



**GEORGES
RIVER
COUNCIL**

E4 – Kogarah North Precinct

POLICY ADMINISTRATION

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E4 KOGARAH NORTH PRECINCT

The Kogarah North Precinct is situated at the northern tip of the Georges River Local Government Area boundary which covers an area of 75,688m². The Precinct is bounded by the Illawarra and Eastern Suburbs rail line, Harrow Road, the Princes Highway, Bank Lane and Gladstone Street. The Precinct is illustrated in **Figure 1**.

The amendment to the Kogarah LEP 2012 which was gazetted on 26 May 2017 enabled a greater intensity of residential uses across the Precinct; giving effect to broader metropolitan-wide directions to support urban consolidation, particularly in locations close to jobs and public transport services.

The Kogarah North Precinct sits to the north of Kogarah Town Centre, an area which has undergone a significant transformation over the last decade, to become a vibrant, liveable and working Town Centre. Kogarah is a highly concentrated business district, with two major hospitals (St George Public and St George Private Hospitals) and the second largest TAFE in New South Wales (NSW).

The Kogarah Health Education Precinct which encompasses the existing Town Centre and the adjoining two hospitals has been identified as a Priority Collaboration Area under the draft Greater Sydney Region Plan (November 2017). One of the Actions of the Revised South District Plan also released November 2017 is to deliver and implement a Place Strategy and Infrastructure Plan for the Kogarah health and education precinct (Action 24).

The areas of Kogarah Town Centre and the Kogarah North Precinct have been identified as a Strategic Centre under the draft Greater Sydney Region Plan November 2017. The Revised South District Plan states that *ongoing investment in the centre will support the health and education precinct focused around St George Hospital, and encourage opportunities for local jobs and economic activities to achieve the jobs target* (Draft Revised South District Plan November 2017, p62). Action 35 of the Draft Revised South District Plan states that Kogarah as a strategic Centre will be strengthened through approaches that:

- a) *Support growth of the health and education precinct*
- b) *Encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy*
- c) *Facilitate the attraction of office and commercial floor space and provide opportunities to allow commercial and retail activities to innovate*
- d) *Encourage activation of secondary streets.*

Given the Regional and District Planning Kogarah is targeted to grow in terms of jobs and housing. The Kogarah North Precinct will assist in this growth and in the establishment of Kogarah as both a strategic centre and a Health Education Precinct – creating a centre that provides a mix of uses and development types.

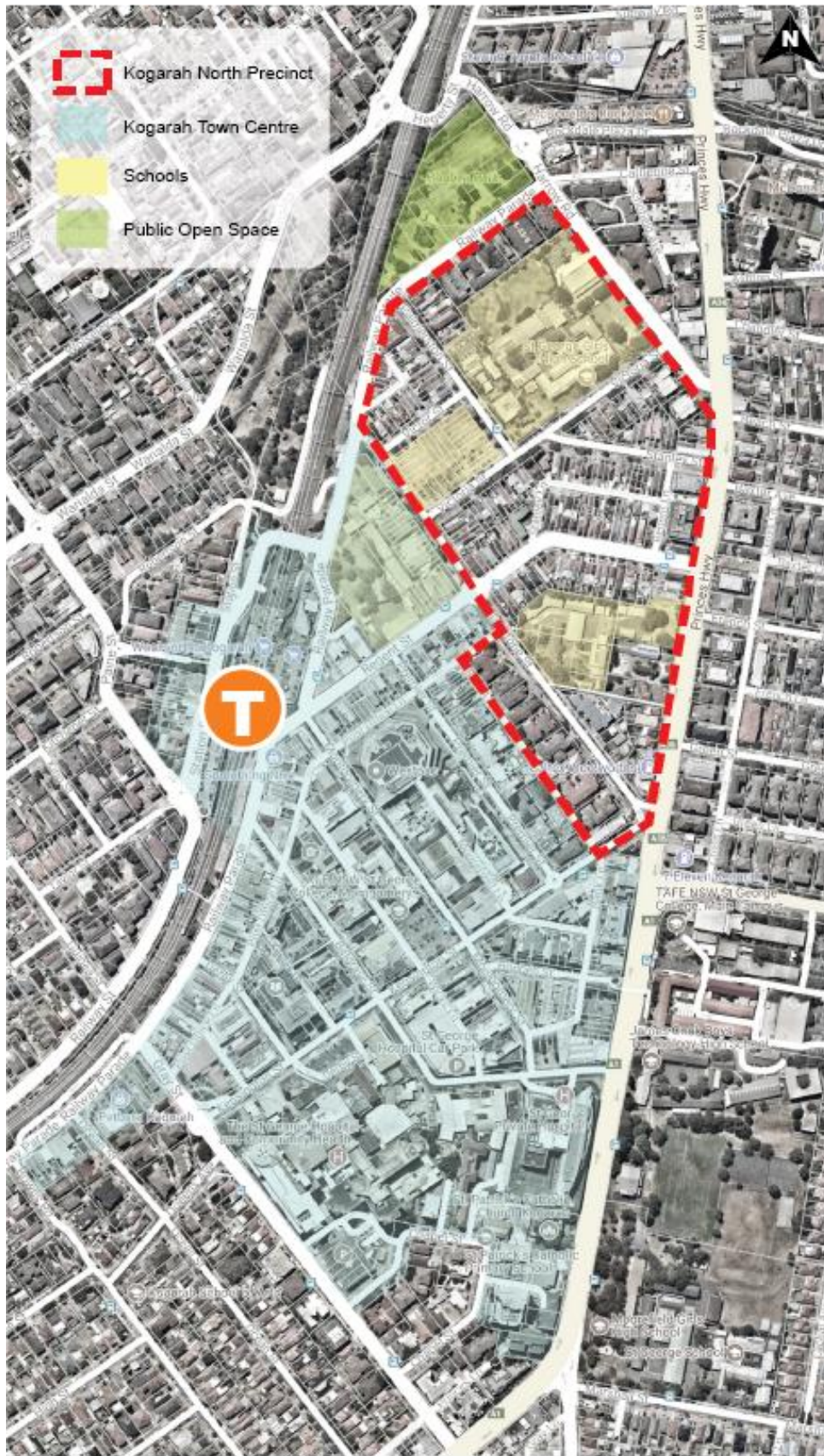


FIGURE 1 - KOGARAH NORTH PRECINCT

1. EXISTING CHARACTER

The Kogarah North Precinct is characterised by low-scale residential streets of mid-century one and two storey red brick houses, and semis. There are three (3) schools within the Precinct which are likely to remain low-scale in terms of their built form. They provide breathing space between redevelopment sites.

The Precinct adjoins the Kogarah Town Centre and Kogarah Railway Station and is within easy walking distance of Rockdale Plaza and Rockdale Station. Hogben Park is situated to the north of the Precinct, and along with Fry's Reserve (outside of the Precinct) are part of a broader green network that encompasses public and private lands.

The coming change to the Precinct will see a shift from low density residential to higher density apartment buildings. The change in the local character and increase in population will see the area transform, providing an array of opportunities to the current and future population. New residents will live at higher densities and in apartment buildings. Consequently, public and communal spaces will play a far greater role as places for entertaining, socialising, exercise and all kinds of recreation.

2. LAND TO WHICH THIS PART APPLIES

This Part applies to the Kogarah North Precinct which incorporates the land outlined in blue in **Figure 1**.

This Part needs to be read in conjunction with:

Part A - Introduction

Part B – General Controls

Part C – Residential

Part D – Commercial and Industrial

Part F - Miscellaneous

Development within the Precinct must comply with all other applicable Parts of the DCP. If there is a discrepancy between Part E4 and other Parts of the DCP the controls in Part E4 will always prevail.

This Part is to be read in conjunction with the **Kogarah Local Environmental Plan 2012**. It contains detailed objectives and controls that will be used by council when determining development applications under Part 79C of the Environmental Planning and Assessment Act 1979. Each application will be considered on the individual circumstances and merits of the case in terms of the achievement of the relevant objectives.

This Part has also been prepared in accordance with **State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development** (SEPP 65) and has been formulated to respond to the design quality principles of SEPP 65 and the

publication NSW **Apartment Design Guide 2015** (ADG). The principles and controls contained in the ADG are to apply to design issues not specifically covered within this Part of the DCP. The SEPP and the ADG prevail over Council's DCP.

3. DEVELOPMENT CONTRIBUTIONS

Council levies Development Contributions under the Environmental Planning and Assessment Act 1979 on development to help cover the costs of delivering infrastructure needed to support the additional population and community.

Council seeks the following development contributions:

- Section 94 Contributions;
- Section 94A levies; and
- Voluntary Planning Agreements.

Please refer to Council's website (<http://www.georgesriver.nsw.gov.au/Development>) for the applicable development contribution plan and policies relating to Planning Agreements.

Early contact is to be made with Council officers where Planning Agreements are envisaged for the provision of public facilities.

4. THE KOGARAH NORTH URBAN DESIGN STRATEGY

The Kogarah North Urban Design Strategy was endorsed by Council on 27 November 2017.

The Kogarah North Urban Design Strategy includes a series of urban design principles which have been informed by urban design and planning analysis of the Kogarah North Precinct.

The principles identify appropriate planning and urban design measures to encourage the renewal of land within the Precinct and address the scale and density of development, traffic and pedestrian management, landscaping and other public domain improvements.

The principles have been included in this part of the DCP. Design Option 3 was endorsed by Council at its meeting held 1 May 2017. Design Option 3 places an emphasis on creating a built form that complies with the ADG and defines a four storey street wall character. This option places emphasis on transitioning between the scale of the heritage items and the new built form with reduced heights and increased setbacks adjacent to the heritage items. This option also takes into account the height of buildings so as to minimise their overshadowing impact to existing and future open space areas.

A copy of the Kogarah North Urban Design Strategy is on Council's website at <http://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies/Kogarah-North-Urban-Design-Strategy>

5. VISION FOR THE KOGARAH NORTH PRECINCT

The Kogarah North Precinct presents the opportunity to create a vibrant and diverse precinct, where a spacious, high quality public domain is the setting for thriving social activities and cohesive built form. New development has the opportunity to promote a sense of place through maintaining a human scale at the street level creating a great environment for residents and visitors. The Precinct also has the opportunity to evolve into a place of activity, establishing a connection to the Kogarah Town Centre with its range of transport modes, interconnectivity, permeability and accessibility. The growth potential of Precinct is to be guided by an urban framework that emphasises an extensive and revitalized public domain, excellence in its urban and architectural design, an integrated transport network and sustainable development in the public and private domains.

The **Vision** for the Kogarah North Precinct is:

Kogarah North offers high density living within an excellent public domain. Kogarah North will consist of residential and community uses in the form of apartment buildings that will deliver a diversity of heights but will maintain a human scale built form at street level creating a balance between increased housing opportunities, public and private amenity and an active and safe pedestrian environment. The built form will be complemented by generous public domain with a strong landscape character to create a verdant, attractive and high quality landscape for the amenity of residents, neighbours and visitors to Kogarah North.

A variety of apartments help to build a community made up of many kinds of households. Importantly, this enables people to pass through life's different stages while remaining within the neighbourhood. The convenience of having work, services, entertainment and the station nearby means people rarely need a car to meet their daily needs, or to access the rest of Sydney.

The area's leafy streets, beautiful public and hidden parks, community facilities and visible heritage features make for an attractive, people-friendly environment. There are many pleasant places to stop awhile and chat to neighbours, providing the setting for a rich and varied community life.



FIGURE 2 - VISION FOR KOGARAH NORTH PRECINCT (SOURCE: KOGARAH URBAN DESIGN STRATEGY)

The **urban design principles** for development within the Precinct are follows:

Design Excellence

1. Create a productive, sustainable and liveable Precinct for people through leadership and the integration of design excellence.
2. An accessible and compact Precinct where the consumption of energy, water and natural resources is minimised, and buildings are designed to respond and adapt to changes over time.
3. Development is designed to reflect its location in a Strategic Centre, connected to the landscape setting, and integral with local people and cultures.

4. Development is distinctive, visually interesting and appealing.
5. Design of buildings encompass context, built form, landscaping and connection with the public domain.
6. Opportunities are provided for all – equitable access to housing, employment, public transport, public space and social – for all living and visiting the Precinct.
7. Universal design and accessibility is championed within the Precinct.
8. Buildings achieve a high standard of design excellence and public domain.
9. Development is designed to create a sense of place. Particular attention is paid to the design of spaces between and around buildings.

Land Uses

10. Provide a diverse mix of residential accommodation to suit the needs of the future population.
11. Retain and preserve the existing heritage items and consider alternate uses to promote their protection and preservation.
12. Provide for activation of the ground floor for frontages along the Princes Highway, Railway Parade North.

Street Frontage

13. Maintain the human scale at street level.
14. Create buildings that define the streets and parks, with a consistent pattern of massing.
15. Address the street with four storey podium to ensure a comfortable human scale.
16. Address the Princes Highway, Railway Parade North and the Primary and Secondary Corners with active street frontages, awnings and street trees to increase pedestrian amenity.
17. On other streets, set buildings back to allow for improved public domain and deep soil planting.
18. The public domain is to be designed in accordance with Council's specifications to provide an attractive destination to residents and visitors to the Precinct.

Built Form

19. Provide quality built form outcomes.

20. Ensure a comfortable human scale, avoiding the appearance of deep and unbroken canyons and tempering the scale of the street-edge buildings.
21. Provision of good residential amenity in terms of privacy and built form by complying with the SEPP 65 Residential Flat Design Code built form recommendations regarding separation between buildings and setbacks from side and rear boundaries.
22. Design high quality corner buildings at the major and secondary corners which encourage architectural diversity.
23. Except on Major and Secondary Corners, reinforce the four storey street wall height by setting back upper levels of buildings.
24. Introduce breaks in the building massing at upper levels to reduce the building's apparent scale.
25. Buildings should incorporate interesting roof forms and the visual intrusiveness of service elements such as service plants, electrical substations, lift over-runs and the like shall be minimised by integrating them into the building.
26. Vehicular access to new development should be, where possible from existing and/or new service lanes, rather than streets.
27. Façades must be articulated and employ materials and finishes to enhance and complement the character of the streetscape.

Heritage

28. Encourage the incorporation of heritage listed buildings within development sites and promote the upgrade and adaptive reuse of these buildings utilising the Heritage Incentive provisions in Kogarah LEP 2012
29. Relate to heritage buildings with appropriate setbacks, low rise podiums and other scale breaking devices in adjacent development
30. Future development adjacent to heritage listed buildings must be sympathetic to the heritage item, particularly in terms of scale and siting and provide adequate curtilage and side setbacks from heritage sites and a transition in height from the heritage items.

Pedestrian Movement and Amenity

31. Retain, embellish and connect existing green and community assets.
32. Create new links to increase permeability of movements within the Precinct and increase pedestrian movement through the neighbourhood and back into the Kogarah Town Centre.

33. Provide pedestrian linkages and access routes through the Precinct to offer residents and visitors greater choice of movement, as well as safer and more enjoyable walking or cycling experiences
34. Enhance the pedestrian amenity of the Princes Highway with awnings and substantial planting in building setbacks
35. Enhance the pedestrian amenity of the Kogarah North Precinct with awnings, street tree planting and upgraded footpaths
36. Preserve significant elements that enhance the existing amenity such as mature/large trees and heritage buildings

Public Domain

37. Public space is formed primarily by consistent building alignment.
38. Buildings are consistently aligned and address the public domain with major facades creating good spatial definition of streets and parks.
39. Well defined streets and parks assist in creating a sense of place, and in helping pedestrians in orientating themselves around the Precinct.
40. Create a diversity of space that accommodates different uses, and that is flexible over time.
41. Increase the quantum of public space in the precinct, to cater for the needs of an increased population.
42. Provide better connections to facilities and between streets, to make a walkable Precinct.
43. Introduce water sensitive urban design into the public domain, contributing to improved water quality in the catchment.
44. Reduce the effects of urban heat island through increased vegetation cover.

Development Applications are to demonstrate how the design meets the vision and urban design principles of the Kogarah North Precinct.

6. SUBMISSION REQUIREMENTS FOR DEVELOPMENT APPLICATIONS

Every Development Application for residential flat buildings and mixed use developments under SEPP 65 or developments with an assessed value exceeding \$1 million in the Kogarah North Precinct must be accompanied by:

- A 3D dimensional Google Sketch-up model of the proposed development (external configuration) on an accurate topographical and cadastral boundary base, including the existing built form of the immediately adjoining and neighbouring context of proposal; and

- An indicative design concept for adjoining sites where the development will potentially isolated sites; and
- Plans containing a number of detailed sections of the façade provided at a scale of 1:20.

Note:

Council will provide all applicants lodging a 3D dimensional Google Sketchup model with the base cadastre for a radius of not less than 100m around the proposed development site at a price to be adopted by Council in accordance with Chapter 15, Part 10 of the Local Government Act 1993 in a format supported by this free software to encourage applicants to adopt the practice of providing open source 3D models of proposed developments.

That applicant will be required to waive any copyright over the models showing the external configuration of a proposal (noting that clause 57 of the Environmental Planning and Assessment Regulation 2000 also indemnifies Council) and must allow Council publish a copy of 3D models on its website for open public access.

7. SITING AND CONSOLIDATION OF DEVELOPMENT SITES

Objectives

- Ensure lot size is able to accommodate the appropriate building envelope, landscape and service requirements.
- Encourage amalgamation of allotments to promote the efficient use of land and to provide for improved design outcomes and to avoid the creation of isolated sites.

Controls

- The siting of a building is to respond to the requirements of the Apartment Design Guide.
- The maximum floor space ratio (FSR) is set by clause 4.4 of Kogarah LEP 2012 and the FSR Map.

Note: The FSR expressed in Kogarah LEP 2012 is a maximum.

- Sites must be of a sufficient width to accommodate development. For development sites to optimise yield and public domain amenity development sites a minimum site frontage of 60m. Where sites do not have a minimum site frontage of 60m the development would need to ensure the design outcomes/built form which meets the Vision and the Desired Future Urban Design Principles for the Precinct as well as the built form objectives outlined in this Part of the DCP. In considering the development Council will take into account the proportions of the building – the podium width compared to the width of the tower and the appearance from the public domain.

Note: Refer to the Kogarah North Urban Design Strategy for more information on the background to the minimum frontage control.

- (iv) Development is not to result in the creation of an isolated site that could not be developed in compliance with the relevant planning controls, including the Kogarah LEP 2012, SEPP 65 and the ADG.
- (v) Development of land identified in **Table 1** below is subject to an amalgamation requirement:

Table 1 – Amalgamation Requirements

Site id	Property Address/Description
Site 1	Nos 24B – 36 Victoria Street and No 11 Stanley Street, Kogarah
Site 2	Nos 5 – 11 Palmerston Street, Kogarah
Site 3	Nos 13 – 21 Palmerston Street, Kogarah
Site 4	Nos 16 – 22A Gladstone Street and No 2 Victoria Street, Kogarah
Site 5	Nos 70 – 84 Regent Street, Kogarah

- (vi) If an application proposes a redevelopment that does not comply with the amalgamation pattern identified in **Table 1** above, or where the proposal would result in an isolated site with a minimum site frontage of less than 60m, the applicant must submit to Council with the Development Application justification to vary the amalgamation pattern requirements.
- (vii) Council will require appropriate documentary evidence to demonstrate that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value. At least two independent valuations (reports and valuations must be undertaken within 3 months of the date of the DA lodgement) are to be submitted as part of that evidence and these are to account for reasonable expenses likely to be incurred by the owner of the isolated site in the sale of the property.

The documentation must include copies of correspondence between parties and any formal financial offers and responses to offers.

Note: Council require that the valuation of the land must also take into account the value of the land as a development site if Council has any questions regarding the valuation supplied by the applicant.

- (viii) Where amalgamation of the isolated site is not feasible, applicants will be required to demonstrate that an orderly and economic use and development of the separate sites can be achieved. In this regard, applicants will be required to submit with the DA a DA Concept Plan that provides the following:
 - Details an envelope for the isolated site, indicating height, setbacks, resultant site coverage (building and basement), sufficient to understand the relationship between the application and the isolated site.
 - The likely impacts the developments will have on each other, such as solar access, visual and acoustic privacy and the impact of development of the isolated site on the streetscape must also be addressed.

- An assessment against the ADG with respect to the impact of the proposed development on the isolated site. Any proposed development of a neighbouring isolated site should be compliant with ADG provisions

8. HERITAGE

There are a number of local heritage items within the Precinct (Refer to **Figure 3**):

- Item I96 – St Paul’s Anglican Church and hall at 53-57 Princes Highway, Kogarah
- Item I109 – House and garden “Lindhurst Gallery” at No 6-8 Victor Street, Kogarah
- Item I110 - House and garden “Hindmarsh” at 2 Victoria Street, Kogarah
- Item I111 – Terraces and garden “Beatrice” and “Lillyville” at 14-16 Victoria Street, Kogarah
- Item I112 – St George Girls High School (two storey main building) at 15 Victoria Street, Kogarah

Objectives

- A. Incorporate heritage buildings into development sites.
- B. Retain and reinforce the attributes that contribute to the heritage significance of items, and their settings.

Controls

- (i) Where development is proposed within the vicinity of a heritage item identified in the Kogarah LEP 2012, the building height and setbacks must have regard to and respect the value of that heritage item and its setting.
- (ii) Where a development incorporates or is within the vicinity of a heritage item, the new development is to provide an appropriate transition in height and adequate curtilage and side setbacks from the heritage item.
- (iii) Existing heritage items are to be incorporated into development sites and not be left as isolated sites. Where heritage items are incorporated into developments there may be opportunities for consideration under the Heritage Conservation provisions (Clause 5.10) of Kogarah LEP 2012.
- (iv) Development to the south of St Paul’s Anglican Church and hall (I96) is to be setback a minimum of 15m from the boundary of the site.

Note: A Heritage Assessment is required to be lodged with a development application in accordance with Clause 5.10(5) of the Kogarah Local Environmental Plan 2012.

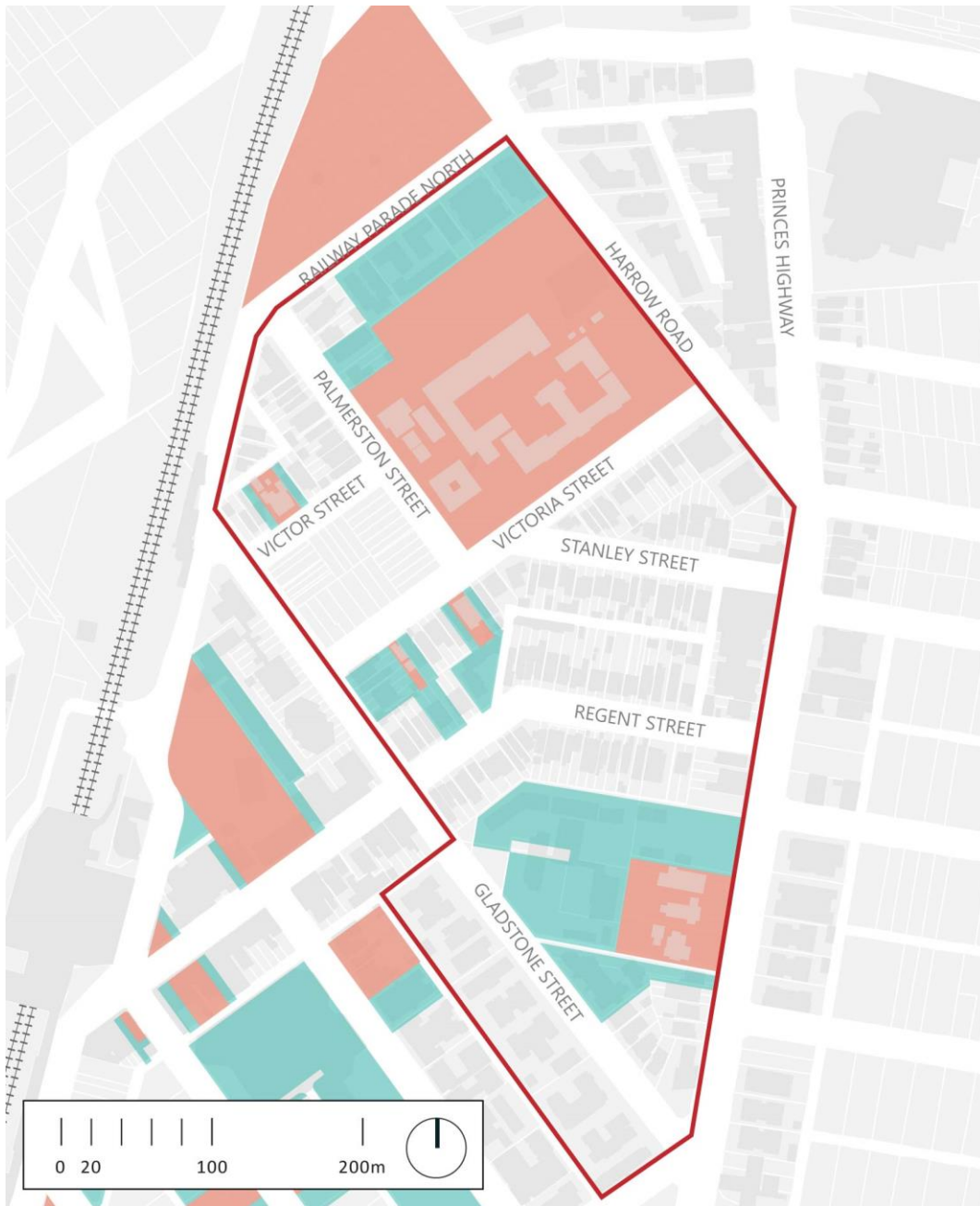


FIGURE 3 - - HERITAGE ITEMS – KOGARAH NORTH PRECINCT (SOURCE: KOGARAH NORTH URBAN DESIGN STRATEGY)

9. BUILDING HEIGHTS

Objectives

- A. Enable buildings, open space and public domain areas to achieve an acceptable level of daylight access.
- B. Ensure development has minimal impact on neighbouring properties in terms of the potential loss of views, loss of privacy, overshadowing or visual intrusion.

Controls

- (i) The maximum building height provisions are contained in Clause 4.3 of the Kogarah LEP 2012 which indicates the maximum building height of 33 metres for the Precinct.
- (ii) Taller buildings must consider the shape, location and height of buildings to satisfy wind measurements for public safety and comfort at ground level. In addition, open terraces and balconies must not be detrimentally affected by wind.

Note: Council will request a Wind Analysis Report be submitted with a Development Application for all applications.

- (iii) The Kogarah North Precinct is affected by the Obstacle Limitation Surface. The maximum height of the inner horizontal surface is 51m AHD. All applications within the Kogarah North Precinct must provide information on the maximum RLs in AHD at all levels across the site.

All applications for development within the Precinct will be referred to Civil Aviation Safety Authority and Airservices Australia for assessment.

Developments must consider the operating heights of all construction cranes or machinery (short-term controlled activities) that may exceed the OLS height limits thereby penetrating the prescribed airspace. Consideration should be given to the timing and location for the proposed controlled activity on site for referral to Civil Aviation Safety Authority and Airservices Australia.

- (iv) Approval to operate construction equipment (i.e. cranes) shall be obtained prior to any commencement of construction, where the prescribed airspace is affected.

Note: The Kogarah North Precinct is affected by the Obstacle Limitation Surface (OLS) and Clause 6.5 of Kogarah LEP applies to all development within the Kogarah North Precinct.

10. STREET FRONTAGE HEIGHT, AND FRONT, REAR AND SIDE SETBACKS

Objectives

- A. Establish the desired spatial proportions of the street and define the street edge.

- B. Ensure building heights are appropriate for the street widths and functions to ensure a comfortable urban scale of development.
- C. Preserve and enhance street settings or to retain existing street trees and create opportunities for the planting of additional canopy trees and landscaping.
- D. Ensure that residential frontages are well designed, safe and that the front setbacks are well landscaped.
- E. Encourage design with good façade articulation.
- F. Provide visual and acoustic privacy for existing and new occupants.
- G. Control overshadowing of adjacent properties and private or shared open space.
- H. Provide opportunities for deep soil zones for tree planting.
- I. Avoid an unreasonable sense of enclosure and to facilitate an appropriate separation between buildings.
- J. Mitigate the visual intrusion of building bulk on neighbouring properties.

Controls – General – All Development

- (i) Setbacks are to maximise the retention of existing trees and their root systems (including those on adjoining properties and in the street).
- (ii) Setbacks are to include the planting of canopy trees, both small and large varieties. Developments are not to rely solely on street trees to ameliorate buildings.
- (iii) All property boundary front setbacks must be deep soil and landscaped and must not have any underground intrusions such as underground car parking or on site detention.
- (iv) Development is to establish a four storey street wall height to provide human scale and set back taller elements above the four storey street wall height.
- (v) One step in the built form as the height increases due to building separations is required. Additional steps should be careful not to cause a 'ziggurat' appearance.
- (vi) No ground floor apartments are to be below the adjacent footpath level.
- (vii) Ground floor residential with a street frontage must incorporate landscaping, ideally as part of the common area/setback, with such landscaping to provide for privacy as well as for a consistent, attractive and well maintained landscape frontage. The private terraces should also contain some landscaping.
- (viii) The primary area of outdoor private open space must not be located on the street frontage.

- (ix) Blank walls are to be avoided fronting principal streets and the public domain.
- (x) Development must be designed so that it has a clearly definable entry and addresses the street.
- (xi) Side or rear boundary fencing is not permitted fronting the public domain except where appropriate landscaping is located in front of the fence.

Front Setback Controls - Sites with frontage to the Princes Highway and Railway Parade North

- (xii) Front setbacks for buildings fronting the Princes Highway, Harrow Road and Railway Parade North are to be in accordance with **Table 2** below:

Table 2: Front Setbacks for Sites with Frontage to the Princes Highway and Railway Parade North

Developments with frontage to the Princes Highway and Railway Parade North			
Level 1 (Ground Floor)	Level 2,3,4	Level 5 and above	
<p>Minimum 2m setback from the property boundary. This 2m setback, although private, is to preserve and enhance the street and public domain setting. This setback is to provide opportunities for the planting of additional mature canopy trees and landscaping. No fencing is permitted.</p> <p>Any basement parking must be located fully under the building footprint – no encroachment of the basement will be permitted within the setback.</p> <p>Residential development is discouraged at the ground floor.</p> <p>Neighbourhood shops or home offices are encouraged.</p>	<p>Minimum 4m setback from the property boundary.</p> <p>Balconies may encroach up to 2m into the 4m setback.</p> <p>Balconies on the lower levels should be in the form of wintergardens to improve acoustic amenity to the apartments.</p>	<p>Minimum 5m setback from the property boundary</p> <p>Balconies must not encroach into the setback.</p>	<p>Refer to Figure 4 – Princes Highway Section Diagram</p>

Developments with frontage to the Princes Highway and Railway Parade North (sites with frontage to major and secondary corners) Refer to Figure 7 below for location of Major/Secondary Corners

Level 1 (Ground Floor)	Level 2,3,4	Level 5 and above	
<p>Minimum 2m setback from the property boundary. This 2m setback is to form an extension to the public domain to provide for an increased footpath and deep soil landscaping.</p> <p>Any basement parking must be located fully under the building footprint – no encroachment of the basement will be permitted within the setback</p> <p>Residential development is discouraged at the ground floor.</p> <p>No fencing is permitted.</p> <p>Neighbourhood shops or home offices are encouraged</p>	<p>Minimum 4m setback from the property boundary</p> <p>Balconies may encroach up to 2m into the 4m setback</p> <p>Balconies on the lower levels should be in the form of wintergardens to improve acoustic amenity to the apartments.</p>	<p>Minimum 5m setback from the property boundary</p> <p>Balconies must not encroach into the setback.</p>	Refer to Figure 5 & 7 – Corner Section Diagrams

Front Setback Controls - Sites with frontage to streets other than the Princes Highway and Railway Parade North

- (xiii) Front setbacks for buildings fronting streets other than the Princes Highway, Harrow Road and Railway Parade North are to be in accordance with **Table 3** below:

Table 3: Front Setbacks for Sites with Frontage to streets other than the Princes Highway and Railway Parade North

Developments with frontage to streets other than the Princes Highway, Railway Parade North			
Level 1 (Ground Floor)	Level 2,3,4	Level 5 and above	
<p>Minimum 5m setback from the property boundary.</p> <p>The first 2m of this 5m setback is to be at grade with the footpath and is to be seen as an extension to the public domain. The 2m strip is to provide a landscape edge to the public domain that can accommodate deep soil planting.</p>	<p>Minimum 7m setback from the property boundary.</p> <p>Balconies/ wintergardens may encroach up to 2m into the 7m setback.</p>	<p>Minimum 8m setback from the property boundary.</p> <p>Balconies/ wintergardens must not encroach into the setback.</p>	Refer to Figure 6 – Other than Princes Highway Section Diagram

<p>Any basement parking must be located fully under the building footprint – no encroachment of the basement will be permitted within the setback</p> <p>Entries to ground floor apartments are encouraged along the street to assist with passive surveillance.</p> <p>The fencing height is to be no greater than 1m and the style is to be open in format.</p> <p>Where possible and depending on the slope of the land residential apartments should be raised between 900 -1200mm to assist with privacy while maintaining passive surveillance to the street</p>			
<p>Developments with frontage to streets other than the Princes Highway, Railway Parade North and with frontage to a major or secondary corner (Refer to Figure 7 below for Major and Secondary Corners)</p>			
<p>Level 1 (Ground Floor)</p> <p>Minimum 2m setback from the property boundary. This 2m setback is to form an extension to the public domain to provide for an increased footpath and deep soil landscaping.</p> <p>Any basement parking must be located fully under the building footprint – no encroachment of the basement will be permitted within the setback</p> <p>Residential development is discouraged at the ground floor.</p> <p>The fencing height is to be no greater than 1m and the style is to be open in format.</p> <p>Neighbourhood shops or home offices are encouraged</p>	<p>Level 2,3,4</p> <p>Minimum 4m setback from the property boundary</p> <p>Balconies may encroach up to 2m into the 4m setback</p> <p>Balconies on the lower levels should be in the form of wintergardens to improve acoustic amenity to the apartments.</p>	<p>Level 5 and above</p> <p>Minimum 5m setback from the property boundary</p> <p>Balconies must be set behind the 5m setback</p>	<p>Refer to Figure 7 – Corner Section Diagram</p>

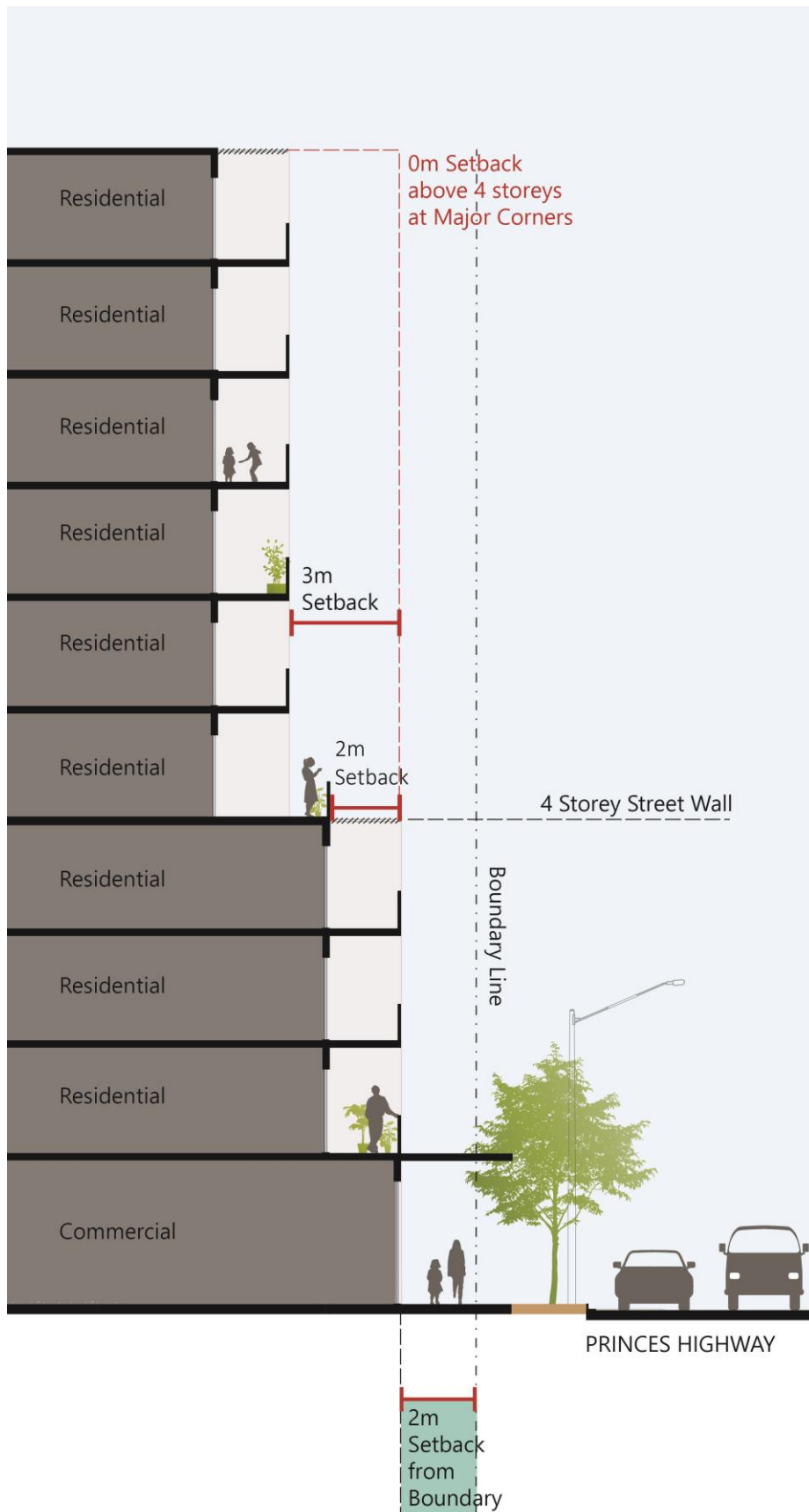


FIGURE 4 - FRONT SETBACKS FOR SITES WITH FRONTAGE TO THE PRINCES HIGHWAY AND RAILWAY PARADE NORTH



**FIGURE 5 DEVELOPMENTS WITH FRONTAGE TO THE PRINCES HIGHWAY AND RAILWAY PARADE NORTH
(SITES WITH FRONTAGE TO MAJOR AND SECONDARY CORNERS)**



FIGURE 6 - DEVELOPMENTS WITH FRONTAGE TO STREETS OTHER THAN THE PRINCES HIGHWAY, RAILWAY PARADE NORTH

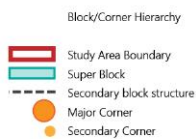
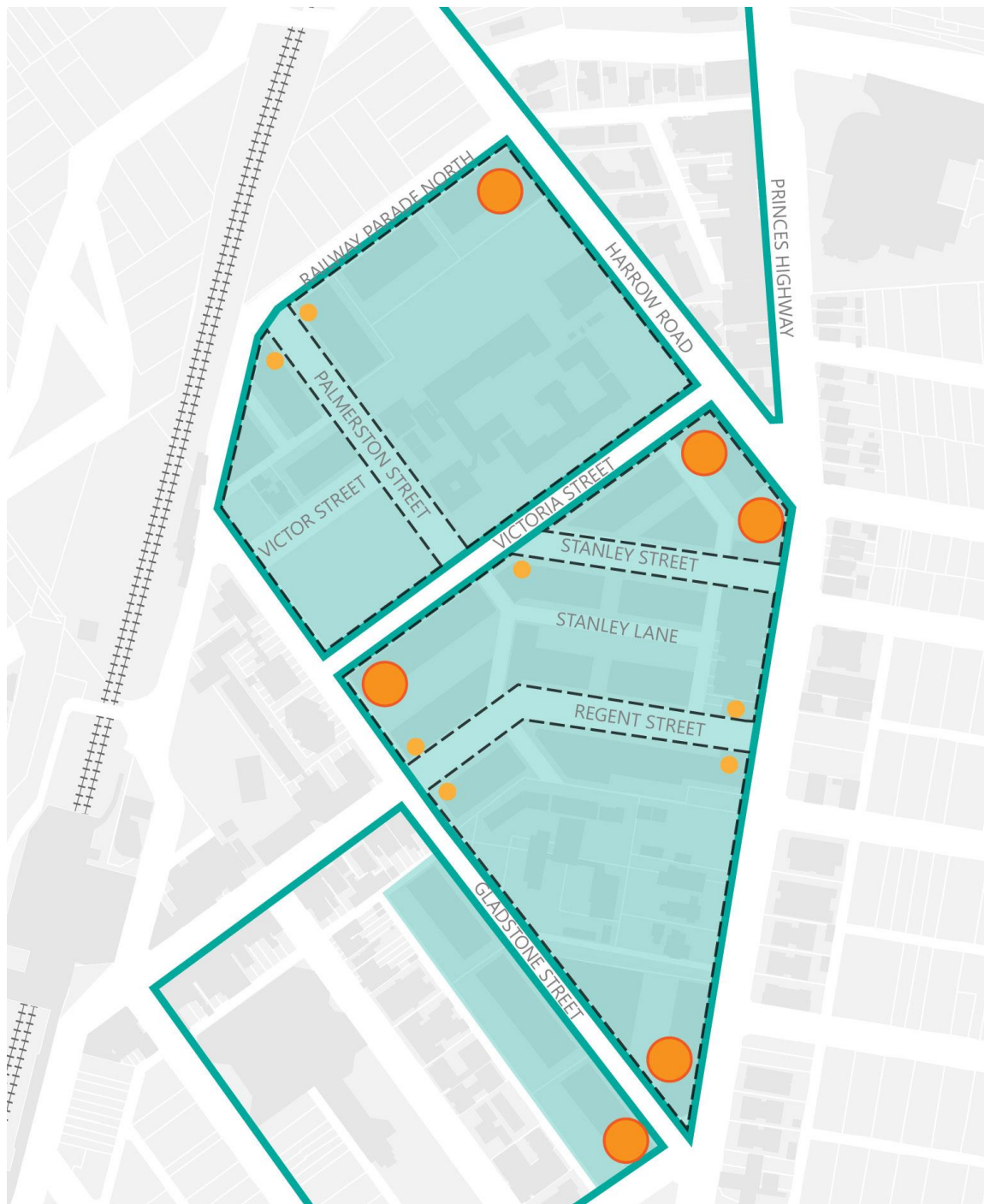


FIGURE 7 – LOCATION OF MAJOR/SECONDARY CORNERS (SOURCE: KOGARAH NORTH URBAN DESIGN STRATEGY)

Controls for Side and Rear Setbacks

- (xiv) Side and rear setbacks must result in a development that:
 - (a) Provides resident amenity, including landscaping and deep soil planting, protection of large established trees, privacy, solar access and ventilation;
 - (b) Responds to the local context and provides streetscape amenity, including providing adequate separation from existing and future development; and
 - (c) Does not prevent a neighbouring site from achieving its full development potential.
- (xv) Setbacks are to maximise the retention of existing trees and their root systems and may need to be variable to achieve this (includes trees on adjoining properties).
- (xvi) Side and rear setbacks to heritage buildings are to consider the need for an appropriate curtilage which is to be set by a heritage assessment required under **Part 8** of this DCP.
- (xvii) Development to the south of Nos 53-57 Princes Highway, Kogarah (St Paul's Anglican Church and hall (196) is to be setback a minimum of 15m from the side boundary of the site.

Note: Council may consider a request for zero side boundary setbacks up to four (4) storeys to sites fronting the Princes Highway to maximise yield. Council may consider the reduction of the side boundary setbacks on other sites within the Precinct, where the proposed development complies with the principles of solar access and cross ventilation in SEPP 65 and where it can be demonstrated that there would be no additional impacts on adjoining properties and trees are retained.

Council will require the submission of a schematic design for the redevelopment of neighbouring sites so that Council can undertake an assessment of the impact of adjoining developments and compliance with the Apartment Design Guide.

11. TREES AND LANDSCAPE

Objectives

- A. Retain and increase the existing tree canopy (refer to **Figure 8**) within the Precinct.
- B. Contribute to streetscape character and the amenity of the public domain by using planting and landscape elements appropriate to the desired character of the streetscape and the scale of the development.
- C. Encourage landscape treatments, both deep soil landscaping and planting on podiums, which provide privacy for residents.
- D. Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management.

- E. Minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape, in terms of siting and choice of materials.
- F. Ensure any planting on podiums, roof tops and in planter boxes is sustainable by providing adequate rainwater storage and water efficient irrigation.



FIGURE 8 – EXISTING TREE CANOPY AND PROPOSED NEW STREET TREE PLANTINGS



Controls

- (i) All development is to be designed to eliminate the impact upon significant trees on site, street trees and trees on adjoining land including public open space and educational establishments. Existing mature trees in good health and condition, are to be retained through the appropriate siting of buildings, car parks, basements, pools, ancillary buildings, driveways and hard stand areas.
- (ii) Landscaped areas must be effectively distributed on the site to minimise the dominance of buildings, structures and paving when viewed from the street, public places and surrounding properties.
- (iii) Where appropriate, additional street trees are to be incorporated into the overall design of the development – refer to **Figure 8**).
- (iv) Common open space/courtyards are to be located, designed and landscaped to:
 - enhance views from dwellings and create recreational opportunities;
 - be the focal point for residents and incorporate public art and water features where appropriate, and
 - achieve good amenity in terms of solar access and natural air flow.
- (v) Additional communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents.
- (vi) Deep soil zones are to be of dimensions that achieve their function as planting space for large trees.
- (vii) Where possible, deep soil zones are to be located within key communal outdoor space areas or elsewhere where large trees will benefit the maximum number of residents or contribute to the public domain.
- (viii) Landscaping should give precedence to species with low water needs, include native plant species and select and position trees to maximise control of sun and winds
- (ix) Landscape design is to be integrated with water and stormwater management.

12. DEDICATION OF LAND TO COUNCIL FOR ROAD/LANE WIDENING AND SPLAYS

Objective

- A. Ensure that roads and laneways are of sufficient width to cater for future traffic movements.

Controls

- (i) Approval for development listed in **Table 4** below will be subject to the dedication of land (for road/lane widening) without cost to Council. The area of the land to be dedicated will be taken into account in calculating the permitted density of development.

- (ii) No permanent structure may be built above or below this area of land.
- (iii) All building setbacks are to be measured from the relocated boundary and the laneway dedication is to be clearly identified on the plans lodged with the Development Application.

Table 4: Dedication requirements for widening of existing Laneways

Location	Land Dedication
Stanley Lane, between Regent Lane and Regent Street	For all allotments with a boundary to Stanley Lane (both northern and southern sides of the Lane), a 1200mm strip of land is to be dedicated to Council to ensure appropriate access and egress from the laneway.

13. CREATION OF THROUGH SITE PEDESTRIAN LINKS AND ADDITIONAL OPEN SPACE

Objective

- A. Ensure that publicly accessible open space is linked to surrounding streets with a network of lanes and through site links.

Controls

- (i) A public through site pedestrian link is to be provided as part of the development sites identified in **Table 5** below. This public through site connection is to form part of the development but is to allow public access through the site.
- (ii) The area of the land will be taken into account in calculating the permitted density of development.
- (iii) The location of the through site links/pocket parks (outlined in **Figure 9**) may be amended through negotiations with Council Officers but must meet the desired future urban design principles for the Precinct and the objectives of this clause.

Table 5: Identification of Land Required for Through Site Link/Pocket Park

	Requirement
Through Site Link #1 – Creation of pedestrian link from Railway Lane to Palmerston Street	A public through site pedestrian link – minimum 3m wide - is to be provided which creates a pedestrian connection between Palmerston Street and Railway Parade North. The preferred location for the through site pedestrian link is through No 11 Palmerston Street. Where a development site includes or is adjacent to No 11 Palmerston Street, Council will require the identification of a through site pedestrian link as part of any Development Application
Through Site Link #2 – Creation of pedestrian link from Stanley Lane to Victoria Street	A public through site pedestrian link – minimum 3m wide - is to be provided which creates a pedestrian connection between Stanley Lane and Victoria Street.

	Requirement
	The preferred location for the through site pedestrian link is through No 22 Victoria Street. Where a development site includes or is adjacent to No 22 Victoria Street, Council will require the identification of a through site pedestrian link as part of any Development Application.
Through Site Link #3 – Widening of existing pedestrian link from Princes Highway to Gladstone Street	The existing pedestrian link from the Princes Highway through to Gladstone Street is to be widened. Council will require upon redevelopment of No 57 Princes Highway and 24B Gladstone Street, the dedication of 3m for the widening of the existing pedestrian link.
Open Space #1 – Creation of a new pocket park on Regent Street, adjacent to Kogarah Primary School	<p>In order to create a Linear Park connecting Railway North to Kogarah Public School a Pocket Park with an area of approximately 500m² is to be provided.</p> <p>The preferred location for the Pocket Park is Nos 71 & 73 Regent Street, Kogarah. Council will require the identification of the Pocket Park as part of any Development Application.</p>



Urban Structure

-  Study Area Boundary
-  Open Space
-  Investigate for possible public open space
-  Community Facility
-  Shared Zone
-  New Pedestrian Links

FIGURE 9 – PEDESTRIAN LINKS AND OPEN SPACE

14. HOUSING CHOICE

Objectives

- A. Ensure the provision of a range of housing types and flexibility in building design and dwelling layout to accommodate future changes in use and internal configurations;

- B. Ensure development contains a suitable mix of dwellings that encourages social diversity within the development and addresses the needs for future residents and households.
- C. Ensure residential development contains a mix of residential types (based on the number of bedrooms) to increase the potential to accommodate all the varied family sizes in future years.
- D. Encourage applicants to consider the varying needs of families and to design apartments accordingly.

Controls

- (i) All residential development (or residential component within a mixed development must provide a mix of studio, one bedroom, two bedroom and three bedroom apartments of a range of sizes and layouts so as to meet the needs of residents and accommodate a range of household types.
- (ii) An apartment mix is to be provided, taking into consideration:
 - a. the distance to public transport, employment and education centres
 - b. the current market demands and projected future demographic trends
 - c. the demand for social and affordable housing
 - d. different cultural and socioeconomic groups
- (iii) Apartment configurations are to support diverse household types and stages of life including single person households, families, multi-generational families and group households.

15. ADDRESSING THE STREET AND PUBLIC DOMAIN

Objectives

- A. Ensure that development contributes to the activity, safety, amenity and quality of streets and the public domain.
- B. Provide legible and accessible entries from the street and the public domain.
- C. Reinforce street edge conditions that significantly contribute to the characteristics of the Precinct
- D. Minimise and ameliorate the effect of blank walls (with no windows or entrances) at the ground level.
- E. Create development solutions that ensure a comfortable pedestrian environment.

Controls

- (i) Landscaping in the public domain is to enhance, complement and reinforce existing streetscape planting themes and patterns. Council may require street tree planting, landscaping and paving of the public footway, this must be included in the Landscape Plan.
- (ii) Development is to be consistent with the Street Tree Management Strategy and Master Plan.
- (iii) The need for additional building services must be resolved at design stage (e.g. electricity kiosk/substation & fire services facilities) and must be co-ordinated and integrated with the overall design of the development without compromising building or landscape design.
- (iv) Buildings must be sited to address the street and relate to neighbouring buildings. Developments on sites with two or more frontages are to address both frontages. Buildings that are oriented contrary to the established development pattern are intrusive and are not permitted
- (v) Buildings are to be designed to maximise the number of entries, visible internal uses at ground level, and include high quality finishes to enhance the public domain.
- (vi) Development that exposes the blank side of an adjoining building or has a party wall to the public domain is to be designed with a visually interesting treatment of high quality design applied to that wall.
- (vii) Street corners must be addressed by giving visual prominence to parts of the building façade, such as a change in building articulation, materials, colour, roof form or height.
- (viii) Reduce visual intrusion and enhance amenity by integrating undergrounding of services and infrastructure in new development (Refer to **Section 25** of this Part).

Note: A public domain plan is required to be submitted with the Development Application detailing the upgrading works to the public domain area fronting the site boundaries.

16. IMPACT OF DEVELOPMENT ON THE ROAD/PEDESTRIAN NETWORK

Objective

- A. Ensure that the demand for transport generated by development is managed in a sustainable manner.

Controls

- (i) A Transport Impact Study (TIS) is required to address the potential impact of the development on surrounding movement systems where the proposed development is for 25 or more dwellings; or in the opinion of the consent authority, likely to generate significant traffic impacts.

- (ii) A Transport Impact Study (TIS) is a technical investigation into the transport and safety issues that might arise from a development, and may form part of a Traffic Report. The TIS includes the transport impacts on the surrounding transport network generated by a development and how those impacts are to be managed.
- (iii) A Transport Impact Study (TIS) is to be submitted with the Development Application and is to address:
 - (a) The accessibility of the site by a range of transport modes including car, public transport, walking and cycling;
 - (b) The ability of the public transport network to service the site in the peak and Off-peak and weekend periods;
 - (c) Mode share targets;
 - (d) Means of minimising travel demand by private car and maximising the share of travel by other modes including public transport, cycling, walking or car share;
 - (e) Estimates of trip generation by the development and the impacts of trips generated by the development on the road network, including impacts on existing intersections and the level of service of these intersections and road network and other movement systems;
 - (f) Means of accommodating and integrating trips generated by the development including necessary improvements to public transport services, pedestrian systems, bicycle routes, and the road network;
 - (g) Means of mitigating adverse impacts of the development on movement systems;
 - (h) Means of improving access to the site having regard to vehicular, pedestrian, cycle and public transport access;
 - (i) Impacts on and means of improving pedestrian accessibility to public transport, shops, schools, open spaces, community centres and the like.
 - (j) Impacts on and means of improving pedestrian safety;
 - (k) Availability of on street parking and potential on street parking controls to discourage commuting and all day residential parking demand generated by the development.

17. DEVELOPMENT WITH FRONTAGE TO THE PRINCES HIGHWAY AND ADJACENT TO THE RAILWAY LINE

Objectives

- A. Mitigate the impacts of noise for sensitive uses located along busy road corridors and rail corridors.
- B. Ensure visual privacy for residential dwellings when viewed from the adjacent public domain.

C. Ensure acoustic amenity for sensitive uses by attenuating noise from external sources.

Controls

- (i) Applicants proposing development on busy roads or adjacent to the railway line are to refer to and comply with *State Environment Planning Policy (Infrastructure) 2007* and the NSW Government's *Development near Rail Corridors and Busy Roads – Interim Guidelines* which includes design guidelines and requirements to manage the impacts from road and rail noise and vibration.
- (ii) Where sensitive uses are proposed, council may require an Acoustic Assessment prepared with reference to NSW Government's *Development near Rail Corridors and Busy Roads – Interim Guidelines*.
- (iii) Where sensitive uses are proposed, development is to be appropriately designed to minimise the impact of road/rail noise and vibration.

18. VEHICULAR ACCESS AND CAR PARKING

Objectives

- A. Provide adequate facilities for parking for residents and building users.
- B. Promote the use of public transport facilities and bicycles and walking as an alternative to the private motor
- C. Minimise the environmental and visual impacts of parking and driveways by integrating them with the building design
- D. Minimise the potential for vehicular/pedestrian conflict

Controls

- (i) Residential parking is to be provided in accordance with the Apartment Design Guidelines and SEPP 65.
- (ii) For commercial/retail development and other land uses parking is to be provided at the following rate:
 - 1 space per 40m² for any floor space at ground floor level.
 - 1 space per 50m² for all other floor space above ground floor level.
- (iii) 1% of all car parking spaces are to be designated “accessible” spaces for people with mobility impairments.
- (iv) For car parks between 10 to 99 spaces at least one “accessible” space must be provided.

- (v) Designated “accessible” car spaces are to be treated as resident car spaces in the calculation of the parking requirement.

Bicycle Parking

- (vi) Bicycle storage is to be provided at the rate of:
- 1 secure bicycle storage facility per 2 residential units
 - 1 bike space per 10 car spaces for the first 200 spaces then 1 space per 20 car spaces thereafter, for commercial and retail land uses.
- (vii) Bicycle parking and facilities should be designed in accordance with the relevant Australian Standards.
- (viii) Showers and lockers are to be incorporated into non-residential developments for bicycle users.

Vehicular Access and Driveways

- (ix) Parking is to be located below ground and access from laneways and side streets.
- (x) Driveways fronting the Highway/Fringe Streets are discouraged. Access to car parking is to be from rear lanes or right of ways/access ways, where possible. Where access from rear lanes or right of ways/access ways is not achievable, Council will consider the location of driveways fronting Neighbourhood Streets. Highway/Fringe and Neighbourhood Streets are set out in **Figure 10**.
- (xi) Crossings are to be positioned so that on-street parking and landscaping on the site are maximised and removal or damage to existing street trees is avoided.

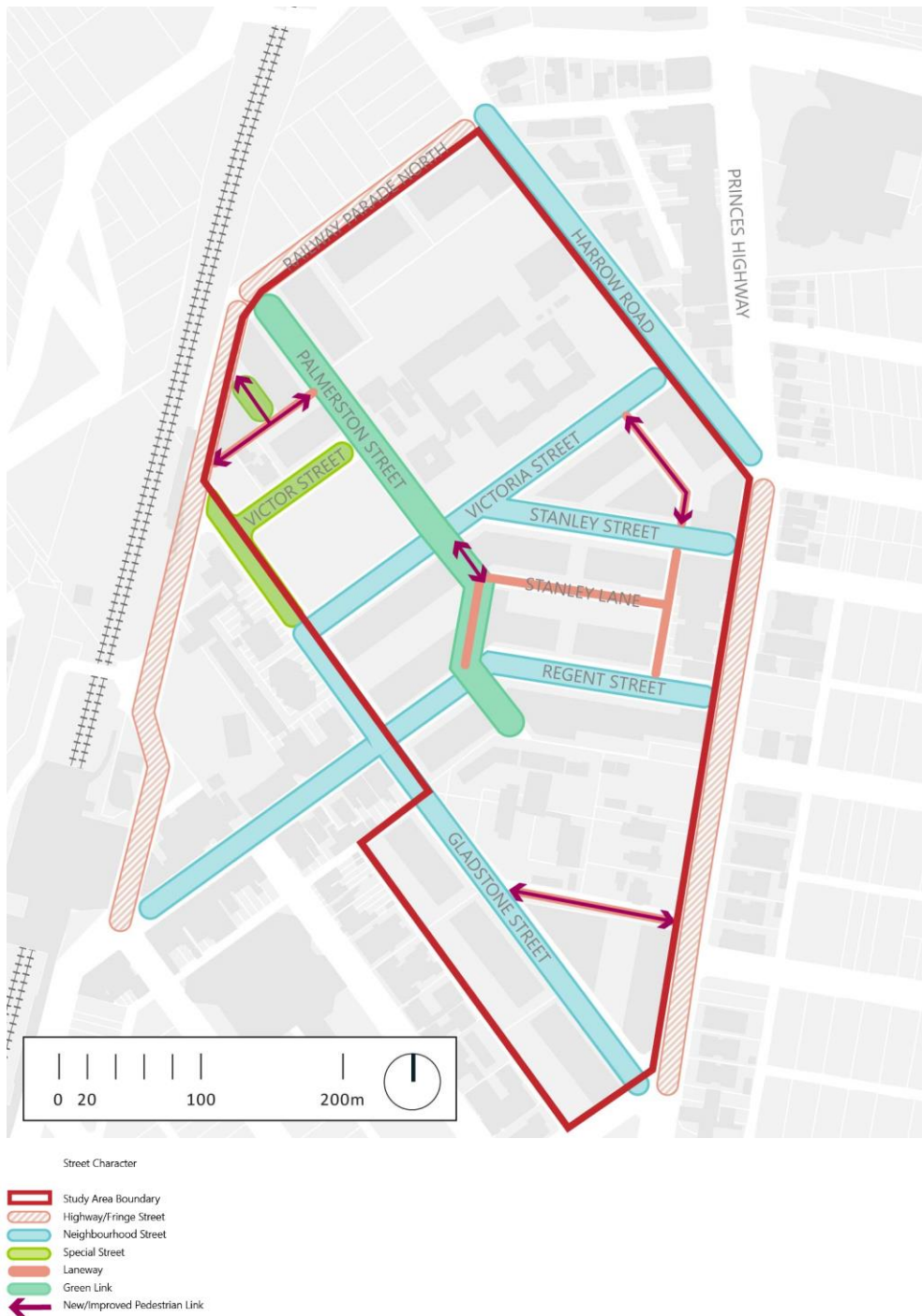


FIGURE 10 - STREET CHARACTER (SOURCE: KOGARAH NORTH URBAN DESIGN STRATEGY)

19. ARCHITECTURAL ARTICULATION – FAÇADE, ROOF AND WALL DESIGN AND PRIVATE OPEN SPACE

Objective

A. Break down the scale of large buildings into more pedestrian scaled parts.

- B. Create harmonious, well-balanced facades containing much articulation and architectural detail.
- C. Create a richly patterned skyline and roofscape when viewed from the street or from the upper levels of other buildings.
- D. Create interesting and harmonious roofscapes and skylines through the design of roofs.
- E. Ensure that roof fixtures for new development do not detract from appreciation of significant features of existing heritage buildings.
- F. Ensure outdoor living areas are functional and responsive to the environment and appropriate for the internal layout of the building.
- G. Ensure development provides opportunities for cross-ventilation and natural ventilation.
- H. Promote the design of buildings which are responsive to the orientation of the site.
- I. Integrate essential amenities and facilities within developments.
- J. Minimise the impacts of ancillary aspects of development on building occupants or neighbours, and on the streetscape and the natural environment.

Controls

Facades & articulation

- (i) Large areas of flat facade are to be avoided. Facades should be articulated into separate sections, using steps in the facade, expressed entries, panels, bay windows, balconies, pergolas and other architectural elements.
- (ii) Articulation elements must be integral with the building design and should consider the whole building- with the building having distinct façade elements being the podium, centre and upper storey/roof.
- (iii) Changes of texture and colour should complement facade articulation.
- (iv) Provide solar protection elements as integral with the building design and massing.
- (v) Façades must be articulated and employ materials and finishes to enhance and complement the character of the streetscape.
- (vi) Reinforce a desired pattern characterised by simple, rectilinear building forms, a consistent street wall height, and a balance of horizontal elements (parapet, central area, below-awning area) and vertical elements (subdivision patterns, building bays).
- (vii) Retain the pedestrian scale and give continuity to the 'base' of the built form.
- (viii) Optimise environmental sustainability and minimise energy consumption through the placement and design of openings and shade systems.

- (ix) Design building facades to optimise environmental amenity through sun shading devices, privacy screens and noise barriers combined with useable outdoor areas.
- (x) Avoid large expanses of blank walls or glass curtain walls.
- (xi) Conceal meter boxes, fire hydrant boosters, sprinkler valves and the like so that they are not visible from the street.

Roofs

- (xii) Articulate roofs to provide a varied and interesting roofscape.
- (xiii) Design large projections, shade structures and pavilions to enhance the appearance of flat roofed buildings.
- (xiv) Roof fixtures are not permitted where they are visible from the street. Fixtures include aerials, vents, chimneys, solar collectors and mobile phone transmitters.
- (xv) Conceal lift over-runs and plant equipment, including satellite dishes, within well designed roof forms.
- (xvi) No development will be permitted within the roof void.
- (xvii) The use of green roofs and green walls is encouraged particularly where this forms part of a communal open space arrangement in a residential/mixed use development.
- (xviii) Buildings greater than 9 storeys are to incorporate green facades or landscaped features (i.e. landscaped communal areas located on podiums and roofs).
- (xix) Roof top areas designed for use as recreation facilities are to have a high standard of finish and design. The design of exterior private open spaces such as roof top gardens must address visual and acoustic privacy, safety, and security and wind effects.
- (xx) Green roofs, green walls, and planter areas on suspended slabs are to be designed by a Structural Engineer to determine and design for loads such as soil saturation.
- (xxi) Landscaping documentation should include details illustrating water-proofing, soil containment, filter fabric, drainage outlets, subsoil drainage methods, irrigation, and external finishes to the retaining wall / planter box.
- (xxii) Adequate filtration should be provided with at least two layers of filter fabric to ensure silt does not discharge into the storm water system.
- (xxiii) While not all of the information below may be relevant to your particular project, these are standard conditions that apply to many developments. With your DA, think about submitting:
 - i. Evidence the green roof or wall has been assessed as part of the structural certification for the building.

- ii. Evidence the green roof or green wall has been assessed as part of the waterproofing certification for the building.
- iii. A cross-sectional diagram that details all the components of the green roof or green wall:
 - 1. The location of existing and proposed structures;
 - 2. Drainage, irrigation and waterproofing, and overflow provisions;
 - 3. Earthworks and mounding and retaining walls and planter boxes (if applicable);
 - 4. The proposed growing medium, with soil types and depth;
 - 5. The location, species and numbers of plants likely to be used;
 - 6. Safety features such as balustrades and maintenance hooks (if applicable);
 - 7. The parts of the green roof that are accessible and inaccessible;
 - 8. How the green wall is attached or fastened to the wall.
- iv. You will also need to submit a maintenance plan Council. This will help ensure the green roof or wall is properly maintained.

Private Open space

- (xxiv) Where balconies are proposed along the Princes Highway frontage, these are to be designed so as to reduce noise from entering the building.
- (xxv) Provide useable private open space at ground level for dwellings fronting side streets in the form of front and/or rear gardens or courtyards.
- (xxvi) Design building facades and apartment layout so that balconies are functional and responsive to environmental conditions.
- (xxvii) Integrate balconies into the overall building form and to enhance the articulation of facades.
- (xxviii) Design balustrades which allow for views into, and along the street but avoid all glass and all brick balustrades
- (xxix) Include sunscreens, pergolas, shutters, operable walls to control sunlight, wind and harsh environmental effects.

20. AWNINGS

Objective

A. Provide pedestrian amenity and streetscape continuity.

Controls

- (i) Awnings are to be sized to adequately accommodate street trees. In addition, ground floor street frontages must be recessed into the building to provide an ample undercover passage without impacting street tree planting.
- (ii) Provide under awning lighting to enhance safety.

21. ACTIVE STREET FRONTAGES ALONG PRINCES HIGHWAY AND RAILWAY PARADE NORTH

Objective

A. Allow for activation of streetscapes along Princes Highway and Railway Parade North.

Controls

- (i) Development is to provide for activation of the ground floor for frontages with neighbourhood shops and home offices along the Princes Highway and Railway Parade North.
- (ii) Ground floor apartments are not permitted on the Princes Highway and are discouraged along Railway Parade.

22. SOLAR ACCESS

Objectives

- A. Design and locate buildings so that reliance on artificial light sources is minimised.
- B. Maximise solar access to private open space, communal open space and living rooms within a development.
- C. Ensure that daylight access is provided to all habitable rooms
- D. Ensure development retains reasonable levels of solar access to the neighbouring properties and the public domain.

Controls

- (i) Create and protect solar access plane to Victor Street to minimise overshadowing to Kogarah High School's primary open space.
- (ii) Provide a lower built form to Railway Parade to minimise overshadowing to St George Girls High School's primary open space.
- (iii) Provide solar access to at least 60% of the existing playing field at 3pm on June 21st. Demonstrate how the remaining sites along Railway Parade can be development to a similar density while achieving the solar access requirements.
- (iv) Maintain solar access to existing apartment buildings and public open space
- (v) New buildings and additions shall be sited and designed to maximise direct sunlight to north-facing living areas, communal and private open space areas.

- (vi) Living rooms and private open spaces for at least 70% of residential units in a development should receive a minimum of 2 hours direct sunlight between 9am and 3pm in midwinter.
- (vii) New development is to be designed to ensure direct daylight access to communal open space between March and September and provide appropriate shading in summer.
- (viii) New development shall maintain solar access to existing residential flat buildings and public open space, including the open space bounded by Victoria Street, Gladstone Street, Victor Street and Palmerston Street.
- (ix) Skylights and light wells must not be used as the primary source of daylight in habitable rooms.

For neighbouring dwellings:

- (x) Direct sunlight to north facing windows of habitable rooms and 10m² of useable private open space areas of adjacent dwellings should not be reduced to less than 2 hours between 9.00am and 3.00pm on 21 June.
- (xi) Consideration will be given to reduced solar access where the proposed dwelling is generally compliant with all development standards and controls, and the extent of impact is the result of orientation, site constraints, and or existing built forms.

Note: The numerical guidelines for overshadowing will be applied with the NSW Land and Environment Court Planning Principle for sunlight (NSW LEC 1082) in mind where relevant. The applicant is required to satisfactorily address the questions identified in the Land and Environment Court Sunlight Planning Principle. The Planning Principle is updated by Court decisions and is available to view on the Land and Environment Court's website (http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx).

23. SAFETY AND SECURITY

Objectives

- A. Reduce crime risk and minimise opportunities for crime.
- B. Encourage the consideration and application of crime prevention principles when designing and siting buildings and spaces.
- C. Encourage dwelling layouts that facilitate safety and encourage interaction and recognition between residents.
- D. Ensure pedestrian and vehicle safety.

Controls

- (i) The design of development is to incorporate *Crime Prevention Through Environmental Design (CPTD)* principles.
- (ii) Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting, and the appropriate landscaping of public areas.

Note:

Further Information refer to NSW Police Service 2001, Safer by Design NSW Department of Urban Affairs and Planning 1979, Crime Prevention and the Assessment of Development Applications, Guidelines under Section 79C of the Environmental Planning and Assessment Act, 1979.

24. WASTE MINIMISATION

Objectives

- A. Ensure that each dwelling has adequate space to manage waste.
- B. Ensure that buildings provide appropriate facilities to manage waste.
- C. Ensure that residential amenity is not impacted by waste systems and collection.

Controls

- (i) A space is to be provided inside each dwelling for separate storage of at least one day's volume of general waste, recyclables and compostable materials.
- (ii) For buildings more than 3 storeys, provide a waste and recycling chute on each floor such that the total travel distance from any dwelling to a waste chute does not exceed 40m.
- (iii) Where a waste and recycling chute system is used:
 - (a) chute openings are to open only into a waste service compartment or room for safety purposes; and
 - (b) the waste service compartment or room on each floor must also include space for containers for the intermediate storage of recyclables.
- (iv) Provide a centralised waste and recycling room near the collection point with capacity to store all waste and recycling likely to be generated in the building in the period between normal collection times.

- (v) An additional room or caged area with a minimum volume of 8m³ is to be allocated and designated with signs for the storage of discarded bulky items and recyclable electronic goods.
- (vi) Space for composting and worm farming is to be available for all residents in a communal facility or in small private courtyards. Composting facilities are to be sited on an unpaved area with soil depth of at least 300mm.
- (vii) Minimise noise from the operation of the waste management system to residential units by:
 - (a) locating chutes away from habitable rooms, and
 - (b) provide acoustic insulation to the waste service facilities or residential units adjacent to or above chutes, waste storage facilities, chute discharge, waste compaction equipment and waste collection vehicle access points.
- (viii) Where an on property service is required either a private waste contractor must be engaged to service a development, or the body corporate must indemnify the Councils waste collection contractor. Access to the site and driveway must be designed to accommodate waste collection vehicles used by either the private contractor or Council waste collection contractor vehicles.
- (ix) It is preferable for waste trucks to enter the site in a forward direction, but it is permitted for waste trucks to reverse onto a site, where design and site conditions make it safe to do so. It is never acceptable for a truck to reverse out of a site.
- (x) The design, location and size of bin storage areas/rooms are to be in accordance with the requirements set out in the *Better Practice Guide for Waste Management in Multi-Unit Dwellings*. The preferred location for storage areas/rooms at ground level is behind the building setback. The storage area must:
 - (a) be integrated into the overall building design and constructed of materials compatible with the new development;
 - (b) be located in an area so as not to compromise the amenity of the occupants of the development and of adjacent properties in terms of noise, odour and aesthetic impact, such as on a rear land frontage, near windowless walls, away from pedestrian areas and in the least visually obtrusive position; and
 - (c) be screened from view from the street with built form and landscaping so as to not detract from the streetscape.

25. SITE FACILITIES

Objectives

- A. Ensure that adequate provision is made for site facilities, such as clotheslines and storage areas, in the design of the development.
- B. Ensure that site facilities are thoughtfully integrated into development and are unobtrusive.

Controls

- (i) Development must not be carried out on the land until arrangements satisfactory to Sydney Water have been made for the provision to the land of water and sewerage services.
- (ii) Mailboxes will be located indoors in accordance with Australia Post's requirements.
- (iii) Adequate and appropriate unit numbering is to be provided. The name and address of the premises will be displayed in a position that is clearly visible from the street and / or service lane to assist identification and deliveries.
- (iv) Satellite dishes where they are situated in rear courtyards, etc. are to be less than 1.8 metres above ground or not visible above any fence surrounding the site.
- (v) Only one (1) telecommunications/TV antenna will be permitted for each building.
- (vi) The existing above ground electricity and telecommunication cables within the road reserve and within the site will be replaced, at the applicant's expense, by underground cable and appropriate street light standards, in accordance with the Energy and Communication Provider's guidelines. The applicant will bear the cost of the new installation and the first 12 months of additional street light charges.
- (vii) Roller type security shutters on windows and doors are not suitable.
- (viii) Where security devices are required they will be integrated into the overall design.
- (ix) Any electrical kiosk, fire booster assembly or similar utilities will be in a location that is visible from the main entrance of the development, unable to be obstructed, and readily accessible to vehicles and service staff. Fire booster assemblies are to be a minimum of 10m distance to an electrical kiosk, and housed within the external face of the building structure or in a built enclosure with screen doors. The enclosure is to be integrated with the architectural design of the development and compliant with AS2419. Applicants are encouraged to provide landscaping that will not impede

access to, and effective use of, the utilities to reduce the visual impact of the utilities on the streetscape and public domain.

26. MAINTENANCE

Objectives

- A. Ensure long life and ease of maintenance for all development.
- B. Ensure that on site landscaping is maintained.

Controls

- (i) Windows are to be designed to enable cleaning from inside the building, where possible.
- (ii) Buildings must incorporate and integrate building maintenance systems into the design of the building form, roof and facade.
- (iii) Materials must be durable and can be easily cleaned and are graffiti resistant.
- (iv) Appropriate landscape elements and vegetation must be chosen along with suitable irrigation systems.
- (v) A maintenance schedule of works is to be included in all landscape plans to be lodged with any development application to ensure landscape works will be maintained at all times to Council's satisfaction.
- (vi) The Strata subdivision of the development must be accompanied by by-laws which must also include the following (if applicable):
 - a. Responsibilities with regard to the ongoing maintenance of the building and landscaped areas at the property in accordance with the plans and details approved under the Development Consent.
 - b. Responsibilities with regard to the maintenance of any artificial features at the property in accordance with the plans and details approved under Development Consent.
 - c. Responsibilities regarding the maintenance of the car wash bay the Owners Corporation / building owner.
 - d. Responsibilities for ensuring owners and/or tenants have adequate and hygienic waste sterile, disposal and collection arrangements and for ensuring the waste storage area is appropriately maintained and kept in a clean and safe state at all times.
 - e. The Owners Corporation/Executive Committee obligations to ensure all wastewater and stormwater treatment devices (including drainage systems,

sumps and traps) are regularly maintained in order to remain effective. All solid and liquid wastes collected from the devices shall be disposed of in a manner that does not pollute waters and in accordance with the Protection of the Environment Operations Act 1997.

- f. Provision of pedestrian access.

27. ACOUSTIC PRIVACY

Objectives

- A. Ensure acoustic privacy for occupants and neighbours.

Controls

- (i) The location of driveways, open space and recreation areas and ancillary facilities external to the dwelling must be carefully planned to ensure minimal noise impact on adjoining residential properties.
- (ii) Bedrooms of one dwelling should not share walls with living rooms or garages of adjacent dwellings. Bedrooms of one dwelling may share walls with living rooms of adjacent dwellings provided appropriate acoustic measures are documented.
- (iii) Where party walls are provided they must be carried to the underside of the roof.
- (iv) All residential development except dwelling houses are to be insulated and to have an Impact Isolation between floors to achieve an Acoustical Star Rating of 5 in accordance with the standards prescribed by the Association of Australian Acoustical Consultants (AAAC). An Acoustic Report is to be submitted at Development Application stage & post construction stage to ensure that the above standards have been achieved.