PART C RESIDENTIAL DEVELOPMENT

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GENERAL NOTES

A number of provisions within *Part C – Residential Development* refer to the Planning Principles based on cases from the NSW Land & Environment Court. More information on Planning Principles and the respective cases can be found at:

http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx

State Legislation Affecting Residential Development

The controls within this Part ~~section~~ should be read in conjunction with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) and the *Waverley Local Environmental Plan 2012* (WLEP 2012), which define what can be carried out as exempt or complying development and override these controls.

Medium Density Housing Code – the Department of Planning & Environment has prepared draft legislation and a draft Medium Density Design Guide.

State Environmental Planning Policy No. 65 – Design Quality for Residential Flat Development (SEPP 65) and the associated *Apartment Design Guide (ADG)* aim to improve the design quality of residential apartment development. The policy applies to the residential components of residential flat building, shop top housing and mixed-use developments that are three or more storeys, and contain four or more dwellings.

C1 SPECIAL CHARACTER AREAS

~~2~~1.1 BONDI HEIGHTS

Bondi Heights Special Character Area applies to the area bound by Old South Head Road and Francis Street to the north, Wellington Street to the east, Bondi Road to the south and Flood Lane to the west (refer to Figure 1~~4~~).

Figure 1 ~~4~~ Bondi Heights Special Character Area

Existing Character Elements

Bondi Heights Special Character Area is located on a local topographical high point. This vantage allows district views to and from the area. It is characterised by north-south oriented streets with well-established street trees. Street blocks are generally long (700-750m) with a range of site lot sizes. A range of building types and styles exist that relate to lot sizes and development history of the area. The overall character of the area is of buildings that sit in a landscape setting.

Desired Future Character Objectives

(a) To ensure the landscape character is the dominant image of Bondi Heights.
(b) To maintain the predominant street and rear setback to provide for front gardens and planting of mature trees.
(c) To ensure buildings respond to their location on the low and high sides of the street with respect to height and site access.
(d) To ensure front garden walls and fences do not detract from the setting.

Controls

(a) Garden walls and fences on the low side of the street are to be a maximum height of 1.2m, to allow front gardens to contribute to the streetscape. Garden retaining walls on the high side of the street are to be a maximum of 1.5m.

(b) Front setbacks should be predominantly planted or grassed, to allow the elevated view of the front garden to contribute to the streetscape.

(c) Outdoor terraces and decks are not permitted over garages located on the street boundary on the high side of the street.

(d) Communal landscaped gardens are required within the front setback to contribute to the public domain.

(e) The private open space is permitted to encroach 2.5m into the communal landscaped front setback provided that the front setback is a minimum of 6m from the street boundary.

(f) Roof-top terraces are discouraged due to the greater potential impacts in higher density areas.

~~2~~1.~~1.~~2NORTH BONDI

North Bondi Special Character Area applies to the area bound by O'Donnell Street, Frederick Street, Murriverie Road to the north, Military Road to the east, Campbell Parade and Warners Avenue to the south, and Glenayr Avenue to the west (refer to Figure 2~~15~~).

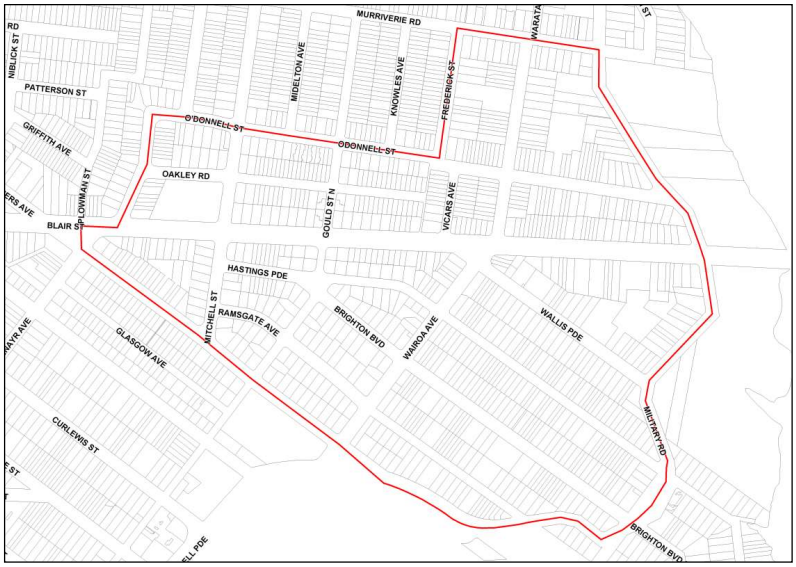


Figure 2~~15~~ North Bondi Special Character Area

Existing Character Elements

North Bondi Special Character Area has an undulating topography. The roofscape is prominent when viewed from surrounding high points. There is often a high and low side of the street. Streets generally have wide grassed verges that are sometimes privately planted (through Council's Footpath Gardens Scheme) with vegetation that contributes to the natural headland character. Regular block and lot pattern responds to the changing topographical conditions.

The predominant building stock is characterised by minimum side setbacks, consistent front setbacks and building frontages to the street whether the building type is residential flat buildings or semi-detached dwellings. Roofs are predominantly pitched and red tiled, and are visually dominant on the low side of the street. Much of the area is already developed with very little opportunity for redevelopment on infill sites.

Desired Future Character Objectives

(a) To maintain the streetscape rhythm created by uniform building frontages.
(b) To improve the amenity for residents while not detracting from the amenity of adjacent buildings.
(c) To allow minor alterations and additions in the roof space.

Controls

(a) Planting should utilise minimum maintenance species growing to no more than 1m in height at maturity. The overall appearance and species selection should be compatible with the adjoining gardens. Growth must not encroach upon the footpath or obstruct pedestrian access.

(b) Communal landscaped gardens are required within the front setback.

(c) Private open space is permitted to encroach 2.5m into communal landscaped front setback provided the front setback is a minimum of 6m from the street boundary.

(d) The proportion of openings along street facades is to be maintained when retrofitting with balconies.

(e) Buildings should have pitched roofs with red tiles in keeping with the existing character of the area.

(f) Attics are to be secondary to the main pitched roof form.

(g) The established patterns of materiality and colour where there are existing rows of consistency along a street are to be maintained.

(h) Roof-top terraces are discouraged due to the greater potential impacts in higher density areas.

~~2.~~1.3 BEN BUCKLER

Ben Buckler Special Character Area is located on the northern headland at Bondi Beach and applies to the area bound by Campbell Parade and the coastline to the west, Bondi Golf Course to the north, and the coastline to the east and south (refer to Figure 3~~16~~).

Figure 3~~16~~ Ben Buckler Special Character Area

Existing Character Elements

Ben Buckler exhibits a distinctive palisaded character of parallel streets rising to the outer southern cliff line and lined with Inter War and Mid Century residential flats and housing. Viewed from Bondi Bay, Ben Buckler presents as a dense wall of brick and painted masonry punctuated by glazed openings and a skyline of hipped tile roofs which forms a distinctive and much recognised background to the beach.

Despite the rise of topography to the north and east, streetscapes at Ben Buckler are lined with close set buildings on uniform subdivisions restricting outlook to glimpses of Bondi Bay, the skyline to the south and the high ground of Bondi Golf course to the north. Only at the extremities of the main streets are vistas of the coastline and beach revealed.

Wide driveways and cross falls to the west, limit the amenity of otherwise wide verges landscaped with turf and sparse coastal tree species. Cranked street alignments to the northern approaches to Campbell Parade, and dense planting within properties to the low side of streets add further to the sense of enclosure.

Within this ground plan the varied styles and forms of construction are unified by orientation of balconies, decks and picture windows southwest over Bondi Bay. The visual complexity of the setting is further emphasized by a distinct separation of public and private space along all streets.

Desired Future Character Objectives

(a) To maintain the headland character of Ben Buckler through the landscaping of the front gardens and appropriate planting of verges.
(b) To maintain the rhythm of buildings frontages to the street.
(c) To ensure side setbacks allow glimpses of the beach or ocean.
(d) To respect the existing building character of boxy proportioned buildings, architectural elements and range of materials and finishes.
(e) To encourage view sharing.

Controls

(a) Planting should utilise minimum maintenance species growing to no more than 1m in height at maturity. The appearance and species selection should be compatible with the adjoining gardens. Growth must not encroach upon the footpath or obstruct pedestrian access.
(b) Side setbacks are to be clear of obstructions to allow views between buildings to the beach.
(c) Sites adjacent to laneways and pedestrian connections may be able to achieve increased site coverage with a reduced deep soil requirement. Where deep soil requirements are not met, this area is to be replaced with landscaped open space above ground level.
(d) Communal landscaped gardens are required within the front setback to contribute to the public domain.
(e) The private open space is permitted to encroach 2.5m into the communal landscaped front setback provided that the front setback is a minimum of 6m from the street boundary.
(f) Rendered and painted finish is appropriate in this area.
(g) Allow balconies to be provided over existing car courts for existing buildings on battle-axed blocks along Ramsgate Avenue.
(h) Roof-top terraces are discouraged due to the greater potential impacts in higher density areas.

C2 LOW DENSITY RESIDENTIAL DEVELOPMENT

This Part applies to any type of lowe~~r~~ density residential ~~accommodation~~ development proposing a new ~~development~~ building or alterations and additions to an existing building or buildings in the Waverley LGA. For the purposes of *Part C1 Low Density Residential Development* the term lower density residential accommodation includes the following types of development:

- Dwelling house;
- Dual occupancy;
- Semi-detached dwelling;
- Attached dwelling (~~T~~terrace styled development); and
- Secondary dwelling.

Each type of lower density residential accommodation is defined in the W~~averley~~ LEP 2012.

Development is to comply with the provisions of this part, as well as all other relevant parts of the WDCP 2012. Parts C2.1 – C2.12 are general controls, and Parts C2.13 – C2.16 of this Part apply to specific development types, in addition to the general controls.

~~**Note:** For the purposes of this Part, the term "terrace styled development" above has the same meaning as the term "attached dwellings", which is defined in the Waverley LEP 2012.~~

General ~~———~~Objectives

(a) To ensure that the scale of lower density residential accommodation is appropriate for allotment sizes and other dwellings in the vicinity.

(b) To ensure that lower density residential accommodation does not significantly detract from the amenity, privacy and views of other dwellings and public view corridors.

(c) To ensure that ~~Council~~ the consent authority has regard to the principles of ecologically sustainable development when assessing applications.

(d) To ensure that new development and alterations and additions to existing lower density residential accommodation is sympathetic in bulk, scale and character with the desired future character of the area.

(e) To encourage lower density residential accommodation to have high design standards and are built in accordance with the objectives and controls of this Part.

2.1 HEIGHT

~~The maximum building height and maximum wall height are two of the most important design elements that influence the overall appearance of residential buildings and character of a streetscape. The maximum building height standards are identified by Clause 4.3 and the Height of Buildings Map in WLEP 2012.~~

The WLEP 2012 outlines the maximum permissible building height of a site. Achieving the maximum building height may not be appropriate in all cases and should not be considered as prescribed or allowable regardless of circumstance. Amenity or streetscape impacts may ~~mean that a~~require a lower height or additional setbacks ~~are warranted~~. ~~Therefore n~~Nothing in this part restricts Council's ability to require the height of a building to be less than the maximum height as specified in the LEP.

~~Maximum heights are stated in the LEP however not all development types are appropriate to achieve the maximum height. For example, it may not be acceptable that a laneway development achieves the overall maximum height based on the LEP standard. For this reason, each development type has different height control expectations as outlined in the following sections:~~

- ~~Dwelling Houses – Part C1, Section 1.1.~~
- ~~Laneway Development – Part C1, Section 1.14.~~
- ~~Secondary Dwellings and Ancillary Buildings – Part C1, Section 1.16.~~

Objectives

(a) To provide appropriate building heights for flat or pitched roof forms for lower density residential accommodation.
(b) To ensure the height and scale of development relates to the topography and street character.
(c) To ensure the height and scale of development does not unreasonably impact on views enjoyed by neighbouring and nearby properties.
(d) To ensure that the height and scale of development does not result in unreasonable overshadowing of neighbouring and nearby properties.
(e) To minimise loss of views from, and overshadowing of, public places.
(f) To ensure development in excavation areas does not add to the overall visual bulk of the dwelling.

Controls

~~1~~2.1.1 Flat roof dwellings

~~Flat roof dwellings can potentially have a greater impact on neighbouring properties than pitched roof dwelling designs. As such, the proposed height of a flat roof dwelling must not preclude the achievement of standards relating to overshadowing, building orientation topography, privacy and views as specified elsewhere in this DCP.~~

~~(a) For a building with a flat roof the maximum overall building height is 7.5m above existing ground level (refer to Figures 1 and 2).~~ A proposed flat roof dwelling must not preclude the achievement of standards relating to

overshadowing, building orientation, topography, privacy and views as specified elsewhere in this DCP.

~~(b)~~(a)

~~2~~1.1.2 External Wall Height

(a) For a building with a pitched roof the maximum wall height is 7m above existing ground level (refer to Figures ~~4~~1 and ~~5~~2), except as determined in Control (b) below.

~~(a)~~(b) For a building with a flat roof, the maximum wall height is 7.5m above existing ground level.

~~(b)~~(c) Where it is permissible for ~~dwellings~~ buildings to be built to a height greater than 9.5m under WLEP 2012, the wall height will be determined by a merit assessment of the design of the building and its relationship to adjoining dwellings.

~~(c)~~(d) Buildings on steep sites are to be stepped down to avoid high columns, elevated platforms and large under croft areas.

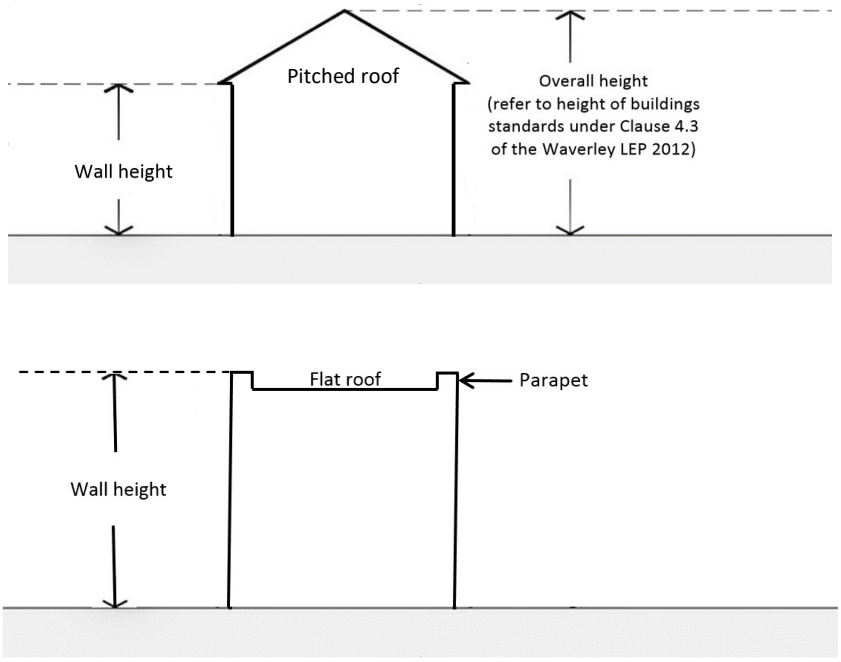


Figure ~~1~~ 4 How to measure wall height for dwellings with pitched and flat roofs

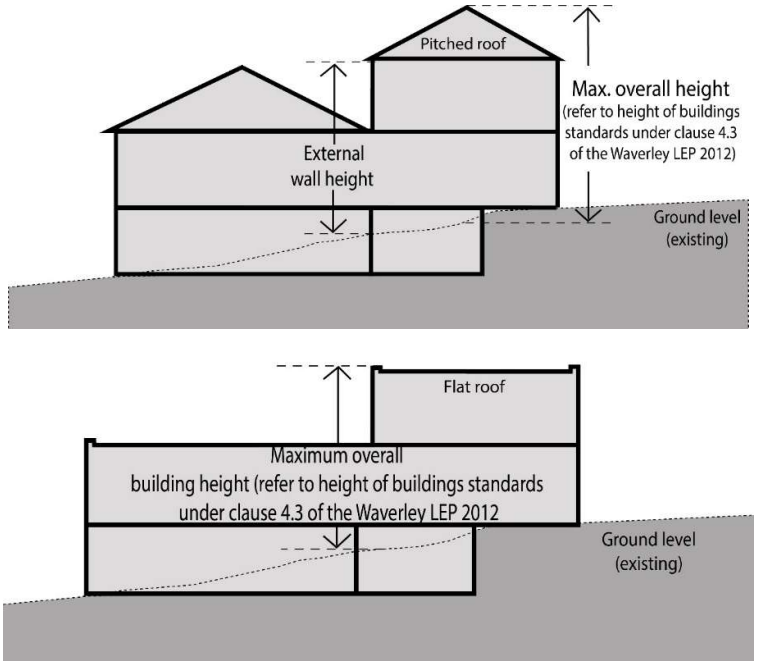


Figure 52 How to calculate height on sloping land

~~1~~2.2 SETBACKS

~~Setbacks influence the size and shape of lower density residential accommodation and it is critical their bulk and appearance in the streetscape and relationship to adjoining properties is appropriate to the locality.~~

~~Setbacks provide rhythm and character to residential streets, retains views and glimpses of local and distant landmarks and provides access to the rear of properties.~~

~~Setbacks also provide amenity to existing and proposed housing through the maintenance and provision of privacy, ventilation, solar access and views. Setbacks generally increase as the building height increases.~~

Objectives

(a) To ensure that the bulk and appearance of the proposed development is appropriate to the streetscape.
(b) To set a rhythm and character to residential streets.
~~(a)~~(c) To ensure the distance between buildings on adjacent properties allows adequate solar access, ventilation and privacy.
~~(b)~~(d) To ensure that the amenity of rear yards, their function as private open space, and their visual and landscape contribution to the surrounding area is protected and enhanced.
~~(c)~~(e) To accommodate flexibility in the siting of buildings, where appropriate.
~~(d)~~(f) To ensure the front and rear setbacks of buildings are consistent with surrounding buildings and do~~es~~ not visually detract from the streetscape.
~~(e)~~(g) To ensure significant views and view corridors available from the public domain and existing properties are considered as part of the local context of any development. Refer to ~~*Section*~~ *Part C2~~1~~.10 ~~–~~ Views*.
~~(f)~~(h) To ensure buildings on corner lots are consistent with the predominant building lines of adjoining sites.

Controls

~~1~~2.2.1 Front and rear building lines

(a) New buildings and extensions to existing buildings are to extend no further than the front and rear predominant building lines (refer to Figures 6~~3~~ and 7~~4~~).
(b) The predominant rear building line is determined separately for each floor level. In most circumstances development at first floor level and above shall be set back from the rear building line of the ground floor level in order to minimise bulk and scale impacts and provide visual relief for the open space and living areas at adjacent properties (refer to Figure 6~~4~~).
(c) The siting of dwellings on corner lots should take reference from the setbacks of dwellings on adjacent sites.
(d) Where it is proposed to build beyond the predominant front and/or rear building line, then greater consideration must be given to the following;
    (i) Compliance with applicable development standards, including Floor Space Ratio and Building Height;

(ii) Compliance with the landscaped and open space controls;
(iii) Compliance with side setback controls;
(iv) Emergence of a new front and/or rear building alignment beyond the dwellings either side of the subject site (note that any reliance on an emerging front and/or rear building alignment as a precedent can only be justified where the emerging alignment is itself based on compliant development with respect to building height, FSR and side setback controls);
(v) Location and retention of existing significant vegetation;
(vi) Visual aspect of the bulk and scale as viewed from the private open space and living areas of adjoining properties;
(vii) Acceptability of amenity impacts on adjacent properties with regard to solar access, and visual and acoustic privacy;
(viii) Views available from the subject site and adjoining properties including an assessment against the Land and Environment Court Views ~~"Tenacity"~~ Planning Principle in *Tenacity Consulting v Warringah Council [2004] NSWLEC 140 at 25-29*;
(ix) In areas of heritage significance, the importance of preserving the front portion of the building by providing an additional setback from the front building line.

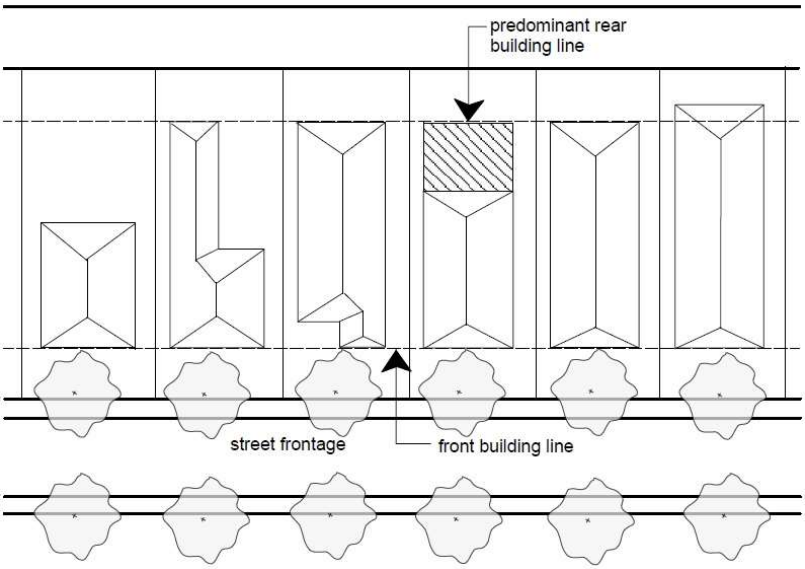


Figure ~~63~~ Example of front and rear predominant building lines on regular shaped lots

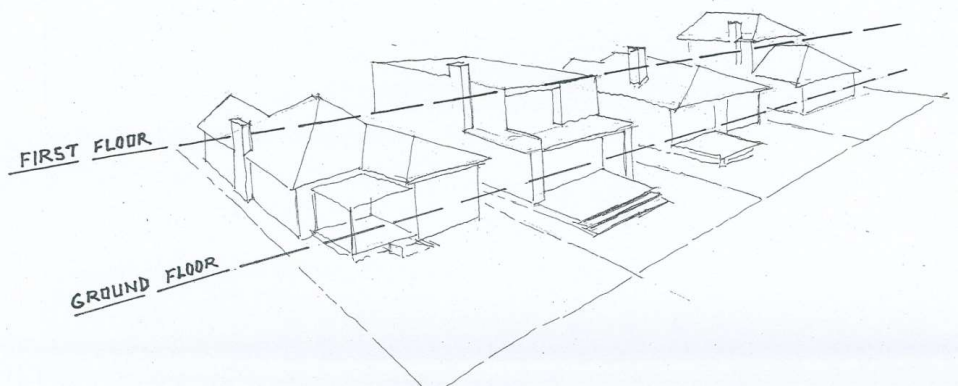


Figure 74 Example of ground and first floor level predominant rear building lines

~~1~~2.2.2 Side Setbacks

(a) Comply with the minimum setbacks as follows:

Height (in storeys)	Side setback (min.)
H~~1 2 storeys~~ ~~(h~~eight up to 8.5~~-9.5~~m ~~in accordance with height of buildings development standard in clause 4.3 of WLEP 2012)~~	0.9~~00m~~m
~~3 storeys~~ ~~(h~~Height up to ~~9.5-~~12.5m ~~in accordance with height of buildings development standard in clause 4.3 of WLEP 2012)~~	1.5~~00m~~m
~~Greater than 3 storeys~~Height above 12.5m	~~1500mm – 3000mm~~1.5 - 3m

Table 1 Minimum side setbacks

Note

- Where a 2 storey dwelling exceeds the maximum height building standard in Clause 4.3 of the WLEP 2012, the side setback of the building is to be 1200mm.
- The side setbacks may be reduced if the proposed dwelling or alteration adjoins another dwelling without a setback along the shared boundary. This applies only to that section of the boundary which the neighbouring dwelling is built to.
- For dwelling houses greater than 3 storeys, side setbacks will be determined on merit.
- For new dwellings, the relevant minimum setback control shall apply for all levels.

2.3 STREETSCAPE AND VISUAL IMPACT

~~The objectives and controls in this section are designed to enhance the built form by encouraging quality design that corresponds harmoniously with their surroundings.~~

Objectives

(a) To enhance the built form by encouraging quality design that corresponds harmoniously with the surroundings.

~~(a)~~(b) To encourage and facilitate lower density residential accommodation of a high architectural and aesthetic standard, that acknowledges and responds to the architectural style, scale, materials and character of the existing built environment.

~~(b)~~(c) To ensure development provides a clear distinction between private and public space and encourages casual surveillance of the street.

~~(c)~~(d) To ensure views to and from a public place including parks, reserves, beach or the ocean are preserved.

Controls

(a) New development should be visually compatible with its streetscape context. It should contain or at least respond to essential elements that make up the character of the surrounding area.

(b) ~~New windows~~When replacing existing windows, the style is ~~are~~ to complement the style and proportions of the existing dwelling when viewed from the street.

~~(b)~~(c) Contemporary alterations and additions should include windows characteristic of the style of the addition.

~~(c)~~(d) Development must not dominate or erode the character of the streetscape, particularly when viewed from a public place such as parks, reserves, beach or the ocean.

~~(d)~~(e) New development as well as alterations and additions to existing dwellings are to maintain the established character of the building in terms of significant landscaping. Existing ground levels and significant landscaping is to be maintained.

(f) Existing verandahs and balconies fronting the street are not to be enclosed.

(g) Porticos above a fence or entrance way are to minimise bulk, and are only appropriate where it can be demonstrated that they are consistent with the existing street character.

~~(e)~~

~~1~~2.4 FENCES

~~The appropriate design of fencing can assist in the achievement of architectural uniformity and streetscape cohesion.~~

~~The design of fences should generally relate to the period and architectural style of buildings at the site and in the vicinity.~~

Objectives

(a) To ensure that fences relate to the period and architectural style of buildings on the site and in the vicinity.

~~(a)~~(b) To avoid adverse visual impacts from the creation of high blank walls to the street.

~~(b)~~(c) To promote a streetscape where the ground floor front facades of dwellings are visible from the street.

~~(c)~~(d) To ensure front fences and entrance porticos do not dominate the streetscape, and that they are cohesive with the character of the streetscape.~~.~~

~~(d)~~(e) To ensure that side and rear fences are not excessive in height, resulting in adverse impacts on adjoining properties.

~~(e)~~(f) To ensure boundary treatments of properties adjoining parks are consistent with the materials palette in the relevant Plan of Management to maintain the amenity of parks.

Controls

(a) The design of front fences is to take reference from, and complement, the architectural style of the dwelling on the site and dwellings on adjacent sites in terms of style, height and materials.

(b) Front fences should generally not exceed 1.2m in height. Any solid upstand section should be limited to 600mm in height. The top half of the fence should be an open design with a minimum open area of 50%, for visibility to and from the site (refer to Figure 8~~7~~). Components such as arched gates, piers and the like may exceed the predominant 1.2m height.

(c) On sloping sites, the height limit is averaged so that the fence steps down the slope (refer to Figure 9~~8~~).

(d) Side and rear boundary fences are not to exceed 1.8m above the existing ground level of adjoining properties and are to taper down from the front building line to match the height of the front fence at the front boundary (refer to Figure 10~~9~~).

(e) Council may permit front fences up to a height of 1.8m and/or of solid material provided it can be shown that the fence acts as an effective noise barrier as a result of adjoining a street with high traffic volume. Such fences are to be setback from the boundary to allow landscaping to soften the bulk or the structure is to be articulated as an alternative to a solid blank wall.

~~(d)~~

~~(e)~~(f) Where there is dual street frontage, consideration may be given for the allowance of a higher side fence to ensure privacy.

~~(f)~~(g) All boundary treatments for properties adjoining public parks are consistent with materials palette from the relevant Plan of Management.

~~(g)~~(h) New brickwork increasing the height of brick fences should match the existing wall.

~~(h)~~(i) Decoration and/or architectural relief shall be provided to masonry fences, avoiding expansive blank walls facing the street.

~~(i)~~(j) No part of a fence, including its footings, is to encroach on the street alignment or adjoining properties.

~~(j)~~(k) Gates are not to open into the street alignment or adjoining public parks.

(l) All fence controls are subject to the provision of adequate sight lines for emerging vehicles to enable surveillance of pedestrians using the footpath in front of a dwelling.

(m) A setback is to be provided for pedestrian entry gates.

~~(k)~~

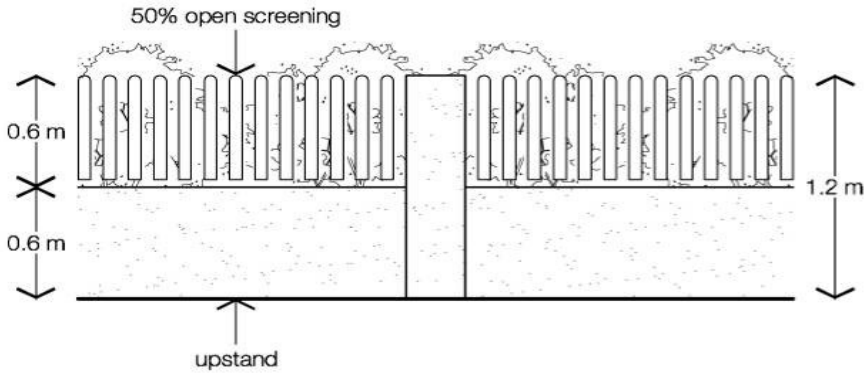


Figure ~~8~~7 Example of front fence with maximum solid up stand of 600mm and open design top section

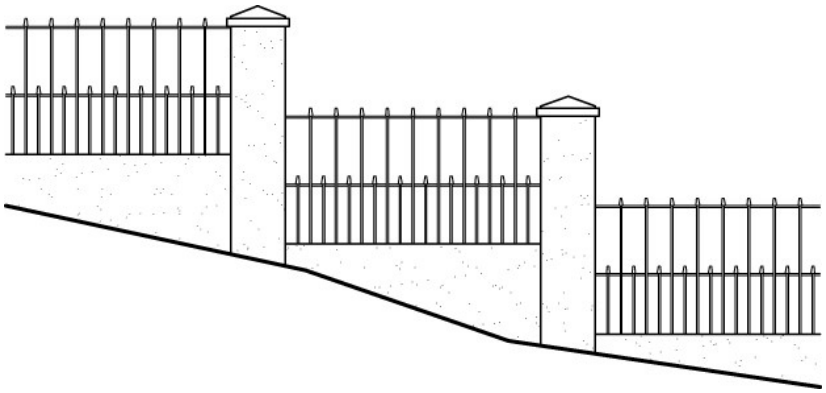


Figure ~~8~~9 Fence height limit is averaged on sloping sites

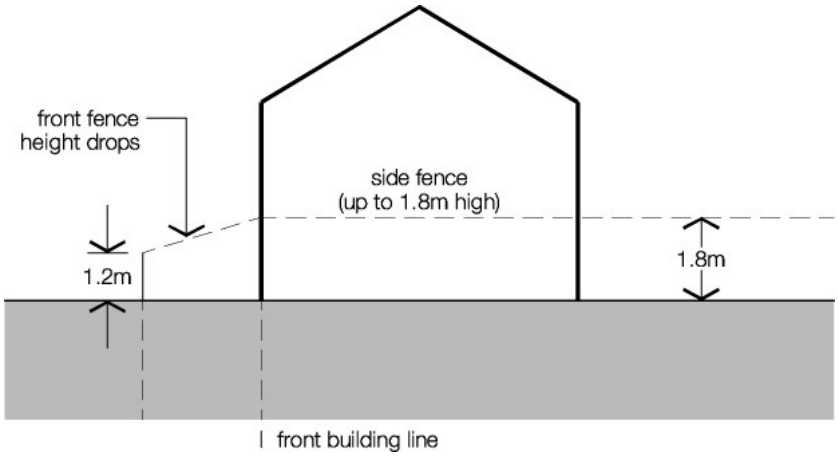


Figure 10~~9~~ Side fences should taper down from the front building line.

~~1~~2.5 VISUAL AND ACOUSTIC PRIVACY

~~Privacy is important for residential amenity. The enjoyment of a residential property by its occupants relies on achieving a reasonable level of acoustic and visual privacy. Roof terraces are generally discouraged however there may be instances where a small roof terrace may be appropriate. Where a roof terrace is proposed the application must have regard for the Land and Environment Court "Super Studio" Planning Principle available at: http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx~~

Objectives

(a) To ensure that ~~new~~ development~~s and / or alterations and additions to lower density residential accommodation~~ does not unreasonably impact upon existing residential or other properties due to unacceptable loss of privacy or generation of noise.

(b) To minimise the impact of roof terraces on adjoining properties.

(c) To ensure that development provides residents with a reasonable level of acoustic and visual privacy.

~~(b)~~(d) To minimise the provision of roof terraces where it is uncharacteristic of the area.

Controls

(a) Development is to consider the Privacy Planning Principle in *Super Studio v Waverley Council [2004] NSWLEC 91 at 5-7.*

~~(a)~~(b) Windows to habitable rooms are not to directly face windows to habitable rooms and / or open space of neighbouring dwellings unless direct views are screened or other appropriate measures are incorporated into the design.

~~(b)~~(c) In order to protect the visual and acoustic privacy of adjoining properties and to maintain an appropriate aesthetic quality of development, external stairs are not acceptable.

~~(c)~~(d) Where an elevated courtyard, balcony, terrace or deck is visually prominent from, or in close proximity to, a neighbouring dwelling, permanent screening, landscaping and vegetation is to be used in combination to minimise any~~this~~ impact~~s~~ to an acceptable level.

~~(d)~~(e) Where an elevated deck or balcony is proposed it should have a maximum area of 10m² and a maximum depth of 1.5m. Where a larger area is proposed then greater consideration must be given to the following:

(i) Compliance with the building height development standard;
(ii) Compliance with setback controls;
(iii) Efforts to mitigate visual and acoustic privacy impacts including the use of permanent screening devices, increased setbacks, and retention of existing vegetation;
(iv) Pre-existing pattern of development in the vicinity of elevated decks and balconies; and
(v) The visual impact of the elevated deck or balcony and any proposed privacy screening in terms of bulk and scale as viewed from the private open space and living areas of adjoining properties and from the street.

~~(e)~~(f) Roof tops are to be non-trafficable and not capable of being used as roof terraces or as entertainment areas, except in the following circumstances:

(i) There is a predominance of roof terraces in the immediate vicinity of the site;

~~(i) Developments contiguous to the subject site include a roof terrace;~~

(ii) They will not result in unreasonable amenity impacts such as overlooking and loss of privacy and acceptable noise;

(iii) They are not to exceed 15m² in area;

(iv) They are provided for casual and infrequent activity and not as an extension of private open space or entertaining areas; and

(v) Any access must be provided within the envelope of the main building and there are to be no access hoods or lift overruns proposed above the main roof level. Operable skylights and hydraulic lifts are acceptable where they finish generally flush with the roof level.

It is acknowledged that in some areas within Waverley there are a number of large roof-~~-~~top terraces. These large terraces (larger than 15m²) may impact upon the visual and acoustic privacy of adjoining properties. Control (~~d~~f) above specifically aims to limit this development outcome continuing and the existence of larger roof top terraces in close proximity to the proposed roof terrace does not justify a variation from the maximum size control in (f~~d~~) above.

~~(f)~~(g) Consideration must be given to noise mitigation measures including:

(i) Noise efficient building materials;

(ii) Avoiding noisy walking surfaces (such as external metal decks) and unenclosed elevated side passages.

(iii) Incorporate all sewerage, water pipes, ducting, cables, fans, vents and other utilities within the building envelope;

(iv) Plumbing for each dwelling is to be contained using appropriate noise resistant wall, ceiling and floor treatments in order to prevent the transmission of noise between dwellings.

~~(g)~~(h) External lighting is to be directed away from the main internal living areas and bedrooms of adjacent dwellings.

~~1~~2.6 SOLAR ACCESS

~~The amenity of any building is influenced by the amount of solar access received. Lower density residential accommodation should consider orientation and siting to maximise solar access.~~

Objectives

(a) To maximise solar access through appropriate orientation and siting.

~~(a)~~(b) To ensure reasonable levels of direct sunlight to living areas and private open space of lower density residential accommodation.

~~(b)~~(c) To improve solar amenity and energy efficiency to existing lower density residential accommodation.

~~(c)~~(d) To minimise overshadowing of windows to internal living areas and private open space of adjoining dwellings.

Controls

(a) All forms of lower density residential accommodation are to be designed so as to provide for a minimum of 3 hours direct sunlight to at least 50% of living areas and principal private open space areas, when measured between 9am and 3pm during winter solstice (June 21).

~~(b)~~ All forms of lower density residential accommodation are not to reduce the amount of direct sunlight to ~~solar collectors or~~ at least 50% of the principal private open space of adjoining properties to less than 3 hours when measured between 9am and 3pm during winter solstice (June 21).

(b)

(c) Despite controls (a) & (b) above, where a variation to floor space ratio, maximum building height, maximum wall height or setbacks controls causes a reduction in direct sunlight to adjoining properties, *any* reduction may be considered unacceptable.

(d) If the provision of direct sunlight is already below 3 hours (as per above), any reduction may be unacceptable.

(e) Development is not to unreasonably overshadow solar collectors on a nearby property.[1]

[1] Development that results in the overshadowing of solar collectors will be subject to the criteria established by the Victorian Civil and Administrative Tribunal (VCAT) in *John Gurry & Assoc Pty Ltd v Moonee Valley CC & Ors (Red Dot) [2013] VCAT 1258.*

~~1~~2.7 VIEWS

~~Many properties in Waverley enjoy local and district views, including those to Sydney Harbour, beaches, the coastline, ocean and open space.~~

~~Views are often available from public places and private properties situated a considerable distance from proposed development.~~

It is generally accepted that views do not 'belong' to anyone or any property, nor is a view the exclusive right to any one property or to certain individuals. 'View sharing' is an important principle to consider when developing a property.

~~This Part should be read in conjunction with the NSW Land and Environment Court Planning Principle based on *Tenacity Consulting v Warringah [2004] NSWLEC 140* which provides general principles for the assessment of views and view sharing. The Planning Principle may be viewed at the following link:~~

~~http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx~~

Objectives

(a) To minimise the impact on existing views and vistas enjoyed from existing residential development and from the public domain.
(b) To encourage view sharing as a means of ensuring equitable access to views from private dwellings
(c) To maintain views from public places of landmark or iconic features.

Controls

(a) The Views Planning Principle from *Tenacity Consulting v Warringah Council [2004] NSWLEC140 at 25-29* is to be applied.
~~(a)~~(b) Existing views and vistas available from the public domain, including but not limited to ocean, harbour, beach, city and parks views are to be maintained where possible by the design of buildings.
~~(b)~~(c) Existing views of landmark or iconic features from the public domain (such as Sydney Harbour, Opera House, Harbour Bridge, Bondi Beach) are to be maintained and where possible, enhanced. In some circumstances, complying with maximum development controls may not be achievable if an iconic view is impeded.
~~(c)~~(d) Lower density residential accommodation is to be designed and sited so as to enable a sharing of views with surrounding dwellings particularly from habitable rooms and decks.
~~(d)~~(e) Where views are enjoyed by a neighbouring property across a proposed terrace, balcony or deck, it is accepted that privacy is of lesser value than the retention of views and it may not be appropriate to erect a privacy screen.

~~1~~2.8 CAR PARKING

~~Car parking is one of the most critical planning and transport issues in Waverley. Wherever possible, Council strongly encourages the use of alternative modes of transport such as walking, cycling and public transport and continues to work towards providing better transport connections to the area.~~

~~The provision of private (on-site) and public (on-street) parking must be managed in an equitable and environmentally sensitive manner that benefits the community as well as the individual. When considering applications, the following general principles shall apply:~~

Objectives

(a) To provide convenient and accessible parking that is appropriately designed and located.
(b) To achieve a high standard of urban design and retain the visual quality of lower density residential accommodation, streetscapes and landscapes.
(c) To protect the amenity and safety of pedestrians.
(d) To ensure that car parking accommodation does not dominate or adversely impact on the existing built or landscape character of the street.
(e) To encourage the use of alternative modes of transport in areas well serviced by public transport.
(f) To ensure on-street parking supply is protected by minimising impacts of additional vehicular kerb crossings.

Controls

2.8.1 Design Approach

(a) Approval for on-site parking will only be granted where the site and locality conditions permit.
(b) Car parking must be designed to complement the design of the building and streetscape to which it relates and incorporate a range of appropriate materials and design.
(c) Car parking structures are to be located behind the front building line to reduce visual impact upon the streetscape.
(d) Driveways and vehicular access should be designed to minimise the loss of on-street parking wherever possible.
(e) Car park access is to be provided from secondary streets or lanes where possible.

~~1~~2.8.~~2~~1 Parking Rates

~~Controls~~

~~(a) For new dwellings, car parking should not exceed:~~
~~(i) 1 space for dwellings with 2 or less bedrooms.~~
~~(ii) 2 spaces for dwellings with 3 or more bedrooms.~~

(a) Development is to comply with the provisions of Table 3 in *Part B8 Transport*.

(b) Notwithstanding the above, a reduced rate (or no parking) may be required in the following circumstances, where:
  (i) Parking may have a detrimental impact on the character of the streetscape, heritage item or heritage conservation area, or health of a significant tree.
  (ii) A driveway cannot comply with maximum gradients and design standards required by the Australian Standards.
  (iii) Vehicle entry and exit may have a detrimental impact on pedestrian and traffic movements and safety or nearby services or infrastructure.
  (iv) The access to the on-site car parking will result in the loss of more than 1 on-street car parking space.
  (v) There is low on-street parking availability and no net car parking public benefit.

(c) Where an applicant proposes to provide more than the number of on-site car spaces specified in (a), additional justification must be provided to cover matters such as, but not limited to the impact of:
  (i) The visual impact of parking accommodation compared to alternatives such as landscaping;
  (ii) Any increased building bulk on the streetscape;
  (iii) Any increased building bulk on the amenity of adjoining properties;
  (iv) The loss of existing on-street parking illustrating existing and proposed off street parking;
  (v) The level and impact of any excavation; and
  (vi) Access to public transport.

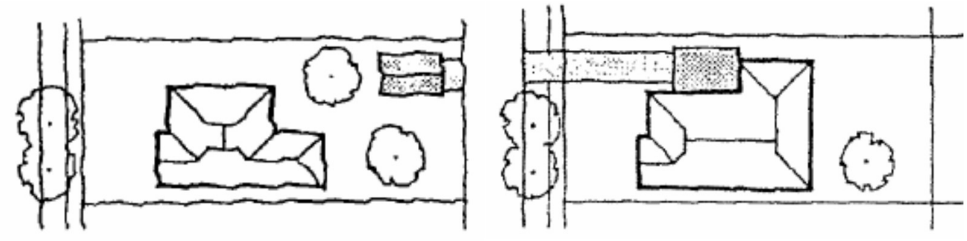
~~1~~2.8.~~3~~2 Location

(a) For new dwellings all on-site car parking is to be located behind the front building line.

(b) For existing development, car spaces should be sited having regard to the following hierarchy (refer to Figure 1~~0~~):

(i) Hardstand, carport or garage located at the rear of the site with access from a rear lane;

(ii) Hardstand, carport or garage located at the side of the dwelling behind the building alignment; or



(iii) Hardstand car space forward of the front building line.

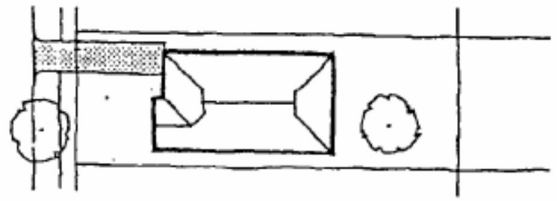


Figure 1~~0~~ Hierarchy of preferred car parking locations

(c) Garages on rear lanes must not create conflict with parking in the lane and result in the loss of laneway parking for any property other than the subject site.

(d) A hardstand (in the form of wheel strips) or carport forward of the building line may be permitted where:

(i) There is no rear access;

(ii) The site is of sufficient width where the car space will not dominate the existing building (i.e. does not exceed 45% of the width of the site frontage);

(iii) It is no greater than a single car space;

(iv) The distance between the building and the front property boundary is a minimum of 5.4m;

(v) Public views would not be adversely affected;

(vi) There is a predominance of this form of off street car parking in the immediate vicinity of the site;

(vii) It is designed so that it does not detract from the heritage significance of the building or area;

(viii) There is limited availability to public transport;

(ix) The safety of vehicles, pedestrians and cyclists is maintained; and

(x) There is adequate bin storage space other than on the hardstand.

(e) Where an allotment is subdivided to create a "battleaxe" shaped allotment, the access "handle" is to have a minimum width of 3.5m.

(f) On-site car parking (other than from rear lanes) is not acceptable in heritage conservation areas where it will:

(i) Break a consistent building line;

(ii) Introduce uncharacteristic elements within an established streetscape; and/or

(iii) Adversely impact on the integrity of the listed or contributory building or setting.

~~1~~2.8.~~4~~3 Design

(a) All car parking should be designed to complement the style, massing and detail of the dwelling to which it relates.

(b) Car parking is to be sympathetically integrated into the design of residences and to be secondary in area and appearance to the primary residence and related site.

(c) No element of the street façade/frontage of a building, including verandahs and window awnings are to be removed or demolished in order to accommodate car parking.

(d) Car parking is to preserve the natural features of the site and incorporate substantial screen planting to both the surrounds and any structure facing the street.

(e) Exposed natural rock faces and heritage listed sandstone walls must not be removed for any car parking.

(f) Vehicle access is not to remove existing street planting without consent. Any street tree approved for removal is to be replaced with two like mature species or Council- approved alternate species, where practicable in front of the subject site. If only one replacement tree is practicable in front of the subject site, the second replacement tree is to be planted preferably in another Council determined location in the street, or on the site itself.

(g) Where parking is provided to dual occupancies parking is to utilise shared access ways. Parking to dual occupancies is to be located behind the front building line and to utilise open spaces between residences preferably screened from the street.

(h) Where existing retaining walls form part of the streetscape any new garage is to have single vehicle width entries. Entry set within stone faced exterior walls of matching stone work to that in the streetscape. Stone facing to new garages is to incorporate whole stone return corners and not mitred or butt jointed veneer.

(i) Where gates are proposed they should have an open design to allow for improved security by way of street surveillance and are not to open over the footpath, ~~or~~ public nature strip or pedestrian path to the front door.

(j) All parking accommodation is to be constructed or installed so that any roof or surface water is disposed of into the existing stormwater drainage system.

(k) The surface and slope of driveways must be designed to facilitate stormwater infiltration on site such as the use of wheel strips or alternatively porous materials.

~~1~~2.8.~~4~~5 Dimensions

(a) Hardstand spaces, carports and garages should have minimum dimensions of 5.4m x 2.4m per vehicle.

(b) All car spaces are to accommodate the vehicle within the site without the vehicle or vehicle appendages overhanging the public domain.

~~(b)~~(c) Internal sliding or hinged gates are to be provided to hardstands/carports to ensure enclosure of the vehicle within the site.

~~1~~2.8.~~6~~5 Driveways

(a) Where possible driveways to off-street car parking should be located so they may provide vehicle access to adjacent properties.

(b) Provide a maximum of 1 vehicle crossing per property.

(c) Driveways are to be 3.0m wide at the gutter (excluding the splay) and may splay to the property boundary as required.

(d) Vehicle crossings will not be permitted where one off street parking space will result in the loss of two or more on street parking spaces.

(e) A street analysis is required illustrating the number of on-street spaces provided before and after the proposed vehicle crossing.

~~1~~2.9 LANDSCAPING AND OPEN SPACE

~~Landscaping provides a setting for residential development when viewed from the street and adjoining properties amenity for residents, as well as contributing to sustainable development outcomes.~~

Objectives

(a) To enhance the amenity and visual setting of the site, streetscape, and surrounding neighbourhood.
(b) To ensure the provision of open space in a size and arrangement that meets user requirements for recreation, service and storage needs, solar access and is well integrated with living areas.
(c) To retain and increase remnant populations of endemic flora and fauna.
(d) To maximise on site stormwater infiltration and minimise ~~off site~~ stormwater runoff.

Controls

(a) Development is to comply with the provisions of *Part B3 Landscaping and Biodiversity*.
~~(a)~~(b) A minimum of 40% of the total site area is to be provided as open space.
~~(b)~~(c) A minimum of 15% of the total site area is to be provided as landscaped area.
~~(c)~~(d) Each dwelling is to have a minimum of 25m^2 of private open space capable of being used for recreation.
~~(d)~~(e) Each dwelling in a detached dual occupancy development is to have a minimum open space area of 130m^2 including a private open space area having minimum dimensions of 5m x 5m located adjacent to the living area of each dwelling.
~~(e)~~(f) A minimum of 50% of the area between the front of the primary building and the street alignment is to be open space.
(g) A minimum of 50% of the open space provided at the front of the site is to be landscaped area.
~~(f)~~(h) Each dwelling is to have an outdoor clothes drying area to allow clothes to be dried naturally.

~~1~~2.10 SWIMMING POOLS AND SPA POOLS

This ~~p~~Part should be read in conjunction with ~~the~~ *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* which allows the construction of a swimming pool with a complying development certificate subject to certain criteria. Swimming pools ~~which~~ that do not satisfy those~~at~~ criteria are subject to the following objectives and controls.

All applications for swimming pools over 40,000 litres in capacity must be accompanied by a BASIX Certificate. ~~Please r~~Refer to ~~Part A2 – Submission Requirements~~the *Waverley Development Application Guide* for more information.

Objectives

(a) To protect significant trees and landscaping on the subject site and adjoining properties.
(b) To retain the visual and acoustic privacy of adjoining properties.
(c) To ensure the location of swimming pools and spa pools do not adversely impact upon adjoining properties and/or streetscapes.

Controls

(a) Swimming pools and spa pools must be located at the rear of the property.
(b) Swimming pools and spa pools should not be located within the side setback, between dwellings.
(c) In the case of a corner block, swimming pools and spa pools must not be located within the primary street frontage.
(d) Swimming pools and spa pools are to be setback from significant trees and landscaping in line with ~~*Australian Standard*~~ *AS4970-2009 - Protection of trees on development sites*.
(e) Where decking abuts any boundary, additional consideration must be given to the visual privacy of adjoining properties.
(f) Exposed pool structures must be screened if visible above ground.
(g) All pool equipment must be enclosed within an acoustically treated structure.

2.11 DORMER WINDOWS

~~Where it is proposed to utilise the existing building roof space by the inclusion of dormer windows, which are vertical windows that projects from a sloping roof and usually illuminates a room and provides more headroom on the first floor.~~

Objectives

(a) To ensure additions to roofs for the purposes of accommodation, are proportionate and complementary with the character of the dwelling and streetscape.

(b) To ensure where part of a semi-detached dwelling pair, row or group, the character of dormer and roof windows is consistent in all respects, to conserve the unity of the group.

Controls

(a) Where the height of the roof as measured from the gutter to the ridge is less than 2.5m, windows must be flush to the roof and limited to one per single fronted dwelling, or a pair on a double fronted dwelling. ~~Windows are to be centrally located on the roof.~~

(b) Each dormer window is to be contained within one dormer roof structure.

~~(b)~~(c) The ~~roof~~ ridge of any dormer roof structure ~~of any dormer~~ shall generally be a minimum of 300mm below the main ridge of the roof of the dwelling.

~~(c)~~(d) Where the dwelling is part of a semi-detached pair, row or group of like dwellings, any dormer or roof window must match the unity of the group and the total width of dormers should be no greater than 25% of the width of the roof.

(d) In terrace style dwellings, a ~~rear~~ skillion dormer may be permitted at the rear of the roof, provided the existing ridge line is maintained, the addition is set below the ridge and a side setback of minimum 900mm is maintained. In addition, the rear skillion dormer is not to extend beyond the rear gutter line.

~~1~~2.12 BATTLE AXE BLOCKS

A battle axe block is an allotment that has access to a road by an access laneway or 'handle'. Battle axe subdivision is not a preferred subdivision pattern in Waverley Council, however may be considered when it can be demonstrated that the subdivision will not negatively impact upon the streetscape character, or the amenity of surrounding developments.

~~Particular controls are required in order to minimise the impacts of battle axe block development to the amenity of adjacent and nearby residential dwellings.~~

Objectives

(a) To ensure battle axe block development achieves acceptable levels of quality building design, amenity, landscaping and access.

(b) To ensure development is of a size and scale that minimises adverse impacts on the amenity of adjoining residential properties.

(c) To minimise subdivision that results in battle axe blocks.

Controls

(a) Battle axe subdivision patterns will not be permitted within residential zones, unless it can be demonstrated that it is part of the prevailing subdivision pattern.

(b) Battle axe subdivision patterns must result in one (1) or more allotments fronting the street and only one (1) allotment being serviced by an access handle.

(c) Access corridors are to be located to ensure existing street trees are retained.

~~(a)~~(d) Dwellings on battle axe blocks are restricted to single storey in height. Exceptions may be considered where the lot (excluding the access handle) has a minimum area of 450m^2 ~~(not including the area of the access handle)~~, a minimum width of 12m and a minimum depth of 12m, and the building is able to achieve large setbacks to boundaries on all sides. In such circumstances it must be demonstrated that the proposed dwelling will have minimal detrimental impacts upon adjacent residential development and the proposal shall accord with other controls in *Part C1 Low Density Residential Development* of this DCP.

(b) The alignment of dwellings on battle axe blocks should take reference from the alignment of dwellings on adjacent sites. Where a dwelling cannot align with the predominant front and rear alignments of adjacent dwellings, it should be sited and orientated in a manner that will minimise amenity impacts on adjacent dwellings, while maximising the residential amenity to the proposed dwelling in terms of solar access and private open space.

(c) Access handles on battle axe blocks are to be a minimum of 3.5m in width and are to be landscaped in a manner complementary to the established character and streetscape of the area.

~~1~~2.13 SEMI-DETACHED DWELLINGS & TERRACE STYLE DEVELOPMENT

Semi-detached dwellings form a significant percentage of Waverley's existing housing stock and are being increased in numbers in the form of dual occupancies. Examples of semi-detached dwellings dating from the 1850's to the present are characterised by the principle of providing cohesive residences having the appearance of a more substantial single dwelling.

Objectives

(a) To ensure ~~Any~~ alterations and additions ~~to single dwelling, dual occupancy, terrace, and semi-detached dwelling developments need to~~ visually read as a~~n inclusive~~ cohesive part of the existing dwelling from the streetscape.

(b) Materials and detailing of design elements such as roof features~~, garages and car ports is~~ are to be of a high quality and reference existing architectural style and features.

(c) To identify and maintain the style, form and detail of any pair or group of attached buildings.

~~(c)~~(d) To maintain the original style, form and detail of ~~semi-detached dwellings~~ development ~~in order~~ to provide cohesion between ~~paired~~ semi-detached or attached buildings.

~~(d)~~(e) To maintain the appearance of ~~the~~ semi-detached ~~dwelling~~ development as one of a pair, demonstrating consistent scale, character and established streetscape values.

(f) To retain the ability of the adjoining residence to undertake comparable cohesive additions.

~~(e)~~(g) To ensure that ~~have~~ additions present ~~seen~~ as an extension of the historic form of the existing building envelope ~~cohesively related in form and detail to the existing semi-detached dwelling.~~ .

~~(f)~~(h) To ensure that the ~~D~~design of first floor additions provides for cohesion, both at the interface of dwellings resulting from additions to one dwelling and the overall form resulting from additions to both adjoining semi-detached dwellings.

Controls

~~1~~2.13.1 Built Form

~~Semi-detached dwellings exhibit a wide variety of stylistic forms ranging from mid Victorian to contemporary styles. Consideration of additions to a semi detached dwelling needs to begin with identification of and maintenance of the paired building's style, form and detail.~~

(a) The style of the built form must be identified and maintained across the pair or group of buildings.

~~(a)~~(b) The existing original style of the subject semi-detached dwelling is to form the basis of additions visible from the street.

~~(b)~~(c) The existing roof form is to be maintained forward of the principle ridge line with any addition located forward of the ridgeline to be secondary to the ridge and of lesser height.

~~(c)~~(d) The use of an attic room in the existing roof void of a semi-detached dwelling is permitted provided:

(i) Design controls for dormers are met;

(ii) No external balconies are proposed for the attic room;

(iii) The attic room maintains the existing roof form as the dominant aspect of the street frontage;
(iv) New works do not exceed the existing ridge height; and
(v) New works remain cohesive with the existing roof form, pitch and finish.

(e) Alterations to front verandahs are to be minimal and to maintain the existing verandah form, detail and finish and the relationship of the verandah to the front verandah of the adjoining semi-detached dwelling.

~~1~~2.13.2 First Floor Additions to Semi-detached Dwellings

~~First floor additions are the most common form of addition to semi-detached dwellings. First floor additions are constrained both by building alignment and the cohesive form and style of the existing paired dwellings. Expectations of extent and accommodation in first floor additions need to be gauged by the overall building size and the need for cohesion with the existing style and form of the paired dwellings.~~

(a) First floor additions are to be complementary to the overall building size and style.

~~(a)~~(b) Any first floor addition is to be set back from the principal street frontage in order to maintain a substantial portion of the existing front roof slope and any front verandah.

~~(b)~~(c) Where an existing roof incorporates a main gable oriented to the street, frontage additions are to be located a minimum of 1000mm behind the main gable front.

~~(c)~~(d) Where an existing roof has a principal transverse ridgeline, the bulk of the additions are to be located behind the ridgeline with the exception of secondary dormers or gables set into the front roof slope.

~~(d)~~(e) Where first floor additions extend forward of the existing ridgeline or apex of a hipped roof:
(i) The width of additions is limited to no more than 50% of the existing roof of the subject dwelling; and
(ii) Architectural elements of semi-detached dwellings are to be retained; and
(iii) The extent of the existing roof form is to be contiguous with the attached dwelling.

~~(e)~~(f) The bulk of any first floor addition is to be located to the rear areas of the dwelling.

~~(f)~~(g) Flat roof forms should only be employed where not seen from the street or surrounding an important viewing position in Heritage Conservation Areas.

~~(g)~~(h) Uncharacteristic roof forms and details are not considered appropriate if these impact on the streetscape character of adjoining or nearby semi-detached dwellings.

~~(h)~~(i) Roof forms which contribute excessively to the visual bulk of the building such as high skillion roof forms will not be permitted.

~~1~~2.13.3 Material Finishes and Detail for Semi-detached Dwellings

(a) Additions are to be cohesively integrated with the finishes and detail of the existing building.

~~(a)~~(b) The style, pitch, profile and colour of roofs to proposed additions are to match and complement the existing roof form of the dwelling.

~~(b)~~(c) Historic features of the existing roofscape are to be identified and where appropriate be incorporated into the proposed addition.

~~(c)~~(d) Dormer roof forms are to be used in a manner characteristic of the original style of the subject dwelling.

~~(d)~~(e) New roofing is to match the original roofing in material colour and profile. Where roofs of adjoining semi-detached dwellings are currently different to each other, new additions are to match the roofing of the adjacent semi-detached dwelling.

~~(e)~~(f) Windows to first and ground floor additions are to be in scale and proportionate to the original windows in the semi-detached dwelling.

~~(f)~~(g) Upper wall finishes are to reflect the style and character of the original building finishes.

~~1~~2.13.4 Interface with adjoining ~~s~~Semi-detached Dwellings

(a) First floor additions are to limit the rise of walls at the interface with the adjoining semi-detached dwelling to a height of 600mm.

(b) Any raised party wall is to be set behind the principle ridge line and / or mitigated by detailed design.

(c) Contemporary roof forms to the rear of traditional semi-detached dwellings may be acceptable if the visual impact to the street and the adjoining dwelling is minimised.

(d) Where first floor additions exist to the adjoining semi-detached dwelling, the original style and form of the semi-detached dwelling is to form the basis of first floor additions.

(e) Where symmetry or asymmetry is the dominant aspect of the original semi-detached dwelling pair, this is to be acknowledged in first floor additions.

~~1~~2.13.5 Side setback and courtyard design controls for terraces

(a) The common (or party) wall between a pair of terraces can be built with no side setback along the common boundary where it abuts an existing wall to the neighbouring property or where it can be reasonably expected that a wall to the neighbouring property would be constructed in the future.

(b) The outer side wall of the building (i.e. the wall that is not a shared wall or party wall), should be set back a minimum of 900mm from the outer side boundary (refer to Figure 12~~6~~).

(c) Part of the outer side wall may be built to the outer side boundary to create an internal courtyard. The wall on this boundary should generally be a maximum of 2.1m in height. Refer to Figure 12~~6~~.

(d) Internal courtyards must have a minimum 1.5m dimension.

(e) No openings are permitted for walls built to the side boundary.

(f) The extension should not encroach beyond the predominant rear building line (refer to Figure 12~~6~~).

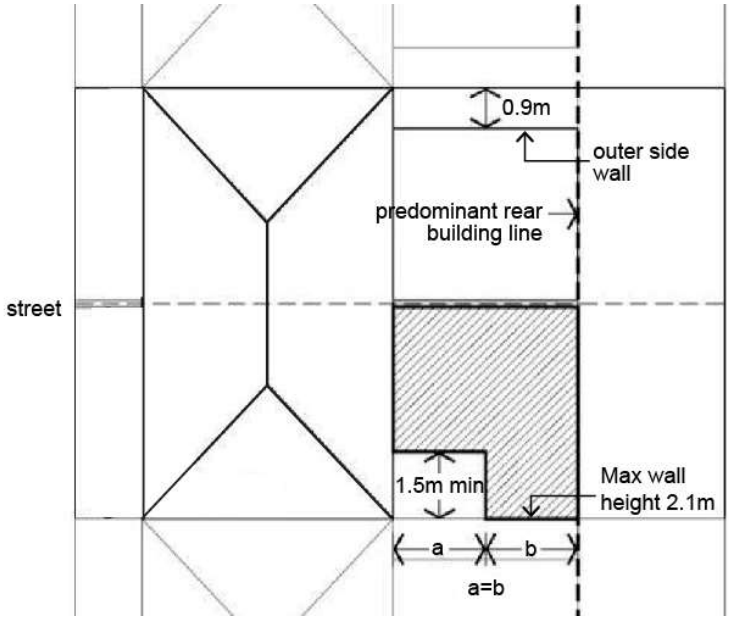


Figure 12~~6~~ Example of rear extension to terrace.

~~1~~2.13.6 Streetscape and visual impact controls for terraces

(a) Where there is a mix of 1 and 2 storey terrace style dwellings within a terrace group, additions to one of the single storey terrace style dwellings may be acceptable if the new storey reflects the character and detail of the ground floor facade.

(b) Extensions to the rear of an existing single storey terrace dwelling are to be no higher than the existing ridge.

(c) In the case of attic conversions, the main roof envelope of the existing dwelling should remain intact and any dormers should be proportional in size and scale with the existing roof.

(d) For further guidance, refer to ~~*Section 1*~~*Part C2.~~~~4~~*3 *Streetscape and Visual Impact*.

~~12~~.14 ~~LANEWAY~~ DUAL FRONTAGE DEVELOPMENT

~~The proposed use of laneway development is to be clearly specified. Where it is not proposed as a secondary dwelling the development should not include kitchen or bathroom facilities. Any proposal for the development to be used as a separate occupancy must comply with the relevant provisions for this type of use.~~

For the purposes of this section, the following definitions apply:

Dual frontage development
Where a lot has two frontages the development is dual frontage development.

Laneway development
Laneway development is a type of dual frontage development, and comprises a lot that has one primary frontage, and a secondary frontage to a lane where the predominant use of that lane is vehicle access and waste collection.

Objectives

(a) To ensure dual frontage development addresses the character of both frontages appropriately.
~~(a)~~(b) ~~M~~To maintain and improve the key function of a lane being the provision of access to and from a site.
~~(b)~~(c) To ensure bulk, scale and form of ~~laneway~~ dual frontage development does not have a detrimental impact on the established character of Heritage Conservation Areas.
~~(c)~~(d) To activate rear laneways:
  (i) Through improved passive surveillance;
  (ii) Through improved quality of construction and design; and
  (iii) By establishing opportunities for improved landscaping.
~~(d)~~(e) To maintain and enhance aesthetic qualities of Conservation Areas.
~~(e)~~(f) To maintain the amenity of existing residences within the Conservation Area.

Controls

2.14.1 General Controls

(a) In the case of a single occupancy on a dual frontage lot, the development is to nominate the primary and secondary frontage. Where the secondary frontage is to an otherwise primary road, consideration is to be given to the design and proposed uses of the development to maintain and improve amenity for the surrounding properties.
(b) Detached dual occupancy development, including detached secondary dwelling development, is to locate built forms appropriately to each frontage, and provide appropriate street addresses.
(c) Landscaped areas must be consistent with the requirements of *Part C2.9 Landscaping and Open Space.*
(d) Ancillary structures including garages are to contribute to the predominant streetscape of the surrounding area.
~~(a)~~(e) Orientation of ridgelines is to consider and minimise impact upon neighbours' amenity.

~~(b)~~(f) Dormer or other roof projections are to be set a minimum of 600mm from outer garage walls and to be set a minimum of 300mm below the garage ridgeline (refer to Figure 1~~4~~2).

~~(c)~~(g) Dormers or other roof projections are to have a maximum combined width not exceeding 50% of the associated roof width.

~~(d)~~(h) Dormers or other roof projections and openings to gable ends are to be detailed to minimise overlooking of neighbours properties.

~~(e)~~(i) To maintain neighbours privacy and amenity, windows and glazed doors to above garage accommodation and storage areas are to incorporate privacy screening, translucent glazing, offset windows or other discrete detailing, cohesive to the design of the building and setting.

~~(f)~~(j) Single width garage doors should incorporate an adjacent pass door for pedestrian usage.

~~(g)~~(k) Pass doors should incorporate off street enclosure for waste bin storage.

~~(h) The design of garages and studio structures are to incorporate a diversity of building and landscaping materials.~~

~~(i)~~(l) Garage studios and rear lane garage developments are to incorporate landscape planting. Landscaping is to include but not be limited to:

(i) Inset pockets for tree, shrub or vine planting;
(ii) Overhanging planters;
(iii) Setback planters; and
(iv) Green walls utilising mesh supported climbers or vertical emphasised tree or shrub species.

~~1~~2.14.2 ~~General design provisions~~Laneway design provisions

~~(j)~~(a) The external wall height of laneway development shall not exceed 3.6m and maximum height to the roof ridge shall not exceed 6m (refer to Figure 1~~1~~3).

~~(k)~~(b) Gabled roof ends facing side boundaries are only appropriate where the impact on neighbours is considered acceptable in terms of solar access, bulk and scale, and visual and acoustic privacy impacts.

~~(l)~~(c) Laneway development is to be designed with simple built forms, built at or very close to the lane alignment and is not to be seen from the primary street frontage (refer to Figures 1~~4~~2 and 1~~5~~3).

~~(m)~~(d) Laneway development design should incorporate a pitched roof. Skillion roofs located behind parapets may be acceptable in some instances where the prevailing laneway development is consistent with such an approach and where it will result in fewer impacts to the amenity of adjacent properties.

~~(n)~~(e) Development along lanes is to maintain the prevalence of mature, regularly spaced street trees and bushes, as well as mature and visually significant trees on private land. Laneway development should not occur if it will result in a significant alteration to the landscape character of the laneway.

~~(o) Landscaped areas must be consistent with the requirements in Section 1.12 – Landscaping and Open Space of this DCP.~~

~~(p)~~(f) External stairs are not acceptable in order to protect the visual and acoustic privacy of adjoining properties and to maintain an appropriate aesthetic quality of the development.

(g) Rear lane garages are to employ gable ended and hipped roof forms with continuous roof pitch from outer walls to ridgeline.

~~(q)~~

~~1~~2.14.3 D~~Laneway d~~evelopment in Heritage Conservation Areas

Garage Articulation

(a) Garage doors are to be limited to single vehicle widths, with central divide to double vehicle garages (refer to Figure 1~~4~~3).

(b) Roof forms are to reflect those of the Conservation Area in pitch and modulation.

(c) Garage/studio finishes are to reflect the finishes and proportions of traditional construction in the Conservation Area~~s~~.

(d) Proportions of openings to studios are to maintain the proportions and voids to solid ratios of traditional construction in the Conservation Area.

(e) Windows to above garage studios are to be designed to minimise overlooking of surrounding properties both adjacent to the site and on opposing sides of laneways. Outlook is to be directed into the associated property or into the rear lane.

(f) Treatment of windows and glazed openings to studios is to incorporate privacy screening to or from neighbouring sites including but not limited to obscure glazing, window hoods, awnings and recessed window planes.

~~(a)~~ Garage studio structures are to be visibly separate from the associated residence. Yard areas and private open space areas are not to be roofed.

(g)

~~(h)~~ The massing and roof line of garage/studio structures are to align with garage/studios on neighbouring sites. Box gutters on side boundaries are to be avoided.

~~**Solar Panels**~~

~~(b)~~(h) Solar collection panels are to be located to inner roof slopes facing the associated residence or to roof slopes facing side boundaries.

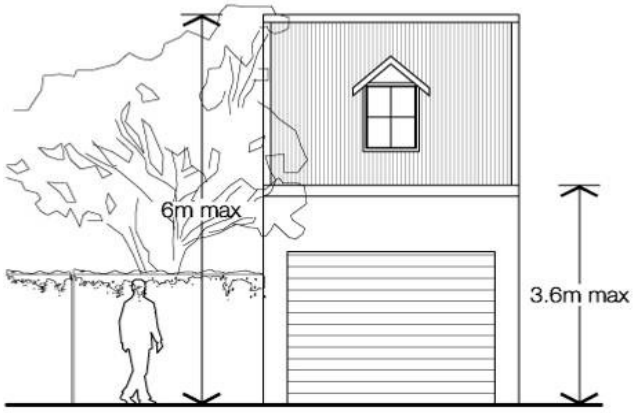


Figure 1~~3~~1 Maximum overall and external wall height for laneway development

Figure 1~~42~~ Example of acceptable designs for laneway development

Figure 1~~3~~5 Laneway development should not be visible from the primary street frontage

~~1~~2.15 DUAL OCCUPANCY DEVELOPMENT

~~The objectives and controls in this section aim to facilitate an acceptable size and bulk of dual occupancy development that maintains a satisfactory relationship with adjoining development and the wider street context.~~

This section does not apply to secondary dwellings, also known as granny flats (refer to ~~Section~~ Part C~~1~~2.16 Secondary Dwellings and Ancillary Structures).

Objectives

(a) To ensure that the size and bulk of dual occupancy development is in character with surrounding development and streetscape.

(b) To ensure that the size and bulk of new buildings and alterations and additions to dual occupancy developments do not result in unreasonable impacts on neighbouring properties.

Controls

(a) The allotment area for a dual occupancy development must be consistent with the following:
  (i) 450m^2 or more where the two dwellings are attached; or
  (ii) 600m^2 or more where the two dwellings are detached.

(b) Attached dual occupancy development should be designed so as to have the appearance from the street of a single dwelling.

(c) In the case of a detached dual occupancy, any second building must:
  (i) A~~a~~ddress a ~~second~~ street or laneway;
  (ii) H~~h~~ave a maximum gross floor area of 110m^2; and
  (iii) N~~n~~ot exceed the maximum FSR for the site, as calculated for the whole site.

(d) A detached dual occupancy must provide a minimum 5.5m courtyard area between each dwelling.

~~(e) Section 1.14 Laneway Development also applies to a detached dual occupancy where a second building addresses a laneway.~~

~~1~~2.16 SECONDARY DWELLINGS AND ANCILLARY BUILDINGS

State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) permits secondary dwellings in all residential zones and includes development standards for secondary dwellings. This Part provides additional development ~~guides~~ controls that are to~~may~~ be read in conjunction with the SEPP. Where there is an inconsistency between the ARHSEPP and this DCP, the development standards in the ARHSEPP prevail.

~~Secondary dwellings and ancillary buildings must clearly read as secondary structures associated with the principal dwelling. The objectives and controls in this Part aim to ensure that the bulk and scale of these structures is appropriate in relation to the principal dwelling and the locality.~~

Objectives

(a) To ensure secondary dwellings and ancillary development achieve acceptable levels of building design, amenity, landscaping, access and security.
(b) To limit the bulk and scale of secondary dwellings and ancillary development.
(c) To avoid excessive development of existing landscaped areas and open space of dwellings.
(d) To minimise the adverse amenity impacts of secondary dwellings and ancillary buildings on adjoining properties.
(e) To ensure secondary dwellings and ancillary development enhances the streetscapes of laneways and primary streets.

Controls

~~1~~2.16.1 Secondary Dwellings

(a) Secondary dwellings are to comply with the provisions of Clause 5.4(9) of WLEP 2012. Where secondary dwellings are proposed to address the rear lane, the ~~development guides~~provisions in *Part C2~~1~~.1~~4~~5 ~~–~~ ~~Laneway Development~~Dual Frontage Development* will also apply.
(b) Any detached secondary dwelling or ancillary building must clearly read as a secondary structure associated with the principle dwelling.
(c) The principal dwelling plus any ancillary structures, including secondary dwellings, are to comply with the controls in *Part C2 Low Density Residential Development* for site coverage, side setbacks, minimum landscaped area, private open space, and height controls.
(d) Conversions of existing outbuildings will only be considered where the building meets the standards required by the National Construction Code.
(e) Secondary dwellings are not to significantly impact upon the privacy and amenity of neighbouring properties.
(f) Secondary Dwellings must comply with the provisions of Part B1 Waste and provide storage for waste in addition to the primary dwelling.
(g) Parking permits will not be permitted for residents of a secondary dwelling.
(h) Secondary dwellings are to be single storey only, with an overall maximum height of 3m.

~~1~~2.16.2 Ancillary Development

(a) Ancillary buildings are to be minor buildings, integrated into the landscaped open space area of the dwelling, with the floor area of all ancillary buildings on an allotment not exceeding 10% of the allotment size.

(b) The wall height of the ancillary buildings on a property boundary shall not exceed 2.1m.

~~(c)~~ The maximum height of ancillary buildings is not to exceed 2.4m.

~~(d)~~(c)

~~(e)~~(d) The design of the roof of ancillary buildings should not conflict aesthetically with the design of the principal building on the site or with adjoining development.

C3 MEDIUM DENSITY MULTI RESIDENTIAL DEVELOPMENT

This Part applies to the residential components of:

- Multi dwelling housing;
- Multi dwelling housing (terraces);
- Manor Houses;
- Attached Dwellings; and
- Shop top housing, residential flat buildings and mixed use developments that are not subject to SEPP 65.

Development is to comply with the provisions of this part, as well as other relevant parts of this DCP. Where there are inconsistencies, the provisions of this Part shall prevail to the extent of the inconsistency.

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3~~2~~.1~~2~~ SITE, SCALE AND FRONTAGE

~~The objectives and controls in this section aim to facilitate an acceptable size and bulk of development that maintains a satisfactory relationship with adjoining development and the wider street context.~~

~~As FSRs are determined by the size of the allotment, compliance with FSR controls, in itself, does not ensure a building is in scale with the general streetscape and adjoining development and must be applied in conjunction with the other key building envelope controls including building height and setback controls.~~

~~The Waverley Council Planning Agreement Policy 2014 applies to any development application seeking to vary a development standard under Waverley LEP 2012.~~

Objectives

(a) To ensure lot size and dimension are able to accommodate the appropriate building envelope, landscaping and service requirements.

(b) To ensure development sites have adequate street frontage to meet side setback and building requirements.

(c) To ~~have~~ ensure lot sizes ~~and~~ and~~a~~ building forms are appropriate to the streetscape.

(d) To provide guidance on the appropriate scale of development to complement the FSR controls within the WLEP.

~~(c)~~ To encourage amalgamation of allotments to provide for improved design outcomes.

~~(d)~~(e)

Controls

~~(a) The maximum floor space ratio (FSR) is set by Clause 4.4 of WLEP 2012 and the FSR Map.~~

~~(b)~~(a) Lot sizes and dimensions must enable development to be sited to meet the site and building design controls outlined in this Part.

~~(c)~~(b) Lot sizes and dimensions must enable development to be sited to protect the natural or cultural features of the site and avoid significant changes to the natural topography.

~~(d)~~(c) Development is ~~encouraged to amalgamate narrow sites and no~~not to result in ~~t~~ isolated ~~a~~ sites ~~with less than the minimum developable site frontage which are:~~ with a minimum street frontage of:

(i) ~~A minimum street frontage of~~ 15m or less ~~is required~~ for R3 zones.

(ii) ~~A minimum street frontage of~~ 20m ~~is required~~or less for R4 zones.

~~2~~3.~~2~~3 HEIGHT

~~Building height is one of the most important design elements that influence the overall appearance of residential buildings and character of a streetscape and the amenity of adjoining properties. The height of building standards are outlined in WLEP 2012. This Part provides additional design guidance and prescribes maximum external wall heights that complement the overall heights identified in WLEP 2012.~~

~~The Waverley Council Planning Agreement Policy 2014 applies to any development application seeking to vary a development standard under Waverley LEP 2012.~~

Objectives

(a) To ensure future development responds to the desired scale and character of the street and local area.
(b) To minimise the impact of attics and basement car parks on the overall building height.
(c) To provide good residential amenity for ~~apartments~~dwellings.

Controls

~~(a) The maximum building height is as set by Clause 4.3 of the WLEP 2012 and the Height of Buildings Map.~~

~~(b)~~(a) Development must comply with ~~the LEP maximum building height and~~ the maximum external wall height (refer to Figures 1~~6~~7 - 1~~8~~9), as set in Table 2 below:

Zoning	~~Overall~~ WLEP 2012 Height	Max external wall height
R3	9.5m	7m
R3	12.5m	9.5m
R4	20m	17m
R4	28m	25m

Table 2 Height requirements

~~(c)~~(b) ~~Where it is proposed to build beyond the maximum wall height, the onus is upon the applicant to justify that the proposed wall height is appropriate.~~ Council may consider a varied wall height where the following matters are addressed~~Matters that must be addressed in justifying the wall height include, but are not limited to~~:

(i) Compliance with Floor Space Ratio development standard;
~~(i)~~(ii) Compliance with Height development standard;
~~(ii)~~(iii) Compliance with side setback controls;
~~(iii)~~(iv) Visual aspect of the bulk and scale, as viewed from the private open space and living areas of adjoining properties;
~~(iv)~~(v) Amenity of adjacent properties with regard to sunlight, visual and acoustic privacy and views; and
~~(v)~~(vi) A high design quality is achieved.

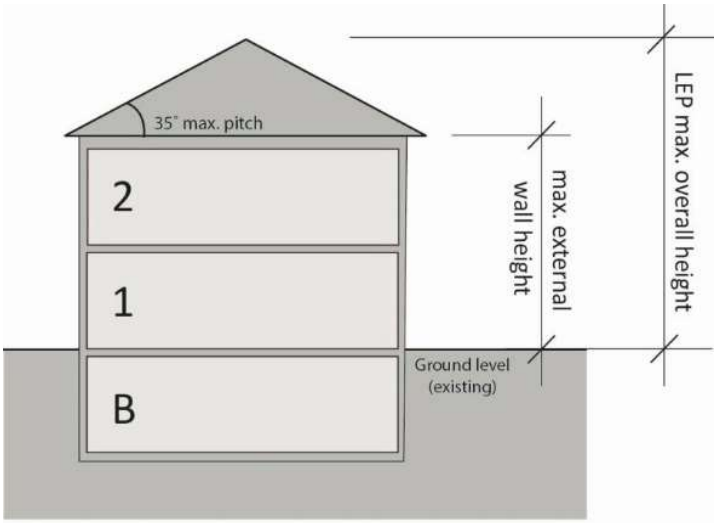

Figure 1~~7~~6 How to measure height for a pitched roof building

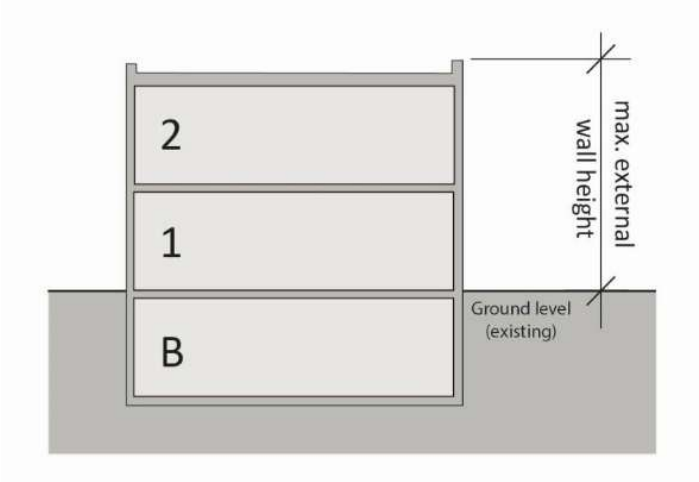

Figure 1~~8~~7 How to measure height for a flat roof building

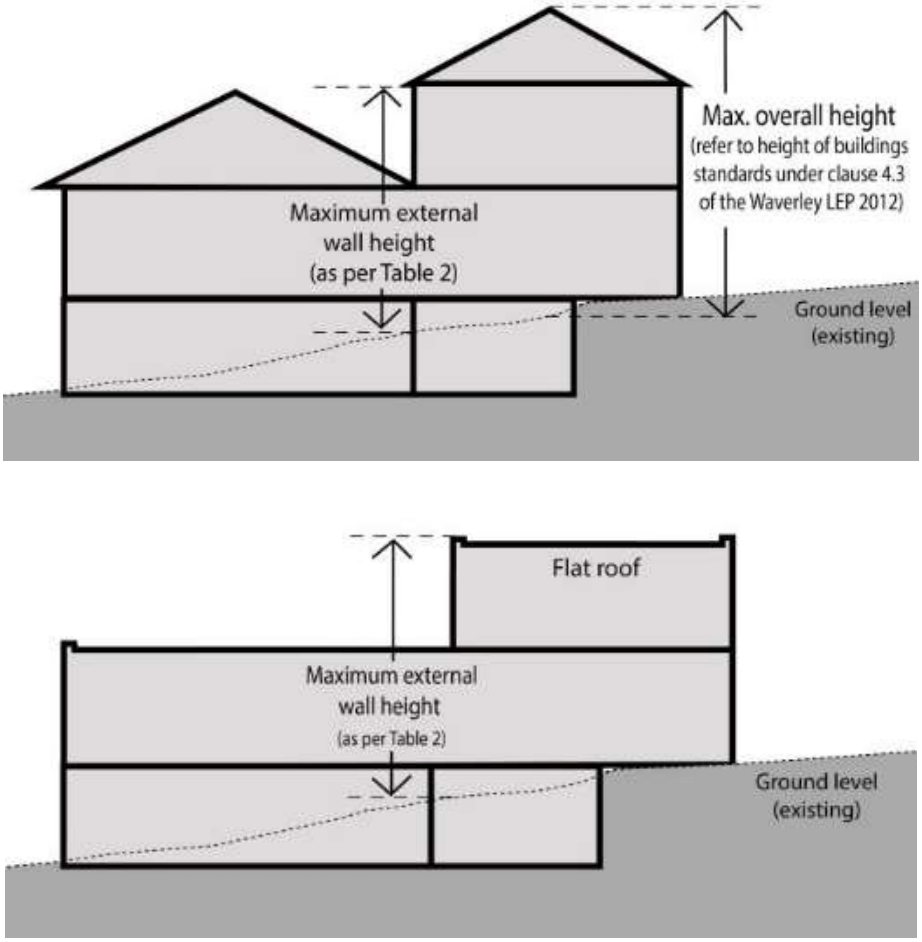

Figure 1~~8~~9 How to measure height on sloping land

3.35 SETBACKS

~~The setbacks of buildings to boundaries influence the building bulk, appearance in the streetscape, relationship and impact on adjoining properties.~~

~~Continuity in setbacks can provide rhythm and add character to residential streets, provide views and glimpses of local and distant landmarks and can provide access to the rear of properties.~~

~~Setbacks also provide amenity to existing and proposed housing through the maintenance and provision of privacy, ventilation and solar access. Generally setbacks increase with building height.~~

~~A variation to the setback controls will only be accepted if it is demonstrated that the proposed setbacks provide a better outcome than compliant setbacks would.~~

~~2.5.1~~3.3.1 Street Setbacks

Objectives

(a) To integrate new development within the established setback character of the street.
(b) To provide a transition between public and private space.
(c) To assist in achieving visual privacy to ~~apartments~~ dwellings from the street.
(d) To ensure developments preserve and contribute to the landscape character of the street.

Controls

(a) Street setbacks must be consistent with the predominant building line setback along the street.
(b) Where there is no predominant building line, setbacks will be assessed on the merits of the proposal.
(c) The front setback is to be free of any ~~above or~~ below ground structures.
~~(c)~~(d) An increase in setbacks may be required to retain existing trees.
~~(d)~~(e) The front setback is to have a soil depth to support mature trees and shrubs that contribute to the streetscape and the amenity of the public domain.
~~(e)~~(f) Where the property is adjacent to a Council park or reserve, no portion of the proposed development including the footings, gates, roof eaves and fences are to encroach over the Council land.
~~(f)~~(g) Setbacks above street frontage height are to be included where the adjacent building includes upper levels setbacks.

~~2.5.2~~3.3.2 Side and Rear Setbacks

Objectives

(a) To provide for visual relief and reduce perceived bulk between buildings
(b) To ~~maximise building separation providing~~provide for visual and acoustic privacy, solar access, air circulation and maintaining views between buildings.

(c) To retain and reinforce existing mature vegetation to maximise natural site drainage, ~~and~~ protect the water table, and provide screen planting.

(d) To provide sufficient space for new mature landscaping that positively contributes to the landscape of the site, and its presence in the streetscape.

Controls

(a) New buildings and extensions to existing buildings are to provide a minimum 6m rear setback, or extend no further to the rear than the predominant rear building line, whichever is the greater setback. The predominant rear setback is determined separately for each level.

(b) Side setbacks are to be consistent with Table 3.

Height (in storeys)	Side setback (min.)
Height up to 8.5m	0.9m
Height up to 12.5m	1.5m
Height above 12.5m	1.5 – 2.5m

Table 3 Minimum side setbacks

~~(a)~~(c) Council may require additional setbacks to ensure adequate solar access to adjacent buildings and privacy or to minimise view loss (refer to Figure 21). In particular, additional setbacks will be required for the following:

(i) Eeast-west orientated lots

(ii) Wwhere there is a predominant rear building alignment

(iii) Ssteep topography

(iv) ~~r~~Retention and protection of significant trees

~~(b)~~(d) A landscaped deep soil area of 2m must be provided along one side boundary at a minimum.

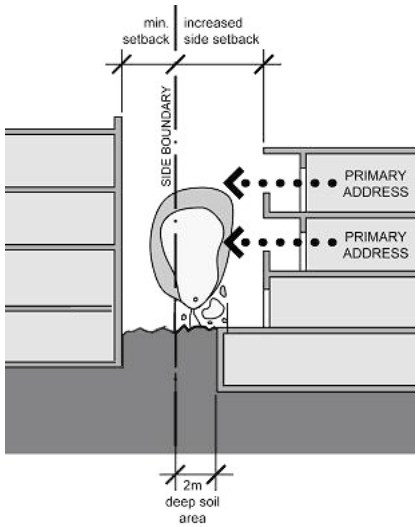

Figure 19~~21~~ Side setbacks

~~2.~~3.~~46~~LENGTH AND DEPTH OF BUILDINGS

~~The depth of buildings contributes to the amenity of occupants by providing adequate access to sunlight and ventilation. The length of buildings contributes to the existing streetscape by ensuring long walls are not created.~~

Objectives

(a) To ensure development responds to the existing subdivision pattern and the scale of surrounding buildings.
(b) To continue the pattern of sightlines through to the rear of blocks between buildings along the street.
(c) To have a high standard of amenity for occupants of dwellings.

Controls

(a) The maximum length of a building along a~~the~~ street is 24m (refer to Figure 20~~2~~).
(b) Within the maximum length, buildings must be articulated to respond to the established pattern of existing building length along the street.
(c) The m~~M~~aximum depth of any ~~apartment~~ residential flat building ~~including balconies~~ is to be 18m.
~~(d) Single aspect apartments should be limited in depth to 8m from a window.~~

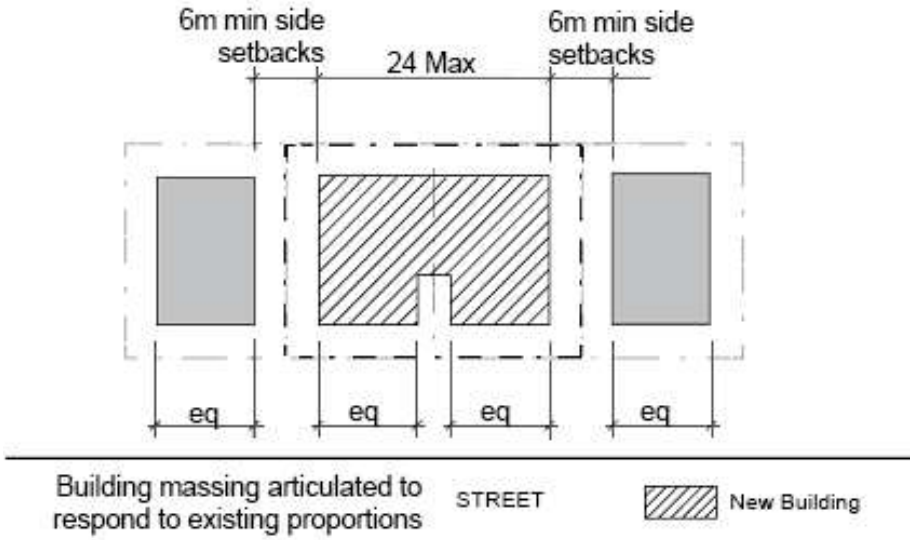

Figure 22 Building length controls

2.7 Building Separation

Building separation is an important determinant in urban form. Buildings which are too close together create amenity problems for the building, for the space between and for neighbouring buildings. Building separation controls should be considered in conjunction with height and private and communal open space controls.

Objectives

(a) To provide visual and acoustic privacy for residents.
(b) To ensure new development is scaled to maintain the desired character of the area with appropriate massing and spaces between buildings.
(c) To allow for the development of smaller infill sites where existing adjacent building setbacks result in unbalanced building separation requirements.

Controls

(a) The building separation for internal courtyards and adjoining sites increases in proportion to building height in accordance with the following minimum dimensions:

Height	Between habitable rooms & balconies	Between habitable rooms/ balconies & non habitable rooms	Between non-habitable rooms
Up to 4 storeys (12m)	12m	9m	6m
5 – 8 storeys (25m)	18m	13m	9m
9 storeys and above (over 25m)	24m	18m	12m

Table 3 **Building separation requirements**

~~2.~~3.5~~8~~ BUILDING DESIGN AND STREETSCAPE

~~High quality streetscape character concerns not only the incoming occupants of housing, but also their neighbours and the wider community. Streetscape encompasses building, street and landscape design and includes all adjacent buildings, landscaping and fencing, traffic treatments, paths, driveways, street surfaces and utility services. The spatial arrangement of these components and their visual appearance determine the streetscape character of an area.~~

~~The contributory elements of a streetscape should be considered in building design.~~

Objectives

(a) To have development of a scale and appearance in keeping with the street.
(b) To design residential development to respond to the streetscape character.
(c) To promote high quality architectural design.
(d) To ensure alterations and additions maintain the original architectural character of existing residential flat buildings.
(e) To ensure that contributory elements of a streetscape are considered in building design.
~~(d)~~(f) To ensure neighbourhoods and streetscapes are have a rich character.

Controls

(a) Building design is to respond to the existing streetscape character of the area.
(b) The design of alterations and additions should demonstrate architectural ~~unity~~ compatibility with the existing building.
(c) The colour and ~~surface~~ finish of external ~~finishes~~ materials should be sympathetic to the streetscape and contribute to the overall appearance of the building.
(d) For developments on corner sites, both street frontages are to present as the primary street frontage. ~~each frontage of the development must present as the primary street frontage.~~
(e) ~~Avoid the~~ The removal of original architectural details and finishes is not supported~~,~~ including; ~~avoiding~~ painting face brick work or sandstone, replacing timber with aluminium or replacing unglazed terra cotta tiles or slate.

~~2.~~3.6~~9~~ ATTIC AND ROOF DESIGN

~~Roof design is an important element of the overall design of a building and how it relates to the surrounding streetscape. This Part includes guidelines for attic and roof design in the R3 and R4 zones. These guidelines should be read in conjunction with 2.3 Height.~~

Definition: An attic is a ~~top level extension of floor area~~ room contained wholly within a pitched roof ~~section of an existing or newly proposed building envelope., being ancillary to the main form of the building (refer to Figure 23).~~

Objectives

(a) To ensure attic rooms achieve good residential amenity and environmental performance.

(b) To minimise the impact of attic ~~levels~~ rooms on the ~~streetscape and~~ amenity of adjoining properties.

(c) To allow a variety of roof forms in response to the scale and character of the building and streetscape.

~~(d) To broaden the dwelling mix by creating opportunities for larger-sized units on the uppermost storey.~~

Controls

(a) Roof design should contribute to the architectural ~~overall~~ design and the environmental performance of the development.

(b) Roof design should ~~contribute~~respond to the streetscape character of the area.

~~(b)~~(c) Contemporary roof forms are permitted to minimise bulk and scale, and respond appropriately to the context.

(d) An attic ~~level~~ must be ~~fully~~ wholly contained within ~~the~~ a pitched roof form; that is a hipped or gabled roof, but not a flat or skillion roof.~~roof form.~~

~~(c)~~(e) Attic levels must:

(i) Ensure the pitched roof form is the major visual element of the roof and must respond to the context;~~.~~

(ii) Not exceed 50% of the floor area of the floor below;~~.~~

(iii) Not contain independent dwellings and must be ~~connected to a unit on the level below~~ accessed via internal stairs only; and~~.~~

(iv) Be ~~cross~~ naturally ventilated using cross or stack ventilation.

~~(d)~~(f) Attic rooms must have a minimum width of 3m and must have a minimum floor to ceiling height of 2.4m, for at least two thirds of the floor area of the room (refer to Figure 23).

~~(e)~~(g) Dormer windows and skylights ~~and the like~~ are to be less than 50% of the area of the roof elevation.

~~(f)~~(h) Attic additions must not contain a single expansive dormer window ~~dormer extending the entire length of building~~. Multiple smaller dormers are preferred~~,~~ where ~~necessary and~~ appropriate.

(j) Where dormer ~~windows~~ structures are proposed they must:

(i) Be secondary to the primary roof structure; and

~~(j)~~(ii) ~~b~~Be set down a minimum of 300mm from the main ridge line.

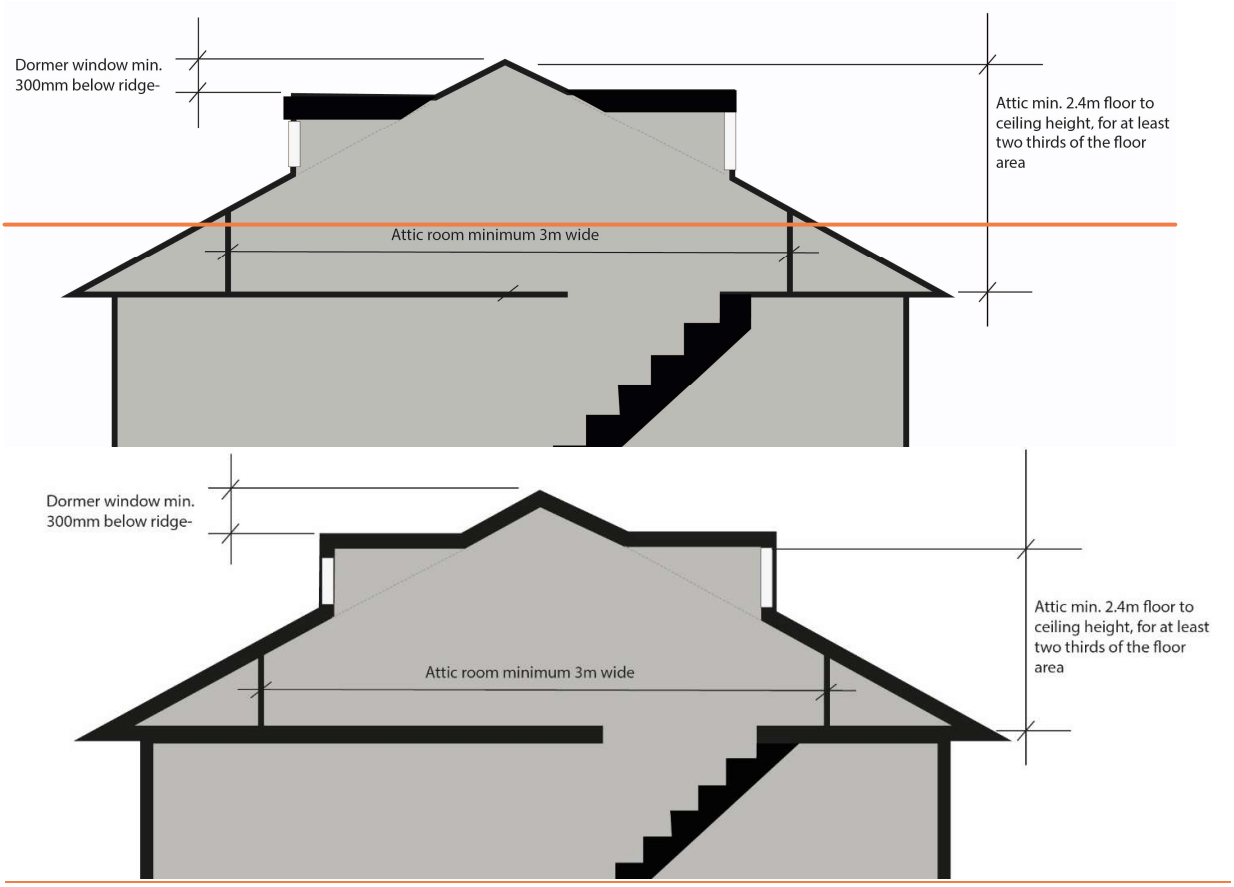

Figure 23 Pitched roof minimum attic dimensions

~~2.~~3.7~~10~~ FENCES AND WALLS

~~The appropriate design of fencing can assist in the achievement of architectural uniformity and streetscape cohesion.~~

Objectives

(a) To define boundaries between communal and private areas within the site and to provide privacy and security for the development.
~~(a)~~(b) To promote a cohesive streetscape.
~~(b)~~(c) To ensure fencing contributes positively to the streetscape or adjoining park.
~~(c)~~(d) To ensure boundary treatments of properties adjoining parks are consistent with the materials palette in the relevant plan of management to maintain the amenity of parks.

Controls

(a) Front fences are to be provided where it is a predominant character of the street frontage within a street block.
(b) Front fences must not exceed 1.2m in height. On sloping sites, the height is averaged so that fences step down the street.
(c) Front fences must have a maximum proportion of two thirds solid to one third open design.
(d) Council may permit front fences up to a height of 1.8m ~~and/or~~ of solid material provided it can be shown that the fence acts as an effective noise barrier as a result of adjoining a street with high traffic volume. Such fences are to be setback from the boundary to allow landscaping to soften the bulk or the structure is to be articulated as an alternative to a solid blank wall.
(e) Rear and side fences behind the building line must not exceed 1.8m in height.
~~(e)~~(f) Side fences must taper down from the front building line to the front boundary fence.
~~(f)~~(g) Fences are to respond to the architectural character of the street in terms of materials used, predominant height, vertical/horizontal rhythm and predominant setback.
~~(g)~~(h) Fences are to clearly delineate between public, communal and private areas.
~~(h)~~(i) Fencing is to be designed so that sightlines between pedestrians and vehicles exiting the site are not obscured and gates do not open over the public roadway or footpath or into parks.
(j) All boundary treatments for properties adjoining parks are consistent with the material palette from the relevant plan of management.
~~(i)~~(k) The design of fences should generally relate to the period and architectural style of building and help to integrate development into the existing streetscape.

3.8~~2~~ PEDESTRIAN ACCESS AND ENTRY

~~Access to a building should give priority to achieving high quality, accessible and safe pedestrian access to all people who live and visit the development.~~

Objectives

(a) To ensure developments provide high quality, accessible and safe pedestrian access to all people who live in and visit the development.

~~(a)~~(b) To create entrances which provide a desirable residential identity for the development to orientate visitor(s).

~~(b)~~(c) To contribute positively to the streetscape and building façade design.

~~(c)~~(d) To promote development that has~~with~~ a strong connection to the street and contributes to the accessibility of the public domain.

Controls

(a) Provide main building entries at street level which respond to patterns in the streetscape. Refer to Figure 24. ~~in terms of design for high-sided and low-sided streets (see Figure 24).~~

(b) P~~P~~rovide an accessible path of travel from the street to and through the front door of all ~~units~~ dwellings on the ground floor~~, where the level of the land permits.~~.

~~(b)~~(c) To increase accessibility, applicants should consider providing l~~L~~ifts ~~should be provided~~ in ~~all~~ buildings of more than two habitable levels.

~~(c)~~(d) Separate and clearly distinguish between pedestrian access ways and vehicle access ways/building service areas (e.g. garbage rooms).

~~(d) Provide a pedestrian doorway into basement car parking, in addition to vehicle opening, to enable improved pedestrian access to and from basement car parks.~~

(e) Locate entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian footpath.

(f) Provide main building entries that are legible, safe and well lit.

(g) Provide as direct a physical connection as possible between the street and the building entry.

(h) Where appropriate, provide individual ground floor ~~apartment~~ dwelling entries ~~which~~ that address the street.

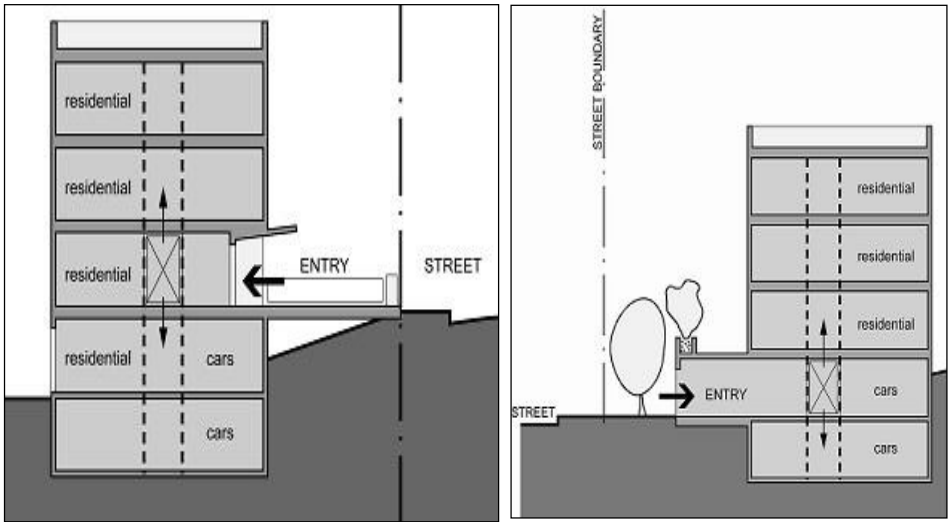

Figure 24 Entry level at low and high side of the street

~~2.1~~3.9~~3~~ LANDSCAPING

~~Landscaping plays an important role in the preservation of wildlife habitat, contributes to and reinforces streetscape character, can improve the energy efficiency and solar efficiency of buildings and the microclimate of private open space.~~

Definition:

The definition of 'landscaped area' is the same as the definition adopted in the WLEP 2012 and is defined as "*a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area*."~~.~~

Objectives

(a) To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.

~~(a)~~(b) To encourage mature and substantial tree planting to improve the amenity of developments.

~~(b)~~(c) To allow for landscaping to provide screening between buildings.

~~(c)~~(d) To ensure landscaped areas are useable and maintainable spaces that contribute to the existing landscape character of the street.

(e) To minimise the extent of impervious areas and facilitate rainwater infiltration.

~~(d)~~(f) To influence the microclimate of open space within the development.

~~(e)(a) To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.~~

Controls

(a) Development is to comply with the provisions of *Part B3 Landscaping and Biodiversity*.

~~(a)~~(b) 30% of the site area is to be provided as landscaped area.

~~(b)~~(c) 50% of the landscaped area ~~required in (a) above~~ must be deep soil zone.

(d) Where site conditions allow, the deep soil zone is to be consolidated as one area to assist the ease of drainage and to allow for effective deep soil planting.

~~2.1~~3.10~~4~~ COMMUNAL ~~OPEN~~ SPACE

~~Communal open space plays an important role in a development where minimum private open space can be provided, encourages resident interaction and provides for landscaping.~~

Objectives

(a) To provide communal indoor and ~~ground floor~~outdoor areas of high design quality.
(b) To provide space to encourage interaction between residents.
~~(a)~~
~~(b)~~(c) To encourage a positive ~~street and identity~~street address for the development.
~~(c)~~(d) To provide residents with recreational opportunities.
~~(d)~~(e) To provide a pleasant outlook for development.

Controls

(a) 15% of the total site area for development in the R3 zone is to be provided as consolidated communal open space.
(b) 25% of the total site area for development in the R4 zone is to be provided for R4 as consolidated communal open space.
(c) Communal open space is to:
  (i) Be consolidated into a useable area with a minimum dimension of 6m x 6m.
  (ii) Be located so that solar access is maximised.
  (iii) Provide a landscape buffer between buildings.
  ~~(iii)~~(iv) Be designed to a high quality, and allow for landscaping and seating.
  ~~(iv)~~(v) Demonstrate that its size and dimensions allow for a variety of uses, complementary to balconies and private courtyards. These may include active recreation (BBQ or play areas) or passive amenity (shade trees/structures, water features, seating).
(d) Communal open space may be provided on a podium or roof-top terrace provided the controls within this Part are met.
(e) In considering ~~the creation of~~ a roof-top terrace or deck, Council will consider the magnitude of the impact on both privacy and noise for neighbouring residents, with the reasonableness of the proposal. ~~Table 4 indicates the minimum soil depths to be provided.~~
(f) Where developments are unable to achieve the recommended communal open space, such as small developments (5 or less dwellings) or sites within business zones, they ~~should~~must:
  (i) ~~P~~provide quality communal indoor ~~spaces~~space ~~elsewhere~~within the development; and/or
  (ii) ~~P~~provide significantly larger balconies or greatly increased private open space for ~~apartments~~dwellings; and/or
  (iii) ~~D~~demonstrate ~~great~~ proximity to public open space and facilities; and/or
  (iv) ~~P~~provide significant contributions to public open space.

~~When a development is able to achieve the recommended communal open space but the developer particularly wishes to deliver the above alternatives instead, these must be delivered to an exceptional degree.~~

(g) At least 30% of the communal ~~area~~open space is to receive 3 hours of direct sunlight between 9am and 3pm on June 21.

(h) Communal open space is to be accessible to all dwellings within a development.

(i) A continuous accessible pathway of travel is to be provided from all entrances to all of the common facilities on site.

(j) All facilities in communal areas are to be constructed so as to enable their use by people with disabilities.

3.115 PRIVATE OPEN SPACE

~~Private open space is a key component in contributing to the amenity of the dwelling and can fulfill a number of different functions, including:~~

- ~~The extension of living areas for entertaining, eating and relaxing;~~
- ~~Utility storage and space, including clothes line and drying areas, compost bins, tools and equipment, and outdoor furniture;~~
- ~~Providing an area where planting and landscaping can occur to soften the built form, enhance the appearance of the space, provide shade and comfort to the outdoor space, and supplement household food requirements.~~

Objectives

(a) To provide all ~~apartments~~ dwellings with ~~secure~~ access to private open space.
(b) To provide private open space of useable proportions.
(c) To ensure solar access and privacy for private open spaces.
(d) To ensure balconies are integrated into the overall architectural form and detail of the building.
~~(d)~~(e) To balance the provision of private open space with the provision of solar access and amenity within the dwellings.
~~(e)~~(f) To protect the privacy of residents within and around the development.

Controls

(a) Private open space is to have a northerly~~n~~ aspect where practicable.
(b) Private open space is to be provided for at least 75% of dwellings and may be in the form of a courtyard, deck, ~~or~~ balcony or the like.
(c) Swimming pools are not to be included in any calculation of ~~consolidated~~ private open space area.
(d) Private open space is to be directly accessible from the main living area of the dwelling.

~~2.15.1~~3.11.1 Courtyards

(a) Private courtyards must have the following minimum dimensions:
  (i) Minimum 25m^2 area; and
  (ii) Minimum width and depth of 3m.
(b) Provide opportunity for planting in private courtyards, including access to deep soil zones wherever possible.
(c) Private open space is not to be provided at the front of the building unless a landscape buffer between the private open space and the street is provided.
(d) Provide a clear distinction, and adequate privacy, between private court~~s~~yards and public/common open space~~, e.g. a change in level can distinguish private courtyards from common areas.~~.
(e) Private courtyards are to have a maximum gradient of 1 in 10.
(f) Sun screens, pergolas, shutters and operable walls are to be used to increase amenity where appropriate, and to ensure privacy for neighbours.

~~2.15.2~~3.11.2 Balconies/ Decks

(a) Balcony additions are to be designed to relate to the character of the existing building.

(b) Balconies should not visually dominate the façade. This may require balconies to be limited in width, and to be designed as re-entrant or Juliet balconies.

(c) Continuous wrap around balconies that add to the bulk of the building are not encouraged. The enclosure of balconies for the purpose of additional floor space is discouraged.

(d) ~~Piecemeal e~~Enclosure of balconies for weather protection ~~where a precedent on existing buildings does not exist~~ is discouraged.

~~(e) Provide balconies of the following minimum dimensions - Minimum 10m² in area and a minimum depth dimension of 2.5m.~~

~~(f)~~(e) Locate primary balconies to achieve maximum solar access and privacy. Sun screens, pergolas, shutters and operable walls are to be used to increase amenity where appropriate, and to ensure privacy for neighbours.

~~(g)~~(f) Design balustrades to allow views and casual surveillance of the street, whilst maintaining visual privacy.

3.12 VEHICULAR ACCESS AND PARKING

This Part must be read in conjunction with *Part B8 Transport* of this DCP for applicable parking rates and other transport provisions.

Objectives

(a) To provide adequate parking on site within new developments.
(b) To encourage large developments to provide car parking in underground basements.
(c) To integrate adequate car parking without compromising street character, landscape quality, the provision of deep soil zones or pedestrian amenity and safety.
(d) To encourage increased use of public transport and bicycles.

Controls

(a) The siting of car parking must be integrated into the design of the development ensuring the building façade is the dominant streetscape element.
(b) A maximum of one 2-way vehicular access point per individual development is to be provided.
(c) Car park access is to be provided from secondary streets or lanes.
(d) The safety of pedestrian entry and circulation is not to be compromised by the location of driveways and car park access.
(e) The provision of basement parking must not result in non-compliance with the deep soil zone controls in *Part C3.9 Landscaping*.

~~2.1~~3.13~~6~~ SOLAR ACCESS AND OVERSHADOWING

~~The amenity of any building is influenced by the amount of solar access received. Residential development should consider orientation and siting to maximise solar access.~~

Objectives

(a) To ensure daylight access is provided to all habitable rooms. ~~and encouraged in all other areas of residential flat developments.~~

(b) To provide adequate ambient lighting and minimise the need for artificial lighting during daylight hours.

(c) To provide adequate solar access to open spaces.

~~(b)~~(d) To minimise impacts of development on surrounding properties.

~~(c)~~(e) ~~A~~To allow the development of small infill sites where access to direct sunlight is compromised by existing adjacent buildings.

Controls

(a) Living rooms ~~&~~and private open spaces ~~of~~for ~~at~~ least 70% of ~~apartments~~ dwellings in a development ~~should~~ are to receive a minimum of three hours direct sunlight between 9:00am and 3:00pm on June 21.

(i) Developments which seek to vary the minimum standards must demonstrate how site constraints and orientation prohibit the achievement of these standards.

(ii) Excavation for the purposes of subterranean ~~apartments~~dwellings, which do not receive the required minimum access to sunlight, is not acceptable.

(b) New development should not reduce the solar access of solar collector/s of any ~~adjoining~~ property to less than two hours per day in mid~~-~~winter except solar hot water and photovoltaic panels to which full solar access must be maintained.

Direct sunlight to north facing windows of habitable rooms and all private open space areas of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 21.

(c)

(d) ~~The numerical guidelines will be applied with the~~Assessment will take into consideration the ~~–~~NSW Land and Environment Court Planning P~~p~~rinciple for sunlight outlined in the ~~(in accordance with the~~ case of *The Benevolent Society v~~s~~. Waverley [~~(~~2010]~~)~~ NSWLEC 1082*.

~~2.1~~3.14~~7~~ VIEWS AND VIEW SHARING

Many properties in Waverley enjoy views of local and district areas and landmarks ~~views~~, including Sydney Harbour, the coastline, ocean and open space. Views are often available from public places and private properties situated a considerable distance from proposed development.

A distant view does not in itself 'belong' to anyone or any property, nor is a view the exclusive right to any one property or to certain individuals. Nonetheless views and vistas are a desirable aspect of amenity and can contribute significantly to the enjoyment of the owners and occupiers of a property and also the general public.

It is difficult to quantify the significance and importance of a view and it can be a highly subjective matter. For this reason, this Part should be read in conjunction with the Views Planning Principle from *Tenacity Consulting v Warringah Council [2004] NSWLEC 140 at 25-29.* ~~NSW Land and Environment Court Planning Principle based on *Tenacity Consulting v Warringah [2004] NSWLEC 140* which provides general principles for the assessment of views and view sharing. The Planning Principle may be viewed at the following link:~~

~~http://www.lec.justice.nsw.gov.au/Pages/practice_procedure/principles/planning_principles.aspx~~

Objectives

(a) To ensure that views are shared, providing equitable access to views from dwellings.
(b) To protect and enhance views from streets and other public spaces.
(c) To ensure that the desire for view does not conflict with privacy.

Controls

(a) New development should be designed to minimise view loss to adjoining and adjacent properties while still providing opportunities for views from the development itself (refer to Figures 25 and 26).
(b) Provide articulation, and minimise the bulk and scale of roof forms on the low side of streets allowing views to the landscape beyond.
(c) Design the landscape to allow for views between buildings, particularly on the low side of streets.
(d) Where the property is adjacent to a Council park or reserve, private landscaping should be sympathetic to and complement the public domain landscaping in order to soften the public-private interface.
(e) Existing significant public views and vistas available from the public domain, including but not limited to ocean, city and parks views are to be maintained where possible by the design of buildings.
(f) In some instances a detailed view loss analysis may be required by Council. Refer to the *Waverley Development Application Guide* for more information. ~~In addition to addressing the four step approach set out in (f) above, a detailed view analysis should include an accurate 'before' and 'after' photomontage or set of architectural drawings demonstrating the position of the proposed~~

~~development within the view or views to be impacted. The analysis should be prepared by an architect, draftsman or suitably qualified expert and should be to scale where possible.~~

(g) Measures to be used to facilitate view sharing include buildings setbacks, gaps between buildings, floor heights, roof forms and use of open materials and balustrades on balconies and decks.

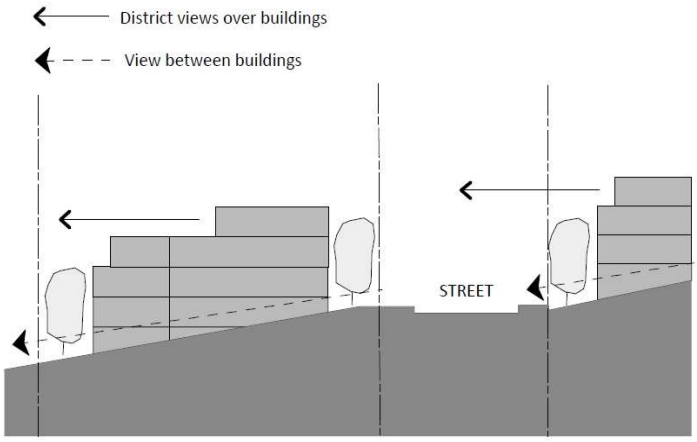

Figure 25 Views over buildings

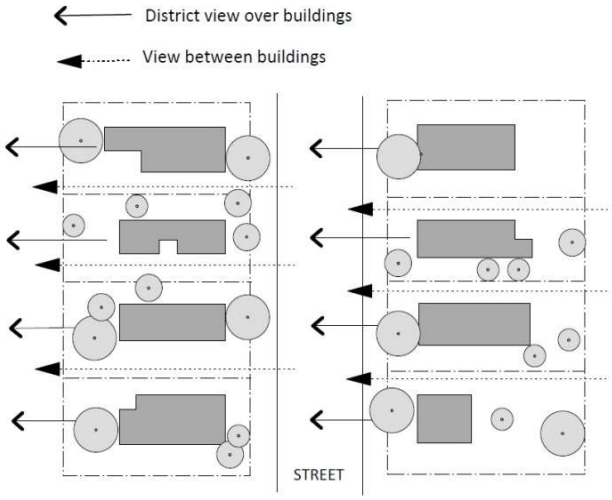

Figure 26 Views between buildings

~~2.1~~3.15~~8~~ VISUAL PRIVACY AND SECURITY

Privacy is important for residential amenity. The enjoyment of a residential property by its occupants relies on achieving a reasonable level of acoustic and visual privacy.

Roof-top terraces are discouraged in areas outside Dover Heights.

Objectives

(a) To ensure residential amenity is provided within and between developments.
~~(a) To have adequate visual privacy levels for residents and neighbours.~~
(b) To maximise outlook and views from principal rooms and private open space without compromising visual privacy.
(c) To ensure buildings are safe and secure for residents and visitors.
~~(c)~~(d) To minimise adverse impacts of roof-top terraces.

Controls

(a) Privacy will be assessed in accordance with the Privacy Planning Principle from *Meriton v Sydney City Council [2004] NSWLEC 313 at 45-46.*
~~(a)~~(b) Dwellings should be oriented towards the street with entrances and street numbering clearly visible.
~~(b)~~(c) Development should be designed to provide clear sightlines and lighting between public and private places.
~~(c)~~(d) Development comprising 50 or more dwellings must be designed having regard to Crime Prevention through Environmental Design (CPTED) principles (refer to *B10 Safety*). Council may also require consideration of these principles for other large scale development (refer to the NSW Governments *Crime Prevention and the Assessment of development Applications – Guidelines* under section 79C of the *EP&AA 1979* for details).
~~(d)~~(e) Above ground open spaces must not directly overlook rooms and private landscaped areas of adjoining properties unless screening can mitigate overlooking. This includes:
  (i) offset windows of ~~apartments~~ dwellings in new development and adjacent development,
  (ii) recess balconies and/or provide vertical fins between adjacent balconies; provide solid or semi-solid balustrades to balconies where necessary;
  (iii) provide louvres or screens to windows/balconies where necessary;
  (iv) use vegetation as a privacy screen between buildings;
  (v) incorporate planter boxes into walls or balustrades to increase the visual separation between areas, and
  (vi) utilise pergolas or shading devices to limit overlooking of lower ~~apartments~~ dwellings or private open space.
~~(e)~~(f) Windows and balconies of an upper level dwelling should be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling directly below and within the same development. ~~This~~ Development may ~~includes~~:
  (i) screen balconies from other balconies and ground level private open space, separate communal open space;~~,~~

(ii) common areas and access routes through the site from the windows of habitable rooms; and ~~,~~

(iii) change the level between ground floor private courtyards and adjacent communal/public areas.

~~(g)~~(f) Roof tops are to be non-trafficable and not capable of being used as roof-top terraces or as entertainment areas, except in the following circumstances:

(i) There is a predominance of roof terraces~~t residential character~~ in the immediate vicinity of the site~~he site includes roof terraces~~;

(ii) They will not result in unreasonable amenity impacts such as overlooking and loss of privacy and acceptable noise;

(iii) They ~~should~~ must not exceed 15m² in area; ~~and~~

(iv) They satisfy the considerations of the ~~LEC "Super Studio"~~Privacy Planning Principle from *Super Studio v Waverley Council [2004] NSWLEC 91 at 5-7*.

(v) They are provided for casual and infrequent activity and not as an extension of private open space or entertaining areas; and~~.~~

(vi) Any access must be provided within the envelope of the main building and there are to be no access hoods or lift overruns proposed above the main roof level. Operable skylights and hydraulic lifts are acceptable where they finish generally flush with the roof level.

~~It is acknowledged that in some areas within Waverley there are a number of large roof top terraces. These large terraces (larger than 15m²) may impact upon the visual and acoustic privacy of adjoining properties. Control (g)(iii) above specifically aims to limit this development outcome continuing and the existence of larger roof top terraces in close proximity to the proposed roof terrace does not justify a variation from the maximum size control in (g)(iii) above.~~

~~2.1~~3.16~~9~~ ~~APARTMENT~~DWELLING SIZE AND LAYOUT

~~A mix of apartment size and layout provides housing choice and supports equitable housing access. By accommodating a range of household types, a mix of apartments can ensure apartment buildings support the needs of society now and in the future.~~

Objectives

(a) To provide a diversity of ~~apartment~~dwelling sizes and layouts to cater for a range of household types.

(b) To ensure that the internal arrangements of ~~apartment~~dwellings is functional and satisfies occupants needs.

(c) To ensure ~~apartment~~dwellings ~~sizes~~ provide high standards of residential amenity.

(d) To encourage adaptive re-use and flexibility in design.

Controls

(a) The maximum habitable room depth for a ~~S~~single aspect dwelling~~s~~ should be limited in depth to 8m from a window.

~~(b) The back of a kitchen should be no more than 8m from a window.~~

(b) The width of a~~n~~ ~~apartment~~dwelling over 15m deep ~~should~~ is to be 4m ~~wide~~ or greater to ~~avoid deep narrow apartment layouts.~~encourage natural light into living spaces.

(c) All habitable rooms are to have a window for daylight and natural ventilation.

(d) ~~Developments should provide a variety of dwellings types and sizes including 1, 2 and 3+ bedroom apartments~~ Developments are to provide dwelling types and sizes that contribute to a range of ~~for~~ housing choice and affordability for the locality.

~~(d)~~(e) The following sizes are considered appropriate as a guideline:

(i) Studio – 35m²
(ii) 1 bedroom – 50m²
(iii) 2 bedroom – 80m²
(iv) 3+ bedroom – 100m²

(f) Consideration should be given to the internal design of ~~apartment~~dwellings to encourage flexibility of uses over time.

(g) Developments are to comply with the provisions set out in *Part B7 Accessibility and Adaptability* of this DCP.

~~(e)~~

~~2.~~3.17~~20~~ CEILING HEIGHTS

~~Ceiling heights are measured from finished floor to finished ceiling level. Adequate ceiling heights ensure quality residential amenity and create spatial interest and hierarchy in apartments.~~

Objectives

(a) To ensure residential amenity within dwellings and create spatial interest and variation.

~~(a)~~(b) To increase the sense of space in ~~apartment~~dwellings and provide ~~well proportioned~~well-proportioned rooms.

~~(b)~~(c) To promote penetration of daylight into all areas of each ~~apartment~~dwelling.

~~(c)~~(d) To contribute to flexibility of use.

Controls

(a) Ceiling heights of ~~apartment~~dwellings must encourage the penetration of natural sunlight into all areas of the building. The following floor to ceiling heights are to be provided:

(i) 2.7m minimum for all residential floors; and

(ii) 2.4m minimum for attic levels.

~~2.2~~3.18~~1~~ STORAGE

~~Providing storage for items ancillary to peoples living needs is particularly important in residential developments where the size of dwellings and their configuration are constrained.~~

Objectives

(a) To provide adequate and accessible storage for everyday household items~~. within easy access of the apartment.~~

(b) To provide storage for sporting, leisure, fitness and hobby equipment.

Controls

~~(a) Suitable storage facilities are to be provided within the dwelling.~~

~~(b) Storage located outside the apartment is to be secure for individual use.~~

~~(c)~~(a) *In addition to* kitchen cupboards and bedroom wardrobes, development must provide accessible storage facilities within the dwelling at the following cubic rates:

~~(a)~~(i) Studio & one bedroom ~~apartment~~dwellings – 6m^3

~~(b)~~ Two bedroom ~~apartment~~dwellings – 8m^3

(ii)

(iii) Three plus bedroom ~~apartment~~dwellings – 10m^3

~~(c)~~(b) Each dwelling is to have access to a bulky storage area. This may be outside, within a basement or ancillary structure. This area is to be separate and secure for each dwelling.

~~2.2~~3.19~~2~~ ACOUSTIC PRIVACY

Acoustic privacy is a measure of sound insulation between ~~apartment~~dwellings and between external and internal spaces. Designing for acoustic privacy relates to the location and separation of buildings within a development and the arrangement of ~~apartment~~dwellings and internal spaces within ~~apartment~~dwellings.

Objective

(a) To ensure a high level of amenity for residents~~, by protecting the acoustic privacy of apartments and their private open spaces~~.

(b) To effectively manage the interface between non-residential uses and residential accommodation.

Controls

(a) Soundproofing of all dwelling units by such means as acoustic glazing is required to reduce noise impacts on residents.

(b) Minimise noise transmission between ~~apartment~~dwellings by:

  (i) Locating noisy and quieter areas next to other noisy or quiet areas, e.g. living rooms adjacent to living rooms, and bedrooms adjacent to bedrooms.

  (ii) Using storage or circulation zones within an ~~apartment~~dwelling to buffer noise from adjacent ~~apartment~~dwellings, mechanical services or corridors and lobby areas and minimising the amount of party (shared) walls with other ~~apartment~~dwellings.

~~2.2~~3.20~~3~~ NATURAL VENTILATION

~~Natural ventilation is the circulation of sufficient volumes of fresh air through an apartment to create a comfortable indoor environment and reduce the need for mechanical ventilation. To achieve natural ventilation the design of the building must address orientation, building envelope and each apartment's internal configuration.~~

Objective

(a) To ensure ~~apartment~~dwellings are designed to provide all habitable rooms with direct access to fresh air and to assist in promoting thermal comfort for occupants.

~~(a)~~(b) To encourage the design of the development to address orientation, building envelope and the internal configuration of dwellings.

~~(b)~~(c) To provide natural ventilation in non-habitable rooms, where possible.

~~(c)~~(d) To reduce ~~energy consumption by minimising~~ the use of mechanical ventilation, particularly air-conditioning.

Controls

(a) ~~At least 60% of~~All ~~apartment~~dwellings in a development are to be naturally cross-ventilated. These may be either dual aspect (e.g. cross through ~~apartment~~dwellings and corner ~~apartment~~dwellings), or maisonette/2 storey ~~apartment~~dwellings which draw cool air in at lower levels and allow warm air to escape at higher levels.

(b) Plan the site to utilise natural breezes by:

(i) D~~d~~etermining prevailing breezes and orienting buildings to maximise access to breezes, where possible;

(ii) L~~l~~ocating vegetation to direct breezes and cool air as it flows across the site; and

(iii) S~~s~~electing and planting trees that do not inhibit airflow.

(c) Design the internal ~~apartment~~dwelling layout to promote natural ventilation by minimising interruptions (such as corners and walls) to air flow through a~~n~~ ~~apartment~~dwelling.

(d) Doors and operable windows are to maximise natural ventilation by:

(i) L~~l~~ocating small windows on the windward side and larger windows on the leeward side of the building, allowing air pressure to draw air through the ~~apartment~~dwelling;

(ii) U~~u~~sing higher level casement or sash windows, clerestory windows or operable fanlight windows to facilitate convective currents; and

(iii) S~~s~~electing windows which can be reconfigured to funnel breezes into the ~~apartment~~dwelling.

(e) Innovative technologies to naturally ventilate internal rooms such as laundries, bathrooms and basement car parks are to be ~~explored e.g.~~implemented ~~using~~ including stack-effect ventilation or solar chimneys.

~~(e)~~(f) To minimise use of air-conditioning, all dwellings must have ceiling fans installed in all habitable rooms.

~~2.2~~3.21 ~~4~~ BUILDING SERVICES

~~Developments must be adequately serviced while ensuring they are integrated into the design of the development.~~

Objective

(a) To provide and integrate site services and facilities in a sensitive manner such that they relate to the building and landscape design, enable easy access, and require minimal maintenance.

(b) To minimise visual impact by encouraging building services to be located in the basement of buildings, where practicable.

~~(b)~~(c) To ensure that adequate space and facilities are provided to allow the natural drying of clothes and the provision of compost facilities.

Controls

(a) Ensure that building services are integrated into the design of buildings. Building service elements include garbage rooms, mailboxes, fire hydrant boosters, electrical substations, downpipes, and plant rooms and satellite/communications structures.

(b) Provide mailboxes adjacent to the main entrance and integrated into a wall of the building where possible, ensuring that they are secure and can accommodate large articles such as newspapers.

(c) Coordinate and integrate building services within the overall façade and roof design.

(d) Provide adequate space and facilities for outdoor communal clothes drying.

(e) Locate any ancillary structures such as plant rooms and satellite dishes away from the building entry, communal and private open spaces, and bedrooms. ~~and set back from the street frontage~~

~~(c)~~ . Where located on podium or roof levels, ~~ensure that they are adequately setback from the perimeter wall or roof edge.~~

~~(d)~~(f) ~~B~~building service elements must ~~be setback a minimum of 2m from the outer walls of the building below and~~ not be visible from the street or impact on public or private views. As a guide, a minimum of 2m is to be provided from the building wall. (R~~r~~efer to Figure 27).

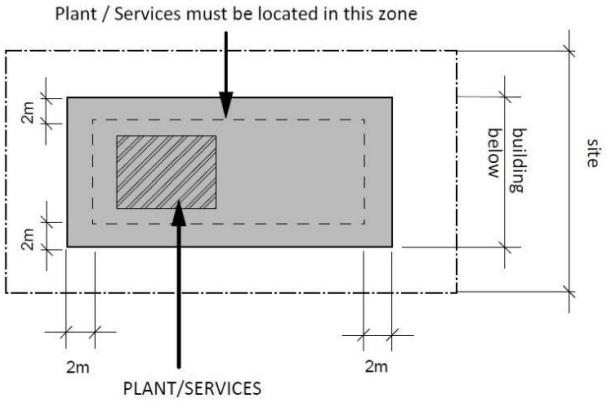

Figure 27 Plant and services zone

3.22 INTERWAR FLAT BUILDINGS

This Part applies to Interwar buildings and is to be read in conjunction with the *Interwar Fact Sheets* and *Bondi Beach Interwar Heritage Study Stage 1* prepared by Council.

Definition:
An Interwar flat building is a building of two or more storeys and containing two or more dwellings, constructed in the period from c.1914 to c.1950.

Objectives

(a) To achieve the provisions of the *Interwar Fact Sheets* as prepared by Council.
(b) To ensure that Interwar buildings are maintained and conserved.
(c) To preserve the character of Waverley through the conservation of Interwar flat buildings.
(d) To preserve the character of the streetscape and the streetscape contribution.

Controls

Approach

(a) The design of the development is to retain the character of the building.
(b) Development is to:
    (i) Identify the style of the building;
    (ii) Identify the key design elements characteristic of the building style and character; and
    (iii) Demonstrate how the proposed design maintains and enhances the style and key design elements and maintains existing finishes.

Development

(c) Inter-War Flat Buildings that are Heritage Items or located within a Heritage Conservation Area must also comply with the provisions of *Part B9 Heritage*.

Integrity

(d) Development is to preserve the integrity of the building and is to:
    (i) Retain and maintain original building fabric and decorative elements including parapets;
    (ii) Provide maintenance and repairs where necessary utilising traditional techniques and materials;
    (iii) Minimise alterations and additions to the building;
    (iv) Minimise disruption to the original building fabric;
    (v) Retain, maintain or replace original decorative materials and finishes;
    (vi) Where key design elements are to be replaced, they are to be replaced like-for-like;
    (vii) Original lighting and fencing are to be retained or replaced;
    (viii) Maintain and retain original face brickwork and stonework, and is not to be rendered or painted; and
    (ix) Preserve the building's contribution to, and relationship with, the streetscape.

Alterations and Additions

(e) Alterations and additions are to:

(i) Differentiate new additions and alterations from the original building;

(ii) Maintain the architectural integrity of the existing building through setbacks and materiality changes;

(iii) Minimise the visibility of new additions from the public domain;

(iv) Be complimentary and secondary to the existing building design; and

(v) Demonstrate a high standard of design excellence.

Shopfronts

(f) Alterations and additions to shopfronts are to:

(i) Retain the original significant features including signage, glazing pattern, location of doors, tiling and awnings

(ii) Respect the original form, scale and detailing of the building and not compromise the integrity and consistency of the streetscape; and

(iii) Aim to increase accessibility to the shopfront through permanent or temporary measures as deemed suitable in consultation with Council.

Systems

(g) Development is required to:

(i) Upgrade the systems within the building in line with the BCA, AS, DDA and other standards and codes as necessary; and

(ii) Maintain the integrity of the design of the building when providing upgrades to the building.

Colour Schemes

(h) Development is required to apply a material or colour scheme in accordance with a Heritage Colour Scheme Strategy prepared in consultation with Council.

Car Parking

(i) A reduction to parking rates may be permitted if the design integrity of an Interwar building will be compromised through the provision of on-site parking.

(j) Any on-site car parking is to maintain the building's relationship to the streetscape.

C4 HIGH DENSITY MULTI RESIDENTIAL DEVELOPMENT

This Part applies to development that is subject to SEPP 65.

Development must achieve the objectives and design criteria of the ADG, and comply with the provisions of this part, as well as other relevant parts of the WDCP.

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~~3~~4.1 SITE, SCALE AND FRONTAGE

Objectives

(a) To ensure lot size and dimension are able to accommodate the appropriate building envelope, landscaping and service requirements.
(b) To ensure development sites have adequate street frontage to meet side setback and building requirements.
(c) To ensure lot sizes and building forms are appropriate to the streetscape.
(d) To provide guidance on the appropriate scale of development to complement the FSR controls within the WLEP 2012.
(e) To encourage amalgamation of allotments to provide for improved design outcomes.

Controls

(a) The *Waverley Council Planning Agreement Policy 2014* applies to any development application seeking to vary a development standard under W~~averley~~ LEP 2012.
(b) The maximum floor space ratio (FSR) is set by Clause 4.4 of WLEP 2012 and the FSR Map.
(c) Lot sizes and dimensions must enable development to be sited to meet the site and building design controls outlined in this Part.
(d) Lot sizes and dimensions must enable development to be sited to protect the natural or cultural features of the site and avoid significant changes to the natural topography.
(e) Development is encouraged to amalgamate narrow sites and not isolate a site with less than the minimum developable site frontage ~~which are~~as follows:
    (i) A minimum street frontage of 15m is required for R3 zones.
    (ii) A minimum street frontage of 20m is required for R4 zones.

~~3~~4.2 HEIGHT

Objectives

(a) To ensure future development responds to the desired scale and character of the street and local area.
(b) To minimise the impact of attics and basement car parks on the overall building height.
(c) To provide good residential amenity for dwellings.

Controls

(a) The *Waverley Council Planning Agreement Policy 2014* applies to any development application seeking to vary a development standard under W~~averley~~ LEP 2012.
(b) The maximum building height is as set by Clause 4.3 of the WLEP 2012 and the Height of Buildings Map.

~~3~~4.3 EXCAVATION

Objectives

(a) To ensure the physical environment is preserved and enhanced.
(b) To ensure minimal site disturbance and the geotechnical stability of landfill and excavations.
(c) To minimize the impacts of excavation on the local environment, neighbouring properties and streetscape.

Controls

(a) Fill shall not be used to raise the ground level.
(b) Where excavation is proposed it is not to occur within a 1.5m setback from side boundaries and shall only occur within the building footprint except where access to a basement car park is required.
(c) Basement car parking is to be located fully below natural ground level. Where this cannot be achieved due to topographic constraints, a maximum protrusion above ground of 1.2m is permissible (refer to Figure ~~20~~28).
(d) Excavation should not add to the visual bulk and scale of the building.
(e) Existing natural features including trees and sandstone walls should be retained and incorporated as landscape features on the site in order to maintain the natural character of the landscape.
(f) Development should accommodate stormwater detention tanks and storage systems within the excavated area.

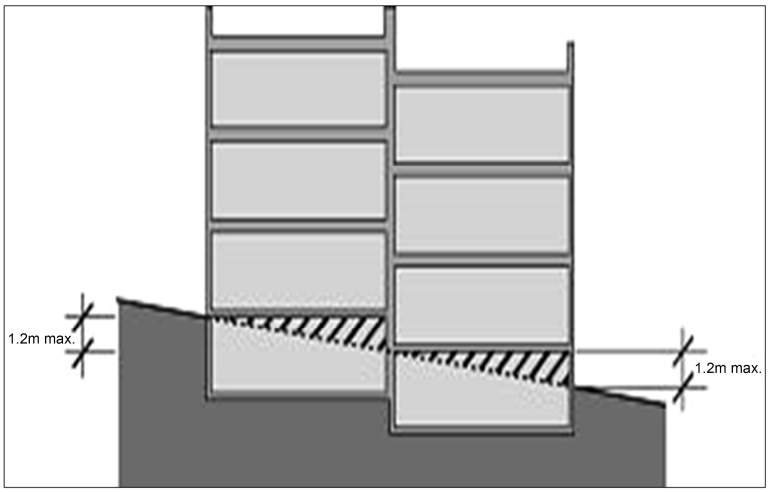

Figure 2~~0~~8 Basement parking level on sloping sites

~~3~~4.4 STREETSCAPE

Objectives

(a) To integrate new development within the established setback character of the street.
(b) To provide a transition between public and private space.
(c) To assist in achieving visual privacy to dwellings from the street.
(d) To ensure developments preserve and contribute to the landscape character of the street.
(e) To ensure development responds to the existing subdivision pattern and the scale of surrounding buildings.
(f) To continue the pattern of sightlines through to the rear of blocks between buildings along the street.
(g) To have a high standard of amenity for occupants of dwellings.

Controls

(a) Street setbacks must be consistent with the predominant building line setback along the street.
(b) Where there is no predominant building line, setbacks will be assessed on the merits of the proposal.
(c) An increase in setbacks may be required to retain existing trees.
(d) The front setback is to have a soil depth to support mature trees and shrubs that contribute to the streetscape and the amenity of the public domain. The front setback is to be free of any above or below ground structures.
(e) Where the property is adjacent to a Council park or reserve, no portion of the proposed development including the footings, gates, roof eaves and fences are to encroach over the Council land.
(f) Setbacks above street frontage height are to be included where the adjacent building includes upper levels setbacks.
(g) The maximum length of a building along a street is 24m.
(h) Within the maximum length, buildings must be articulated to respond to the established pattern of existing building length along the street.

~~3~~4.5 BUILDING DESIGN AND STREETSCAPE

Objectives

(a) To have development of a scale and appearance in keeping with the street.
(b) To design residential development to respond to the streetscape character.
(c) To promote high quality architectural design.
(d) To ensure alterations and additions maintain the original architectural character of existing residential flat buildings.
(e) To ensure that contributory elements of a streetscape are considered in building design.
(f) To ensure neighbourhoods and streetscapes are pleasant, inspiring and have a rich character.

Controls

(a) Building design is to respond to the existing streetscape character of the area.
(b) The design of alterations and additions should demonstrate architectural compatibility with the existing building.
(c) The colour and finish of external finishes should be sympathetic to the street and contribute to the overall appearance of the building.
(d) For developments on corner sites, each frontage of the development must present as a primary street frontage.
(e) The removal of original architectural details and finishes is not supported including; painting face brick work or sandstone, replacing timber with aluminium or replacing unglazed terra cotta tiles or slate.

~~3~~4.6 FENCES AND WALLS

Objectives

(a) To define boundaries between communal and private areas within the site and to provide privacy and security for the development.
(b) To promote a cohesive streetscape.
(c) To ensure fencing contributes positively to the streetscape or adjoining park.
(d) To ensure boundary treatments of properties adjoining parks are consistent with the materials palette in the relevant plan of management to maintain the amenity of parks.

Controls

(a) Front fences are to be provided where it is a predominant character of the street frontage within a street block.
(b) Front fences must have a maximum proportion of two thirds solid to one third open design. On sloping sites, the height is averaged so that fences step down the street.
(c) Council may permit front fences up to a height of 1.8m and/or of solid material provided it can be shown that the fence acts as an effective noise barrier as a result of adjoining a street with high traffic volume. Such fences are to be setback from the boundary to allow landscaping to soften the bulk or the structure is to be articulated as an alternative to a solid blank wall.
(d) Rear and side fences behind the building line must not exceed 1.8m in height. Side fences must taper down from the front building line to the front boundary fence.
(e) Fences are to respond to the architectural character of the street in terms of materials used, predominant height, vertical/horizontal rhythm and predominant setback.
(f) Fences are to clearly delineate between public, communal and private areas.
(g) Fencing is to be designed so that sightlines between pedestrians and vehicles exiting the site are not obscured and gates do not open over the public roadway or footpath or into parks.
(h) All boundary treatments for properties adjoining parks are consistent with the material palette from the relevant plan of management.
(i) The design of fences should generally relate to the period and architectural style of building and help to integrate development into the existing streetscape.

~~3~~4.7 VEHICULAR ACCESS AND PARKING

This Part must be read in conjunction with *Part B8 —Transport* of this DCP for applicable parking rates and other transport provisions.

Objectives

(a) To provide adequate parking on site within new developments.
(b) To encourage large developments to provide car parking in underground basements.
(c) To integrate adequate car parking without compromising street character, landscape quality, the provision of deep soil zones or pedestrian amenity and safety.
(d) To encourage increased use of public transport and bicycles.

Controls

~~(f)~~(a) The siting of car parking must be integrated into the design of the development ensuring the building façade is the dominant streetscape element.
~~(g)~~(b) The car park entry is to be secondary to pedestrian building entry.
~~(h)~~(c) A maximum of one 2-way vehicular access point per individual development is to be provided.
~~(i)~~(d) Car park access is to be provided from secondary streets or lanes where possible.
~~(j)~~(e) The safety of pedestrian entry and circulation is not to be compromised by the location of driveways and car park access.
~~(k)~~(f) The provision of basement parking must not result in non-compliance with the deep soil zone controls in ~~*Section 3*~~*Part C4.9 Landscaping*.

~~3~~4.8 PEDESTRIAN ACCESS AND ENTRY

Objectives

(a) To ensure developments provide high quality, accessible and safe pedestrian access to all people who live in and visit the development.
(b) To create entrances which provide a desirable residential identity for the development to orientate visitor(s).
(c) To contribute positively to the streetscape and building façade design.
(d) To promote development that has a strong connection to the street and contributes to the accessibility of the public domain.

Controls

(a) Provide main building entries at street level that respond to patterns in the streetscape in terms of design for high-sided and low-sided streets.
(b) Where the level of the land permits, provide an accessible path of travel from the street to the front door of all units on the ground floor.
(c) Separate and clearly distinguish between pedestrian access ways and vehicle access ways/building service areas (e.g. garbage rooms).
(d) Provide a pedestrian doorway into basement car parking, in addition to vehicle opening, to enable improved pedestrian access to and from basement car parks.
(e) Locate entries so that they relate to the existing street and subdivision pattern, street tree planting and pedestrian footpath.
(f) Provide main building entries that are legible, safe and well lit.

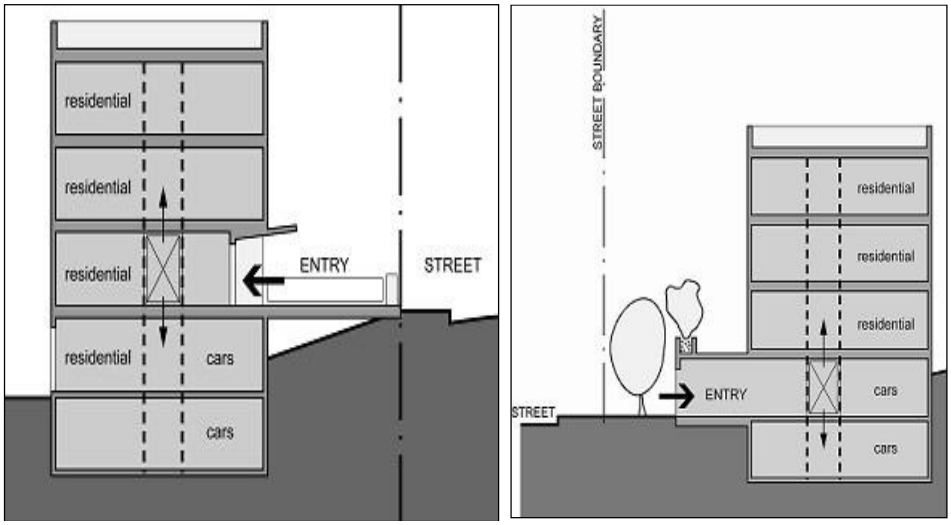

Figure 2~~9~~4 Entry level at low and high side of the street

~~3~~4.9 LANDSCAPING

The definition of 'landscaped area' is the same as the definition adopted in the WLEP 2012 and is defined as "*a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area*.".

Objectives

(a) To encourage mature and substantial tree planting to improve the amenity of developments.
(b) To allow for landscaping to provide screening between buildings.
(c) To ensure landscaped areas are useable and maintainable spaces that contribute to the existing landscape character of the street.
(d) To minimise the extent of impervious areas and facilitate rainwater infiltration.
(e) To preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.

Controls

(a) Development is to comply with the provisions of *Part B3 Landscaping and Biodiversity*.
~~(a)~~(b) 30% of the site area is to be provided as landscaped area; 50% of which must be deep soil zone.
~~(b)~~(c) Where site conditions allow, the deep soil zone is to be consolidated as one area to assist the ease of drainage and to allow for effective deep soil planting.
~~(c) Existing natural features including sandstone and rock features should be retained and incorporated as landscape features on the site to maintain the natural character of the landscape.~~
(d) Landscaping must relate to the building scale and assist integration of the development with the existing street character.
~~(e) 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.~~
~~(f)~~(e) All development proposals are to be designed to eliminate the impact upon significant trees on site, street trees and trees on adjoining land including public open space and bushland.
~~(g)~~(f) For developments with podium landscaping, compliance with *Section B3 Landscaping and Biodiversity* is required.

~~3~~4.10 VIEWS AND VIEW SHARING

Many properties in Waverley enjoy views of local and district areas and landmarks, including Sydney Harbour, the coastline, ocean and open space. Views are often available from public places and private properties situated a considerable distance from proposed development.

A distant view does not in itself 'belong' to anyone or any property, nor is a view the exclusive right to any one property or to certain individuals. Nonetheless views and vistas are a desirable aspect of amenity and can contribute significantly to the enjoyment of the owners and occupiers of a property and also the general public.

It is difficult to quantify the significance and importance of a view and it can be a highly subjective matter. For this reason, this Part should be read in conjunction with the Views Planning Principle from *Tenacity Consulting v Warringah Council [2004] NSWLEC 140 at 25-29.*

Objectives

(a) To ensure that views are shared, providing equitable access to views from dwellings.
(b) To protect and enhance views from streets and other public spaces.
(c) To ensure that the desire for view does not conflict with privacy.

Controls

(a) New development should be designed to minimise view loss to adjoining and adjacent properties while still providing opportunities for views from the development itself (refer to Figures 30~~25~~ and 31~~26~~).
(b) Provide articulation, and minimise the bulk and scale of roof forms on the low side of streets allowing views to the landscape beyond.
(c) Design the landscape to allow for views between buildings, particularly on the low side of streets.
(d) Where the property is adjacent to a Council park or reserve, private landscaping should be sympathetic to and complement the public domain landscaping in order to soften the public-private interface.
(e) Existing significant public views and vistas available from the public domain, including but not limited to ocean, city and parks views are to be maintained where possible by the design of buildings.
(f) In some instances a detailed view loss analysis may be required by Council. Refer to the *Waverley Development Application Guide* for more information. ~~In addition to addressing the four step approach set out in (f) above, a detailed view analysis should include an accurate 'before' and 'after' photomontage or set of architectural drawings demonstrating the position of the proposed development within the view or views to be impacted. The analysis should be prepared by an architect, draftsman or suitably qualified expert and should be to scale where possible.~~

(g) Measures to be used to facilitate view sharing include buildings setbacks, gaps between buildings, floor heights, roof forms and use of open materials and balustrades on balconies and decks.

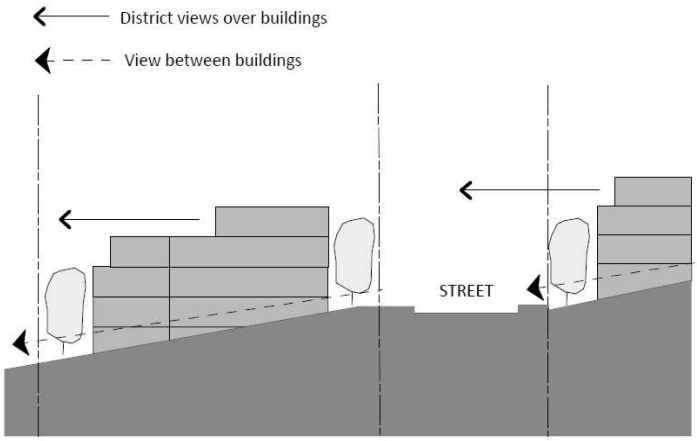

Figure 30~~25~~ Views over buildings

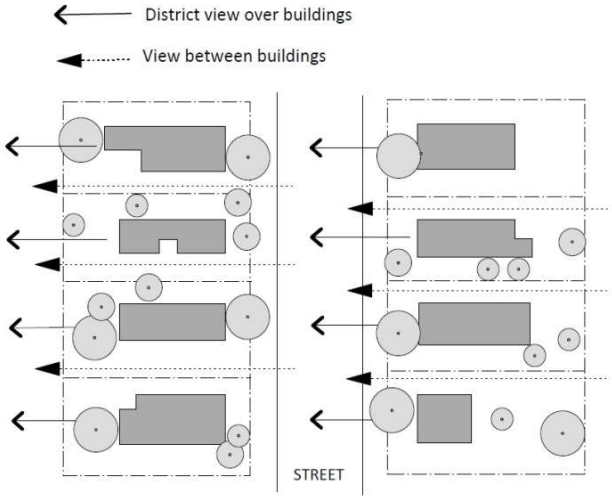

Figure 31~~26~~ Views between buildings

~~3~~4.11 VISUAL PRIVACY AND SECURITY

Privacy is important for residential amenity. The enjoyment of a residential property by its occupants relies on achieving a reasonable level of acoustic and visual privacy.

Roof-top terraces are discouraged in areas outside Dover Heights.

Objectives

(a) To have adequate visual privacy levels for residents and neighbours.
(b) To maximise outlook and views from principal rooms and private open space without compromising visual privacy.
(c) To ensure buildings are safe and secure for residents and visitors.

Controls

(a) Dwellings should be oriented towards the street with entrances and street numbering clearly visible.
(b) Development should be designed to provide clear sightlines and lighting between public and private places.
(c) Development comprising 50 or more dwellings must be designed having regard to Crime Prevention through Environmental Design (CPTED) principles. Council may also require consideration of these principles for other large scale development (refer to the NSW Governments *Crime Prevention and the Assessment of development Applications – Guidelines* under section 79C of the *EP&A A~~1979~~ct* for details).
(d) Above ground open spaces must not directly overlook rooms and private landscaped areas of adjoining properties unless screening can mitigate overlooking.
(e) Windows and balconies of an upper level dwelling should be designed to prevent overlooking of more than 50% of the private open space of a lower level dwelling ~~directly below and within the same development~~.
(f) Privacy needs to be considered in the context of density, separation, use and design and should consider the following principles from LEC decision *Meriton vs. City of Sydney* Council *[~~2004~~] NSWLEC 314*.
    (i) The ease with which privacy can be protected is inversely proportional to the density of development.
    (ii) Privacy can be achieved by separation. The required distance depends upon density and whether windows are at the same level and directly facing each other.
    (iii) The use of a space determines the importance of its privacy. Within a dwelling, the privacy of living areas, including kitchens, is more important than that of bedrooms. Conversely, overlooking from a living area is more objectionable than overlooking from a bedroom where people tend to spend less waking time.
    (iv) Overlooking of neighbours that arises out of poor design is not acceptable.
    (v) Where the whole or most of a private open space cannot be protected from overlooking, the part adjoining the living area of a dwelling should be given the highest level of protection.

(vi) Apart from adequate separation, the most effective way to protect privacy is by the skewed arrangement of windows and the use of devices such as fixed louvres, high and/or deep sills and planter boxes.
(vii) Landscaping should not be relied on as the sole protection against overlooking.
(viii) In areas undergoing change, the impact on what is likely to be built on adjoining sites, as well as the existing development, should be considered.

~~3~~4.12~~3~~ ACOUSTIC PRIVACY

~~Acoustic privacy is a measure of sound insulation between dwellings and between external and internal spaces. Designing for acoustic privacy relates to the location and separation of buildings within a development and the arrangement of dwellings and internal spaces within dwellings.~~

Objective

(a) To ensure a high level of amenity for residents, by protecting the acoustic privacy of dwellings and their private open spaces.

(b) To effectively manage the interface between non-residential uses and residential accommodation.

Controls

(a) Soundproofing of all dwelling units by such means as acoustic glazing is required to reduce noise impacts on residents.

(b) Minimise noise transmission between dwellings by:

~~(iii)~~(i) Locating noisy and quieter areas next to other noisy or quiet areas, e.g. living rooms adjacent to living rooms, and bedrooms adjacent to bedrooms.

~~(iv)~~(ii) Using storage or circulation zones within a~~n~~ dwelling to buffer noise from adjacent dwellings, mechanical services or corridors and lobby areas and minimising the amount of party (shared) walls with other dwellings.

43.134 BUILDING SERVICES

Objective

(a) To provide and integrate site services and facilities in a sensitive manner such that they relate to the building and landscape design, enable easy access, and require minimal maintenance.

(b) To minimise visual impact by encouraging building services to be located in the basement of buildings, where practicable.

Controls

(a) Provide adequate space and facilities for outdoor communal clothes drying.

~~(e)~~(b) Ensure that building services are integrated into the design of buildings. Building service elements include garbage rooms, mailboxes, fire hydrant boosters, electrical substations, downpipes, and plant rooms and satellite/communications structures.

~~(f)~~(c) Provide mailboxes adjacent to the main entrance and integrated into a wall of the building where possible, ensuring that they are secure and can accommodate large articles such as newspapers.

~~(g)~~(d) Coordinate and integrate building services within the overall façade and roof design. Locate any ancillary structures such as plant rooms and satellite dishes away from the building entry and set back from the street frontage. Where located on podium or roof levels, ensure that they are adequately setback from the perimeter wall or roof edge.

~~(h)~~(e) Building service elements must be setback a minimum of 2m from the outer walls of the building below and not visible from the street or impact on public or private views (refer to Figure 3227).

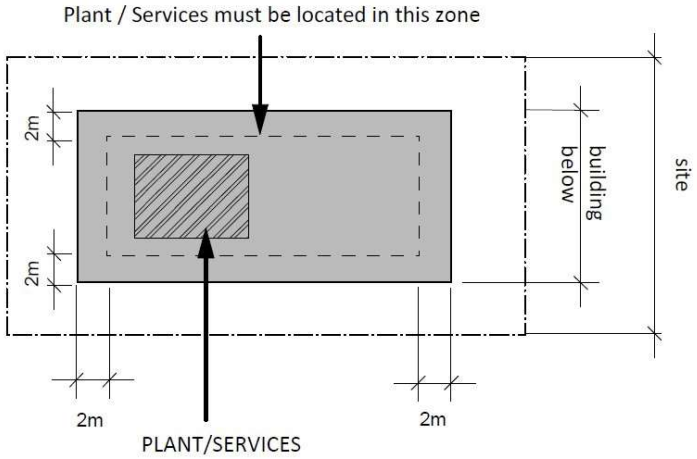

Figure 3227 Plant and services zone

4.14 INTERWAR FLAT BUILDINGS

This Part applies to Interwar buildings and is to be read in conjunction with the *Interwar Fact Sheets* and *Bondi Beach Interwar Heritage Study Stage 1* prepared by Council.

Definition:
An Interwar flat building is a building of two or more storeys and containing two or more dwellings, constructed in the period from c.1914 to c.1950.

Objectives

(e) To achieve the provisions of the *Interwar Fact Sheets* as prepared by Council.
(f) To ensure that Interwar buildings are maintained and conserved.
(g) To preserve the character of Waverley through the conservation of Interwar flat buildings.
(h) To preserve the character of the streetscape and the streetscape contribution.

Controls

Approach

(k) The design of the development is to retain the character of the building.
(l) Development is to:
- (iv) Identify the style of the building;
- (v) Identify the key design elements characteristic of the building style and character; and
- (vi) Demonstrate how the proposed design maintains and enhances the style and key design elements and maintains existing finishes.

Development

(m) Inter-War Flat Buildings that are Heritage Items or located within a Heritage Conservation Area must also comply with the provisions of *Part B9 Heritage*.

Integrity

(n) Development is to preserve the integrity of the building and is to:
- (x) Retain and maintain original building fabric and decorative elements including parapets;
- (xi) Provide maintenance and repairs where necessary utilising traditional techniques and materials;
- (xii) Minimise alterations and additions to the building;
- (xiii) Minimise disruption to the original building fabric;
- (xiv) Retain, maintain or replace original decorative materials and finishes;
- (xv) Where key design elements are to be replaced, they are to be replaced like-for-like;
- (xvi) Original lighting and fencing are to be retained or replaced;
- (xvii) Maintain and retain original face brickwork and stonework, and is not to be rendered or painted; and
- (xviii) Preserve the building's contribution to, and relationship with, the streetscape.

Alterations and Additions

(o) Alterations and additions are to:

(vi) Differentiate new additions and alterations from the original building;

(vii) Maintain the architectural integrity of the existing building through setbacks and materiality changes;

(viii) Minimise the visibility of new additions from the public domain;

(ix) Be complimentary and secondary to the existing building design; and

(x) Demonstrate a high standard of design excellence.

Shopfronts

(p) Alterations and additions to shopfronts are to:

(iv) Retain the original significant features including signage, glazing pattern, location of doors, tiling and awnings

(v) Respect the original form, scale and detailing of the building and not compromise the integrity and consistency of the streetscape; and

(vi) Aim to increase accessibility to the shopfront through permanent or temporary measures as deemed suitable in consultation with Council.

Systems

(q) Development is required to:

(iii) Upgrade the systems within the building in line with the BCA, AS, DDA and other standards and codes as necessary; and

(iv) Maintain the integrity of the design of the building when providing upgrades to the building.

Colour Schemes

(r) Development is required to apply a material or colour scheme in accordance with a Heritage Colour Scheme Strategy prepared in consultation with Council.

Car Parking

(s) A reduction to parking rates may be permitted if the design integrity of an Interwar building will be compromised through the provision of on-site parking.

(t) Any on-site car parking is to maintain the building's relationship to the streetscape.