balconies. |
| | | C15 | The depth of the floor area elements and recessed balconies is between 2.4 to 3m. |
| O5 | To provide for the amenity of occupants. | C16 | The building depth is generally not more than 12m. |
| O6 | To provide good pedestrian access, amenity and connectivity between Bellevue Road and Streatfield Road. | C17 | Development of 100A Bellevue Road includes no more than one single width vehicle access crossing that is located on Streatfield Road. |
| | | C18 | Development of 100A Bellevue Road maintains a direct public accessway from Streatfield Road to Bellevue Road between properties at 98B and 100A Bellevue Road. |
| | | C19 | Development of 100A Bellevue Road provides at least 10% of the site as deep soil landscaped area on the boundary to 98B Bellevue Road adjacent to the accessway. |

| Objectives | | Local controls | |
|---|---|---|---|
| O7 | To improve the public domain for outdoor uses. | C20 | Development enhances the amenity of the footpath area. |
| | | C21 | Development includes tree planting along both the Bellevue Road and Streatfield Road frontages, where this can be accommodated with the provision of awnings. |

# D1.8 Bellevue Hill Shops

**MAP 7** Bellevue Hill Shops centre map




## D1.8.1 Centre character statement

The Bellevue Hill Shops neighbourhood centre is a relatively large group of shops located on the ridgeline at the junction of Bellevue Road and Victoria Road (both of which are important urban collector roads linking New South Head and Old South Head Roads). To the south, the centre overlooks the upper extent of Cooper Park.

The centre provides a good mix of local convenience shopping and personal services, such as a post office, newsagent, fruit and vegetable grocer, butcher, chemist, hairdressers, real estate agents, cafes, bottle shop, and dry cleaner.

### Historical development of the area

Hill top 'BelleVue' (now Bellevue Park) was known in the early 19th century for its panoramic views to the harbour and the ocean. The area was then part of the Point Piper Estate, an extensive private land grant to Cooper and Levey. The Bellevue Hill and Bellevue Park Estates were subdivided and re-subdivided from the estate between 1883 and 1912, producing smaller lots on the higher slopes away from the harbour. Following the extension of the tramline along Birriga Road in 1909 urban development intensified.

Residential flats were built on larger sites overlooking Cooper Park from the end of World War I. However, retail and business uses were not permitted on the northern side of Bellevue Road between Victoria Road and Riddell Street until 1929. Around this time the Bellevue Hill Primary School (1925) and St Stephens Church (1928) were also established close to the centre on Victoria Road.

The centre has seen a continuous process of development, creating a vibrant mix of retail, business and residential uses.

### Built form

The building stock in and around the centre is represented by a cross section of 20th century architecture of varying quality. This includes:

- Inter-war shops with one storey above for residential or commercial uses, typically built to the boundary with a street parapet line and a deep solid suspended awning over the footway.
- One free standing mixed use Inter-war building comprising shops at street level with two storeys of residential above at 22 Bellevue Road.
- A 1960s-70s large mixed use building on the western corner of Buller Street and Bellevue Road with shops at street level and a nine storey tower setback from Bellevue Road. This building has a porte cochere to Buller Street.
- Contemporary mixed use buildings comprising shops at street level with two to three storeys of residential above at street level, such as development at 11 Bellevue Road and the development on the corner of Bellevue Road and Victoria Road. More recent development at 2-16 Bellevue Road is three storeys built to the street alignment with approximately six levels stepping down the hillside.

### Parks and community facilities

Bellevue Hill Public School is immediately east of the centres with Bellevue Hill Park beyond. The eastern part of the retail centre overlooks the extensive gully of Cooper Park which runs down to Double Bay.

### Public domain

The pedestrian amenity varies depending on the location of awnings and shade trees; for example, there is limited solar access to the footpath on the northern side.

At street level there is a variety of building setbacks, alcoves, colonnades and recessed entrances and driveways that could attract antisocial behaviour. Opportunities exist for the improvement of public domain.

### Access and circulation

The centre is well served by buses although most shoppers drive to the centre and are reliant on turnover of limited on-street car parking spaces. Angle parking has been introduced in Riddell Street to increase yield.

A few properties on the northern side of Bellevue Road have rear lane access from Riddell Lane and can provide on-site parking.

### Views and aspect

Good views of Cooper Park are available from upper levels at the eastern end of the centre, and from the southern side of Bellevue Road.

#### Bellevue Road and Riddell Street


## D1.8.2 Desired future character

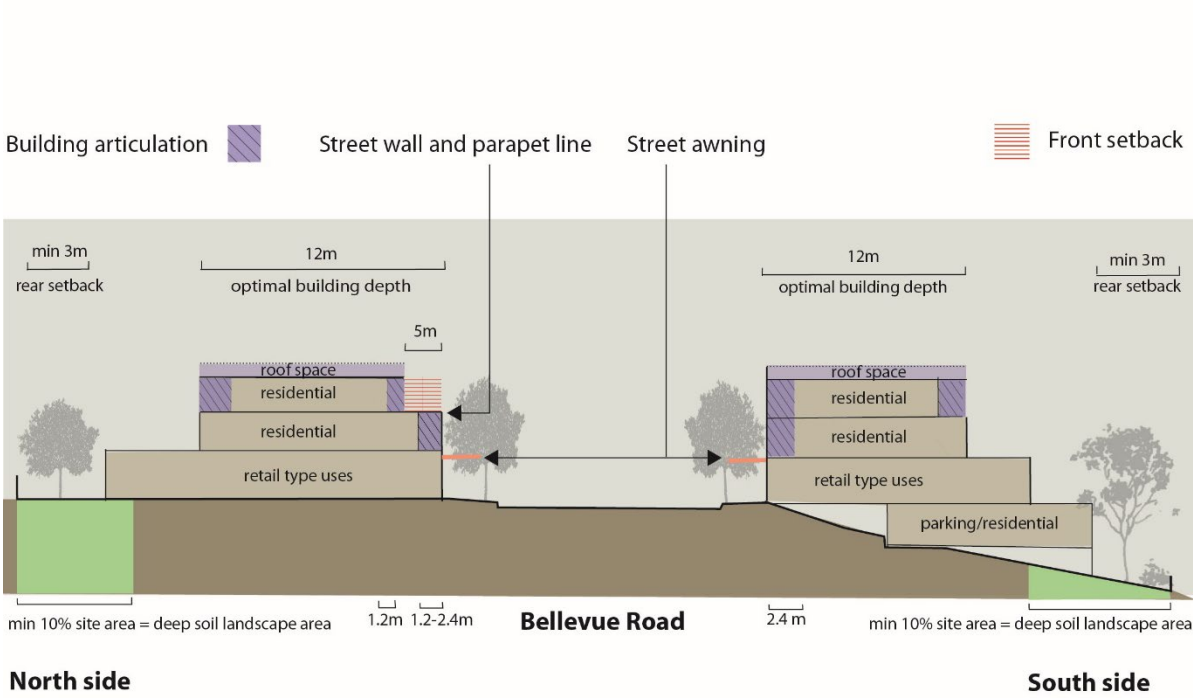
The Bellevue Hill Shops neighbourhood centre should continue to provide a good mix of daily convenience shopping, food premises and personal services. The development of outdoor dining will also help create a more vibrant centre.

Mixed use developments with active street frontages and residential uses above are encouraged and will promote the ongoing vitality of this centre. Street plantings and street furniture will contribute to a more visually attractive environment.

## D1.8.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

**FIGURE 4** Bellevue Hill Shops street section




| Objectives | Local controls |
|---|---|
| O1 To provide uses that are consistent with the desired future character of the centre. | C1 The ground level contains active uses, preferably local and speciality shops, business premises and cafes and restaurants that meet the needs of the local community.<br><br>C2 Residential uses are located above the street level in the form of shop top housing. |

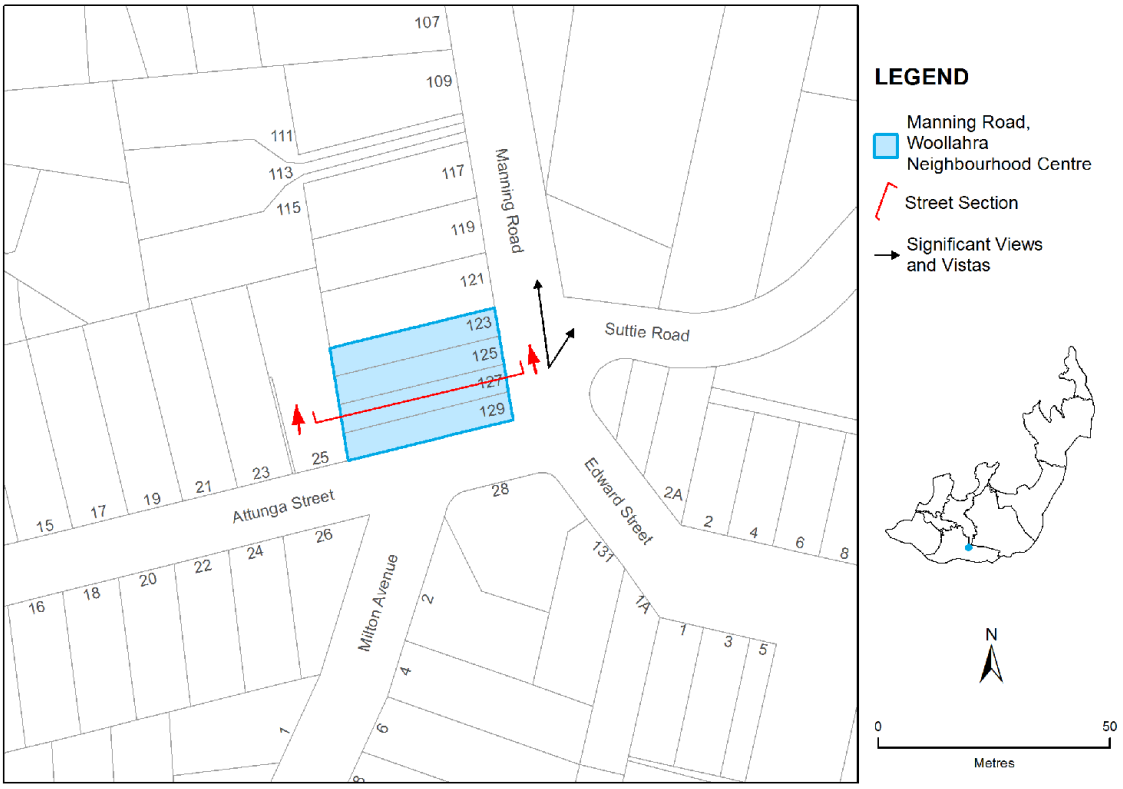
| Objectives | | Local controls | |
|---|---|---|---|
| O2 | To develop a coherent streetscape with a consistent street wall and consistent upper level setbacks. | C3 | Development on the south side of Bellevue Road:<br>a) is a maximum of three storeys at the street frontage;<br>b) is built to the street alignment, with a continuous and consistent parapet line above; and<br>c) building form responds to the fall of the land, but does not exceed maximum LEP height for this site at any point at the rear. |
| | | C4 | Development on the north side of Bellevue Road:<br>a) is a maximum of 3 storeys;<br>b) is two storeys built to the street alignment, with a continuous and consistent parapet line above; and<br>c) development above the second storey is set back from the street alignment by at least 5m. |
| | | C5 | Development includes a continuous solid suspended awning over the footpath at Bellevue Road and along the secondary frontage of corner sites. |
| | | C6 | Development on the north side of Bellevue Road does not include vehicular access from Bellevue Road. |
| O3 | To encourage good building design and limit building bulk. | C7 | At least 80% of the articulation zone is occupied by floor area elements or balconies. |
| | | C8 | Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets. |
| | | C9 | At the street alignment on the southern side, the depth of the balconies and loggia is at least 2.4m. |

| Objectives | | Local controls | |
|---|---|---|---|
| | | C10 | At the street alignment on the northern side, the depth of the balconies and loggia is:<br>a) between 2.4 to 3m for the first floor; and<br>b) at least 1.2m for the upper floor. |
| O4 | To improve the architectural quality of building stock. | C11 | Alterations and additions to 13-17 Bellevue Road provide a three storey retail or commercial corner element built to both street alignments. |
| O5 | To strengthen poorly defined corners. | C12 | Development upgrades and reinforces the landmark corner of Victoria and Bellevue Roads by:<br>a) building to the street alignment up to three storeys;<br>b) improving the awning;<br>c) increasing frontage glazing; and<br>d) introducing a parapet line. |
| | | C13 | Development on corner site provides three storeys built to the street alignment with a continuous and consistent parapet line above. |
| O6 | To provide for the amenity of occupants. | C14 | The building depth for storeys above the ground floor level is generally not more than 12m. |
| | | C15 | The building is setback from the rear boundary by at least 3m. |
| | | C16 | At least 10% of the site is provided as deep soil landscaped area. |
| O7 | To encourage outdoor dining to improve the vitality of the centre. | C17 | Development provides a small north facing outdoor dining space with good sun access. |

| Objectives | Local controls |
|---|---|
| O8 To enhance the visual connections between the centre and Cooper Park. | C18 At the eastern end of Bellevue Road, on the northern side, development introduces outdoor dining that has an outlook to Cooper Park.<br><br>C19 Development on the south side of Bellevue Road provides retailing units designed with an elevated outlook over Cooper Park. |

# D1.9 Manning Road, Woollahra

**MAP 8** Manning Road centre map




## D1.9.1 Centre character statement

The Manning Road neighbourhood centre is located at the lower end of the Cooper Park Gully at the junction of Manning Road and Edward Street. It is a very small centre situated about midway between Double Bay and the Edgecliff Road centre.

The centre comprises four ground floor premises, currently occupied by a café and specialist services.

### Historical development of the area

Edgecliff Road was formed in 1844 as the eastern boundary of the Cooper Estate that skirted around the top of the slopes of the Double Bay valley. The Harbour View Estate was released in 1900 and extends from Edgecliff Road down to the lower end of Cooper Park (dedicated in 1919). Following the introduction of the tram on Edgecliff Road in 1909, Inter-war subdivision of land occurred along Manning Road.

### Built form

The small group of business and retailing premises occupy two double storey residential buildings that have been modified by the addition of awnings and hard pavement to the front setback area.

South-east of the centre along Edward Street, the built form is mainly attached housing (terraces) and cottages on small allotments with little or no front setback. Development to the north and west of the centre generally comprises large two storey detached houses and a few small residential flat blocks of three to four storeys, set in established treed gardens.

### Public parks and community facilities

The Manning Road neighbourhood centre overlooks the Lough Playing Field and treed slopes in the filled gully of Cooper Park.

### Public domain

The centre has reasonable pedestrian amenity with deep awnings, small street trees and a wide paved setback area for outdoor dining. The resolution of pavement levels and accessibility from the street is generally poor. Pedestrian movement to and from Cooper Park is compromised by speed of vehicular traffic and limited sightlines.

### Access and circulation

The centre is served by buses running along Manning Road, although most people who use the centre either walk to the centre or drive, relying on the turnover of on-street car parking spaces.

### Views and aspect

The centre faces east to the Lough Playing Field and Cooper Park.

## Manning Road and Attunga Street

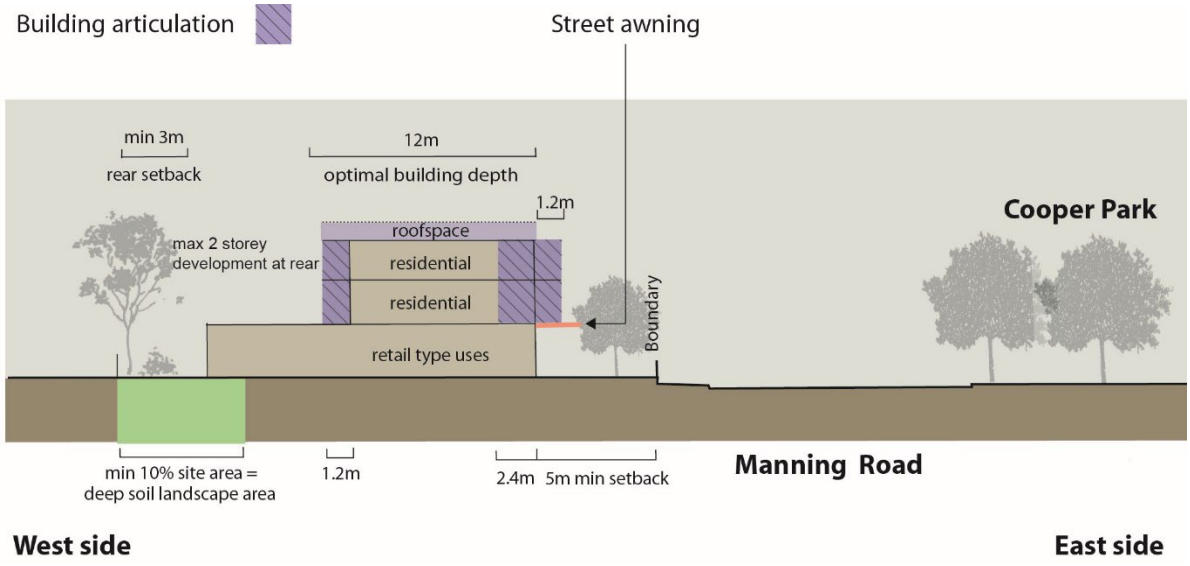
## D1.9.2 Desired future character

The Manning Road shops are a small centre that will continue to serve the needs of the local community, particularly with uses such as cafes and neighbourhood shops. Redevelopment of the existing buildings should retain the large setback from Manning Road to provide continued opportunity for outdoor dining, as well as enhance the public realm through improved landscaping and pavement treatments.

## D1.9.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

**FIGURE 5** Manning Road street section

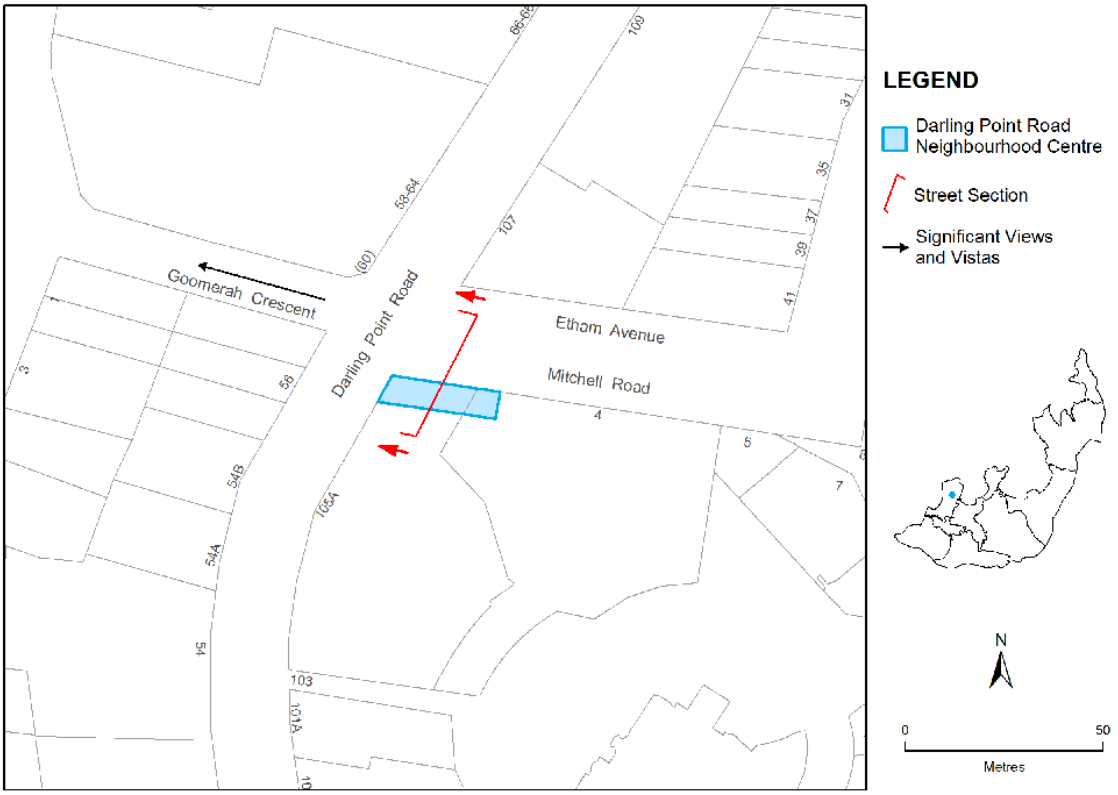


| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | The ground level contains active uses, preferably local shops and cafes and restaurants that meet the needs of the local community. |
| | | C2 | Residential uses are located above the street level in the form of shop top housing. |
| | | C3 | The existing traditional small shop front widths are maintained. |
| O2 | To retain a coherent streetscape with a consistent street wall. | C4 | Development is a maximum of three storeys at the Manning Road frontage. |
| O3 | To minimise impact on adjoining residential land. | C5 | Development is a maximum of two storeys at the rear of the site. |
| O4 | To encourage good building design and limit building bulk. | C6 | Building articulation is in the form of:<br>a) projecting balconies over the front awning; and<br>b) recessed balconies and loggia within the building mass. |
| | | C7 | At the street alignment:<br>a) the projecting balconies extend from the building line onto the awning by no more than 1.2m; and<br>b) the depth of the recessed balconies and loggia is at least 2.4m. |
| | | C8 | At the rear alignment, the depth of the balconies and loggia on the upper levels is at least 1.2m. |
| O5 | To provide for the amenity of occupants and adjoining properties. | C9 | The building depth for storeys above the ground floor level is generally not more than 12m. |
| | | C10 | The building is setback from the rear boundary by at least 3m. |
| | | C11 | At least 10% of the site is provided as deep soil landscaped area. |

| Objectives | | Local controls | |
|---|---|---|---|
| O6 | To retain the setback areas to Manning Road for outdoor dining and public use. | C12 | Development is setback at least 5m from the Manning Road boundary. |
| O7 | To improve the pedestrian connection between the centre and Cooper Park. | C13 | Development does not include vehicular access from Manning Road. |
| O8 | To improve the amenity of pedestrian and outdoor trading areas. | C14 | Development includes a continuous solid suspended awning over the Manning Road setback area (refer to street section diagram). |
| | | C15 | Development includes advanced tree planting and landscape works to improve amenity of the setback area, where this can be accommodated with the provision of awnings. |
| O9 | To protect views from the centre to Cooper Park. | C16 | Development, including any public domain improvements, maintains the views to Cooper Park. |

# D1.10 Darling Point Road, Darling Point

**MAP 9** Darling Point Road centre map




## D1.10.1 Centre character statement

This is a very small centre comprising just the Darling Point Village Store. This is a local shop offering daily convenience goods and services and a cafe.

This centre is located on the corner of Darling Point Road, facing Mitchell Street on the perimeter of the former Babworth House Estate. The gardens and tree canopy immediately behind the centre provide an understanding of the site's relationship to the adjoining Babworth House Estate, which is listed as a heritage item.

### Historical development of the area

Significant subdivision of Darling Point occurred in the early 1830s with a number of large estates established at that time. Its position and aspect to Sydney Harbour ensured that the wealthy reserved this small promontory for their grand residences.

However, by the late 1800s, smaller residences were also numerous, and during the 20th century development intensified as more allotments were subdivided from the grounds of the great houses and gentleman's villas. The Etham Estate (1900) was one such subdivision located close to this centre.

During the second half of the 20th century, a number of high rise units were built throughout Darling Point. The Darling Point neighbourhood centre was constructed during this period.

### Built form

This shop is located in a single storey flat roofed building. It is built to the street alignment with a small canvas awning. High rise apartment blocks are located within the grounds of the former Babworth House Estate.

There are a diverse mix of dwelling types in walking distance to the centre, including grand 19th century two storey dwelling houses, attached dwellings (terraces) and residential flat buildings.

### Public domain

The centre has reasonable pedestrian amenity with a northerly aspect and a wide paved area for outdoor uses. Mature street trees in Darling Point Road and nearby gardens provide the centre with a leafy ambience. Amenity would be further improved if street trees were planted in the footpath outside the centre.

### Access and circulation

The centre is served by buses running along Darling Point Road, although people tend to walk or drive to the centre.

### Views and aspect

There is a view of the harbour looking west down Goomerah Crescent.

## Mitchell Street at Darling Point Road

## D1.10.2 Desired future character

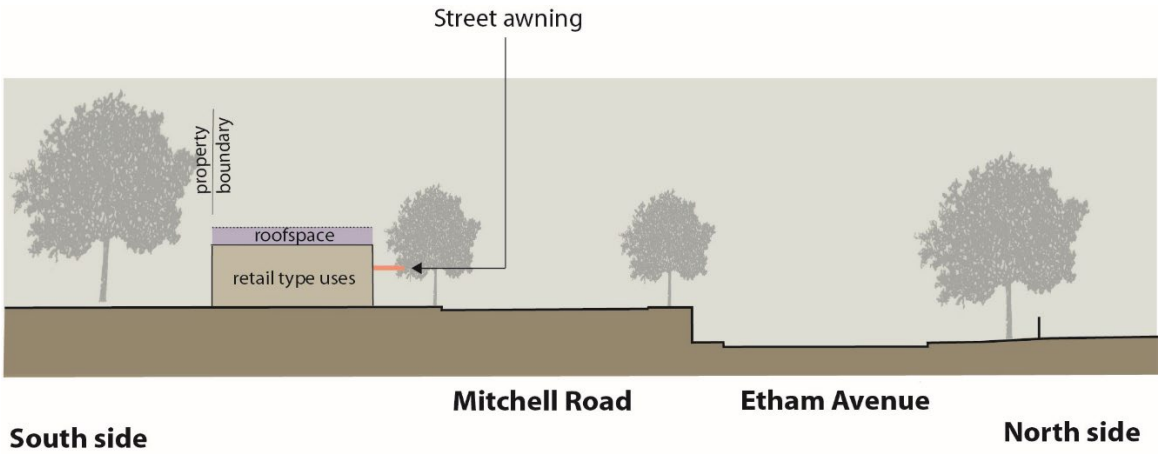
The Darling Point Road centre will be a small neighbourhood centre, providing for the daily needs of the local community.

Any redevelopment of the existing shop should be in the form of a contemporary one storey building which retains the existing front setback to accommodate footpath dining. Public domain improvements, such street trees would also enhance public amenity.

## D1.10.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

**FIGURE 6** Darling Point Road section



| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | Development provides actives uses, preferably a neighbourhood shop and café that meet the daily convenience needs of the local community. |
| O2 | To ensure that the building form and scale does not detract from the Babworth House and grounds. | C2 | Development provides for an interpretation of the perimeter walling to Babworth House. |
| | | C3 | Development is a maximum of one storey. |
| | | C4 | Development establishes a low scale and profile. |
| | | C5 | The roof form respects the perimeter walling to Babworth House (refer to street section diagram). |
| O3 | To retain views to the leafy backdrop provided by the gardens of the Babworth Estate. | C6 | Development maintains views of the garden of the former Babworth Estate from Darling Point Road. |
| O4 | To protect views from the public spaces within the centre to the harbour. | C7 | Development maintains the views and vista corridors towards the harbour from Goomerah Crescent. |
| O5 | To improve the amenity of the pedestrian and outdoor dining area. | C8 | Development includes all weather protection to the shop entrance (refer to street section diagram). |
| | | C9 | Development includes advanced broad canopy tree planting in the footpath to provide shade and shelter (refer to street section diagram). |
| | | C10 | Development does not include vehicular access from Mitchell Street. |

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Chapter D2
# Mixed Use Centres

Part D ▸ Business Centres

CHAPTER D2 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

Last amended on TBC

# Chapter D2 ▸ Mixed Use Centres

## Contents

# D2.1 Introduction

This is Chapter D2 of the Woollahra Development Control Plan 2014 (DCP), Part D Business Centres.

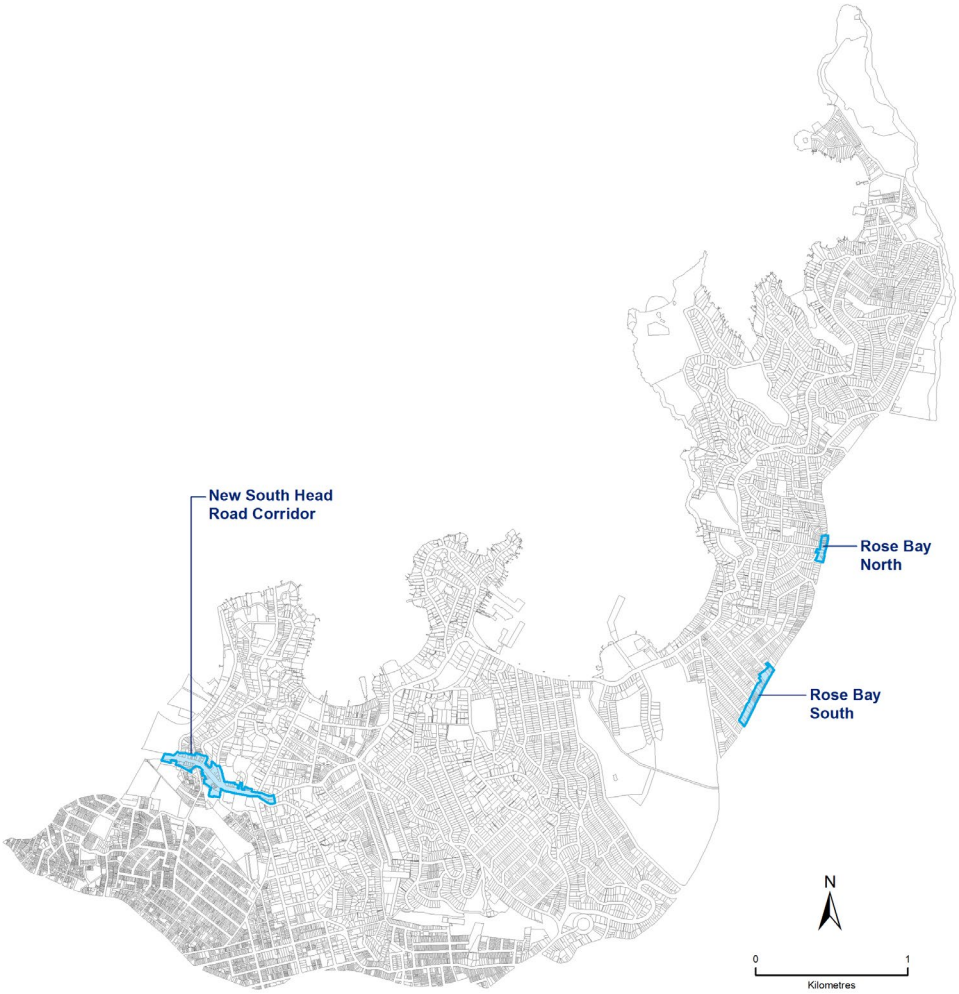
This chapter contains controls for three centres, zoned ~~B4~~ MU1 Mixed Use under Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014).

This chapter seeks to ensure that development has regard to its context and is compatible with the desired future character of each centre as described in this chapter.

## D2.1.1 Land where this chapter applies

This chapter applies to the following centres, as identified on the map below:

- New South Head Road Corridor, Edgecliff
- Rose Bay North, Rose Bay
- Rose Bay South, Rose Bay.



## D2.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

A key objective of the ~~B4~~ MU1 Mixed Use zone is to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

The ~~B4~~ MU1 zone permits a wide range of retail premises, business premises, office premises, community facilities, restaurants and cafes and shop top housing. (Refer to Woollahra LEP 2014 for all the types of development permitted in the zone.)

## D2.1.3 Objectives

The objectives of this chapter are:

O1 To support the long term retail health of the mixed use centres.

O2 To facilitate development in a way that reflects desired future character objectives for each centre.

O3 To preserve the small shop character where this is indicative of the traditional streetscape.

O4 To ensure a high standard of architectural and landscape design.

O5 To ensure that the design and siting of development is compatible with the surrounding built form.

O6 To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street.

O7 To encourage active ground floor uses that contribute to the vitality of the centre.

O8 To encourage a complementary mix of retail, business, office and residential uses compatible with the desired future character of the centre.

O9 To facilitate people living in mixed use developments in the centres, and provide for good residential amenity.

O10 To provide a range and mix of dwellings that are compatible with retail and/or commercial uses.

O11 To minimise adverse impacts of development on the amenity of adjoining and neighbouring properties.

O12 To retain significant views and vistas.

O13 To improve the amenity of public domain and pedestrian safety.

## D2.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- Part D: Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.
- Part E: General Controls for All Development – this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- Part F: Land Use Specific Controls – this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.
- Part G: Site Specific Controls – for land at 73-79 New South Head Road, Edgecliff, the provisions of this chapter are supplemented by the relevant provisions for the land in Part G on White City. The provisions of Part G prevail in the event of any inconsistency with Chapter D2.

## D2.1.5 How to use this chapter

The primary controls for the mixed use centres are contained in two chapters:

- Chapter D2 Mixed Use Centres; and
- Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

### Chapter D2 Mixed Use Centres

Each section in this chapter represents an individual centre. Applicants need only refer to the particular centre that is relevant to their site.

The controls for each centre comprise the following elements:

- map showing the extent of the centre;
- centre character statement, providing a brief description of the centre;
- desired future character objective describing the direction and outcomes to be achieved through development in the centre; and
- table of objectives and controls relating to uses, built form, amenity, the public domain, etc. The controls represent specific ways in which a development proposal can meet the objectives. A street section diagram is also provided for the Rose Bay North and Rose Bay South centres to illustrate certain controls.

The objectives and controls in this chapter are to be read in conjunction with the general controls in Chapter D3 General Controls for Neighbourhood and Mixed Use Centres.

### Chapter D3 General Controls for Neighbourhood and Mixed Use Centres

The general controls apply to all ~~B4~~ MU1 zoned land addressed in Chapter D2, regardless of the centre in which the land is located.

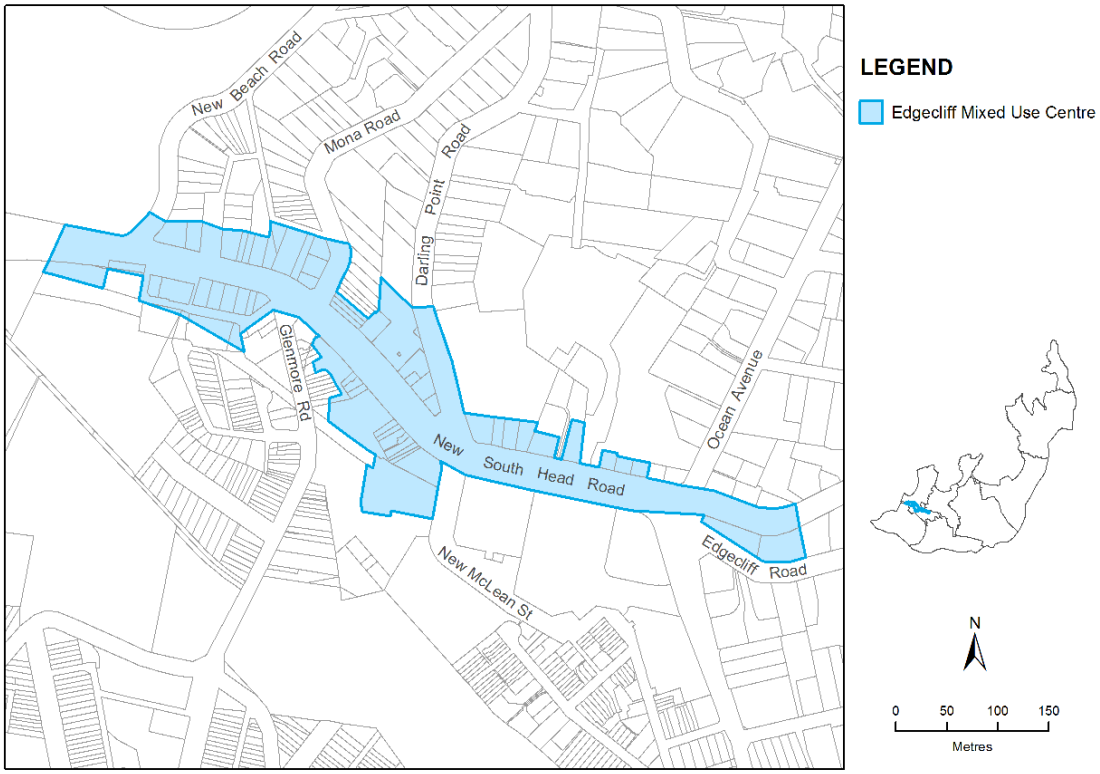
Development is required to fulfil the relevant requirements of all general controls. Unless otherwise indicated, where there is a disparity between the objectives and controls in Chapters D2 and D3, the centre specific objectives and controls in this chapter take precedence over the general controls.

Applicants need to demonstrate how their development fulfils the relevant objectives and preserves or enhances the important character elements for the centre, having particular regard to:

- surrounding building height, bulk and scale;
- any predominant architectural styles, roof forms, materials and colours;
- prevailing building lines;
- existing and proposed uses;
- landscape and vegetation features;
- topography;
- view corridors;
- pedestrian access and amenity;
- traffic and parking impacts;
- interface between the private and public domain; and
- adjacent residential areas and heritage conservation areas.

## D2.2 New South Head Road Corridor, Edgecliff

**MAP 1** Edgecliff centre map




Notes:
The controls in this chapter do not apply to Zone ~~B4~~ MU1 Mixed Use land on the eastern and western sides of Glenmore Road at Edgecliff; this land is located within the Paddington Heritage Conservation Area (HCA). The controls for business centres in the Paddington HCA are contained in Part C of this DCP, Chapter C1 Paddington HCA.

For land at 73-79 New South Head Road, Edgecliff, the provisions of this chapter are supplemented by the relevant provisions for the land in Part G of this DCP, regarding White City. The provisions of Part G prevail in the event of any inconsistency with this chapter.

### D2.2.1 Centre character statement

The mixed use corridor at Edgecliff applies to both sides of New South Head Road, and generally extends from New Beach Road to Edgecliff Road, excluding the land zoned ~~B1~~ E1 Local Centre between New McLean Street and Ocean Street.

The mixed use corridor developed along the tram line. Originally businesses were dependent on passing traffic, however with increased traffic volumes on street parking was replaced by transit clearways in peak periods and the retail component contracted. As a consequence, this location has tended to attract office premises, residential flat buildings, hotel accommodation, and comparison furniture or homewares stores rather than convenience retailing.

### Historical development

Edgecliff was extensively quarried in the early days of European settlement. The development of Edgecliff west of Ocean Street began along New South Head Road. The area was dominated for some time by the Glenrock Estate on the north side of New South Head Road, where the Ascham School is now located.

Early photographs dating from the 1860s reveal clusters of dwellings and businesses along the southern side of New South Head Road, followed by the subdivision of new areas behind the main road. Bentley's Bridge was a stone structure built to cross the watercourse which drained the valley behind Rushcutters Bay. A toll gate was established for the privilege of using New South Head Road.

In September 1894 a cable tram service opened; it operated from King Street in the city to Ocean Street in Edgecliff. The tramline was extended past Edgecliff in 1898. In 1905 the tram line was electrified, but ceased operating in 1960. Edgecliff railway station opened in 1979 when the Illawarra line was extended from Town Hall railway station to Bondi Junction.

### Built form

Development along New South Head Road includes residential flat buildings, commercial and mixed use buildings. These present a diverse mix of architectural styles as well as building heights, which range from single storey to approximately 12 storeys.

### Heritage items

Woollahra LEP 2014 identifies heritage items at 2a Mona Road and on New South Head Road (Nos. 136, 188, and 287-289). The New South Head Road corridor adjoins the Paddington HCA around Glenmore Road.

### Public parks and community facilities

There are no public parks within the New South Head Road mixed use corridor, however, Rushcutters Bay Park is located at the western end of the corridor.

### Access and circulation

The New South Head Road mixed use corridor has excellent access to public transport. The Edgecliff train station and bus interchange is within walking distance, and the corridor contains a major road serviced by a number of bus routes.

On-street parking is limited due to transit clearways operating during peak hours. Some sites have vehicular access from a secondary street and opportunity to include on-site parking.

### Views

The centre is located on a ridgeline and has views west to the city and east to Double Bay.


## D2.2.2 Desired future character

This mixed use corridor is a highly urban environment and it is important that it meets high standards of visual quality and pedestrian amenity.

This part of New South Head Road is a main entry point to the Municipality and it is important that the experience and journey through the centre makes a positive impression. Everything that can be seen and experienced in the street is therefore relevant.

Development fronting New South Head Road will generally contain four to six storey mixed use buildings. Building facades, in terms of detailing and building materials, should be well designed, with particular consideration to how the buildings are interpreted from moving vehicles, so that the view driving along New South Head Road contributes to the public domain. At street level, buildings should respond to pedestrians by providing human scale design elements, interesting frontages and awnings for protection.

Development within this corridor must consider its impact on the adjoining Paddington heritage conservation area, including Glenmore Road, which is an important gateway entry to Paddington. Development should protect and respond to the character and scale of the heritage conservation area.

The New South Head Road mixed use corridor permits a range of residential and commercial land uses, including restaurants and cafes which should contribute to a more vibrant centre, particularly at night. Though certain types of convenience retailing opportunities are constrained by the restricted parking, it is expected that comparison specialist retailing, such as homewares and furniture shops, and complementary offices, such as medical suites, will capitalise on the excellent access to public transport, high visual exposure and proximity to the Sydney CBD.

## D2.2.3 Objectives and controls

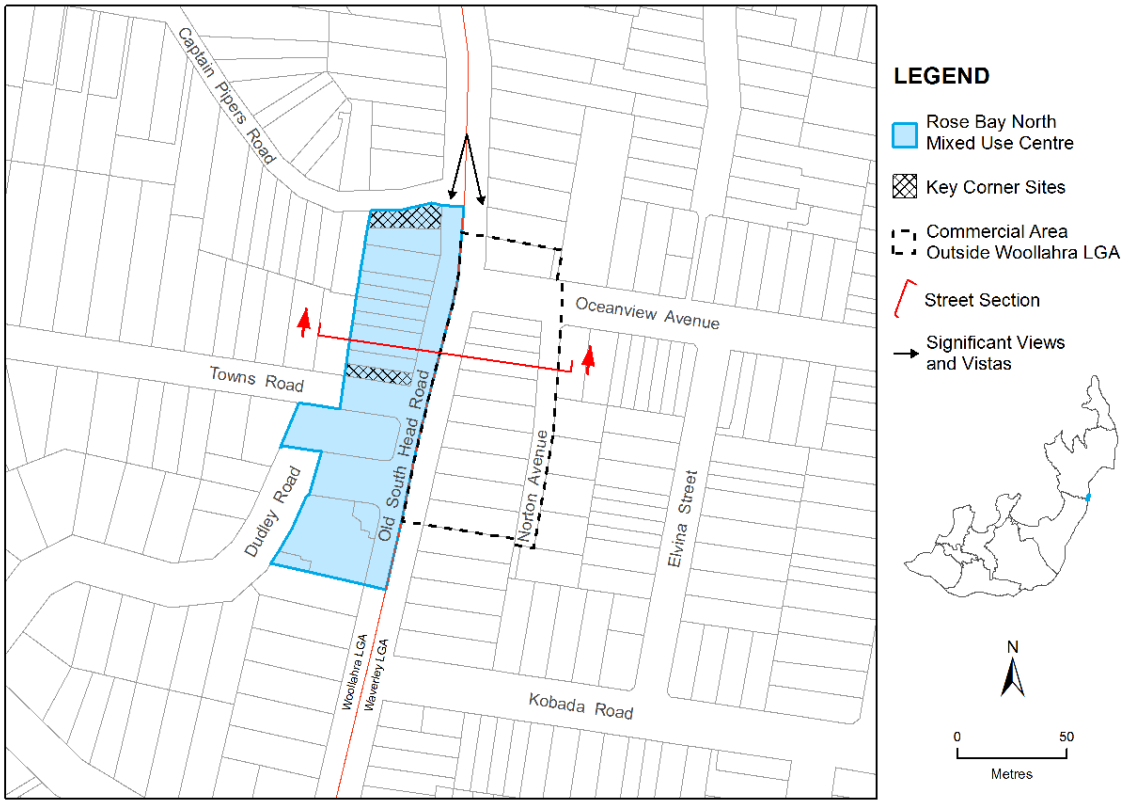
| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To support the integration of appropriate retail and commercial uses with housing. | C1 | The ground level contains active uses, preferably speciality retailing and personal services that do not generate high parking demand. |
| O2 | To provide active street frontages. | C2 | Offices and residential uses are generally located above street level. |
| O3 | To promote an attractive street wall along New South Head Road. | C3 | Facade design is of high aesthetic quality, and complements the form, roofline, fenestration, material, finishes and colour of adjoining buildings. |
| O4 | To promote an urban environment which meets high standards of visual quality. | C4 | Facade design incorporates similar proportions of glazed and non-glazed surfaces and achieves a balance between vertical and horizontal divisions. The extensive use of glass is avoided. |
| O5 | To improve the relationship of buildings to the public domain. | C5 | Facade elements are generally contained in vertical planes aligned with the street. Sloping facades are avoided. |
| | | C6 | Side and rear facades are the same visual quality as street facades. Large areas of blank unrelieved walls are avoided. |
| | | C7 | The design of the lower part of the street facade relates to the scale of pedestrians. |
| | | C8 | Large expanses of highly reflective, brightly coloured or black surfaces are not used on facades. |

| Objectives | | Local controls | |
|---|---|---|---|
| | | C9 | The front setback defines a coherent and consistent alignment to the public domain.<br><br>Note: For land affected by the arterial road reservation, the street alignment is determined from the reservation. |
| | | C10 | Structures below ground level may be permitted underneath the setback area. |
| O6 | To improve the visual quality of the streetscape and provide for attractive and comfortable pedestrian areas. | C11 | Awnings are provided for mixed use and commercial buildings. |
| | | C12 | The design of the awnings is in harmony with the facade of the building and with other awnings in the immediate vicinity. |
| | | C13 | Awnings may be permitted above the setback area. |
| | | C14 | Public domain improvements, including street tree planting and pavement upgrading are consistent and unify the corridor. |
| | | C15 | Street tree planting and footpath works reduce the sensory impact of the traffic on New South Head Road. |
| O7 | To ensure development is sympathetic to the adjoining development. | C16 | At ground level, the building may have a zero setback to side and rear boundaries. |
| O8 | To protect access to natural light and ventilation of adjoining sites. | C17 | A side boundary setback of at least 1.8m applies to the fifth storey and above, if relevant.<br><br>Note: This control is relevant to sites where the maximum building height is 20.5m in the LEP. |
| O9 | To provide for the amenity of occupants and adjoining residential uses. | | |
| | | C18 | A rear setback of 2.4m applies to all levels of the building above ground level. |
| | | C19 | A 2.4m building articulation area applies at the rear to all levels above the first floor. The articulation area is occupied |

| Objectives | | Local controls | |
|---|---|---|---|
| | | | by a combination of external and internal elements.<br><br>Note: This articulation area is calculated from the rear setback established in C18 above.<br><br>Note: Part D3.7 Acoustic and Visual Privacy also applies. |
| O10 | To recognise the role of Glenmore Road as an important entry to Paddington and ensure that development protects and enhances the character of the adjoining heritage conservation area. | C20 | Development on land in proximity to the adjoining heritage conservation area is in architectural harmony with the adjoining historical buildings in respect of massing, modelling of facades, fenestration and external materials, colours and finishes.<br><br>Note: Zone ~~B4~~ MU1 Mixed Use land on Glenmore Road is located within the Paddington heritage conservation area. The planning controls for that land are in Part C of this DCP, Chapter C1 Paddington HCA. |
| O11 | To ensure that signage and structures do not compromise the visual amenity of the streetscape. | | Refer to Part E of the DCP, Chapter E7 Signage.<br><br>Note: Advertising signage is not permitted. |

# D2.3 Rose Bay North

**MAP 2** Rose Bay North centre map




## D2.3.1 Centre character statement

Rose Bay North shopping centre is located on Old South Head Road at the junction of the suburbs of Vaucluse, Rose Bay and Dover Heights. The business area is split between the Waverley Council area to the east of Old South Head Road and the Woollahra Council area to the west, with Old South Head Road forming the boundary between the two councils.

The centre, including the retail strip on the Waverley side, provides a reasonable range of services and facilities to meet the daily needs of local residents. In particular, it includes a Coles supermarket located on the southern side of Dudley Road in the Kings Theatre building. The traditional main street development provides a range of shops including cafés, take away food stores, grocer, chemist, bakery and newsagent.

### Historical development

Old South Head Road was formed in 1811 to provide access to the signal station at Watsons Bay. The subdivision of larger estates into town allotments occurred in the 1920s and 1930s. The Kings Theatre was constructed on the corner of Dudley Street and Old South Head Road in 1935, and was likely to be the commercial hub at that time.

### Built form

Aside from the Coles supermarket located in the former Kings Theatre, the centre is characterised by two to four storey shop top buildings which address the street with continuous awnings. The scale and form of buildings is generally consistent with the buildings on the Waverley side of Old South Head Road.

### Heritage buildings

The former Kings Theatre at 694-696 Old South Head Road, built in 1935 in the Art Deco style, is a heritage item. It is a strong corner building and contributes to the character of the centre.

### Public parks and community facilities

There are no community facilities or public parks in the centre.

### Access and circulation

The centre is well serviced by buses and is located on a bike route on Towns Road and Old South Head Road.

There are opportunities for short stay parking of up to one hour on both sides of Old South Head Road.

Rear lane access for service vehicles is provided from Dudley Avenue for the Coles supermarket. Few other sites on the western side of Old South Head Road have rear lane access. To facilitate this, Woollahra LEP 2014 provides a bonus floor space ratio for corner sites between Captain Pipers Road and Towns Road if vehicular access is provided to adjoining sites.

### Views

The centre is located at the top of a south-facing slope and has a distant view of Bellevue Hill.

## Old South Head Road and Towns Road

## D2.3.2 Desired future character

The Rose Bay North centre provides a mix of residential and non-residential land uses with active street frontages that preserve and enhance the commercial viability of the centre.

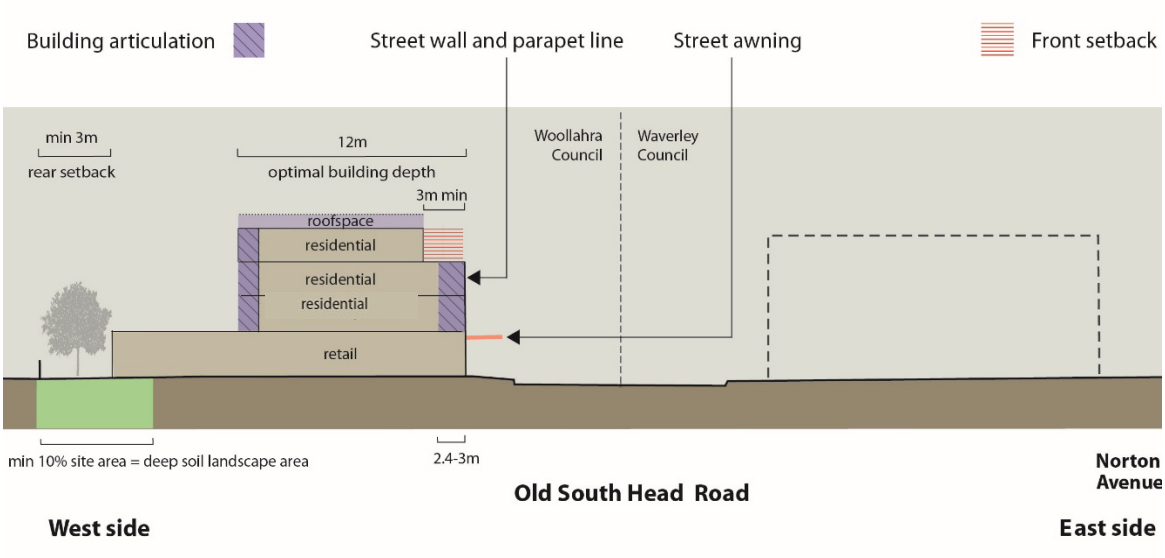
The focus for future development is on upgrading or replacing the existing building stock well designed contemporary buildings. These will be four storey mixed use developments, predominantly containing residential or office space above ground floor retailing. Buildings should address the street, in keeping with the traditional main street development pattern, and retain the continuous street awnings. The design, materials and colour schemes of new buildings is to be sympathetic to the character of the existing buildings.

Development in the Rose Nay North mixed use centre should not detract from the amenity of the adjoining Rose Bay and Vaucluse East residential centres.

## D2.3.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

**FIGURE 1** Rose Bay North section

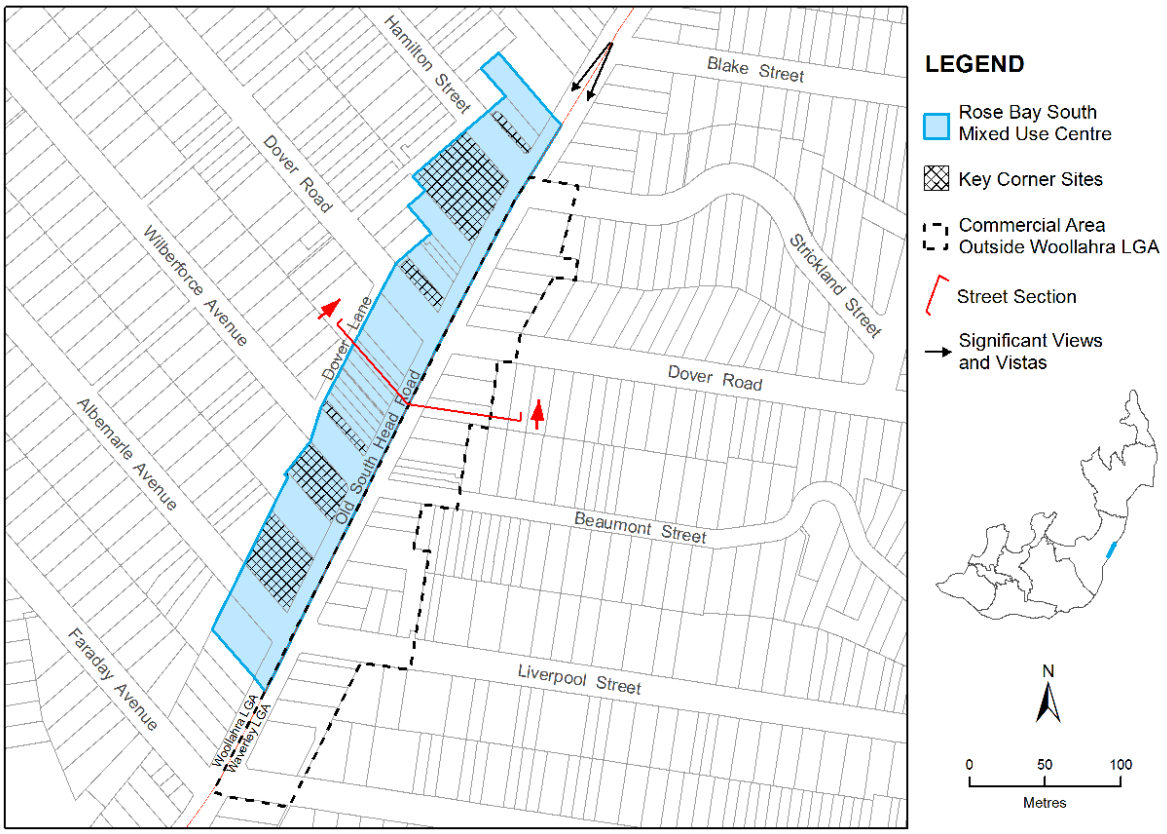


| Objectives | | Controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | The ground level contains active uses, preferably retail, business and personal services that address the needs of the local community. |
| | | C2 | Offices and residential uses are generally located above street level. |
| O2 | To achieve a consistent built form and presentation to the street. | C3 | Development is a maximum four storeys. |
| | | C4 | Development provides three storeys built to the street alignment, with a continuous and consistent parapet line above. |
| | | C5 | Development on the fourth level is setback at least 3m from the street boundary. |
| | | C6 | Development includes a continuous, solid, suspended awning over the public footpath of Old South Head Road and along the secondary frontage of corner sites. |
| O3 | To encourage good building design and limit building bulk. | C7 | Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets. |
| | | C8 | At the street alignment, the depth of the recessed balconies and loggia is between 2.4m to 3m. |
| O4 | To define and reinforce corner sites. | C9 | Development on the key corner sites to Captain Pipers Road and Towns Road (as shown in the centre map above) provides four storeys built to the street alignment with a continuous and consistent parapet line above.<br><br>Note: A bonus floor space ratio applies to these corner sites. Refer to Woollahra LEP 2014 clause 4.4B. |

| Objectives | | Controls | |
|---|---|---|---|
| O5 | To encourage continuous active retail street frontages. | C10 | Development does not include vehicular access from Old South Head Road. |
| O6 | To provide for the amenity of occupants and adjoining properties. | C11 | The building depth for storeys above the ground floor level is generally not more than 12m. |
| | | C12 | The building is setback from the rear boundary by at least 3m. |
| | | C13 | At least 10% of the site is provided as deep soil landscaped area. |

# D2.4 Rose Bay South

**MAP 3** Rose Bay South centre map




## D2.4.1 Centre character statement

Rose Bay South mixed use centre is less than 2km from the Rose Bay local centre travelling east along Dover Road. It extends over at least four blocks along Old South Head Road. The centre provides a good mix of services including a range of health services for local residents, as well as a number of shops serving the cultural requirements of the local community.

As with Rose Bay North, the mixed use centre is split between Woollahra and Waverley Council areas. The traditional main street development provides a broad range of shops including cafés, take-away food stores, hair dresser, a church and a petrol station.

### Historical development

Old South Head Road was formed in 1811 to provide access to the signal station at Watsons Bay. The tram was extended along Old South Head Road in 1903, and this was followed by the subdivision of larger estates into town allotments in the 1920s and 1930s. The Rose Bay Uniting Church and hall at the corner of Dover Road and Old South Head Road was constructed in 1924.

### Built form

The centre contains a mix of architectural styles, but is generally characterised by two to four storey shop top housing, with buildings addressing the street with continuous awnings.

The building stock between Wilberforce and Hamilton Streets was largely constructed in the Inter-War period and is characterised by strong rectilinear parapet lines, continuous awnings and shopfronts built to the street alignment.

### Public parks and community facilities

The church, adjacent hall and the kindergarten are a focus for community activity.

### Access and circulation

The centre is well serviced by buses and is located on a bike route along Old South Head Road.

There are opportunities for short stay parking of up to one hour on both sides of Old South Head Road.

Rear lane access for service vehicles is available between Wilberforce Avenue and Dover Road, and from Short Lane off Hamilton Street. To address this, Woollahra LEP 2014 provides a bonus floor space ratio for corner sites if vehicular access is provided to adjoining sites.

### Views

The centre is located on a south-west facing slope and has a distant view of Bellevue Hill.

## Old South Head Road

## D2.4.2 Desired future character

The Rose Bay South centre provides a good mix of cafés and restaurants and personal services to address the local community's needs.

As with the Rose Bay North mixed use centre, the existing building stock is due for upgrading or replacement. The focus for future development is on upgrading or replacing the existing building stock with well designed contemporary buildings. These will take the form of four storey mixed use development containing residential or office space above ground floor retailing.

Buildings should be built to the Old South Head Road street alignment, address the street, and provide continuous street awnings. Redevelopment of the southern corner of Wilberforce Avenue at 498 Old South Head Road provides a significant opportunity to create a strong corner building built to the street alignment and a consistent parapet line to 494-496 Old South Head Road.

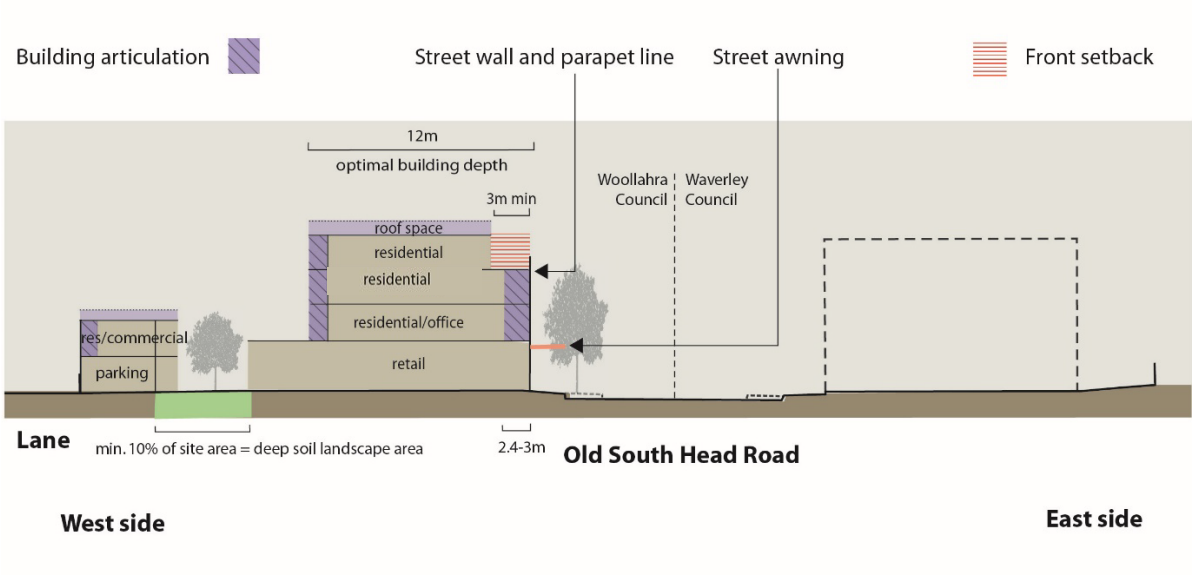
The Uniting Church at 518A Old South Head Road provides a local landmark at the Dover Road intersection.

Development in the Rose Bay South mixed use centre must not detract from the amenity of the adjoining Rose Bay residential centre.

## D2.4.3 Objectives and controls

The street diagram illustrates some of the controls, and is to be read in conjunction with the table of objectives and controls below. Note, the maximum building height and FSR are in Woollahra LEP 2014.

**FIGURE 2** Rose Bay South section



| Objectives | | Local controls | |
|---|---|---|---|
| O1 | To provide uses that are consistent with the desired future character of the centre. | C1 | The ground level contains active uses, preferably retail, business and personal services that address the needs of the local community. |
| | | C2 | Offices and residential uses are generally located above street level. |
| O2 | To achieve a consistent built form and presentation to the street. | C3 | Development is a maximum four storeys. |
| | | C4 | For street wall and parapet line, development provides three storeys built to the street alignment, with a continuous and consistent parapet line above. |
| | | C5 | Development on the fourth level is setback at least 3m from the street boundary. |
| | | C6 | For the street awning, development includes a continuous, solid, suspended awning over the public footpath of Old South Head Road and along the secondary frontage of corner sites. |
| O3 | To achieve a consistent built form along Dover Lane. | C7 | Development is a maximum two storeys and 7m height built to the lane. |
| O4 | To support the evolution of building styles through the introduction of well designed contemporary buildings. | C8 | Building articulation at the street alignment is in the form of recessed balconies or loggia only. Elsewhere it may be in the form of verandahs, balconies, loggia or wall offsets. |
| O5 | To encourage good building design and limit building bulk. | C9 | At the street alignment, the depth of the recessed balconies and loggia is between 2.4m to 3m. |
| O6 | To define and reinforce corner sites. | C10 | Development on corner sites provides four storeys built to the street alignment with a continuous and consistent parapet line above. |
| O7 | To support redevelopment of the key site at the intersection Wilberforce Avenue and Old South Head Road. | | |

| Objectives | | Local controls | |
|---|---|---|---|
| O8 | To encourage continuous active retail street frontages. | C11 | Development does not include vehicular access from Old South Head Road. |
| O9 | To provide for the amenity of occupants. | C12 | The building depth for storeys above the ground floor level is generally not more than 12m. |
| | | C13 | At least 10% of the site is provided as deep soil landscaped area. |

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Chapter D3
# General Controls for Neighbourhood and Mixed Use Centres

Part D ▸ Business Centres

CHAPTER D3 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

~~Last amended on 8 December 2023~~

Last amended on TBC

# Chapter D3 ▸ General Controls for Neighbourhood and Mixed Use Centres

## Contents

# D3.1 Introduction

This is Chapter D3 of the Woollahra Development Control Plan 2015 (DCP), Part D Business Centres.

This chapter contains controls for twelve centres, zoned either ~~B1 Neighbourhood~~ E1 Local Centre Centre or ~~B4~~ MU1 Mixed Use under the Woollahra Local Environmental Plan 2014 (LEP).

The controls in this chapter must be read in conjunction with the controls in Chapter D1 Neighbourhood Centres and Chapter D2 Mixed Use Centres.

## D3.1.1 Land where this chapter applies

This chapter contains controls for the following centres, as identified on Map A (see next page):

- Hopetoun Avenue, Vaucluse;
- South Head Roundabout, Vaucluse;
- Vaucluse Shopping Village, Vaucluse
- Plumer Road, Rose Bay;
- O'Sullivan Road, Rose Bay;
- Streatfield Road, Bellevue Hill;
- Bellevue Hill Shops, Bellevue Hill;
- Manning Road, Woollahra;
- Darling Point Road, Darling Point;
- New South Head Road Corridor, Edgecliff;
- Rose Bay North, Rose Bay; and
- Rose Bay South, Rose Bay.

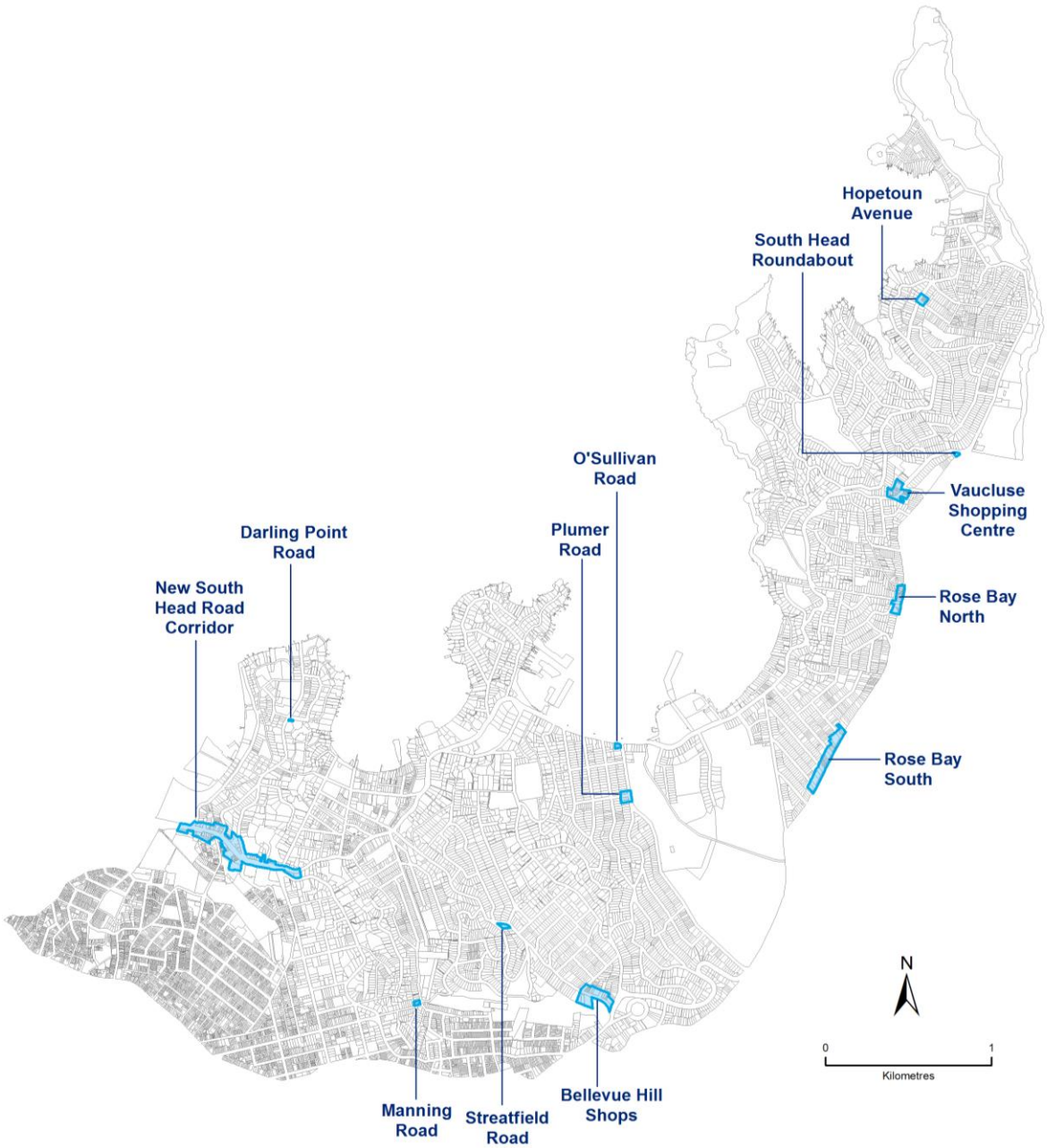
## D3.1.2 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- Part B: Chapter B3 General Development Controls, but only if the proposal relates to an Inter-War flat building (refer to Section B3.8 Additional controls for development other than dwelling houses).
- Part D: Chapter D1 Neighbourhood Centres OR Chapter D2 Mixed Use Centres, depending on the location of the proposed development.
- Part E: General Controls for All Development – this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

- Part F: Land Use Specific Controls – this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

## MAP A Land where Chapter D3 applies



## D3.1.3 How to use this chapter

This chapter establishes controls for:

- uses;
- street character;
- built form;
- building articulation;
- heritage and contributory buildings;
- acoustic and visual privacy;
- landscaped area and private open space;
- car parking and vehicular access; and
- site facilities.

The controls in this chapter comprise the following elements:

- Explanation of the topic:

  This provides background information on why the topic is important and how it is relevant to building design. The explanation helps determine how the general controls should be applied to development.

- Table of objectives and controls:

  The objectives describe the outcomes that proposed development is required to achieve. Applicants need to demonstrate how their development fulfils the relevant objectives for each topic. The controls represent specific ways in which a development proposal can meet the objectives. The intent of the controls must be interpreted in the context of the topic's objectives.

Development is required to address all the relevant controls. Where there is a disparity between these general controls and the centre specific controls in Chapters D1 and D2, the centre specific controls take precedence over the general controls.

## D3.2 Uses

Land zoned ~~B1 Neighbourhood~~ E1 Local Centres and ~~B4~~ MU1 Mixed Use generally consists of a mix of small scale shops and commercial premises at street level with residential dwellings or offices above.

Centres with continuous ground level retail frontage offer the benefits of safety, commercial activity and street life. Incorporating housing on the upper levels can also make a significant contribution to the local character, provide street surveillance and contribute to night time activity in the centres.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To promote a mix of residential and non-residential land uses that helps preserve the commercial viability of centres | C1 | At ground floor, the building is designed for retail or other active uses on the primary street frontage. |
| O2 | To maintain continuous retail or commercial uses at street level. | C2 | Residential uses on the ground floor are limited to areas providing access to residential uses above, or areas to the rear of the retail or other active uses. These areas for residential use must not compromise the achievement of active street frontages, or the commercial viability of the ground floor area that provides the active street frontage. |
| O3 | To ensure that buildings and spaces are designed to be durable and adaptable. | C3 | At the first floor, the building is generally designed to accommodate residential uses. |
| | | C4 | At the second floor and above, the building is designed to accommodate residential uses. |
| | | C5 | Development provides a range of residential accommodation types and forms (such as multi-level dwellings on the upper storeys). |
| O4 | To encourage activities are compatible with mixed use developments that contain residential. | C6 | The land use is consistent with the desired future character of the centre. |
| | | C7 | Development minimises conflict between the functional and access demands of residential and non-residential occupants. |

| Objectives | | Controls | |
|---|---|---|---|
| O5 | To preserve the small shop character of neighbourhood centres. | C8 | The commercial frontage at street level for individual commercial and retail units matches the traditional subdivision pattern. |
| | | C9 | Commercial and retail premises less than 200m² have a depth to width ratio between 1:1 and 3:1. |

## D3.3 Street character

The streetscape refers to the collection of visible elements that form the street, including the form and treatment of buildings, setbacks, fences and walls, landscaping and trees, driveway and street layout and surfaces, utility services and street furniture such as lighting, signs, barriers and bus shelters.

Streetscape quality helps to provide local amenity and identity. Good quality street environments are particularly important in our business centres where the community gathers and interacts. Safeguards are needed to ensure that the streetscape qualities of new development are compatible with the desired future character of the centre.

Good development contributes to a cohesive streetscape and desirable pedestrian environment. New development should recognise predominant streetscape patterns, such as building form, roof design, front setbacks, awnings and predominant materials to ensure a cohesive streetscape character.

Creating attractive and lively street environments can help to slow traffic, foster the use of streets as places for social interaction and encourage pedestrian and cyclist activity.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To ensure development contributes to active and desirable pedestrian environments. | C1 | The building is located as close to the street alignment as possible to promote interaction between pedestrians and shopfronts. |
| O2 | To create an active interface between ground level retail or commercial properties and the street. | C2 | Development includes display windows with clear glazing to ground floor retail and commercial premises, with a maximum sill height of 0.7m. |
| | | C3 | The building has a clear street address and the entry to upper level development is well defined at the street frontage. |
| | | C4 | Access to upper level uses does not occupy more than 20% of the ground floor frontage. |
| | | C5 | Vehicle access is not off the active street frontage. Vehicular entries are from a secondary street, are discrete and minimise conflicts with pedestrians. |

| Objectives | | Controls | |
|---|---|---|---|
| O3 | To ensure development contributes to cohesive streetscapes. | C6 | Development continues the predominant built form character of the street, including front setbacks, awnings, parapet lines, floor to ceiling heights and roof pitches. |
| O4 | To ensure development responds to predominant streetscape qualities and contributes to the desired future character of the centre. | C7 | Development maintains the predominant balance of horizontal and vertical proportions in the street. |
| | | C8 | Development to re-use an existing building reinstates missing façade elements and decorative details. |
| | | C9 | The design of the building facade uses materials that are compatible with the existing development context. |
| O6 | To ensure that the colour of the building facade is not intrusive or unreasonably dominant within the streetscape, and is compatible with the desired future character of the centre. | C10 | The external painting of a building in bright colours, corporate colours or fluorescent colours is avoided. |
| | | C11 | Any individual business branding and identity in external painting and colour schemes is subordinate to the main colour schemes in the street.<br>Note: Also refer to the signage controls in Part E7 of the DCP, Section 7.2.2 When external painting of a building constitutes a wall sign. |
| O7 | To provide an attractive and comfortable pedestrian environment. | C12 | Development provides awnings as indicated for each centre in Chapter D1 or D2 and the street sections where relevant. |
| | | C13 | Awning design is a solid suspended steel box type section, with a minimum soffit height of 3.2m. |
| | | C14 | Awning height provides continuity with adjoining properties, follows the street grade, and is of sufficient depth to provide good shade and shelter to pedestrians (see Figure 1 below). |

| Objectives | | Controls | |
|---|---|---|---|
| | | C15 | Under awning lighting is included; either recessed into the soffit of the awning or wall mounted on the building. |
| | | C16 | Development protects existing street trees and includes streetscape improvements. |
| | | C17 | Development includes advanced tree planting in the footpath. |
| O8 | To ensure a safe environment by promoting crime prevention through design. | C18 | Building design incorporates windows to overlook the public domain on all street frontages. |
| | | C19 | Security features at ground level complement the design of the façade and allow window shopping and the spill of light into the street out of business hours. |
| | | C20 | Building design avoids dead edges at ground floor level, such as car parking frontages, blank walls and recessed spaces. |
| O9 | To ensure that signage and structures do not compromise the visual amenity of the streetscape. | C21 | Refer to Part E of the DCP, Chapter E7 Signage. |

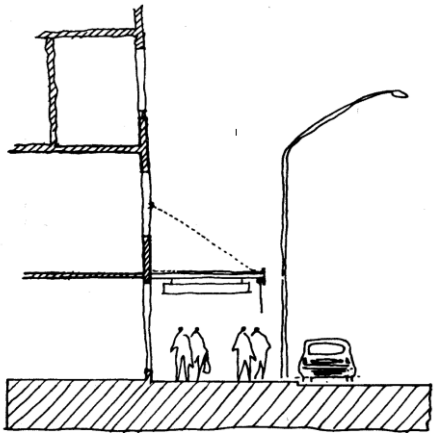


**FIGURE 1** Awning design – suspended steel box section type with a minimum soffit height of 3.2m

## D3.4 Built form

The building height, floor space ratio (FSR) and setbacks establish the building envelope. The built form of the development sits within the envelope and is moulded to respond to the site context.

The maximum building height and FSR are set by Woollahra LEP 2014. This part of the DCP contains front, side and rear setbacks and articulation controls, as well as design guidelines for streetscape presentation, roof forms and amenity.

The maximum floor space ratios in Woollahra LEP 2014 are not "as of right". To achieve the maximum permissible floor space ratios, a development should satisfy the relevant controls applicable to the land.

The gross floor area of a development is to be contained wholly within the building envelope generated by the maximum building height in Woollahra LEP 2014 and the controls for building footprint, building storey height, and front, side and rear setbacks specified in this chapter of the DCP.

The permissible gross floor area for each site is generally 80% of the theoretical floor space achievable within the building envelope. The 20% balance allows for building articulation and design elements which contribute to well designed buildings and allow for design flexibility to address amenity issues for both existing and new buildings.

The desired built form for the ~~B1 neighbourhood~~ E1 ocal and ~~B4~~ MU1 mixed use centres is illustrated in the street sections (in Parts D2 and D3). These have been prepared having regard to the following key characteristics of the centres:

- Buildings are generally row buildings with the massing concentrated to the street frontage. Typically built from side boundary to side boundary along the street frontage, clearly defining the edges of the street. In many centres strong corner buildings provide termination to the row and emphasise the corner.
- Built form at the rear of the sites is generally less bulky and provides a transition to residential sites.
- Articulated parapets and hipped roof forms contribute to the urban character.

The built form controls in the DCP accommodate a mix of uses in the centres. The deep ground level floorplates are suitable for retail and commercial uses, whilst the upper level floorplates provide for more natural light and ventilation, and are suitable for residential uses.

Car parking above ground is not encouraged. If car parking is proposed at or above ground level (i.e. within the building envelope) the development may not achieve its maximum permissible floor space. Council will not support a larger building envelope to provide for additional floor space.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To achieve a built form of a scale and character in keeping with the desired future character of each centre. | C1 | Development complies with the street section drawings for the centres in Chapter D1 and D2. |
| O2 | To relate new development to existing building lines and grades along the street frontage. | C2 | The design of the building footprint minimises cut and fill, and establishes ground floor levels that generally correspond to those of adjoining buildings. |
| | | C3 | The building achieves, but does not exceed, the height along the primary street frontage identified in the street sections in Chapter D1 and D2. |
| | | C4 | The floor to ceiling height of ground floor development is at least 3.6m, to allow for changes in tenancy. |
| | | C5 | Development complies with front setbacks identified in the street sections in Chapter D1 and D2. |
| | | C6 | The front setback defines a coherent and consistent alignment to the public domain and accentuates street corners. |
| | | C7 | Where an upper level setback is required, that setback alignment is parallel to the street boundary alignment. |
| | | C8 | A rear setback of at least 3m, increasing by a minimum of 1.5m for each level above ground floor level, is provided if the rear of the site adjoins land zoned for residential or public open space purposes. |
| | | C9 | Where development is permitted along rear lanes, it does not exceed a wall height of 7.2m. |
| | | C10 | A side setback of at least 1.5m applies at all levels above 2 storeys, where the side setback immediately adjoins residential zoned land.<br><br>Note: For development in the New South Head Road Corridor, Edgecliff, C9 and |

| Objectives | | Controls | |
|---|---|---|---|
| | | | C10 do not apply, instead refer to Chapter D2 Mixed Use Centres. |
| | | C11 | Rear setbacks provide:<br>a) vehicle access to the rear of lots (where practical); and<br>b) deep soil landscaped areas where blocks adjoin residential areas or public open space. |
| | | C12 | Pergolas, sunscreens, privacy screens or planters or the like, must not:<br>a) increase building bulk;<br>b) exceed the maximum building height;<br>c) significantly affect views from adjoining properties, the immediate vicinity or from nearby ridges. |
| O3 | To protect solar access to adjoining residential zoned land in winter. | C13 | Where already existing, access to sunlight is maintained for a minimum period of two hours between 9am and 3pm to private open space of adjoining properties. Where existing overshadowing is greater than this, access to sunlight is not further reduced by new development. |
| O4 | To protect significant views and vistas. | C14 | Development maintains the significant views and vistas identified on the maps for the centres in Chapter D1 and D2. |
| O5 | To encourage building massing and articulation that creates strong corner buildings. | C15 | If a corner building, the design reflects the street geometry, topography, sight lines and skyline elements. |
| | | C16 | Street corners are strengthened by massing and building articulation to both frontages. |
| | | C17 | Development on a corner site achieves the maximum prescribed height to both frontages. |

| Objectives | | Controls | |
|---|---|---|---|
| | | | Note: Bonus floor space ratio applies to some corner sites to encourage development of prominent corner buildings. Refer to Woollahra LEP 2014 clause 4.4B. |
| O6 | To promote building forms that provide quality internal environments and allow natural day lighting, natural ventilation and visual and acoustic privacy to dwellings. | C18 | Habitable rooms have a minimum floor to ceiling height of at least 2.7m. |
| | | C19 | Development for residential uses generally provides a building depth up to 12m including the articulation zones. Where building depth exceeds 12m, the applicant must demonstrate how satisfactory daylight and natural ventilation is to be achieved. |
| | | C20 | Development includes courtyards at ground and first floor level to provide natural lighting and ventilation. Light wells as the main source of lighting and ventilation to dwellings are avoided. |
| | | C21 | Primary door and window openings in residential living areas are located towards the street and/or rear lane and protect privacy. Living areas with primary openings that face a shared side boundary are avoided. |
| | | C22 | Roof terraces adjoin habitable space that is on the same floor level. Development does not include a rooftop terrace that is only accessed from a stairway and/or lift. |
| O7 | To encourage roof design that creates a distinctive silhouette to buildings. | C23 | The floor level of the uppermost habitable storey is 3.5m or more below the maximum building height to accommodate a roof form that is visually interesting and articulated. |
| O8 | To ensure that plant and service equipment on roofs is not visually intrusive. | C24 | The profile and silhouette of the parapet, eaves and roof top elements are integrated in the roof design. |

| Objectives | | Controls | |
|---|---|---|---|
| | | C25 | Where a pitched roof is proposed, the angle of the pitch is compatible with the existing development context.<br><br>Note: The building form including parapet and plant and lift overruns must be contained within the envelope height. Refer to LEP definition of building height. |
| | | C26 | Communication devices, antennae, satellite dishes, chimneys, flues and the like are not readily visible from the public domain. |
| O9 | To ensure that the use of glazing does not cause unreasonable glare. | C27 | The building or its façade does not result in glare that causes discomfort or threatens safety of pedestrians or drivers.<br><br>Note: A reflectivity report analysing potential glare from the proposed new development on pedestrians or motorists may be required to be submitted with the development application. |
| O10 | To ensure that the significant characteristics of Inter-War flat buildings are retained and protected. | C28 | If development relates to an Inter-War flat building, the additional controls for Inter-War flat buildings in Part B, Chapter B3 General Development Controls of this DCP also apply (refer to Section B3.8 Additional controls for development other than dwelling houses) . |

| Objectives | | Controls | |
|---|---|---|---|
| O11 | To ensure no adverse geotechnical or hydrogeological impacts on any surrounding property and infrastructure as a consequence of the carrying out of development. | C29 | Excavation below 2m and/or within 1.5m of the boundary is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighbouring structures.<br>Note: Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council's guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development. |
| O12 | Housing and buildings are to be accessible and useable by all people in the community, including people with disabilities. | | Refer to the *Disability (Access to Premises - Buildings) Standards 2010*, National Construction Code, and Part E of this DCP, Chapter E8 Adaptable Housing. |

## D3.5 Building articulation

Building articulation refers to the three dimensional modelling of a building façade. Building articulation along the street frontage establishes the relationship between a building and the street, through the use of elements like wall offsets, entry porches, loggias, balconies and bay windows.

Traditionally, buildings in the Zone ~~B1 Neighbourhood~~ E1 Local Centres and Zone ~~B4~~ MU1 Mixed Use are built to the street alignment with recessed balconies on the upper levels.

Articulation zones allow for the design of accessible and comfortable private outdoor living areas, which contribute to the liveability of residential dwellings located in business centres.

The articulation zones, through the combination of internal and external elements, also provide for more interesting and well designed buildings. Internal elements include habitable rooms, entries, bay windows and glazed balcony. External elements within the area for building articulation include balconies, terraces, verandahs, loggias, decks, porches, external access stairs, solar protection elements such as roof overhangs, external louvered walls, screens, awnings and deep reveals, decorative architectural elements such as corbelling, projecting sills and expressed window openings.

The street section drawings in Chapters D1 and D2 of this DCP identify the area for building articulation for some centres.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To create a strong street address and enrich the character of the centre through appropriate building articulation. | C1 | Building articulation is provided as indicated in the street sections for the centres in Chapter D1 and D2 of the DCP. |
| O2 | To encourage good building design and limit building bulk through articulation. | C2 | The building at the street elevation is significantly articulated to provide depth and interest to the building form. The building articulation area includes a combination of external and internal elements. |
| | | C3 | Building design responds to environmental conditions such as orientation, noise, privacy and views, natural ventilation and solar access. |
| | | C4 | The façade is richly articulated and expresses the different levels of the building and/or its functions. |
| | | C5 | Architectural detailing and balconies do not project more than 500mm beyond the prevailing building line. |
| | | C6 | Where boundary walls are visible, these include modelling. Blank boundary walls are avoided. |

**FIGURE 2** Recessed balcony

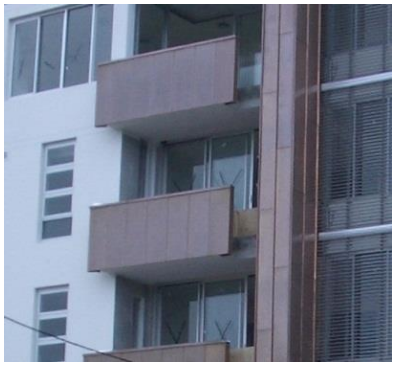


**FIGURE 3** Part projecting balcony

## D3.6 Heritage and contributory buildings

Council supports the conservation of the rich mixture of buildings and places of special significance within the municipality. Woollahra LEP 2014 contains controls for the conservation of heritage items and heritage conservation areas (HCA). Development involving a heritage item or located within a HCA must also comply with the provisions in the LEP.

In addition to the heritage items, there are contributory buildings in heritage conservation areas. These are buildings that are notable, of architectural merit, may belong to a group of buildings that together define a street corner, are well built using quality materials, or have distinguished features that remain substantially intact.

The contributory buildings are identified in the descriptions of each centre in Chapters D1 and D2.

Council promotes historic continuity to maintain the local identity of our neighbourhood and mixed use centres. Development should seek to retain these buildings and enhance their architectural features.

Development involving a heritage item, or contributory building, will require a statement of heritage impact to be lodged with the development application.

| Objectives | Controls |
|---|---|
| O1 To protect and enhance items of heritage significance and contributory buildings.<br><br>O2 To ensure development conserves or enhances items and areas of special architectural, social, cultural or historic interest.<br><br>O3 To encourage ensure that contributory buildings are retained and adaptively reused in a manner that respects the significance of the building. | C1 The significance of the heritage item or contributory building is not compromised by the proposed development, particularly in regards to building bulk, scale, design, setbacks, external colours and finishes.<br><br>C2 The upgrade or re-use of the heritage item or contributory building retains and enhances the architectural and streetscape value of the building.<br><br>C3 Development involving the re-use of a contributory building reinstates missing façade elements and decorative details.<br><br>C4 Demolition of a contributory building is avoided.<br><br>Note: Council discourages the demolition of contributory buildings. An application to demolish a contributory building must clearly demonstrate that development would provide a replacement building of higher quality (than the contributory building) with respect to streetscape |

| Objectives | | Controls | |
|---|---|---|---|
| | | | character, architectural design, internal and external amenity, flexibility of uses, material quality and construction.<br><br>Also refer to Woollahra LEP 2014 for development involving a heritage item. |
| O4 | To support new building design that responds to, and complements, the form and character of heritage and contributory buildings. | C5 | Development adjacent to a heritage item or contributory building is sympathetic in scale, alignment, detailing and materials.<br><br>Note: Also refer to Woollahra LEP 2014 for development in the vicinity of a heritage item. |

## D3.7 Acoustic and visual privacy

Privacy is a major determinant of the ability of residents and neighbours to enjoy their home. Privacy refers to both acoustic and visual privacy. The privacy needs of residents and neighbours should influence all stages of design, from the location of dwellings and the placement of windows and private open space through to the selection of materials and construction techniques.

Visual privacy can be achieved by:

- layout that avoids overlooking;
- screening; and
- separation.

The level of acoustic privacy depends on the location and design of habitable rooms relative to noise sources such as common areas in the development, restaurants and cafes, late trading hours and major roads.

Residential accommodation in mixed use areas is likely to be subject to a certain level of activity noise associated with the uses that mixed use business areas accommodate such as cafes, restaurants and late trading hours. The resulting amenity impacts can be substantially mitigated by good design.

Council may require a Noise Impact Assessment as part of the development application to identify potential noise impacts and demonstrate how noise will be managed.

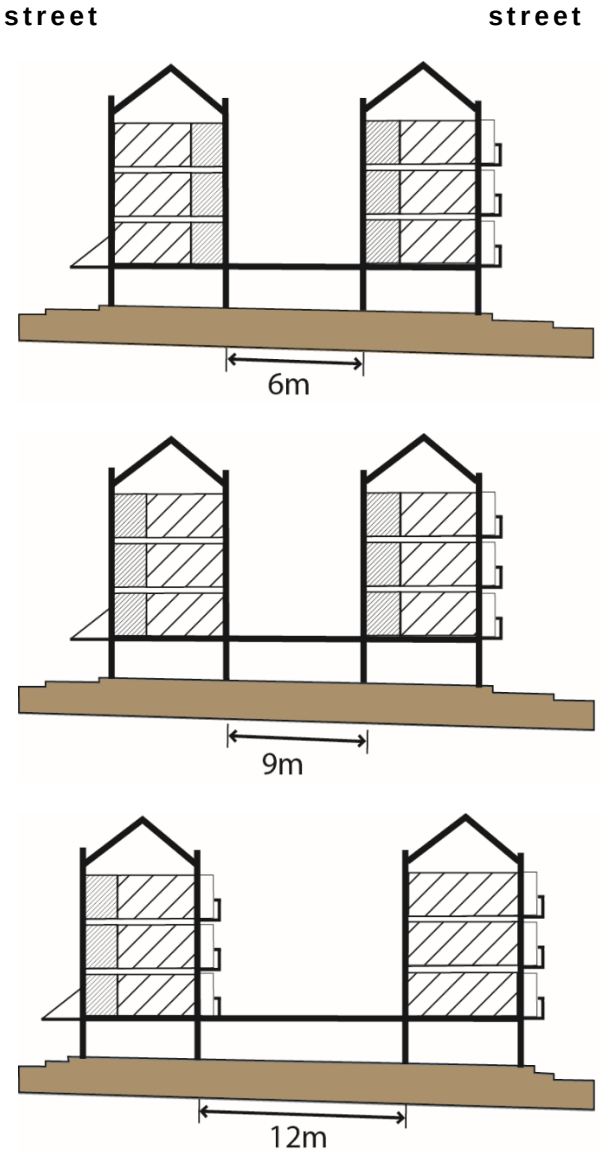
| Objectives | | Controls | |
|---|---|---|---|
| O1 | To ensure adequate separation between dwellings for acoustic and visual privacy. | C1 | Where a development involves two or more separate buildings the minimum distance between windows facing each other is:<br>a) 6m between non-habitable rooms;<br>b) 9m between habitable and non-habitable rooms; and<br>c) 12m between habitable rooms.<br>Refer to Figure 4. |
| O2 | To ensure adequate acoustic privacy for occupants and neighbours. | C2 | The building is sited and designed to minimise the transmission of external noise to other buildings on the site and on adjacent land. |
| O3 | To encourage building design, construction and use of materials that minimise conflicts between commercial and residential uses. | C3 | The internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, is designed to |

| Objectives | | Controls | |
|---|---|---|---|
| | | | minimise the transmission of noise externally. |
| | | C4 | The bedroom areas are separated, by way of barriers or distance, from on-site noise sources such as active recreation areas, car parks, vehicle access-ways and service equipment areas. |
| | | C5 | Noise impact associated with goods delivery and garbage collection, particularly early morning, is minimised. |
| | | C6 | For a restaurant or café, the design and operation minimises the impact of noise associated with late night operation on nearby residents. |
| | | C7 | A rear courtyard is only permitted for restaurant or café use if Council is satisfied that the use and hours of operation will not a have an unreasonable impact on residential amenity.<br><br>Note: Council may require a Noise Impact Assessment as part of the development application. |
| O4 | To ensure adequate visual privacy for occupants and neighbours. | C8 | Views to adjacent private open space are protected and screened consistent with Figure 5 below. |
| | | C9 | Visual privacy is protected by providing adequate distance between opposite windows of neighbouring dwellings where a direct view is not restricted by screening or planting. |
| | | C10 | Windows and balconies of upper level dwellings are designed to prevent overlooking of the private open space of any lower level dwellings directly below, and within, the same development. |
| | | C11 | Balconies are located and designed to provide privacy for occupants of the |

| Objectives | Controls |
|---|---|
| | building when viewed from the street or nearby public space. |

**FIGURE 4** Minimum distances for visual and acoustic privacy in mixed use centres

Source: AMCORD, 1995



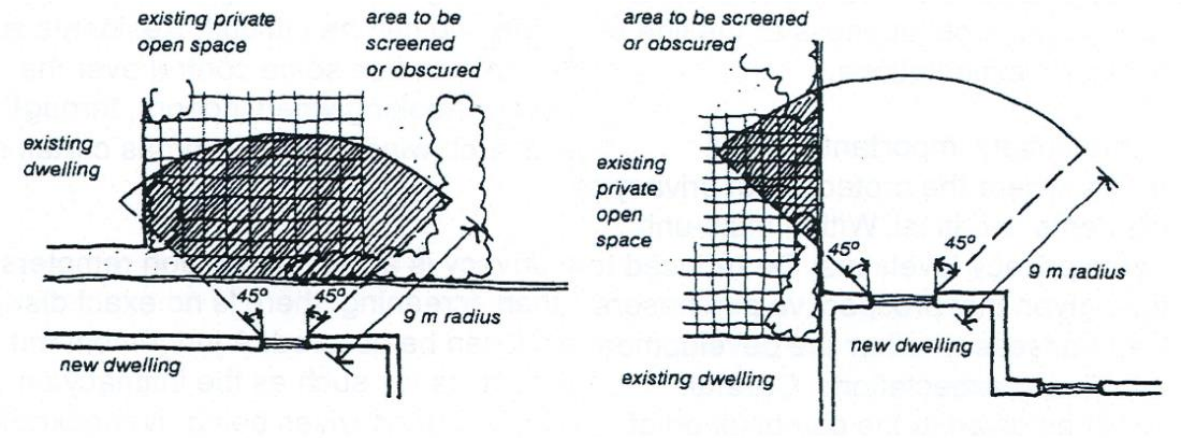

**Habitable room**

A room used for normal domestic activities that includes: a bedroom, living room, lounge room, music room, television room, dining room, sewing room, study, playroom, sunroom and kitchen.

**Non-habitable room**

A room of a specialized service nature occupied neither frequently nor for extended periods, including a bathroom, laundry, water closet, food storage pantry, walk in wardrobe, corridor, hallway, lobby or clothes drying room.

**FIGURE 5** Acceptable screening of views to adjacent open spaces



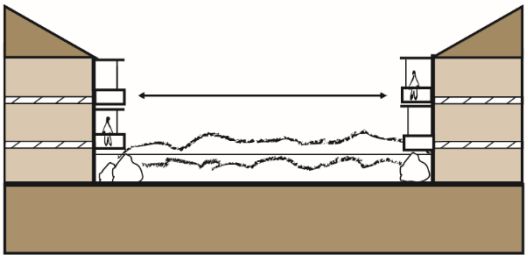



**FIGURE 6**

Ensure adequate separation between unscreened balconies. Privacy at ground floor level provided by suitable sill heights and planting

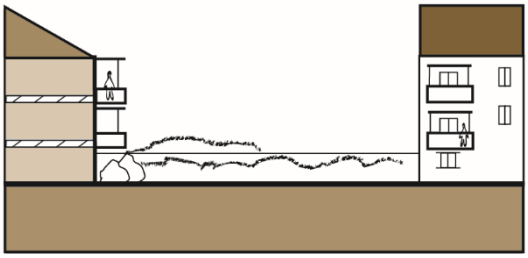


**FIGURE 7**

Careful location of balconies can increase privacy and reduce their separation

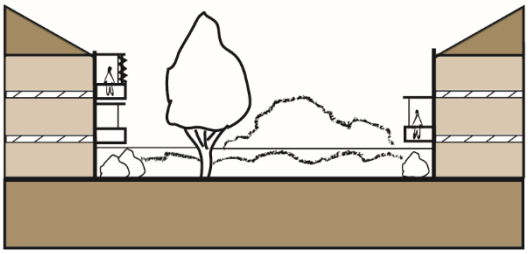


**FIGURE 8**

Vegetation and balcony screening can increase separation to ensure privacy

## D3.8 Landscaped area and private open space

Landscaped area in Woollahra LEP 2014 means "a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area". Deep soil landscaped area is the area of the site that contains landscaped area which has no above ground, ground level or subterranean development.

The landscaped area within developments may comprise both communal and private open space areas. Landscape treatment helps to determine the amenity of individual dwellings, define private and public areas, reinforce or screen views and define local character.

The amount and composition of landscaped area also play important roles in stormwater management, the energy efficiency of developments and access to sunlight.

Private open space is the area of land or of a building (such as a balcony or uncovered roof terrace) belonging to a dwelling and intended for the exclusive use of the occupants of the dwelling. It should be located and designed so as to offer visual privacy to the occupants.

Common open space is useable shared open space for the recreation and relaxation of residents of a development; the common space is generally under the control of a body corporate or equivalent.

The location and design of private and common open space should contribute to the amenity of the development.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To enhance the appearance, amenity and energy efficiency of housing through landscaped area. | C1 | Deep soil landscaped area comprises at least 10% of the site area, with the exception of Hopetoun Avenue, where at least 15% of the site area is deep soil landscaped area. |
| O2 | To ensure the adequate provision of accessible and useable private and communal open space. | C2 | Part of the private open space serves as an extension of the dwelling and is directly accessible from the main living area of the dwelling. |
| O3 | To provide for the amenity of occupants. | C3 | Communal open space is centrally located and easily accessed by all building occupants. |
| | | C4 | The minimum area of above ground private open space is determined by the dwelling size as outlined below:<br>a) small dwelling (less than 60m²)—8m²;<br>b) medium dwelling (60m² to 80m²)—12m²; and |

| Objectives | | Controls | |
|---|---|---|---|
| | | | c) large dwelling (more than 90m²)— 16m². |
| | | C5 | The preferred depth of the required above ground private open space is 2.4m. The minimum permissible depth is 1.8m. |
| | | C6 | Development provides at least one balcony, terrace, loggia, roof terrace, deck or the like for each dwelling, within the area nominated for building articulation area. This open space is accessible from a main living area. |
| O4 | To retain important existing mature trees, vegetation and other landscape features. | C7 | Existing significant trees and vegetation are incorporated into the proposed landscaped area and treatment. |
| O5 | To enhance stormwater management. | C8 | Wherever possible car parking is located under the building footprint to maximise deep soil landscaped area.<br>Note: At grade car parking will only be considered where the applicant demonstrates that it is unreasonable to locate parking below ground and the minimum deep soil landscaped area is provided elsewhere on the site. |
| O6 | To increase opportunity for landscaped areas at ground level to improve amenity for building occupants and neighbours. | | |

## D3.9 Car parking and vehicular access

The neighbourhood centres and mixed use centres are generally located on or close to public bus transport routes. This helps limit car use and encourages other modes of transport, such as walking, cycling and public transport, helping to improve local amenity and minimise pollution and the use of non-renewable energy sources.

Council's car parking requirements aim to satisfy the parking demand likely to be generated by development, whilst recognising that opportunity for on-site parking is limited in many of the centres.

Parking areas, accessways and servicing facilities must be designed carefully so that they do not detract from the appearance of the development or the streetscape, and do not disrupt the continuity of the retail frontage or pedestrian movement.

In particular, vehicle access to a development site from the primary street is not permitted; this protects the continuous active retail frontages important for centres. Where there is no rear lane or side street access, this may restrict the potential for development that requires on-site parking or on-site loading facilities.

Where the parking involves excavation, Council will normally require geotechnical report prepared in accordance with the Council's '*Guide for preparing Geotechnical and Hydrogeological Reports*'. The preparation and submission of pre-commencement and post-completion dilapidation reports for properties adjoining and neighbouring the development will generally be applied as a standard condition of consent.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To ensure that developments generating vehicular traffic make adequate provision for the off-street parking and servicing needs of its occupants and users, including visitors, employees and deliveries. | C1 | Development complies with the provisions in Part E of the DCP, Chapter E1 Parking and Access.<br><br>Note: This includes parking generation rates for the commercial and residential components of development, design requirements and loading and servicing provisions.<br><br>A parking concession may be granted for mixed use buildings when overlapping parking demand will occur for different uses or complementary use of spaces will occur for uses with different peak parking demand times. |
| O2 | To ensure the safe and efficient movement of vehicles within, entering and leaving properties. | | |

| Objectives | | Controls | |
|---|---|---|---|
| O3 | To maximise retail frontage to primary streets and provide for continuous retail street frontages. | C2 | Access to on-site car parking and servicing facilities is provided from rear lanes or secondary streets. |
| O4 | To ensure that on-site car parking and driveways do not dominate or detract from the appearance of the development and the local streetscape. | C3 | Access to development is provided by one driveway only. The driveway is no wider than 6m wide. |
| | | C4 | On-site parking areas are provided below ground where possible, and car parking is not located on any level above the ground level. |
| | | C5 | On-site car parking areas are not visible from the main street frontage. |
| | | C6 | Facades screening car parks from the street are of high quality and allow natural lighting and ventilation. |
| | | C7 | Access to on-site car parking and servicing facilities is designed perpendicular to the street alignment and does not ramp along a street or lane alignments.<br>Note: In the case of small lots, consideration should be given to amalgamation of car parks and access and egress points. |
| O5 | To maximise pedestrian and resident safety and amenity. | C8 | Car parking and driveway areas are located and designed to:<br>a) minimise disruption to pedestrian movement, safety, and amenity;<br>b) preserve existing trees and vegetation; and<br>c) complement the desired future character for the precinct described in in Chapters D1 and D2. |
| | | C9 | Servicing facilities for non-residential uses are located and designed to protect the amenity of residents. |

| Objectives | | Controls | |
|---|---|---|---|
| | | C10 | Residential parking areas are secure and separate from non-residential vehicle parking and servicing areas. |
| O6 | To encourage the provision of walking and cycling facilities. | C11 | A dedicated bicycle rack or area is provided in a convenient location at the rate of 1 bicycle space per 25 car spaces. |
| O7 | To limit sub-surface excavation and impacts on adjoining properties and structures | C12 | The area of site excavated for the purposes of underground car parking is limited to the building footprint of the development. |
| | | C13 | Excavation works are located on the lot subject to the development proposal only. Excavation does not occur under common walls, footings to common walls, or freestanding boundary walls, or under any other part of adjoining land with the exception of the amalgamation of parking areas for small lots. |
| | | C14 | Excavation for underground parking within 1.5m of adjacent boundaries is accompanied by a geotechnical report and a structural report to demonstrate that the works will not have any adverse effect on the neighbouring structures.<br>Note: Council may identify other circumstances where these reports are required. All reports must be prepared in accordance with Council's guidelines. Council may also require the preparation and submission of a pre-commencement dilapidation report for properties neighbouring the development. |
| | | C15 | Permanent sub-surface support and retention structures are set back a minimum of 900mm from adjacent property boundaries. |

| Objectives | | Controls | |
|---|---|---|---|
| O8 | To minimise opportunities for surface water to flow to adjoining and adjacent properties. | C16 | The ground floor levels of alterations and additions and infill development are consistent with the levels established by existing buildings and topography on adjoining site, where practical. |
| O9 | To ensure the safe and efficient movement of vehicles within, entering and leaving properties. | | Refer to Part E of the DCP, Chapter E1 Parking and Access. |

## D3.10 Site facilities

Site facilities include those facilities or services that support and, or, maintain the operations of a building. All forms of development include site facilities. These include but are not limited to:

- On-site services including storage, garbage areas, mail boxes, clothes drying areas, vent stacks, and telecommunication infrastructure
- Mechanical plant rooms and equipment and other building services such as pump rooms, lift overruns, air-conditioning units and condensers, heating, mechanical ventilation systems, ventilation duct outlets, including any pipes and conduits
- Essential services and infrastructure such as electricity substations, fire hydrant and booster installations.

Some site facilities can be visually intrusive and have an adverse impact on the amenity of the streetscape and adjoining neighbours. It is important that the location, size and design of site facilities is considered and planned for during the design phase of any proposed development so the facilities can be thoughtfully integrated into the built form and landscaping, and potential impacts addressed.

Development applications are to be accompanied by dimensioned plans, drawn to scale, showing proposed locations and arrangements for site facilities including, where applicable:

- mechanical plant rooms and lift-overruns
- enclosures and/or cabinets for fire hydrants, booster valve assembly installations, sprinkler valves and associated hydraulic equipment
- an electricity substation.

The need to modify an existing consent to provide for a site facility should be avoided, and is an approach not supported by Council. Section 4.55 modification applications will need to demonstrate compliance with the DCP including requirements for setbacks, deep soil landscaped area, and tree retention etc. Council will not permit site facilities on public land.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To ensure that adequate provision is made for essential site facilities. | C1 | Lockable mail boxes are centrally located and integrated with the main building. |
| O2 | To ensure that site facilities are functional and accessible to all premises within the development. | C2 | Lockable storage space of at least 8m$^3$ per dwelling is provided. |
| O3 | To ensure that site facilities are thoughtfully integrated into the development and are unobtrusive. | C3 | Development incorporates adequate garbage and recycling collection areas that are integrated physically and visually with other built elements such as fences, walls, buildings and garages. Refer to Part E of the DCP, Chapter E5 Waste Management. |

| Objectives | | Controls | |
|---|---|---|---|
| | | C4 | For a mixed use development, only one common television antennae is provided. |
| | | C5 | The design and location of aerials, antennae, and communications dishes:<br>a) do not have an unreasonable impact on the architectural character of the building to which it is attached;<br>b) are not visually intrusive within the streetscape; and<br>c) do not have an unreasonable impact on the amenity of adjoining and adjacent properties. |
| O4 | To protect the air quality and residential amenity. | C6 | The building is designed to accommodate venting from ground floor uses, to avoid potential impacts from exhaust and odour, such as cooking smells. |
| O5<br><br>O6 | To facilitate the use of natural resources to dry clothes.<br><br>To ensure external clothes drying areas are suitably located. | C7<br><br>C8 | Development that includes a residential component provides laundry facilities, and opportunity for the provision for at least one external clothes drying area.<br><br>External clothes drying areas have access to sunlight, and are located in a secure place away from public spaces and screened from public view.<br><br>Note: External drying areas may be located in the landscaped areas. |
| O7<br><br>O8<br><br>O9 | To ensure that mechanical plant equipment including lift overruns air-conditioning units and external condensers, do not have adverse streetscape or amenity impacts.<br><br>To discourage the provision of mechanical plant equipment on the roofs of buildings to minimise visual impact of these services.<br><br>To minimise visual and acoustic impacts on adjoining properties. | C9<br><br>C10 | Mechanical plant equipment (including lift overruns and air conditioners) must be located internally within the principal building in a suitably designed plant room or the like.<br><br>Mechanical plant equipment (including lift overruns and air conditioners) must be wholly contained within the permissible building envelope and must not be located externally or on the roof unless Council is satisfied that it: |

| Objectives | | Controls | |
|---|---|---|---|
| | | | a) cannot be reasonably located elsewhere; and<br>b) is thoughtfully located, sized, enclosed, concealed and integrated into the building design (including when viewed from above) and roof form so it:<br>i. is not visible from the streetscape or public domain;<br>ii. is consistent with the overall building design, roof form and materials;<br>iii. is visually discreet and unobtrusive when viewed from adjoining properties; and<br>iv. minimises acoustic impacts to adjoining properties.<br>Note: Noise emissions from mechanical plant equipment must not exceed the background noise levels when measured at the boundary of the development site. The provisions of the *Protection of the Environment Operations Act 1997* apply. |
| | | C11 | Screening will only be considered where the screening is suitably located, integrated with the building design and materials and will have no impact on views or result in overshadowing of adjoining properties.<br>Note: Screening alone may not be an acceptable solution for ensuring that mechanical plant equipment is not visible from the streetscape or the public domain. |
| O10 | To ensure fire safety systems are accessible, functional and do not have a negative impact on the streetscape. | C12 | Hydraulic fire services such as fire hydrants and booster installations are concealed. These services are to be:<br>a) enclosed with doors if located in the building façade, or<br>b) housed in a cabinet or enclosure if located external to the building. |

| Objectives | | Controls | |
|---|---|---|---|
| | | | The location, design, colour and material of the doors, cabinet or enclosure are to be visually unobtrusive and suitably integrated with the development, including any fencing and landscaping. |
| O11 | To ensure that an electricity substation is not visible from the street, or any other adjoining public place. | C13 | The substation is to be suitably located, screened and/or concealed. Council's preference is for a chamber substation. |
| O12 | To ensure that any screening or enclosure to conceal the substation does not detract from the streetscape character or design quality of the development. | C14 | Any screening or enclosure to conceal the substation is to be visually unobtrusive and suitably integrated with the development, including the fencing and landscape design. |
| O13 | To protect the amenity of adjoining residential dwellings from the impact of substations. | C15 | The substation is to be located away from neighbouring properties or sufficiently screened from neighbouring properties. |
| O14 | To ensure that vegetation does not interfere with the functioning of the substation. | C16 | The location and design of the electricity substation must be considered and integrated with the landscaping of the proposed development, and must ensure that:<br>a) Vegetation does not overhang or encroach within the substation site.<br>b) The substation is installed outside of the mature growth root zone of any trees to be retained, or proposed to planted, to prevent roots damage to underground cables. |
| O15 | To minimise the impact of other types of electricity infrastructure in the streetscape. | C17 | The design and location of all other aboveground utility infrastructure (such as electrical pillars etc.) should minimise visual clutter within the streetscape and provide for a continuous accessible path of travel, where practical to ensure safe and equitable pedestrian circulation for people of all abilities. (Where this provision and Ausgrid's requirements cannot both be satisfied, the applicant is to develop in consultation with Council and Ausgrid a solution that meets the acceptance of both consent authorities.) |
| | | Notes: | |

| Objectives | Controls |
| --- | --- |
| | • At the DA stage the applicant should demonstrate that they have engaged with Ausgrid and have a network capacity assessment undertaken for the proposed development.<br>• Where a substation is required, the substation should be identified on the DA plans and addressed in the *SEPP 65 Design Verification Statement* (also see Apartment Design Guide Objective 3C-2 Amenity of the public domain is retained and enhanced).<br>• The DCP requirements apply in addition to the Ausgrid Network Standards, such as *NS113 Site selection and construction design* requirements *for chamber substations*. Separate Ausgrid approval for the substation will be required. |

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Chapter D4
# Edgecliff Centre

Part D ▸ Business Centres

CHAPTER D4 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

~~Last amended on 8 December 2023~~

Last amended on TBC

# Chapter D4 Edgecliff Centre

# D4.1 Introduction

This is Chapter D4 of the Woollahra Development Control Plan 2015 (DCP), Part D Business Centres.

This chapter contains controls for the Edgecliff Centre, zoned ~~B2~~ E1 Local Centre under the Woollahra Local Environmental Plan 2014 (LEP).

This chapter seeks to ensure that development has regard to its context and is compatible with the desired future character for the Edgecliff Centre as described in this chapter.

Oblique aerial of the Edgecliff Centre (bounded by New South Head Road, Ocean Street, New McLean Street and Arthur Street)

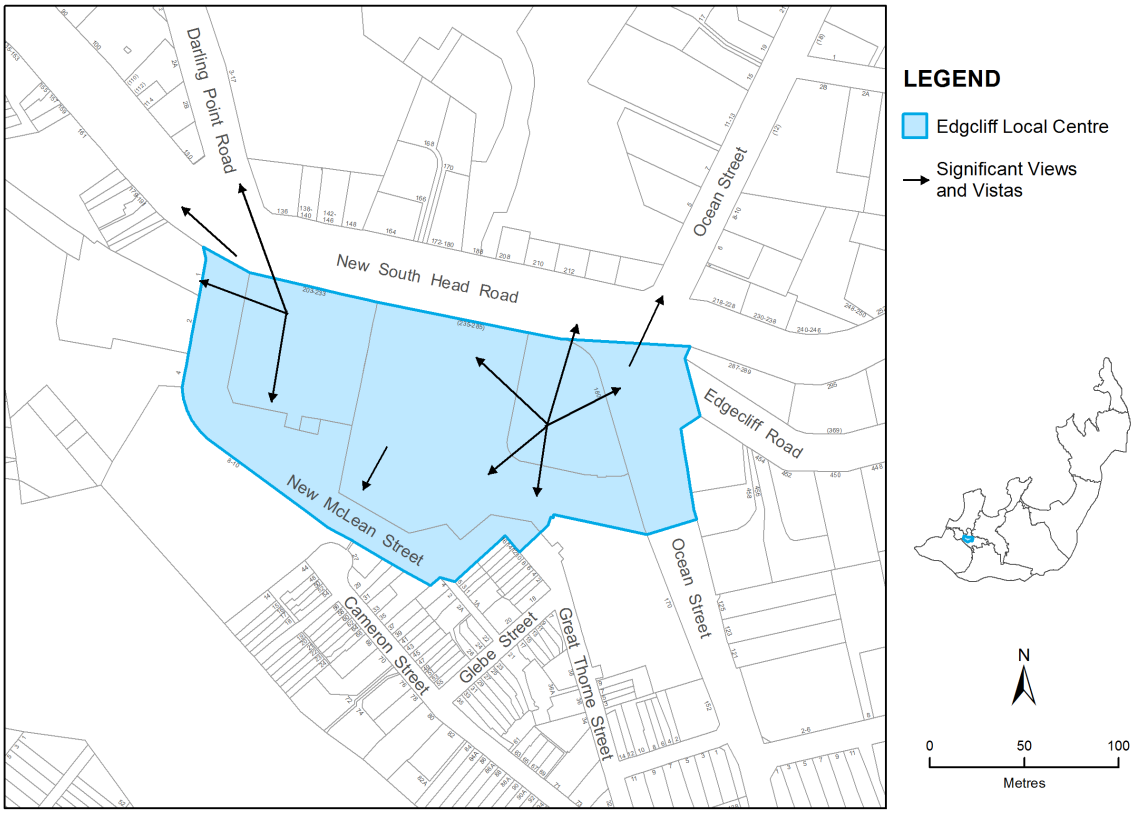
## D4.1.1 Land where this chapter applies

The Edgecliff Centre is located between New South Head Road to the north, New McLean Street and Arthur Street to the south and Ocean Street to the east, as identified in Map 1.

The centre comprises the following land:

- 203-233 New South Head Road (Lot 2 DP 553702, Lot 203 DP 1113922 and Lot 5 in DP 243380)
- 235-285 New South Head Road (Lot 61 DP 748554)
- 180 Ocean Street (SP 21608, SP 22762 and SP 30426).

**MAP 1** Edgecliff Centre




## D4.1.2 Development to which this chapter applies

This chapter applies to development that requires development consent.

Generally this will be mixed use retail, business, office and /or residential development, but may also include permitted uses such as child care centres, community facilities, and other uses as permitted by Woollahra LEP 2014.

## D4.1.3 Objectives

The objectives of this chapter are:

O1 To encourage a high standard of architectural and landscape design in any new development within the centre.

O2 To protect the amenity of residential and commercial development.

O3 To protect the amenity of adjoining residential areas.

O4 To improve connections within the centre and into the surrounding commercial and residential areas.

O5 To enhance the way development contributes to a sense of place.

O6 To encourage a diverse mix of uses in the centre, whilst maintaining its role of providing medical services.

O7 To activate the frontage to New McLean Street and Arthur Street.

## D4.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- Part E: General Controls for All Development – this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- Part F: Land Use Specific Controls – this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

## D4.1.5 How to use this chapter

The controls for the Edgecliff Centre comprise the following elements:

- map showing the extent of the centre;
- a precinct character statement, providing a brief description of the centre;
- desired future character, establishing the direction and outcomes required to be achieved through development in the centre; and
- a list of controls relating to uses, built form, building articulation and streetscape, and amenity. The controls represent specific ways in which a development proposal can meet the objectives.

  Applicants need to demonstrate how their development fulfills the relevant objectives and preserves or enhances the important character elements for the precinct, having particular regard to:
  - surrounding building height, bulk and scale
  - any predominant architectural styles, roof forms, materials and colours
  - prevailing building lines
  - existing and proposed uses
  - landscape and vegetation features
  - topography
  - view corridors
  - pedestrian access and amenity
  - interface between the private and public domain
  - adjacent residential areas.

# D4.2 Edgecliff Centre controls

## D4.2.1 Precinct character statement

The Edgecliff Centre is part of the wider Edgecliff commercial area which includes the land zoned ~~B4~~ MU1 Mixed Use along New South Head Road. New South Head Road is a major State road linking the Eastern Suburbs to the city and is the primary route for vehicles to the Edgecliff Centre.

The Edgecliff Centre comprises three main sites: two contain a multi-storey retail and commercial buildings. The centre provides a good range of convenience retailing opportunities, including supermarkets and speciality stores and services the surrounding residential suburbs including, Edgecliff, Elizabeth Bay, Darlinghurst, Darling Point, Kings Cross, Paddington, Potts Point, and Woollahra. The centre also has a high proportion of medical services and experienced a 40% increase in health care related jobs from 2006 to 2011.

The Edgecliff Bus and Rail Interchange also form part of the centre. Local and regional bus routes service the bus interchange which is located above the Eastpoint Shopping Centre.

### Edgecliff bus and rail interchange and the Edgecliff Centre building

The Edgecliff Centre building

### Historical development and transport

Early photographs from the 1860s reveal clusters of dwellings and business along the southern side of New South Head Road. During that era, there was a toll for using New South Head Road.

In September 1894 a cable tram service opened operating from King Street in the city to Ocean Street in Edgecliff.

In the 1960s, the shop top houses on the southern side of New South Head Road were demolished to make way for Edgecliff Station. Edgecliff railway station and bus interchange opened in 1979, when the Illawarra line was extended from Town Hall railway station to Bondi Junction.

### Built form

The built form consists of:

- a building called the Edgecliff Centre—a seven storey building over one level of car parking, located at the western end of the centre, containing retail, business and office uses;
- the Eastpoint Shopping Centre—a three storey building containing retail and business uses and a car park. The railway station and bus interchange are also accessed from this building; and
- Eastpoint Tower—a 2 to 14 storey mixed use residential and commercial building on Ocean Street, located at the eastern end of the centre.

The centre primarily addresses New South Head Road. On New McLean Street, car park entries and loading bays dominate the streetscape, and the landscaping is sparse and uncoordinated. This creates an unwelcoming pedestrian environment with little visual interest and provides a harsh transition to the residential land opposite.

Connectivity across the centre is restricted as the Eastpoint Shopping Centre and Edgecliff Centre car parks are separate despite being located next to each other. This also unnecessarily increases the number of vehicle crossings on the New McLean Street frontage.

### Heritage and contributory buildings

There are no heritage items or contributory buildings in the Edgecliff Centre.

### Public parks

There are no public parks in the Edgecliff Centre. However, Edgecliff Square is located on the eastern side of Ocean Street and Trumper Park is 100m to the south.

### Views and vistas

Due to its position on top of a hill, there are significant views from existing buildings to Port Jackson in the north, Sydney CBD to the west and generally within the region. From street level views of the local region, CBD and Harbour Bridge are possible. The key views and vistas are identified in Map 1 above.

From the residential tower and commercial offices at either end of the centre, iconic views are possible, such as to the Opera House and Harbour Bridge.

## D4.2.2 Desired future character

The Edgecliff Centre will reinforce its role as the focus of retail and business activity and continue to be convenient place for people to meet, work, shop and use services.

The built form will promote an urban environment which meets high standards of visual quality and pedestrian amenity.

Buildings will be up to eight storeys on New South Head Road and transition down to one to two storeys at New McLean Street frontage. At the corner of Ocean Street and New South Head Road buildings up to 10 storeys are permitted.

New McLean Street will have an active street frontage and parking and servicing arrangements will be reconfigured to be less visually intrusive. The amenity will be improved by including streetscape works, landscaping and reducing the frontage dedicated to vehicle movements.

Pedestrian links across the centre, and through the centre to the bus interchange and railway station, will be enhanced. The connections to the surrounding New South Road commercial corroder and nearby residential land will increase pedestrian activity and convenience.
Where commercial development addresses a street, awnings will be provided at street level for weather protection.

Given the excellent public transport access, the centre is ideally located for increased residential and commercial land uses. Retailing, medical and health related services and professional services will continue to cater for the needs of the local community.

## D4.2.3 Objectives and controls

| Objectives | Controls |
|---|---|
| O1 To promote an attractive street wall.<br><br>O2 To ensure building articulation makes a significant contribution to the design of buildings.<br><br>O3 To improve the relationship of buildings to the public domain.<br><br>O4 To ensure that development enhances the visual quality and identity of the centre through well considered design, high quality materials and facade colours that do not dominate the street. | C1 The ground floor of the building on New South Head Road is setback 3m.<br><br>C2 The building at 203-233 New South Head Road addresses New McLean Street, is related to the scale of pedestrians and provides visual interest. This may be achieved by:<br>a) providing an active frontage to New McLean Street;<br>b) reconfiguring the parking and servicing arrangements so these do not dominate the streetscape; and<br>c) reducing the number and width of vehicle cross overs.<br><br>C3 The design of the lower part of the street facade relates to the scale of pedestrians.<br><br>C4 Facades are richly articulated and express the different levels of the building and/or its functions.<br><br>C5 Facade design incorporates similar proportions of glazed and non-glazed surfaces and achieves a balance between vertical and horizontal divisions. The extensive use of glass is avoided.<br><br>C6 Facade elements are generally contained in vertical planes aligned with the street. Sloping facades are avoided.<br><br>C7 Where visible from the public domain, party walls include articulation. Blank party walls are avoided.<br><br>C8 Large expanses of highly reflective, brightly coloured surfaces or black shading are not used on facades.<br><br>C9 New buildings and facades do not result in glare that causes discomfort or |

| Objectives | | Controls | |
|---|---|---|---|
| | | | threatens safety of pedestrians or drivers.<br><br>Note: A reflectivity report analysing potential glare from the proposed new development on pedestrians or motorists may be required to be submitted with the DA. |
| O5 | To ensure that the colour of the building facade is not intrusive or unreasonably dominant within the streetscape, and is compatible with the desired future character of the centre. | C10 | The external painting of a building in bright colours, corporate colours or fluorescent colours is avoided. |
| | | C11 | Any individual business branding and identity in external painting and colour schemes is subordinate to the main colour schemes in the street.<br><br>Note: Also refer to the signage controls in Part E7 of the DCP, Section 7.2.2 When external painting of a building constitutes a wall sign. |
| O6 | To improve pedestrian access between the commercial buildings in the centre. | C12 | The permeability and connectivity of the centre is improved. For example, by providing north-south thoroughfares and improving links between the retailing spaces and the public transport facilities. |
| | | C13 | Access to public car parking areas from the different buildings in the centre is integrated to improve connectivity. |
| O7 | To require the provision of public art in significant or large-scale developments. | C14 | Development with a capital investment value of $15M or more includes public art. |
| O8 | To integrate the public art so it is a cohesive part of the building design, interior or landscaping of the development. | C15 | The public art is installed on the development site or in the immediate vicinity of the site. |
| O9 | To design and locate the public art so that the aesthetics and amenity of the art can be appreciated by people within and outside the development. | C16 | The public art is located so that it is not unreasonably inaccessible or obscured by a building element which makes it impossible to see in full by the building occupants and the general public. |

| Objectives | | Controls | |
|---|---|---|---|
| O10 | To enhance the experience of the occupants of the development and their relationship with the development through public art. | C17 | The public art is prepared and undertaken in accordance with the Woollahra Public Art Guidelines for Developers. |
| O11 | To use public art to facilitate a connectedness between the development and the public domain. | | |
| O12 | To provide an attractive and comfortable pedestrian environment. | C18 | Development provides an active frontage to New South Head Road, New McLean Street and Arthur Street. |
| | | C19 | Development provides a continuous awning to New South Head Road and New McLean Street. |
| | | C20 | Awnings are designed and constructed to:<br>a) provide continuity and complement the facade and adjoining awnings;<br>b) follow the street grade; and<br>c) be of sufficient depth to provide good shade and shelter to pedestrians. |
| | | C21 | Where under awning lighting is included, the lighting is either recessed into the soffit of the awning or wall mounted on the building. |
| | | C22 | Public domain improvements, including street tree planting and pavement upgrading, are consistent and unify the centre and improve pedestrian amenity. |
| O13 | To ensure that signage and structures do not compromise the visual amenity of the streetscape. | | Refer to Part E of the DCP, Chapter E7 Signage.<br>Note: Advertising signage is not permitted. |
| O14 | To ensure that mixed use developments are designed to minimise conflict between different uses on the site. | Note: | *State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development* (SEPP 65) is a mandatory consideration for all applications for a |

| Objectives | Controls |
|---|---|
| O15 To ensure that building design and layout provides quality residential living environments. | residential flat building that is three or more storeys and contains four or more self-contained dwellings. This includes mixed use development with a residential component.<br><br>C23 The internal layout of rooms, courtyards, terraces and balconies, the use of openings, screens and blade walls, and choice of materials, is designed to minimise the transmission of noise externally.<br><br>C24 Visual privacy is protected by providing adequate distance between opposite windows of neighbouring dwellings where direct view is not restricted by screening or planting. |
| O16 Ensure adequate provision of site facilities.<br><br>O17 Ensure site facilities are accessible, functional and unobtrusive.<br><br>O18 To protect the amenity of adjoining residential zoned land.<br><br>O19 Minimise overshadowing of adjoining properties and Cooper Park Oval. | C25 Site facilities are suitably integrated with the development and its landscaping to minimise visibility from the street.<br><br>C26 Hydraulic fire services such as fire hydrants and booster installations are concealed. These services are to be:<br><br>a) enclosed with doors if located in the building façade, or<br><br>b) housed in a cabinet or enclosure if located external to the building.<br><br>The location, design, colour and material of the doors, cabinet or enclosure are visually unobtrusive and suitably integrated with the development, including any fencing and landscaping.<br><br>C27 The building design minimises overlooking into the habitable rooms and open space areas of adjoining residential uses.<br><br>C28 Development maintains solar access to existing adjoining dwellings for a period of two hours between 9am and 3pm on 21 June to existing north facing windows |

| Objectives | | Controls | |
|---|---|---|---|
| | | | of habitable rooms, and for at least two hours to at least 50% of the private open space. Where existing overshadowing is greater than this, sunlight is not to be further reduced. |
| | | C29 | Solar access to the Trumper Park Oval is provided between the hours of 10am and 2pm on 21 June. Where existing overshadowing is greater than this, sunlight is not to be further reduced. |
| O20 | To ensure that an electricity substation is not visible from the street, or any other adjoining public place. | C30 | The substation is to be suitably located, screened and/or concealed. Council's preference is for a chamber substation. |
| O21 | To ensure that any screening or enclosure to conceal the substation does not detract from the streetscape character or design quality of the development. | C31 | Any screening or enclosure to conceal the substation is to be visually unobtrusive and suitably integrated with the development, including the fencing and landscape design. |
| O22 | To protect the amenity of adjoining residential dwellings from the impact of substations. | C32 | The substation is to be located away from neighbouring properties or sufficiently screened from neighbouring properties. |
| O23 | To ensure that vegetation does not interfere with the functioning of the substation. | C33 | The location and design of the electricity substation must be considered and integrated with the landscaping of the proposed development, and must ensure that:<br>a) Vegetation does not overhang or encroach within the substation site.<br>b) The substation is installed outside of the mature growth root zone of any trees to be retained, or proposed to be planted, to prevent roots damage to underground cables. |

| Objectives | | Controls | |
|---|---|---|---|
| O24 | To minimise the impact of other types of electricity infrastructure in the streetscape. | C34 | The design and location of all other aboveground utility infrastructure (such as electrical pillars etc.) should minimise visual clutter within the streetscape and provide for a continuous accessible path of travel, where practical to ensure safe and equitable pedestrian circulation for people of all abilities. (Where this provision and Ausgrid's requirements cannot both be satisfied, the applicant is to develop in consultation with Council and Ausgrid a solution that meets the acceptance of both consent authorities. |
| | | Notes:<br>• At the DA stage the applicant should demonstrate that they have engaged with Ausgrid and have a network capacity assessment undertaken for the proposed development.<br>• Where a substation is required, the substation should be identified on the DA plans and addressed in the *SEPP 65 Design Verification Statement* (also see Apartment Design Guide Objective 3C-2 Amenity of the public domain is retained and enhanced).<br>• The DCP requirements apply in addition to the Ausgrid Network Standards, such as *NS113 Site selection and construction design requirements for chamber substations*. Separate Ausgrid approval for the substation will be required.<br>• A dedicated access way/easement through the site to the substation will also need to be provided in accordance with the requirements of Ausgrid and Council. | |

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Part E ▸ General Controls for All Development

WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015

# Chapter E1
# Parking and Access

Part E ▸ General Controls for All Development

CHAPTER E1 APPROVED ON 12 DECEMBER 2016

AND COMMENCED ON 21 DECEMBER 2016

~~Last amended on 7 December 2020~~

Last amended on TBC

# Chapter E1 Parking and Access

## Contents

# E1.1 Introduction

Parking areas, garages and driveways must be carefully designed so that they do not detract from the appearance of the development and the surrounding streetscape. They should also be designed to limit the amount of impervious surfaces over a site and excavation required.

The chapter establishes the car parking and vehicle access requirements for development.

The parking generation rates for residential development are maximum rates, whereas the parking generation rates for non-residential development are minimum rates.

## E1.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

## E1.1.2 Development to which this chapter applies

This chapter applies to development that requires consent and may generate demand for parking, loading or other associated facilities.

This chapter adopts the land use definitions and terms of the Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014). In doing so, it sometimes uses group terms and sub-terms. Where a land use fits into a group term but is also separately defined as a sub-term, the parking generation rate for the sub-term should be applied.

For example, the group term “food and drink premises” includes the sub-terms “restaurants”, “take away food premises” and “pubs”. This chapter contains a parking generation rate for both “food and drink premises” and “pubs”. If the development application is for a pub, the rate for a “pub” should be applied instead of the rate for the group term “food and drink premises”.

## E1.1.3 Objectives

The objectives of this chapter are:

O1 To minimise the amount and impact of vehicular traffic generated due to proposed development.

O2 To ensure that development generating vehicular traffic makes adequate provision off street for the car parking and servicing needs of its occupants and users, including residents, employees, visitors and deliveries.

O3 To ensure the safe and efficient movement of vehicles within, entering and leaving properties.

O4 To minimise the environmental effects, particularly visual impact, of parked vehicles on the amenity of the municipality.

O5 To ensure that access points to car parking areas are situated to minimise disruption of vehicle movement on the public road system.

## E1.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- Part B: General Residential.
- Part C: Heritage Conservation Areas.
- Part D: Business Centres.
- Part E: General Controls for All Development – this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.
- Part F: Land Use Specific Controls – this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

Note, depending on the location of the proposed development, Part B: General Residential, Part C: Heritage Conservation Areas or Part D: Business Centres, must be considered with the parking generation rates in this chapter.

Parts B, C and D contain streetscape and other design controls relating to parking and driveways.

In some residential locations the maximum number of on-site parking spaces may not be able to be achieved because the parking would detrimentally impact on the character of the streetscape. The precinct controls in Parts B and C prevail over the residential parking generation rates in this chapter.

## E1.1.5 Relationship to other documents

In implementing this DCP the following Australian Standards apply for the design of parking and loading facilities, unless otherwise specified:

- AS/NZS 2890.1 Part 1: Off-street car parking;
- AS 2890.2 Part 2: Off-street commercial vehicle facilities;
- AS 2890.3 Part 3: Bicycle parking;
- AS 2890.5 Part 5: On-street parking; and
- AS/NZS 2890.6 Part 6: Off-Street parking for people with disabilities.

# E1.2 Preparing your development application

## E1.2.1 Development applications and required information

Development applications are to be accompanied by dimensioned plans, drawn to scale, showing proposed locations and arrangements for:

- off-street parking;
- loading and unloading areas (where applicable);
- circulation of traffic within, into and out of the property;
- position and gradients of access aisles, entrances and exits;
- location of electric vehicle charging points and circuitry (where required); and
- landscaping.

### Additional information

A traffic and parking report, prepared by a suitably qualified person, may be required by Council for certain developments, including:

- all traffic generating developments listed in Schedule 3 of the *State Environmental Planning Policy (Infrastructure) 2007*;
- supermarkets;
- shopping centres;
- child care centres;
- mixed use developments;
- residential flat buildings, manor houses, multi dwelling housing and multi dwelling housing (terraces);
- health services facilities (e.g. medical consulting rooms, medical centres and hospitals);
- community facilities;
- entertainment facilities (e.g. cinemas and theatres);
- recreation facility (indoor, major and outdoor facilities);
- function centres;
- tourist facilities;
- tourist and visitor accommodation (e.g. hotel or motel accommodation, serviced apartments);
- educational establishments;
- public car parks;
- places of public worship;
- premises licensed under the *Liquor Act 2007* of the *Registered Club Act 1976*;
- drive-in take-away food outlets; and
- service stations.

Applicants should also refer to requirements for information and referrals under the provisions of *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP). Refer to Council's Development Application Guide (DA Guide) for further information.

## E1.2.2 Matters the consent authority will consider

Where premises are proposed to be used for more than one purpose, the parking provisions should satisfy the requirements of this chapter in relation to each use. Council may approve, or require, the reservation of a proportion of the total number of required spaces on-site for the use of specific occupants or visitors to a development.

In determining car parking provision for any development, including a change of use, Council will take into account the following matters:

- the scale and nature of the development;
- existing traffic generation associated with the site;
- traffic generation associated with the proposed development;
- traffic volumes on the road network in the area of the development and the capacity of the road network;
- impacts on traffic and pedestrian safety;
- impacts on residential amenity;
- for commercial development—the type of activities on the site, including allocation floor area for different uses associated with the commercial development e.g., area dedicated to back-of-house uses such as storage areas;
- for residential development—a proposal to accommodate a car share scheme parking space on the site or directly adjoining the site;
- methodologies to ameliorate traffic generation impacts (e.g. traffic calming);
- the availability of public parking (on-street and off-street) near the development;
- the availability of public transport to serve the development;
- the probable mode of transport of users to and from the development;
- the suitability of street lighting in the area;
- whether the development warrants special consideration because it is proposed for, or relates to, a heritage item;
- the characteristics of the streetscape and the site, particularly the subdivision pattern, topography, street design and width, street tree planting, on-street parking or loading spaces and any existing access arrangements; and
- construction method.

## E1.2.3 Compliance with the parking controls

This chapter contains minimum parking generation rates for non-residential development and maximum rates for residential development.

However, to achieve environmentally acceptable solutions, every individual case needs to be considered on merit having regard to the circumstances of the proposal.

### Non-compliance with the parking controls

Council may allow non-compliance with the requirements of this chapter in exceptional circumstances. The applicant will be required to demonstrate, to the satisfaction of Council, the exceptional circumstances relating to a particular development application which would warrant non-compliance with the requirements of this chapter.

In its consideration of any non-compliance, Council will have regard to the objectives of this chapter, as well as other relevant chapters, and the specific nature of the exceptional circumstances as they relate to the parking requirement.

Council must be satisfied that the development seeks to minimise and manage the impact of traffic generation, and does not unreasonably increase demand for on-street parking, having regard to the existing context and capacity. A traffic and parking report, prepared by a suitably qualified person, may need to be submitted with the development application to demonstrate this. The requirements of the report are specified in the DA Guide.

## E1.2.4 Monetary contributions instead of required parking spaces

A monetary contribution may be required, or may be accepted, for a shortfall in car parking spaces for development in certain commercial centres. The Woollahra Section 94 Contributions Plan identifies the commercial centres where contributions apply and sets down the contribution rates.

When determining whether a monetary contribution is required, Council will consider the following matters:

- whether in terms of relevant design and operational standards it is physically possible to provide the total required number of car parking spaces, manoeuvring areas and access areas on-site;
- whether long-stay car parking demand will be provided for on-site;
- whether opportunities exist, or could be made available, for shared parking arrangements;
- whether it is appropriate to establish additional ingress and egress points;
- whether car parking on a particular site would be restricted or excluded altogether for reasons of pedestrian safety and comfort, or in order to minimise and avoid vehicle conflicts;
- whether an otherwise environmentally acceptable development may be refused consent on the grounds of inability to satisfy the parking space requirements; and
- the findings and recommendations of any traffic and parking study.

## E1.3 How to determine the car parking rate

The number of car parking spaces to be provided on a site is determined by addressing the following parts of this DCP:

| | Residential development | Non-residential development |
|---|---|---|
| **Step 1** | Go to **Section E1.4 Residential parking:**<br>Identify the parking rate for your development type. | Go to **Section 1.5.2 Non-residential parking generation rates:**<br>Identify the base generation parking rate applying to the land use that reflects your development. |
| **Step 2** | Go to the residential precinct controls in **Part B of this DCP:**<br>Read the desired future character, streetscape and location of the garages controls that apply to your residential precinct.<br>The provision of on-site car parking and garaging should not compromise the streetscape amenity. | Go to **Section 1.5.3 Parking multipliers**<br>Identify if a multiplier applies to the centre where your development is proposed.<br>If yes, multiply the base parking generation rate by the multiplier.<br>Round up to the nearest whole number for the required parking rate. |
| **Step 3** | Go to **Section E1.6 Bicycle parking rates and Section E1.7 Motorcycle parking rates:**<br>Identify the bicycle and motorcycle parking rates for your development type. | Go to **Section E1.6 Bicycle parking rates and Section E1.7 Motorcycle parking rates:**<br>Identify the bicycle and motorcycle parking rates for your development type. |
| **Step 4** | Go to **Section E1.8 Variations to the parking generation rates:**<br>Determine if a variation to the parking rate applies.<br>For example, the property may be a heritage item. | Go to **Section E1.8 Variations to the parking generation rates:**<br>Determine if a variation to the parking rate applies.<br>For example, the proposal may be a change of use and located in Oxford Street, Paddington. |

Note: The steps above help determine the number of on-site parking spaces to be provided. You must consider these parking generation requirements in conjunction with the other controls and design requirements in this chapter.

# E1.4 Residential parking

This section contains parking generation rates and design controls for parking in residential developments, including the residential component of mixed use development.

## E1.4.1 Calculating required parking for residential uses

### Residential parking generation rates

Table 1 set outs the parking generation rates for residential land uses. The rates identify the maximum number of parking spaces based on the type of residential development, and in some cases, the number of bedrooms in the development.

### Variations to parking rates

In calculating the requirements for car parking provision, reference should also be made to the special provisions in Section E1.8 which identify circumstances where the requirements may vary in regards to:

- items of environmental heritage; and
- mixed use development.

## E1.4.2 Residential parking generation rates

The parking generation rates in Table 1 below set the maximum number of parking spaces to be provided for residential development.

**TABLE 1** Residential uses parking generation rates

| Land use | Maximum parking generation rates |
|---|---|
| **Low density residential** | |
| Dwelling house | 2 spaces[1] |
| Semi-detached dwelling | 2 spaces per dwelling[1] |
| Dual occupancy | 2 spaces per dwelling[1] |

[1] The second space may be a tandem space subject to precinct and streetscape character considerations.

| Land use | Maximum parking generation rates |
|---|---|
| **Attached dwellings** | |
| Attached dwelling located in a heritage conservation area | 2 spaces per dwelling[1,2] |
| Attached dwelling not in a heritage conservation area | Same rates as for residential flat buildings and multi dwelling housing stated below[1] |
| **Residential flat buildings, manor houses, multi dwelling housing and multi dwelling housing (terraces)**<br>***Spaces based on number of bedrooms per dwelling[3]*** | |
| Studio apartment[4] | 0.5 space |
| 1 bedroom | 1 space |
| 2 bedrooms | 1.5 spaces |
| 3 or more bedrooms | 2 spaces |
| Visitors | 0.25 spaces |
| **Mixed use development (residential component)**<br>***Spaces based on number of bedrooms per dwelling[3]*** | |
| 1 bedroom or studio apartment[5] | 0.5 space |
| 2 bedrooms | 1 space |
| 3 or more bedrooms | 1.5 space |
| Visitors | 0.2 spaces |

### Providing fewer spaces than the number calculated using the parking generation rates

The rates in Table 1 are maximum parking rates. The maximum number of parking spaces may not be achieved on a site depending on the site and its context.

In particular, the desired future character, streetscape and garages controls in the residential chapters of this DCP (Part B) take precedence over the numeric parking rates in this chapter.

[2] Onsite parking areas, parking structures and servicing areas such as loading facilities are not a mandatory requirement in heritage conservation areas. On-site car parking may only be permitted or required when the specified controls in chapters Part C, chapters C1 (Paddington HCA) C2 (Woollahra HCA) and C3 (Watsons Bay HCA) are satisfactorily met.

[3] Round up to nearest whole number with halves (i.e. 0.5).

[4] A studio apartment is an apartment that does not have a wall separating the sleeping area from the main kitchen and living area, and is generally smaller in size than a 1 bedroom apartment.

[5] The number of parking spaces for 1 bedroom and studio apartments in the Double Bay Centre should be multiplied by the parking multiplier for non-residential uses in the Double Bay ~~B2~~ E1 zone.

For example, a dwelling on a small or narrow lot may not achieve the maximum number of on-site parking spaces if the arrangement of the spaces cannot meet the character, streetscape and location of garage requirements for the precinct. This is particularly relevant in the R2 Low Density Residential zoned areas.

However, in other instances where the maximum number of parking spaces is not achieved, the parking provided should not be substantially below the maximum rates. Where less than the maximum parking rate is proposed, justification must cover matters such as, but not limited to the matters listed in Section 1.2.2 (Matters the consent authority will consider).

Council will generally only support such proposals where the applicant can demonstrate that the development is unlikely to create significant additional demand for on-street parking in surrounding streets.

### Providing more spaces than the number calculated using parking generation rates

Where an application proposes to provide more than the number of spaces specified in Table 1, justification must be provided and address such matters as, but not limited to:

- an explanation for additional residential parking demand based on lack of alternative transport options. For example, the proximity and frequency of public transport, availability of car share schemes, and topography;
- the impact of any increased building bulk on the streetscape;
- compliance with landscape area requirements;
- impact of any increased building bulk on the amenity of adjoining properties in terms of:
  - overshadowing
  - loss of views
  - overbearing appearance; and
- the amount of additional excavation and its impact on:
  - land form
  - structural integrity of structures and buildings on adjoining land
  - stability of land on the site and on adjoining sites
  - impact on water permeable ground surfaces arising from an increased building footprint and hard surface driveways.

# E1.5 Non-residential parking

## E1.5.1 Calculating required parking for non-residential uses

### Non-residential parking generation rates

The parking generation rates in Table 2 set the minimum number of parking spaces to be provided for non-residential development. The parking rates are then modified by a multiplier if the development is located in a particular centre. The multipliers are set out in Table 3.

### Variations to parking rates

In calculating the requirements for car parking for non-residential uses reference should also be made to the special provisions in Section E1.8, which identify circumstances where the requirements may vary in regards to:

- items of environmental heritage;
- mixed use developments;
- certain business zoned land in Paddington;
- business zoned land in Double Bay; and
- development for a health care professional in certain parts of Woollahra.

### Change of use

Where there is an intensification of parking based on the parking rates of this chapter, the amount of parking required will equal the difference between the parking generated by the proposed development and the parking generated by the current use as calculated by the rates in this chapter.

### Alterations and additions

For proposals involving additional floor space, required parking shall be calculated using the rate specified in this chapter.

### New development

Where a building is to be totally demolished and replaced, parking will be provided at the rate specified in this chapter. No parking credits will be allowed for the current building and its use.

## E1.5.2 Non-residential parking generation rates

The base parking generation rates set out in Table 2 are calculated per unit of gross floor area of a development.

In addition to the controls in this part of the DCP, the parking provision must be consistent with the desired future character for the centre or precinct where the development is proposed. (Refer to the Part D of this DCP on the business centres for any streetscape requirements and considerations.)

**TABLE 2** Non-residential parking generation rates

| Land use | Minimum parking generation rate |
|---|---|
| **Commercial land uses** | |
| Business premises | 2.5 spaces per 100m² |
| Retail premises | 3.3 spaces per 100m² |
| Entertainment facility | Parking rate to be determined on a site specific basis. A traffic and parking report must be submitted with applications for this use. |
| Food and drink premises[6] | 7 spaces per 100m²<br>Note: variations to these parking rates apply to restaurants or cafes in the Double Bay Centre and to certain business zoned land in Paddington (see Section E1.8). |
| Pub | Parking rate to be determined on a site specific basis. A traffic and parking report must be submitted with applications for this use. |
| Supermarkets | 3.5 spaces per 100m² |
| Registered club | Parking rate to be determined on a site specific basis. A traffic and parking report must be submitted with applications for this use. |
| Bowling club | Parking rate to be determined on a site specific basis. A traffic and parking report must be submitted with applications for this use. |
| Office premises | 2.5 spaces per 100m² |
| Hardware and building supplies<br>Landscape and garden supplies<br>Vehicle sales and hire premises[7]<br>Veterinary hospital | 3.3 spaces per 100m² |
| Tourist and visitor accommodation | 3 spaces per 100m² |
| Bed and breakfast accommodation | One on-site parking space for the bed and breakfast accommodation. This is additional to the required car parking for the dwelling house, and subject to compliance with the precinct criteria for the location of garages. |
| Serviced apartment | See rates for residential flat buildings (Table 1) |

[6] For restaurants or cafes, the calculation of 'gross floor area' includes any outdoor seating areas, court yards and any other locations where patrons will be served, but excludes footpath dining areas provided the proposal complies with Council's policy for footway restaurants.

[7] Calculation of 'gross floor area' includes any outdoor display area.

| Land use | Minimum parking generation rate |
|---|---|
| **Industrial land uses** | |
| General industry | 2.7 spaces per 100m² |
| Light industry | 3 spaces per 100m² |
| Vehicle body repair workshop | 6.75 spaces per 100m² |
| Boat repair facility | 6.75 spaces per 100m² |
| **Community land uses** | |
| Child care centre | |
| Staff parking[8] | 0.5 spaces per 100m² |
| Community facility | 2 spaces per 100m² |
| Educational establishment | 1 space per 100m²<br>On-site parking for disabled persons is to be provided at a minimum rate of 1 car space per 50 car spaces or part thereof. |
| Tertiary establishment | In addition to the above, on-site parking is provided for students at a rate of one car space per 10 students. |
| Emergency services facility | 3 spaces per 100m² |
| Health services facility | 2 spaces per 100m² |
| Health consulting rooms | 4.5 spaces per 100m²<br>Note: Variations to these parking rates apply to zoned land in the area bounded by Syd Einfeld Drive, Edgecliff Road, Adelaide Street and Vernon Street, Woollahra (see Section E1.8.6). |
| Medical centre | 5 spaces per 100m² |
| Place of public worship | Parking rate to be determined on a site specific basis. A traffic and parking report must be submitted with applications for this use. |
| Public administration building | 2.5 spaces per 100m² |

[8] This rate applies only to staff parking. Separate requirements for an on-site pick-up and drop-off area are set out in Part F of this DCP, Chapter F1 Child Care Centres.

| Land use | Minimum parking generation rate |
|---|---|
| **Recreational land uses** | |
| Recreational facility (indoor) | 2 spaces per 100m$^2$ |
| Marina[9] | 0.6 spaces per wet berth<br>0.2 spaces per dry storage and swing mooring<br>0.5 spaces per marina employee |

## E1.5.3 Parking multipliers

In some centres the base parking generation rate for non-residential uses is discounted to respond to the particular circumstances of areas in the municipality. These multipliers are set out in Table 3.

The multipliers take account of the availability of public transport or public parking facilities in an area, as well as reflect the planning strategies or policies which Council is pursuing for each centre or locality. The multipliers have been determined from an assessment of the car parking conditions in the area, and may be varied as car parking conditions and planning policies are reviewed.

The total number of parking spaces required following calculation of the multiplier should be rounded up to the nearest whole number.

Note: If the subject site is not located within a centre identified in Table 3, a multiplier does not apply.

[9] Where variation to required parking is sought, a traffic and parking report is to be submitted with the development application. The requirements of the report are specified in the DA Guide.

**TABLE 3** Parking multipliers for non-residential uses

| Centre | Parking multiplier[10] |
|---|---|
| Watsons Bay ~~B1~~ E1 Zone | 0.6 |
| Vaucluse Village ~~B1~~ E1 Zone | 0.7 |
| Rose Bay Centre ~~B2~~ E1 Zone | 0.7 |
| Rose Bay South ~~B4~~ MU1 Zone | 0.6 |
| Rose Bay North ~~B4~~ MU1 Zone | 0.7 |
| Bellevue Hill at Bellevue Rd and Victoria Rd ~~B1~~ E1 Zone | 0.7 |
| Double Bay Centre ~~B2~~ E1 Zone | 0.6 |
| Edgecliff Rd, Woollahra ~~B1~~ E1 Zone | 0.6 |
| Queen Street precinct ~~B4~~ MU1 and R2 Zone, between Ocean St and Oxford St and Moncur St, between Rush and James St | 0.7 |
| Oxford Street ~~B4~~ MU1 Zone including adjoining ~~B4~~ MU1 zoned properties, but excluding 12-94 and 3 63 William Street | 0.7 |
| Five Ways, Paddington ~~B1~~ E1 Zone | 0.7 |
| Edgecliff Commercial Core ~~B2~~ E1 Zone and New South Head Road Edgecliff commercial corridor MU1 Zone | 0.6 |

[10] The multiplier does not apply to the on-site pick-up area for a child care centre

# E1.6 Bicycle parking and end-of-trip facilities

This section lists the minimum bicycle parking rates required for residential, commercial or industrial land uses.

## E1.6.1 Calculating required bicycle parking

### Change of use

Where there is an intensification of parking based on the parking rates of this chapter, the amount of parking required will equal the difference between the parking generated by the proposed development and the parking generated by the current use as calculated by the rates in this chapter.

### Alterations and additions

For proposals involving additional floor space, required parking shall be calculated using the rate specified in this chapter.

### New development

Where a building is to be totally demolished and replaced, parking will be provided at the rate specified in this chapter. No parking credits will be allowed for the current building and its use.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To provide adequate and sufficient bicycle parking facilities for the purposes of encouraging active transport. | C1 | Bicycle parking provision for all developments must adhere to minimum bicycle parking rates in Table 4. |
| | | C2 | Bicycle parking must comply with the provisions and intent of *AS 2890.3 Bicycle Parking Facilities* in terms of security, accessibility and design specifications. |
| | | Note: | To assist with the design and installation of bicycle parking and end-of-trip facilities applicants and consultants should refer to the Austroads publication AP-R527-16 Bicycle Parking Facilities: Guidelines for Design and Installation. |
| O2 | To provide sufficient end-of-trip facilities for non-residential land uses. | C3 | One secure locker is provided for each bicycle parking space. |
| | | C4 | One shower and change cubicle is provided for between 5 and up to 10 bicycle parking spaces, two showers and change cubicles for 11-20 bicycle parking spaces and one |

| Objectives | | Controls | |
|---|---|---|---|
| | | | additional shower and cubicle for each additional 10 bicycle parking spaces. |
| O3 | To provide parking facilities for electric bicycles. | C5 | A charging point is provided for every five bicycle parking spaces. |

## E1.6.2 Bicycle parking rates

Table 4 below lists the on-site bicycle parking rates required for various land uses.

**TABLE 4** Bicycle parking rates

| Land use | Minimum bicycle parking rates[11] | |
|---|---|---|
| | Residents/Employees | Customers/Visitors |
| **Residential** | | |
| Residential accommodation[12] | 1 per dwelling | 1 per 10 dwellings |
| **Tourist and Visitor Accommodation** | | |
| Serviced apartments, hotel or motel accommodation | 1 per 4 staff | 1 per 20 rooms |
| Backpackers' accommodation | 1 per 4 staff | 1 per 10 beds |
| **Commercial** | | |
| Office / business premises | 1 per 150m² GFA | 1 per 400m² GFA |
| Bulky goods premises | 1 per 600m² GFA | 1 per 1,000m² GFA |
| Shop, restaurant or cafe | 1 per 250m² GFA | 2 + 1 per 100m² over 100m² GFA |
| Shopping centre | 1 per 200m² GFA | 1 per 1,000m² GFA |
| Pub | 1 per 100m² GFA | 1 per 100m² GFA |
| Entertainment facility | - | Greater of 1 per 15 seats or 1 per 40m² GFA |

[11] Round up to nearest whole number with halves (i.e. 0.5).
[12] Residential uses with individual garages or secure storage spaces for each dwelling that can accommodate a Class 1 bike locker under AS2890.3 Part 3: *Bicycle parking* will not require additional space for bicycle parking.

| Land use | Minimum bicycle parking rates[11] | |
|---|---|---|
| | Residents/Employees | Customers/Visitors |
| Place of public worship | - | Greater of 1 per 15 seats or 1 per 40m² GFA |
| **Industry** | | |
| Industry, warehouse or distribution centre | 1 per 10 staff | - |
| **Community** | | |
| Child care centre | 1 per 10 staff | 2 per centre |
| Health care facilities and hospitals | 1 per 15 staff | 1 per 200m² |
| Medical centre, health consulting rooms | 1 per 5 practitioners | 1 per 200m² GFA |
| Educational establishments | 1 per 10 staff | 1 per 20 students |
| Tertiary educational institution | 1 per 10 staff | 1 per 10 students |
| Recreation facilities (indoor) and Recreation facilities (outdoor) | 1 space per 15 staff | 1 per 15 |
| Swimming pool | 1 per 10 staff | 1 per 40m² of recreation area |
| Community facility | 1 per 10 staff | 2 + 1 per 200m² of GFA |

In addition:

- Where a proposed use is not included in the table above, an applicant is to provide bicycle facilities according to Council requirements.

## E1.7 Motorcycle parking rates

Motorcycles are defined as any powered two-wheel vehicle, including motorbikes, scooters and mopeds.

### E1.7.1 Calculating required motorcycle parking

#### Change of use

Where there is an intensification of parking based on the parking rates of this chapter, the amount of parking required will equal the difference between the parking generated by the proposed development and the parking generated by the current use as calculated by the rates in this chapter.

#### Alterations and additions

For proposals involving additional floor space, required parking shall be calculated using the rate specified in this chapter.

#### New development

Where a building is to be totally demolished and replaced, parking will be provided at the rate specified in this chapter. No parking credits will be allowed for the current building and its use.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To provide adequate and sufficient motorcycle parking | C1 | Developers shall provide a minimum of 1 motorcycle parking space per 10 car spaces for all types of development.[13] |
| | | C2 | Motorcycle parking spaces must have a minimum dimension of 1.2m x 2.5m. |
| | | C3 | Motorcycle parking areas shall be located close to the pedestrian access of the development. |

[13] Round up to nearest whole number with halves (i.e. 0.5).

# E1.8 Variations to the parking generation rates

## E1.8.1 Application of variations

The variations to parking generation rates in section E1.8 apply to car parking, bicycle parking and motorcycle parking.

## E1.8.2 Items of the environmental heritage

In considering a development application involving a heritage item listed in Schedule 5 of Woollahra LEP 2014, Council may vary the parking requirements of this chapter, but only if conservation of the heritage values relies on the variation.

Under clause 5.10 (4) of Woollahra LEP 2014, the consent authority must, before granting consent in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

## E1.8.3 Mixed use developments

For mixed use developments, Council may support a reduction in the total required number of non-residential parking spaces where the applicant can demonstrate to the satisfaction of Council that:

- overlapping parking demand will occur for different uses; or
- complementary use of spaces will occur for uses with different peak parking demand times.

## E1.8.4 Certain land in Paddington zoned ~~B4~~ MU1 Mixed Use

This section applies to land zoned ~~B4~~ MU1 Mixed Use in the Paddington business precinct in Oxford Street and the streets adjoining and in the vicinity of Oxford Street, excluding land at 12-94 and 3-63 William Street, 83 and 85 Underwood Street and 2 Hopetoun Avenue.

### Change of use to a shop

Council will not require additional off-street parking for a change of use from a shop to another shop, or from a commercial premise to a shop, provided the proposal is within an existing building.

The area of a premises used for ancillary purposes such as storage, staff amenities, offices, fitting rooms and workrooms, will not be included as floor area for the purposes of car parking calculations.

### Change of use to a restaurant or cafe

Council will not require additional off-street parking for proposals within an existing building and its site (such as an external courtyard) involving a change of use from a shop or commercial premises to a restaurant or café.

## E1.8.5 Business zoned land in Double Bay

This section applies to land within the Double Bay Centre as identified in Chapter D5 Double Bay Centre of this DCP.

### Change of use

Council will not require additional off-street car parking or require a contribution under Council's Section 94 Contributions Plan for a change of use, provided the proposal does not result in a net increase in gross floor area.

### Change of use: restaurants or cafes

Council will not require additional off-street parking for proposals within an existing building and its site (such as an external courtyard) involving a change of use from a shop or commercial premises to a restaurant or café.

### Footpath dining

Council will not require additional off-street car parking or require a contribution under Council's Section 94 Contributions Plan for proposed outdoor eating areas on public footpaths, provided the proposal complies with Council's policy for footway restaurants.

### Studio and one bedroom apartments

The calculation of on-site parking for studio and one bedroom apartments is to include the parking multiplier for non-residential development as specified in Section E1.5.3.

## E1.8.6 Health care professional uses in Edgecliff Road, Adelaide Street and Vernon Street, Woollahra

For residential zoned land in the area bounded by Syd Einfeld Drive, Edgecliff Road (southern side), Adelaide Street (western side) and Vernon Street (both sides) the rate in Table 2 does not apply. Instead the maximum number of spaces to be provided is:

- 1 space for 1 health care professional; and
- 2 spaces for 2 or 3 health care professionals.

# E1.9 Special provisions

## E1.9.1 Car parks with 20 or more spaces

Where more than 20 car parking spaces are provided on-site, the parking is to be accommodated undercover or in a basement area. This requirement applies to both residential and non-residential development.

(Refer to Part E of the DCP, Chapter E2 Stormwater and Flood Risk Management for flood planning levels associated with below ground parking.)

## E1.9.2 Car share

Car sharing services allow a large number of people to utilise the same vehicle at different periods, reducing the number of vehicles and parking spaces required while still providing the benefits of car ownership.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To reduce the reliance on private vehicles and the corresponding traffic impact on the road network | C1 | On-site car share may be permitted on a site-by-site basis at the discretion of Council. Each car share parking space has the potential to replace a maximum of 4 regular car parking spaces. |
| O2 | To facilitate public use of car share vehicles | C2 | Where a commercial car share space is proposed, the applicant is to include a letter from a commercial car share operator confirming their intention to place a car share vehicle within the development. |
| O3 | To increase uptake and awareness of car share vehicles | C3 | Nominated commercial car share spaces must be placed in publicly accessible locations within the development. |

## E1.9.3 Tandem parking

Tandem parking is generally not preferred by Council but will be considered it in exceptional circumstances.

In residential development, tandem parking will only be permitted if the two spaces in tandem are allocated to a single dwelling.

In non-residential developments, the use of tandem parking to satisfy long stay parking demand requirements may be permitted where it is not physically possible to provide parking spaces in a side-by-side configuration. However, the tandem spaces must be for employee use only.

Tandem spaces must satisfy the parking and access design standards in Section E1.10.

## E1.9.4 Health consulting rooms

The following requirements apply to medical consulting rooms:

- Parking areas should be provided at the rear of properties. These areas may be covered only if they meet all relevant heritage conservation area controls, residential precinct controls and general development controls.
- Parking areas, either covered or uncovered, may be provided at the front of properties but only if they meet all relevant heritage conservation area controls, residential precinct controls and general development controls.
- Parking areas are not to be enclosed by gates, doors or roller shutters during business hours. Requirements may be imposed by Council in relation to boundary fencing to facilitate vehicular access to parking spaces.
- Parking areas to serve medical consulting rooms are to be landscaped in accordance with a landscape plan. Applicants should contact Council's Open Space and Trees section to determine appropriate plant species for landscaping purposes.

## E1.9.5 Parking spaces for people with a disability

- Accessible parking spaces must be provided at a rate in accordance with Part D3.5 of the Building Code of Australia.
- Council may require additional parking spaces for people with disabilities above the rates stated in Part D3.5 of the Building Code of Australia as a condition of consent.

## E1.9.6 Small car parking spaces

- Small car parking spaces are permitted in public car parks but must constitute less than 5% of the overall number of parking spaces.
- Dimensions for small car parking spaces must be in accordance with Australian Standard AS/NZS 2890.1 Off-street car parking.

### E1.9.7 Resident Parking Scheme (RPS) Areas

Resident Parking Schemes (RPS) provide preferential access to on-street parking for residents who do not have sufficient off-street parking. Where a development increases dwelling density, extending the RPS to new residents may lead to an under-supply of on-street car parking. To avoid this, occupants of the additional dwellings are not eligible for on-street parking permits.

- Where a development increases dwelling density, occupants of the additional dwelling(s) are not permitted access to resident parking schemes.

## E1.10 Parking and access design standards

### E1.10.1 Design and use of parking areas

Parking areas are to be designed to function solely for the purpose of parking vehicles. Space for waste receptacles and storage should be located so that it does not reduce the amount and effective operation of parking.

### E1.10.2 Australian Standards

The following minimum requirements are based on the Standards Association of Australia, and Council's experience with development in the Municipality.

In implementing this DCP the following Australian Standards[14] apply for the design of parking and loading facilities, unless otherwise specified:

- AS/NZS 2890.1 Part 1: Off-street car parking;
- AS 2890.2 Part 2: Off-street commercial vehicle facilities;
- AS 2890.3 Part 3: Bicycle parking;
- AS 2890.5 Part 5: On-street parking; and
- AS/NZS 2890.6 Part 6: Off-Street parking for people with disabilities.

The size of parking bays, the width of the aisles and the location of columns, poles, walls or other physical barriers are to be based on providing adequate manoeuvring area for access to parking bays and adequate clearance for opening vehicle doors once the vehicle is parked.

### E1.10.3 Car parking space and bay size

Minimum bay width and length dimensions are to comply with AS/NZS 2890.1 and AS 2890.2.

[14] The most recent version of Australian Standards should be used.

## E1.10.4 Ramps and primary aisles

The minimum dimensions for the design of ramps and primary aisles which do not have direct access to or from parking bays are shown in AS/NZS 2890.1 - Section 2.5 Design of Circulation Roadways and Ramps.

The ramp grading is to be designed to ensure that the breakover angle coming onto, or off, a ramp is not so severe as to cause scraping of a vehicle undercarriage. Design of ramps and gradients will be consistent with AS/NZS 2890.1.

## E1.10.5 Turning paths

The design of turning paths for manoeuvring, parking space access and aisle designs are set out in AS/NZS 2890.1 Appendix B Section B3 Swept Paths for cars (for the B85 vehicle) and AS 2890.2 Part 2: Off-section street commercial vehicle facilities.

Some laneways or narrow streets do not have sufficient turning space for B85 vehicles. The removal of on-street parking to establish a turning space into private property should be avoided and will only be considered in the following circumstances:

- no more than a maximum of 5.4m of on-street parking, measured at the kerb line, is removed to provide for a turning space;
- the use and quantity of the remaining on-street parking spaces is not adversely affected; and
- 5.4m is a maximum. If Council can demonstrate that a B85 vehicle can access and egress the site with the removal of less than 5.4m of on-street parking, then this lesser amount is all that will be approved.

Consideration will be given to the approval of proposed off-street car parking spaces (as set out in AS/NZS 2890.1) that are unable to be accessed by a B85 vehicle in private car parks in relation to the above points only if:

- the site is in the Paddington or Woollahra Heritage Conservation Area see Part C, Chapters C1 and C2), and
- the site has rear lane access, and
- no on-street parking is lost (i.e. the zero net loss argument cannot be applied), and
- all applicable controls in Part C Chapters C1, and C2 are met to the Council's satisfaction.

Note: On-site parking in the Paddington and Woollahra Heritage Conservation Areas is not mandatory. On-site parking may only be permitted or required when specified controls set out in Part C Chapters C1 (Paddington HCA) and C2 (Woollahra HCA) are satisfactorily met.

## E1.10.6 Driveways and access points

The following requirements apply to the siting and design of driveways:

- The design of driveways and access points, except for dwelling houses, is to be such that vehicle entry and exit from a site, onto a public road, is made by driving in a forward direction, unless otherwise required by Council.
- All driveways, except for dwelling houses, are signposted indicating 'IN/ENTRANCE', 'OUT/EXIT' and 'KEEP LEFT' as appropriate.
- Driveways are situated so that any vehicle turning from, or into, the street can be readily seen by the driver of an approaching motor vehicle or pedestrian.
- Access driveway locations comply with Figure 3.1 in Section 3.2.3 of AS/NZS 2890.1.
- Driveway splays shall be provided in accordance with Figure 3.3 in Section 3.2.4 of AS/NZS 2890.1. Exceptions to this may be accepted in the following circumstances:
  - for dwelling house, dual occupancies and attached dwellings in residential zones in low pedestrian activity locations[15] a fence to a maximum height of 0.9m is permitted in the splay area.
  - where an object in the adjoining property creates an obstruction to visibility within the splay area.

  Note: Driveway construction on Council's roads will require the submission of a Section 138 of the *Roads Act 1993* application. The form is available on the Council website. A copy of Council's standard drawing for driveways is available with the application.
- The width of internal access driveways are to comply with Section 3.2 of AS/NZS 2890.1 regarding driveway access requirements. Wider internal driveway widths may be acceptable depending on the site conditions. A passing bay is to be provided where the driveway length exceeds 40m.
- Vehicular access to an ancillary dwelling is provided from the same vehicular crossing for the principal residence.
- Where possible, all car parking and garage structures are located at the rear, with access from the rear lane or side driveway.
- Car parking and driveway areas are located and designed to:
  - enable the efficient use of car spaces and accessways, including safe manoeuvrability for vehicles between the site and street;
  - fit in with any adopted street hierarchy and objectives of the hierarchy and with any related local traffic management plans;
  - preserve significant trees and vegetation; and
  - complement the desired future character for the locality as described in the residential chapters of this DCP.
- Vehicle crossings are constructed at an angle of 90° to the carriageway of the road. Vehicle crossings must take the shortest route across the footpath, between the kerb and boundary.

[15] Low pedestrian activity locations are areas away from schools, commercial centres or other locations that generate pedestrian activity.

- The width of vehicle crossings is minimised so as to retain on-street parking. Footpath crossings will not be permitted where:
  - One off-street parking space will result in the loss of two on-street parking spaces. For example, where the street is narrow with parking on both sides.
  - The provision of off-street parking will result in the loss of a significant tree.
- Vehicle crossings are located to minimise the loss of useable on-street parking. That is, they are located immediately adjacent to the adjoining property's vehicle crossing (0m) or a minimum distance of one on-street car parking space (5.4m) from any existing driveway crossing.

## E1.10.7 Signposting

Parking areas, including visitor parking spaces, should be well signposted to indicate the availability of off-street parking, with entry and exit points clearly visible from both the street and the site.

Pavement bay delineation, arrows and other pavement markings are to be marked using white paint. Details of all proposed signposting and linemarking of parking areas are to be submitted with the development application.

## E1.10.8 Landscape plan

A landscape plan should be submitted with the development application showing the dimensions, levels, existing vegetation and position, type and characteristics of all proposed landscaping and plant material.

In particular, the plan should address the following:

- Screening: Uncovered car parking areas should be adequately and appropriately screened and landscaped by the planting of shrubs and shade trees.
- Water runoff: An open texture surface material should be used to reduce water run-off from parking areas.

## E1.10.9 Drainage of car parking areas

Drainage of car parking areas must be consistent with Council's provisions in Part E of the DCP, Chapter E2 Stormwater and Flood Risk Management.

## E1.11 Electric vehicle charging points

The controls for electric vehicle charging points encourage and support the increased use of electric vehicles by ensuring the installation of appropriate electric circuitry and dedicated electric vehicle charging points.

Two types of electric vehicle charging levels have been considered:

- 'Level 1' charging consisting of a regular, single phase power point.
- 'Level 2' charging consisting of a single or three-phase power point with a power range of 7kW-22kW, as defined by the NSW Electric and Hybrid Vehicle Plan, Future Transport 2056 (21 January 2019). 'Level 2' electric vehicle charging provides a superior, faster and more stable charging option.

The controls will require all types of residential and non-residential development to be designed and constructed with appropriate electrical infrastructure to facilitate the future installation of electric vehicle charging points.

For certain types of residential and non-residential development a minimum number of 'Level 2' electric vehicle charging points must be installed.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To encourage and support increased usage of electric vehicles. | C1 | Electric circuitry to accommodate 'Level 2' electric vehicle charging points must be integrated into all off-street car parking of new residential and non-residential development to ensure that 100% of car spaces can install electric vehicle charging points in the future. This must include:<br>a) Ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system; and<br>b) Providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space (see Figure 1 and Figure 2). |
| | | C2 | Minimum electric circuitry for a 'Level 2' electric vehicle charging point is required to be:<br>a) Privately available spaces: 'Level 2' slow – single phase with 7kW power; and |

| Objectives | Controls |
|---|---|
| | b) Publicly available spaces: 'Level 2' fast – three-phase with 11-22kW power. |
| | C3 The installation of a 'Level 2' electric vehicle charging point is encouraged for new dwelling houses, semi-detached dwellings or dual occupancies. |
| | C4 All new residential and non-residential development (other than for dwelling houses, semi-detached dwellings or dual occupancies) must provide 1 car parking space or 10% of all car parking spaces – whichever is greater - to have a 'Level 2' electric vehicle charging point installed. |

**Figure 1:** Electric vehicle charging points and electric circuitry provision in development with multiple car spaces using cable tray system.

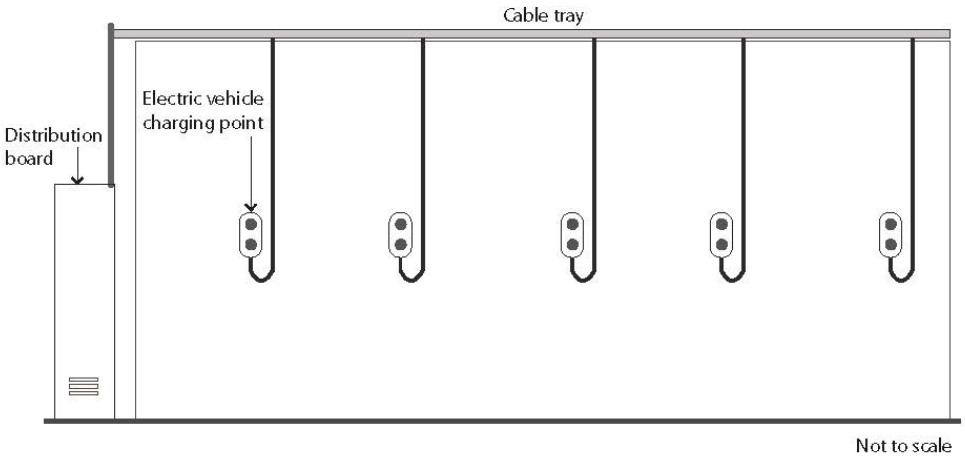
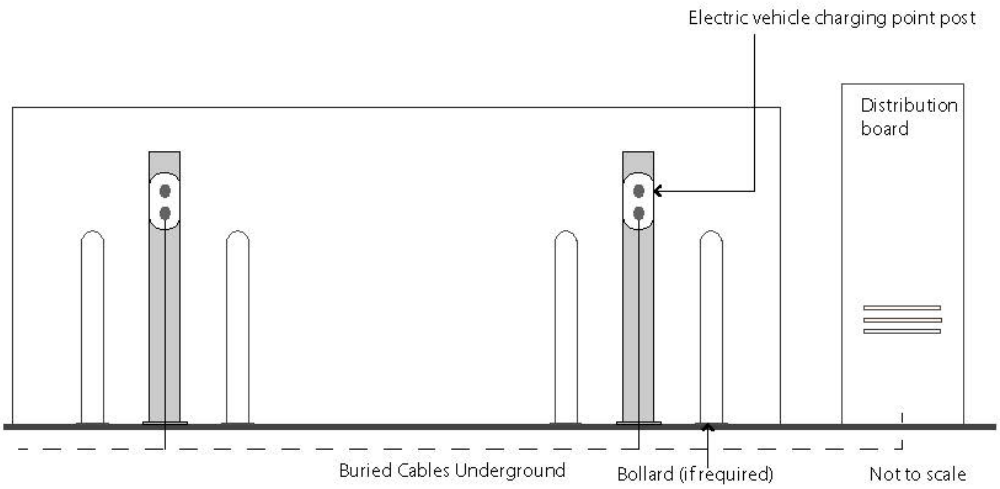


**Figure 2:** Electric vehicle charging points and electric circuitry provision in development with multiple car spaces using buried underground cable system.




## E1.12 Green Travel Plans

A green travel plan provides information to users of the development on how to reach the site via active and public transport. Usually only developments of significant size require a green travel plan. However, any developer may elect to provide a green travel plan to reduce vehicle use.

| Objectives | | Controls | |
|---|---|---|---|
| O1 | To ensure green travel plans are provided with certain developments. | C1 | Developments which exceed the threshold values listed in Section E1.12.1 will require a green travel plan. |
| O2 | To ensure the targets set out by the green travel plan are reasonable and practical. | C2 | Council will review the targets laid out by the green travel plan before implementation. |
| O3 | To ensure responsibility for implementing the green travel plan is held by a representative within the organisation or company. | C3 | The address and contact details of a contact person shall be provided. The contact person will be responsible for implementing and enforcing the green travel plan. |
| O4 | To monitor and review the effectiveness of the green travel plan. | C4 | After implementation of the green travel plan, annual reports will be required to provide information on the number of people trips, travel modes by time of day, journey purpose and |

| Objectives | Controls |
| --- | --- |
| | origin/destination of trips for a minimum of 5 years post occupation. |

## E1.12.1 Green travel plan thresholds

A green travel plan is required for development listed below:

- Educational establishments allowing an additional 100 students.
- Non-residential developments with a gross floor area of 2,000m$^2$ or more.
- Residential developments which provide 50 or more additional dwellings.

## E1.13 Operational traffic management plan

Operational traffic management plans are required for certain major developments that are likely to impose a significant impact on the surrounding road network.

### E1.13.1 Operational traffic management plan for non-residential developments

An operational traffic management plan (OTMP) is required for developments under clause 104 and Schedule 3 of *State Environmental Planning Policy (Infrastructure) 2007* or classified as designated developments under s.77A of the EP&A 1979.

Otherwise, Council may require an OTMP for the following developments:

- Child care centres.
- Drive-in take-away food outlets.
- Education facilities.
- Entertainment facilities.
- Health care facilities.
- Hotel and motel accommodation.
- Industrial premises.
- Public car parks.
- Places of public worship.
- Pubs.
- Recreation and tourist facilities.
- Registered clubs.
- Retail premises comprising supermarkets and or shopping centres.
- Service stations.
- Other developments. (Generally if there is significant expansion or modification).

### E1.13.2 Details an operational traffic management plan

The minimum details for an operational management plan are:

- Existing and proposed traffic generation.
- Information on the existing and proposed road network, routes and access locations.
- Details of site operations including peak hours, speed zones and forecast traffic flows.
- On-street/off-street parking.
- Details on public and active transport.

- Traffic control plans (if required).

## E1.14 Off-street loading and servicing facilities

Off-street loading and servicing arrangements may need to be provided for businesses, commercial, industrial, office, retail and storage uses, and any other use where regular deliveries of goods are made to or from the site.

### E1.14.1 Number of loading bays required

The following developments will generally be required to provide a minimum of one loading bay:

- retail premises (such as a supermarket) that require delivery of large items or pallets of goods;
- hotel, motel or serviced apartment accommodation;
- registered clubs or bowling clubs;
- hardware, building, landscape and garden supplies;
- warehouse or distribution centre;
- food and drink premises or pubs with a seating capacity of 50 persons;
- bulky goods premises;
- educational establishments;
- emergency services or health services facilities; and
- marinas or boat repair facilities.

Council may require additional or less loading bays depending on the scale and type of use, having particular regard to the anticipated volume and frequency of deliveries associated with the proposed development, and the availability and suitability of any existing on street 'loading zone' located directly in front of, or at the side of, the premises.

### E1.14.2 Location and design of loading bays

- Loading bays and service areas should operate independently of other parking areas and should be situated to ensure that all service vehicles stand entirely on the site of the premises during loading and unloading operations.
- Vehicles will generally be required to enter and exit the site in a forwards direction.
- Service areas and loading docks should be designed to cater for the vehicles and servicing operations anticipated to occur in a particular development. Loading facilities and service areas should be visually unobtrusive and preferably:
  - located via a rear lane or side street, where such access is available;
  - located within the building envelope; and
  - designed to be perpendicular to lane frontage.

- Designs should comply with AS 2890.2 Part 2: Off-street commercial vehicle facilities and should accommodate the largest design vehicle to service the site.

## E1.15 Mechanical parking installations and paid parking stations

### E1.15.1 Locations and land use

Mechanical parking installations such as car lifts and car stackers are generally not desirable, and will only be considered in exceptional circumstances.

Mechanical parking installations may be permitted for residential and non-residential development where one or more of the following applies:

- The topography or lot size does not reasonably allow a simpler, more conventional parking arrangement.
- An existing building is being refurbished and there is no land available for additional parking. Refurbishment does not include extension of the building so as to increase site coverage or any other works to increase site coverage, all of which have the effect of reducing site area which could be used for conventional parking arrangements.
- In the case of non-residential development, the installations are for long-stay parking.
- In the case of residential development, the installations are for resident rather than visitor parking.

### E1.15.2 Compliance with the Australian Standards

Vehicle access to the mechanical parking installation must be made in accordance with AS/NZS 2890.1 (2004).

Where there is one car lift proposed, this must be capable of accommodating a B99 vehicle.

Where multiple car lifts are proposed, one car lift must be capable of accommodating a B99 vehicle and the remaining lifts must be capable of accommodating a B85 vehicle.

### E1.15.3 Waiting bays

- The design must include sufficient size to ensure that vehicles queuing to enter the mechanical parking installation or paid parking station does not extend beyond the property boundary. Vehicles must not wait on the footpath or roadway.
- The waiting bay(s) must be adequately sized to enable vehicle(s) to wait, while another vehicle exits the site. It is not acceptable for waiting vehicle(s) to reverse onto the footpath to enable another vehicle to manoeuvre off the site.
- The minimum length of each waiting bay is 6m.
- Waiting bays must not exceed a maximum grade of 1 in 20 (5%).
- Waiting bays must not obstruct the driveway.

## E1.15.4 Car parks with more than 25 vehicles

If a car lift is providing access to a car parking area with more than 25 parking spaces, then two separate car lifts must be provided.

## E1.15.5 Residential visitor parking

Residential visitor parking must be provided external to the mechanical parking installation.

## E1.15.6 Access

Where a development is required to provide parking for people with a disability, a mechanical parking installation must allow people with a disability to exit in the event of breakdown or failure.

## E1.15.7 Development application information

A report from a suitably qualified traffic consultant is required for any development application that proposes a mechanical parking installation or paid parking station relating to the parking of three or more cars.

As a minimum, the report should provide a queuing analysis, taking into account:

- the proposed peak hour vehicle volumes;
- the service rate (in seconds) associated with the proposed parking equipment; and
- the number of on-site waiting bays required to accommodate the 98th percentile queue at peak traffic levels.

The development application should also include the following information:

- details of required servicing and ongoing maintenance;
- internal and external dimensions of the device;
- details of the noise output of the device; and
- manufacturer's documentation, including information on service rates.

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Chapter E7
# Signage

## Part E ▸ General Controls for All Development

CHAPTER E7 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

Last amended on TBC

# Chapter E7 ▸ Signage

## Contents

# E7.1 Introduction

Signage includes an advertising structure, a building identification sign and a business identification sign. Under Woollahra Local Environmental Plan 2014 (Woollahra LEP), building identification signs and business identification signs are the only signs permitted in the Woollahra Municipality.

In Woollahra LEP these signs are defined as:

- "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 does not include general advertising of products, goods or services.
- "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 that does not contain any advertising relating to a person who does not carry on business at the premises or place.

This chapter identifies Council's requirements for signage, addressing matters such as the type of sign, content, size, location and colour to ensure that signage communicates effectively and makes a positive contribution to the public domain.

## E7.1.1 Land where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

## E7.1.2 Development types that this chapter applies to

Woollahra LEP 2014 only permits building identification signs and business identification signs; general advertising signs are prohibited.

This chapter applies to building identification signs and business identification signs that require consent, or that form part of other works that require consent.

This chapter does not apply to small scale and low impact signage identified as exempt development in Woollahra LEP 2014, Schedule 2 or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. However, if the requirements and development standards in the Codes SEPP or Woollahra LEP 2014 cannot be met, development consent is required and the provisions of this DCP chapter apply.

## E7.1.3 Objectives

The objectives of this chapter are:

O1 To control the erection of building signs and business identification signs.

O2 To ensure that signage conveys messages reasonable and relevant for the purpose of identifying buildings and individual businesses.

O3 To ensure that signage in the centres is unobtrusive, informative and compatible with an attractive shopping environment.

O4 To ensure that the location, size, colour and content of signs does not cause unreasonable visual clutter, or detract from the character of the building to which it is attached or the streetscape in which it is located.

O5 To identify when external painting of a building constitutes a wall sign.

## E7.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- If located in a residential area or heritage conservation area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land. Additional signage controls apply in some heritage conservation areas (HCA), such as William Street in Paddington. If there is an inconsistency between the controls in this chapter and the controls in Part C, the controls in Part C for the HCAs prevail.
- If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- Part F: Land Use Specific Controls – this part contains chapters on Child Care Centres, Educational Establishments, Licensed Premises and Telecommunications.

## E7.1.5 Relationship to other documents

### *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP)

The Codes SEPP contains Division 2 Advertising and Signage Exempt Development Code. Under the code, common types of building and business identification signs and other signs, such as community notices and real estate signs, are exempt development if the standards are met.

### Woollahra LEP 2014

Under Woollahra LEP 2014, Schedule 2, small scale and low impact building identification and wall signs may be undertaken as exempt development in heritage conservation areas or on heritage items if the criteria and standards are met.

## E7.2 General signage controls—all areas

Signage is essential to commercial premises, and suitable signage can add interest, character and vitality to the built environment. However poorly designed or placed signs, or too many signs in one location, can affect streetscape amenity.

It is important that commercial operators thinking about signage for their premises remember that acceptability of an impact depends not only on the extent of the impact but also on reasonableness of, and necessity for, the development that causes it. In other words, how many signs are reasonably required to convey the message that the premises is operating from the site?

Signage should never dominate and overwhelm the character of the street. It is important for signage to be well designed, appropriate in scale, and of a quality that enhances the character of the area and helps define a local identity.

The signage should be integrated with the building design. The design, size and colour of signs must not dominate or obscure the architectural character and detail of the building or adjoining buildings. Generally signage should occur below the awning level as signage above the awning level impacts on the visual cohesion of the streetscape.

The objectives and controls in this section apply to signs in the centres and residential areas; additional controls for signage in heritage conservation areas (HCA) also apply, and are set out in Section 7.3 of this chapter. If there is an inconsistency between these general controls and the controls for the HCAs, the controls for the HCAs prevail.


**FIGURE 1** Types of signs

1. Building identification sign – located on the parapet
2. Building identification sign – located on the façade bay
3. Fascia sign
4. Under awning sign
5. Top hamper sign
6. Window sign

Buildings in Woollahra's business zones are predominantly mixed use, with active retail uses at street level and residential or office uses above. Typically an awning separates the retail frontage

from the upper levels. The façade of the upper levels should not be used to advertise the business at street level.

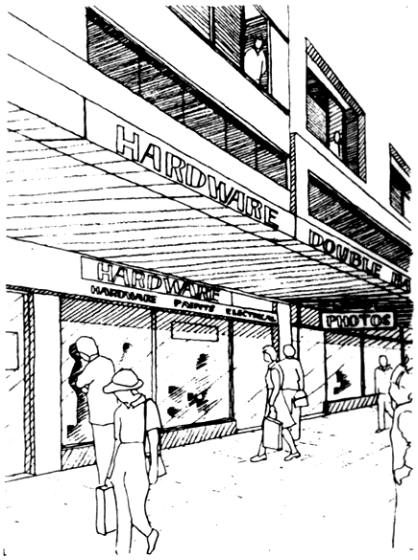



**FIGURE 2**
Example of signage on awning, top hamper and windows

## E7.2.1 Building identification signs and business identification signs

| Objectives | Controls |
|---|---|
| O1 To limit the types of signs on buildings to those signs that are less likely to contribute to visual clutter or be otherwise visually intrusive.<br><br>O2 To preserve the existing and future roofscapes and protect views. | C1 The signage is:<br>a) a building identification sign;<br>b) a business identification sign that is:<br>i) wall sign (may be a flush wall or painted wall sign);<br>ii) fascia sign, including a sun-blind attached to the outer edge of the fascia;<br>iii) under awning sign;<br>iv) top hamper sign;<br>v) window sign.<br><br>Refer to Figure 1 above.<br><br>C2 The signage is not one of the following types:<br>a) roof or sky sign;<br>b) vertical or horizontal projecting wall sign, other than a projecting wall sign |

| Objectives | | Controls | |
|---|---|---|---|
| | | | in William Street as permitted in Part C of the DCP, Chapter C1 Paddington HCA;<br>c) pylon or pole sign;<br>d) sky sign; or<br>e) fin sign. |
| O3 | To ensure that signage conveys relevant messages and images and provides effective communication in suitable locations. | C3 | The signage is fixed to a building that has been lawfully constructed. |
| | | C4 | The signage relates to uses that have been lawfully established. |
| O4 | To ensure that signage does not contribute to visual clutter or environmental degradation because of its content. | C5 | The signage assists in way finding and pedestrian useability. |
| | | C6 | Signage relating to a particular business is attached to that section of the building occupied by that business. |
| | | C7 | The signage does not contain advertising that:<br>a) promotes products or services not related to the business being conducted on the site; or<br>b) is for a single product, unless that product is the only merchandise being sold by the business. |
| | | C8 | For a building identification sign, the content is limited to:<br>a) street number;<br>b) name of the building; and<br>c) one logo or graphic. |
| | | C9 | For a business identification sign, the content is limited to:<br>a) street number;<br>b) name and general nature of the business; |

| Objectives | | Controls | |
|---|---|---|---|
| | | | c) name of the proprietor or business (or both); and<br>d) one recognised logo or trade name (or both).<br><br>C10 If a corporate logo or graphic appears as part of the signage, it is compatible with the architecture, materials, finishes and colours of the building, and does not have an adverse impact on the character of the building or streetscape. |
| O5 | To ensure that signage is sympathetic to the design and architectural character of the building. | C11 | The signage is integrated with the architectural design of the building, having regard to the building composition, fenestration, materials, finishes and colours.<br><br>C12 The signage does not obscure or extend over any architectural, decorative or other distinguishing feature of the building.<br><br>C13 The signage is of a high quality design and finish. |
| O6<br><br>O7<br><br>O8<br><br>O9<br><br>O10 | To ensure that signs do not contribute to visual clutter or environmental degradation of the public domain because of the type, size or location.<br><br>To ensure that signage is limited to that reasonably required to convey the message that a particular business is operating from the premises.<br><br>To ensure that signs are an appropriate size and scale for the building on which they are erected.<br><br>To ensure that signage is compatible with its context.<br><br>To protect the amenity of residential development. | C14<br><br>C15 | For signage on a building in a business zone, the total signage area does not exceed a factor of 0.5m² for each metre of the building width at its frontage to a public road.<br><br>For a building identification sign, the sign:<br>a) is located on the main façade of the building;<br>b) is designed as an integral part of the façade;<br>c) may be located above awning height; and<br>d) is generally composed of content that is affixed to the building. |

| Objectives | Controls |
|---|---|
| O11 To ensure that window signs do not compromise active and desirable pedestrian environments. | Note: Not all buildings will have a building identification sign. |
| O12 To create an active interface between ground level retail or commercial properties and the street. | C16 For a business identification sign located in a business zone, the sign:<br>a) is located in that part of the building occupied by the business;<br>b) is primarily located on the awning fascia and under the awning height of the building. Signs, other than walls signs, above the awning height should be avoided;<br>c) does not face a service lane; and<br>d) is not located on a side wall abutting a residential property.<br><br>C17 Where there are multiple occupancies or uses within a single building or site:<br>a) a coordinated approach to the location and design of signs is taken; and<br>b) a directory of tenants is provided at the ground floor level.<br><br>C18 For an under awning sign located in a business zone, there is no more than one sign per premises and the sign:<br>a) is a maximum height of 300mm;<br>b) is a maximum length of 2.6m (or two thirds the width of the footpath, whichever is the lesser);<br>c) is not lower than 2.6m from the footpath level as measured from the bottom of the sign; and<br>d) is a minimum distance of 3m from adjoining under awning signs.<br><br>C19 For a flush wall or painted wall sign located in a business zone, the sign: |

| Objectives | Controls |
|---|---|
| | a) does not exceed 5m²;<br>b) does not extend over or block windows or other openings in the building;<br>c) does not project more than 150mm from the wall;<br>d) does not protrude above the parapet or eaves; and<br>e) is not illuminated.<br><br>C20 No more than one flush wall or painted wall sign on any elevation of the building.<br><br>Note: The external painting of a building may constitute a painted wall sign where the painting uses corporate colours and can be reasonably considered as branding. Refer to Section 7.2.2 below for circumstances when painting of a building may be a painted wall sign.<br><br>C21 For a servicing and delivery sign, the sign does not exceed an area of 0.35m².<br><br>C22 For a window sign, the sign:<br>a) does not cover more than 40% of the surface of the window in which it is displayed; and<br>b) if illuminated, is internally illuminated only.<br><br>C23 Blanked out windows or location of shelving, fixtures, or the like, that do not provide for transparency into the premises and an attractive interface to the street are avoided. |
| O13 To ensure that signage in residential zones is discrete and does not impact on the residential character.<br><br>O14 To ensure that the purpose of signage in residential areas is to identify the | C24 For a flush wall or painted wall sign in a residential zone that is for a business other than a home business, home industry or home occupation—the sign does not exceed an area of 2.5m², and no more than one per building. |

| Objectives | | Controls | |
|---|---|---|---|
| | business, but does not seek to blatantly advertise the business. | C25 | The signage is positioned parallel to the property boundary. |
| O15 | To ensure that signage does not contribute to visual clutter or environmental degradation because of its colour. | C26 | The colours in the signage are compatible with the architecture, materials, finishes and colours of the building. |
| O16 | To ensure that the colour of signage is compatible with the character of the streetscape and the desired future character of the area where the signage is located. | C27 | The colours do not have an adverse impact on the character of the building or streetscape. |
| | | C28 | Corporate colours may appear as part of the sign, but are not used as the principal or dominant colour scheme. |
| | | C29 | Where there are multiple occupancies or uses within a single building, a coordinated colour scheme for signs is provided. |

| Objectives | Controls |
|---|---|
| O17 To ensure that the location and size of signs do not affect public safety.<br><br>O18 To ensure that the illumination of signage does not have an adverse impact on the amenity of the public domain or residential uses.<br><br>O19 To ensure that signs do not cause unreasonable distraction. | C30 The signage does not obscure or interfere with safety, public directional or traffic signs.<br><br>C31 Illuminated signage is avoided in the residential zones.<br><br>C32 Illuminated signage or floodlighting of signs minimises lightspill and does not adversely affect amenity, particularly residential amenity.<br><br>C33 If the sign is illuminated, the cabling is concealed or integrated with the sign.<br><br>C34 In the ~~B1~~ E1 zone, illumination from a neighbourhood shop, such as a convenience store or the like does not exceed a maximum horizontal luminance of 200 lux.<br><br>C35 Signage does not involve:<br>a) mechanical or animated flashing, pulsing or moving parts;<br>b) neon tubes or fluorescent lighting (located either externally or in a shopfront window); or<br>c) banners, flags or spotlights. |

## E7.2.2 When external painting of a building constitutes a wall sign

Branding a building by painting the facade in the business corporate colours should be avoided.

Generally corporate colours involve bright or primary colours. Such colours, when painted over large areas on a building or above the awning level, can be loud and distracting and often do not provide a well-mannered and thoughtful contribution to the streetscape.

The corporate colours tend to be inconsistent with the character of the centre and the palette of colours predominantly used in the centre. Furthermore, bright and primary colours on buildings have the effect of adding to the perceived building bulk.

Individual business branding and identity in external painting and colour schemes is to be subordinate to the main colour scheme on the building.

Where it is established that a particular colour or combination of colours used to paint a building has the effect of a sign promoting a particular business, that work may be regulated through the development application process, and the provisions in this chapter of the DCP apply, specifically those controls for a painted wall sign.

### When the external painting of a building constitutes a wall sign

The external painting of a building is taken to constitute a wall sign if any of the following apply:

a) The use of colours in patterns, symbols, messages or other devices promotes the business, a product, an event or an activity.

b) The use of colours in patterns, symbols, messages or other devices conveys information, instructions or directions.

c) When a business, activity or event is readily identifiable from a colour or a colour scheme and regularly uses that colour or colour scheme in its branding.

Painted and flat mounted wall signs tend to be visually prominent, particularly where the building is located on a corner site. It therefore important that the size and location of these signs on the building are controlled to ensure that the sign is not intrusive or unreasonably dominant, having regard to the streetscape and desired future character of the centre.

### Controls for a painted wall sign

The controls for a flush wall sign are in Section 7.2 above. These controls, amongst other things, limit the size of the sign to $5m^2$.

## E7.3 Heritage conservation areas and on heritage items

Signage within heritage conservation areas and on heritage items is to be sympathetic with heritage significance of the place or item.

Traditionally, signage to retail and other commercial buildings was painted directly on building elements. Old photographs show that signs were painted on building wall parapet panels, verandah and awning fascias or directly onto glazing. Broadly there was an integration of signage with the building. The colour of the signs and signwriting typically included light brown, rich brown, Indian red, chrome green, and in rare instances Prussian blue, black and dark tints, and slate grey, as well as gold and silver leaf.

While replication of older signage is not the aim, reference to lettering styles, traditional locations and colours should be made.

Locating signs on buildings not originally intended for retail use is more difficult, and particular attention is needed as these signs have the potential for a greater impact on heritage significance.

The objectives and controls in this section apply in addition to the general controls in Section 7.2 above. If there is an inconsistency between these controls and the general controls, the controls in this section prevail. However, if there is an inconsistency between these controls and any control in Part C of the DCP on the heritage conservation areas, the controls in Part C prevail.

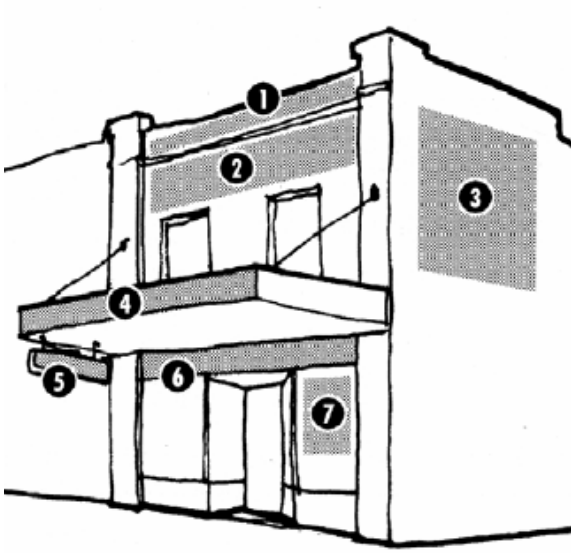



**FIGURE 3** Types of signs

1 Parapet sign
2 Upper level facade sign
3 Flush wall and painted wall sign
4 Fascia sign
5 Under awning sign
6 Top hamper sign
7 Window sign

## E7.3.1 Signage in heritage conservation areas and on heritage items

| Objectives | Controls |
|---|---|
| O1 To conserve existing signs which have heritage significance.<br>O2 To minimise the number of signs.<br>O3 To provide for signs in appropriate locations on buildings.<br>O4 To minimise the impact of signs on the heritage significance of individual buildings and the heritage conservation area generally.<br>O5 To ensure that the size of signs do not dominate the architectural character of the building or adjoining buildings.<br>O6 To ensure that the size of signs respond appropriately to the physical context and historical background of the streetscape and HCA as a whole. | C1 Existing signs with heritage significance should be retained and conserved.<br>C2 Signs should be located on the traditional areas for signs in heritage conservation areas as shown in Figure 3 above.<br>C3 The number of signs is limited to those necessary to display the name of the business and/or proprietor and the name of the building (if applicable).<br>C4 The content of the signage has minimum reference to the particular service provided or products retailed from the premises.<br>C5 Where the building contains more than two tenants, a directory of tenants is provided at ground floor level on a secondary external wall.<br>C6 For a painted window sign, the sign does not dominate or clutter the shop front window.<br>C7 A painted window sign on an upper storey window may only be considered for the identification of tenants where appropriate wall surfaces or other areas for signage are not available.<br>C8 For a top hamper sign, the sign:<br>a) may be painted;<br>b) is flush to the external face of the shopfront where practicable, but in any case does not project more than 100mm;<br>c) is a maximum 600mm wide;<br>d) is a maximum 6000mm long; and<br>e) terminates 600mm short of each side boundary. |

| Objectives | Controls |
|---|---|
| | C9 For a flush wall or painted wall sign, the sign:<br>a) is not constructed or installed on a heritage item;<br>b) does not exceed an area of 2.5m$^2$; and<br>c) is no more than one per building.<br><br>C10 Notwithstanding C1-C9 above, for a sign in William Street, Paddington, on a residential building used for commercial purposes, the number and type of signs are set out in Refer to Part C of the DCP, Chapter C1 Paddington HCA. |
| O6 To ensure that signs do not dominate or obscure the architectural character and detail of a building or a group of buildings.<br><br>O7 To ensure that design, style and colours of signs complement the historic character of the streetscape but not mimic historic signage. | C11 The signage is not directly fixed by any means to sandstone or face brickwork, but may be fixed into mortar joints.<br><br>C12 The signage is not painted on original face brickwork, sandstone, terracotta and glazed or tessellated tiling, or any other surface that is traditionally unpainted or unfinished by other mediums.<br><br>C13 No demolition of any part of the structure or building on the site may occur to accommodate the signage.<br><br>C14 Materials are restricted to those which were traditionally used for signs, including painted timber or board, engraved metal plaque such as bronze or painted masonry. With the exception of metal plaque, these materials are characterised by their non-reflectively.<br><br>C15 Colours used in the signage are suitable for the architectural style and period of the building. The use of fluorescent paints and iridescent colours are not appropriate. |

| Objectives | | Controls | |
|---|---|---|---|
| | | C16 | The design and style of lettering in the signage is suitable for the style of the building and the historic character of the area. |
| | | C17 | Where a number of tenancies occupy the same building or row of properties, the signage is consistent in regards to shape, background colour, size, fixing methods and lighting. Consistent fonts and graphics are encouraged. |
| | | C18 | Consistency in signs between neighbouring buildings which have a common architectural style, whether traditional or contemporary is encouraged. |
| O8 | To ensure lighting or illumination of signs does not impact on the heritage fabric or presentation of the place. | C19 | Where lighting is required, the sign is painted and externally spotlit. |
| | | C20 | Internally lit signs, neon signs or signs with neon lettering are generally inappropriate and may only be considered if the sign is inside the shop window and is small and discrete. |

**Annotations:**

Insertions - identified in blue and underscore

~~Deletions - identified in red and scored through~~

*Notes in the right hand margin identify the source of the proposed amendments.*

# Chapter F3
# Licensed Premises

## Part F ▸ Land Use Specific Controls

CHAPTER F3 APPROVED ON 27 APRIL 2015

AND COMMENCED ON 23 MAY 2015

~~Last amended on 20 January 2020~~

Last amended on TBC

# Chapter F3 ▸ Licensed Premises

## Contents

## F3.1 Introduction

Licensed premises continue to be a fundamental part of the social fabric of the community. These provide venues for social interaction and for entertainment for a large cross section of the community.

Licensed premises contribute to the night economy and the business community derives a broad range of benefits from the operation of venues, employment in hospitality, entertainment and tourist industries, the supply of food, drink and other related services. Licensed premises are venues for artistic expression for up-and-coming, as well as established, musicians and other artists.

While licensed premises can make positive contributions to society they can also be the source of neighbourhood disturbance and anti-social behaviour. This can take the form of noise and other nuisances but at its worst can lead to property damage, crime and violence (including violence towards emergency service workers). There are also significant associated health costs related to physical injuries and mental illness resulting from alcohol abuse.

The external impact of licensed premises on the community is essentially related to three risk factors:

- the type of licensed premises;
- the sensitivity of the locality within which it is, or is proposed to be, located; and
- the trading hours and number of patrons.

The measures which need to be applied to avoid unacceptable external impacts will be different depending on these factors. For instance, a pub in or adjacent to a residential area has the potential for greater external impacts than a small restaurant in a business area.

Therefore, based on the above three factors, this DCP adopts a risk rating approach, i.e. high risk or low risk, as a guide for establishing the appropriate response to proposals involving licensed premises.

There are controls in this chapter which relate directly and indirectly to the density of licensed premises in the consideration of development applications (DAs) and other related applications. This is because studies have demonstrated that there is a connection between areas with higher densities of licensed premises and increases in the incidence of alcohol-related anti-social behaviour.

The assessment of DAs and other related applications for licensed premises will include consideration of the density of existing licensed premises in the vicinity and any incidences of alcohol-related anti-social behaviour.

Situations may arise where it is not possible to support additional licensed premises in areas where high densities occur and where anti-social behaviour is causing unacceptable impacts on the surrounding community.

## F3.1.1 Land and development where this chapter applies

This chapter applies to all land within the Woollahra Municipality.

Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) sets out where various land uses (including the use of land for the purposes of licensed premises) are permissible, either with or without development consent, or whether they are prohibited.

Under Woollahra LEP 2014, licensed premises of some categories are permissible in a number of the land use zones. The land use zones provide an indication of an area's environmental amenity sensitivity.

## F3.1.2 Development to which this chapter applies

This chapter applies to all development proposals involving licensed premises.

Licensed premises are those premises which are licensed, or which require a licence to be issued, under the *Liquor Act 2007* (Liquor Act), Part 3, Division 1. The Liquor Act provides for various types of licences to be issued, as set out in Section 3.1.5 below.

This chapter of the DCP also applies to the following applications made under the *Environmental Planning and Assessment Act 1979* (EP&A Act):

- DAs for existing licensed premises;
- applications for the modification of development consents (s.96 applications);
- applications for the review of a determination of a DA (s.82A review); and
- reviewable conditions (s.80 (10B)).

In the Woollahra Municipality there are existing licensed premises located in zones where they are no longer permitted. These premises operate as existing uses and are subject to special provisions (see EP&A Act, Division Part 4, Division 10).

The controls in this chapter have been prepared to complement Council's procedure *Extension or Intensification of a Use* which relates to applying the Land and Environment Court Planning Principle for licensed premises established in *Vinson v Randwick Council [2005] NSWLEC 142*.

### Where this DCP chapter does not apply

This chapter does not apply to the current operating conditions of existing licensed premises. Current operating conditions will only be considered where relevant to the determination of a DA. For example, a DA seeking the intensification of the current use such as extended trading hours or increased patron numbers.

## F3.1.3 Objectives

The objectives of this chapter are:

O1 To standardise the way we assess DAs and other related applications for licensed premises.

O2 To provide certainty to applicants, residents and other stakeholders regarding our approach to, and planning requirements for, dealing with DAs and other related applications for licensed premises.

O3 To achieve a more consistent approach to determining trading hours and operating conditions for licensed premises.

O4 To recognise the important role of licensed premises in contributing to the vitality and vibrancy of centres at night while minimising potential negative impacts from activities associated with licensed premises.

O5 To provide for the safety of patrons and the general public.

O6 To ensure noise from the activities of licensed premises is not intrusive and does not unreasonably impact on the amenity of adjoining and nearby residential uses.

Note: This chapter is not intended to duplicate processes under the Liquor Act. However, we reserve our right to make submissions, which may be in the nature of objections, in relation to:

- the preparation of a Community Impact Statement as part of a licence application under the Liquor Act; and
- a licence application, or the terms of a licence application, under the Liquor Act.

We reserve this right notwithstanding that we may have granted a development consent in relation to the use of the premises for the purposes of a licensed premises.

## F3.1.4 Relationship to other parts of the DCP

This chapter is to be read in conjunction with the other parts of the DCP that are relevant to the development proposal, including:

- If located in a residential area—the controls in Part B: General Residential, or Part C: Heritage Conservation Areas that apply to the land.
- If located in a business centre—the controls in Part D: Business Centres that apply to the land.
- Part E: General Controls for All Development – this part contains chapters on Parking and Access, Stormwater and Flood Risk Management, Tree Management, Contaminated Land, Waste Management, Sustainability, Signage and Adaptable Housing.

## F3.1.5 Relationship to other documents

### *Liquor Act 2007*

The Liquor Act includes licensing provisions for the sale of alcohol which is based on the categorisation of licensed premises.

Matters to be considered before a licence can be issued under the Liquor Act are the social impacts of issuing a licence and whether the licensee would be a fit and proper person to hold a licence. If development consent is required under the EP&A Act for the use of premises, then proof that a consent is in force also needs to be provided.

The potential environmental risk associated with the different categories of licensed premises varies.

### Types of licences under the *Liquor Act 2007*

| Type of licence | Type of use or activity |
|---|---|
| Hotel (including a general bar licence) | Pub or large bar with more than 100 patrons |
| Club | Registered club |
| Small bar | Small bar with under 100 patrons |
| On-premises | Restaurant or cafe, nightclub, entertainment facility, hotel or motel accommodation, function centre and other venues where liquor is consumed on the premises |
| Packaged liquor | Bottle Shops or online liquor sales |
| Producer/wholesaler | Brewer, distiller, winemaker or wholesaler |
| Limited | Functions held by non-profit organisations, as well as special events and trade fairs |

### Woollahra Footway Dining Policy and Guidelines

The Footway Dining Policy and Guidelines establish Council's requirements for the use of footpaths for footway dining. These documents address a range of matters including maximum footway trading hours and requirements for pedestrian accessibility, safety and amenity.

## F3.2 Licensed premises risk rating

The following table shows the risk rating for licensed premises.

| RISK RATING OF LICENSED PREMISES | | |
|---|---|---|
| **Type of licence** | **Location/zone** | **Risk rating** |
| Hotel or General Bar, packaged liquor, clubs irrespective of their capacity | Anywhere | **HIGH** |
| On-premises, producer/wholesaler, limited with a capacity of 100 or more patrons | | |
| Any licensed premises | R2 and R3 zones | **HIGH** |
| On-premises/small bars | ~~B1~~ E1 | **HIGH** |
| | ~~B2, B4,~~ E1, MU1, SP3 and RE1 | **LOW** |
| Small bars, on-premises, packaged liquor, producer/wholesaler, limited with a capacity of less than100 patrons | ~~B2~~ E1 | **LOW** |
| Note: Outdoor seating is included in calculating patron capacity | | |

## F3.3 Objectives and controls

| Objectives | | Controls | |
|---|---|---|---|
| O1 | Minimise the impact of licensed premises on the amenity of residential or other sensitive land uses. | C1 | Before deciding on an application involving licensed premises, the following matters are considered:<br>a) the location of the premises and the proximity of residential and other sensitive uses, including any external areas (not fully enclosed areas);<br>b) the type of licensed premises;<br>c) the size and capacity of the premises;<br>d) trading hours;<br>e) existing and likely cumulative impacts, including social impacts, of licensed premises on the amenity of surrounding areas;<br>f) existing and proposed management practices relating to the operation of the premises and of the areas in the vicinity of the premises;<br>g) the density of licensed premises in the vicinity of the proposed development;<br>h) availability of car parking and proximity and access to public transport; and<br>i) any recommendations/comments provided by NSW Police (applications involving licensed premises will be referred to NSW Police for comment in accordance with our Memorandum of Understanding – Crime Prevention Through Environmental Design). |

| Objectives | Controls |
|---|---|
| O2 Identify appropriate trading hours for licensed premises | C2 The trading hours for licensed premises are as set out in the following table: |

**Trading Hours - Development within the site***

| Risk rating | Internal (fully enclosed) | | External (not fully enclosed) | |
|---|---|---|---|---|
| | Base | Extended | Base | Extended |
| High | 8am – 10pm | 8am - midnight | 7am – 10pm | 7am – 11pm<br>Fri and Sat only |
| Low | 8am - midnight | 8am – 2am | 7am - 10pm | 7am – 11pm<br>Fri and Sat only |

*Refer to the Woollahra Footway Dining Policy and Guidelines for the trading hours applicable to the use of footways for restaurant purposes.

Note: The base and extended trading hours referred to in the above table are not an 'as of right'. Where licensed premises are located in close proximity to low density residential zones, Council may impose more restrictive trading hours than those shown in the table.

C3 Consents for licensed premises will, by condition, limit trading hours so that they do not exceed the base trading hours as shown in the Trading Hours Table under C2 (consents may impose trading hours less than the base trading hours).

C4 Extended trading hours may be permitted. The matters set out in C1 will be considered in the assessment of an application to extend trading hours. If approved, extending trading hours:

a) will not exceed the extended trading hours in the Trading Hours Table under C2 (an approval may be subject to a condition which requires extended trading hours to be less than the hours shown in the table); and

b) will be approved as a reviewable condition under s.80A (10b) of the EP&A Act.

Reviews of extended trading hours will only be undertaken if:

a) Council has satisfactory evidence to suggest the extended trading hours are unduly impacting on the amenity of the neighbourhood; or

b) NSW Police has requested a review.

| Objectives | Controls |
|---|---|
| O3 Identify the maximum number of persons permitted on the licensed premises (including outdoor areas) to:<br>a) minimise the impact on the amenity of surrounding residential and sensitive land uses; and<br>b) provide a safe environment for occupants. | C5 Consents for licensed premises will, by condition, limit the maximum number of persons permitted on licensed premises based on:<br>a) an assessment of likely amenity impacts; and<br>b) fire safety and other emergency situation considerations.<br><br>C6 An increase in the maximum number of persons permitted on licensed premises may be permitted. Under no circumstances will an increase be permitted if the number of persons would exceed fire safety/emergency criteria.<br><br>An increase in the maximum number of persons permitted on licensed premises will be approved as a reviewable condition under s.80A (10b) of the EP&A Act.<br><br>Reviews of an increase in the maximum number of persons on licensed premises will only be undertaken if:<br>a) Council has satisfactory evidence to suggest the increased number of persons are unduly impacting on the amenity of the neighbourhood; or<br>b) NSW Police has requested a review.<br><br>In these cases, reviews will be only be undertaken at the following intervals:<br>▸ one year after the increased number of persons permitted on the licensed premises commence; or<br>▸ two years after the first review, if that review does not result in a change to the increased number of persons permitted on the licensed premises; or<br>▸ five years after the second or any subsequent review, if that second or subsequent review does not result in a change to the increased number of persons permitted on the licensed premises. |

| Objectives | Controls |
|---|---|
| O4 Appropriate management practices are implemented for licensed premises to:<br>a) minimise impacts, such as anti-social behaviour and crime, on surrounding residential and other sensitive land uses particularly at closing times and during periods of high patronage; and<br>b) safeguard persons occupying licensed premises. | C7 DAs for licensed premises are accompanied by:<br>a) a management plan (see DA Guide – Management Plan for Licensed Premises, for information to be included in a management plan) which contains appropriate management practices having regard to the risk rating of the premises.<br>b) a social impact report (see DA Guide – Social Impact Report for Licensed Premises, for information to be included in a social impact report) which contains an appropriate level of information of social impacts having regard to the risk rating of the premises.<br><br>C8 Provision is made for suitable active and passive surveillance of the premises and its surrounds, e.g. security personal and CCTV cameras.<br><br>C9 Revised management plans and social impact reports are submitted:<br>a) for an application to extend trading hours;<br>b) for an application to increase the maximum number of persons permitted in a building; and<br>c) as part of review of condition that permits an extension of trading hours and/or that permits an increase in the number of persons permitted in a building. |

| Objectives | Controls |
|---|---|
| O5 Buildings and areas accommodating licensed premises are designed and located to:<br>a) minimise impacts on the amenity of surrounding residential and other sensitive uses; and<br>b) provide a safe environment for its occupants. | C10 The location of:<br>a) outdoor areas of licensed premises (includes smoking areas);<br>b) window, door and other openings in external walls;<br>c) plant and equipment; and<br>d) waste collection and storage areas<br>is to take into account the proximity of residential and other sensitive uses.<br><br>C11 A report by an acoustic engineer is submitted with applications involving licensed premises, where relevant.<br><br>C12 Consideration will be given to upgrading fire services, building structure, toilet facilities, etc. of existing buildings where applications involving licensed premises result in a change of use and/or an intensification of use of the building.<br><br>C13 Lighting is installed to enable visibility of activities and surveillance of the frontage, entrances and exits of licensed premises.<br><br>C14 The frontage of a licensed premises is active and in keeping with the streetscape. Blank facades are avoided. |