

SUTHERLAND SHIRE

E2 COMMERCIAL CENTRE SUTHERLAND

DCP 2015 CHAPTER 24



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Sutherland Centre

This part of the DCP provides the site specific planning requirements for development within the area of Sutherland zoned E2 Commercial Centre. Most redevelopment in Sutherland is expected to be mixed use development, usually a combination of commercial premises and shops on the ground floor, commercial use on the second floor, with residential flats above. The residential flat component of any development should be designed in accordance with the Housing SEPP, the Environmental Planning and Assessment Regulation 2021 and the Apartment Design Guide 2015 (ADG).

The chapter is to be read in conjunction with other chapters: “Vehicular access, Traffic, Parking and Bicycles”, “Late Night Trading”, “Stormwater and Groundwater Management”, “Natural Resource Management”, “Environmental Risk”, “Administrative Provisions”, “Social Impact” and “Other uses”.

Council’s Public Domain Design Manual contains specifications for elements in the public domain, for example street furniture and footpath design. Required frontage works for developments must be in accordance with the Public Domain Design Manual.

1. Centre Aims

1. Recognise and reinforce Sutherland Centre’s identity as the main administrative centre of the subregion by allowing an increase in residential population and commercial activity in new mixed use developments.
2. Improve the amenity of the centre by improving pedestrian connectivity and by creating and improving public open spaces.
3. Respect and enhance the heritage significance of Sutherland Centre.

2. Centre Strategy

The focus of the Sutherland Centre Strategy is to recognise and reinforce the centre's identity as the main administrative centre of the subregion. The aim is to encourage urban regeneration and revitalise the centre through increased residential and retail development. The revitalisation strategy relies on increased residential development within and around the centre, improved retail choice and improved pedestrian amenity. Council is also planning a mixed use redevelopment of the Council owned car park site to provide additional dwellings and commercial activity while maintaining public car parking in any redevelopment.

The NSW Draft South Sub-regional Strategy identifies Sutherland as a Town Centre with the potential to become a Major Centre – with a consequent focus on employment growth. However, as with other older established centres, development in Sutherland is constrained by fragmented ownership of mostly small lots. There has been little evidence of demand for commercial floor space in Sutherland centre in the past 10 years. Rather than focus on employment as the future strategy for the Centre, Sutherland Shire Council is committed to the growth of the Sutherland as a high density, mixed-use centre that offers residents a high standard of amenity. It is hoped that future development will increase the range of retail activities, restaurants and cafes as well as other commercial premises, to create variety and vitality throughout the Centre. The development of new retail activities will support the increase in resident population anticipated by this plan.

The urban design intention for the centre is to reinforce the existing street and block pattern with mixed use developments. The consolidation of lots in certain areas may be necessary to achieve an optimum development pattern. Any redevelopment should allow adequate solar access to public areas. This is particularly important for footpaths and shopfronts on Flora Street, Boyle Street and the Old Princes Highway where outdoor dining areas could be located. Redevelopment should also preserve redevelopment potential of adjacent lots.

The strategy aims to improve orientation and connectivity across the centre with redevelopment and streetscape improvements. It is also important to maintain and extend the existing cross - block connections such as arcades, and to create new opportunities for public plazas, incidental open spaces and outdoor dining areas. Existing north-south cross block pedestrian connections are to be retained and new pedestrian paths will be required upon redevelopment in some locations. Public spaces may also be created on redevelopment with building forecourts that interface with the public domain. Although these spaces may remain in private ownership, they are most successful if they are visually and functionally an extension of the public domain.

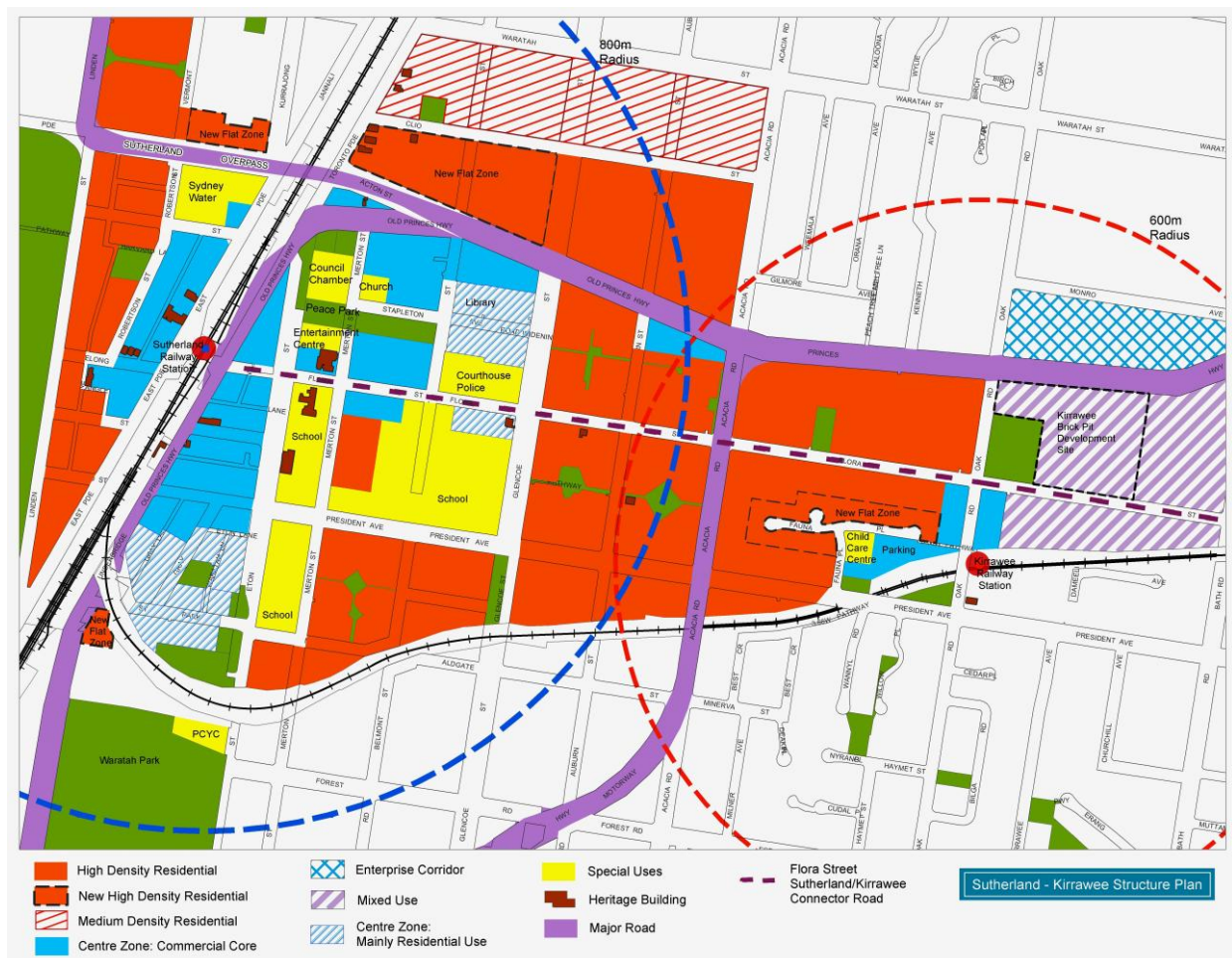
To create a more attractive public domain it is intended that all power lines in the centre should be undergrounded. Part of this work is in progress. The remainder will be part of the frontage works required for each redevelopment of amalgamated sites. Required frontage works will be in accordance with the Public Domain Design Manual.

There is no single main street in Sutherland Centre, and the railway line and Old Princes Highway are barriers to connectivity across the centre in the east-west orientation. Flora Street has, however, been identified as a thoroughfare which will become more important over time and enhance east-west connectivity. Flora Street sits at the top of the ridge and functions as a pedestrian spine linking the railway Station to the local schools, court house, police station, churches and Kirrawee Centre, and makes a visual connection to

the western side of the Sutherland Centre across the railway line. The importance of this pedestrian spine needs to be reflected in its pavement, planting and activity along the street.

The strategy also aims to respect and enhance the historical significance of Sutherland Centre by protecting heritage listed properties and considering the impact on heritage buildings of adjacent redevelopment when it occurs.

Sutherland Centre is a major transport interchange. Development should reinforce the use of public transport services and balance parking demands with initiatives to reduce reliance on cars.





3. Landscape Strategy

A distinguishing feature of Sutherland Centre is its proximity to bushland, its range of high quality landscaped public spaces and its established trees on public and private land. Sutherland Centre is located close to the Royal National Park, bushland reserves and open spaces. Strong existing landscaping in parks, road reserves and within the setbacks to residential flat buildings, build on Sutherland's proximity to bushland and give the centre a distinct landscape character. On the residential edges of the centre, the landscaped character is created by both street tree planting and landscaped setbacks on private land. The strategy aims to strengthen the indigenous tree canopy through Sutherland Centre to reinforce its distinct sense of place.

Most of the Sutherland Centre area is located on a ridge high in the landscape – the geology is mapped as Hawkesbury Sandstone (Rhs) – claystone, siltstone and laminites (“shale lenses”) which has more fertile soils than the surrounding sandstone. The area would have once supported Sydney Turpentine Ironbark Forest (STIF). A significant area of remnant Sydney Turpentine Ironbark Forest remains within Woronora Cemetery at the western edge of the centre. This is a protected endangered ecological community.

New landscape work needs to enhance this natural landscape quality further and increase biodiversity and habitat. Essentially, the natural landscape qualities need to be ‘pulled’ into the Centre. To achieve this, indigenous tree species will be used wherever practical to strengthen the landscape character of the centre and respond to the future scale of development. Gaps in the street tree network will be filled and incidental/leftover space will be utilised for groves of trees. Undergrounding of power lines will improve the potential for street tree planting.

The lower areas on sandstone to the north, west and south of the Sutherland Centre would have once supported Coastal Shale – Sandstone Forest (CSSF) which has a number of species that overlap with STIF, but also includes species such as *Eucalyptus racemosa* (Scribbly Gum) and *E. capitellata* (Brown Stringybark). A pocket of remnant CSSF exists south of the railway line near Rawson Avenue.

Throughout the centre *Eucalyptus scoparia* and other inappropriate exotic and native trees will gradually be replaced with appropriate indigenous species as they age. Deciduous exotic species will be used in the centre where winter solar access to foot paths is critical for pedestrian amenity.

The importance of Flora Street will be reflected in its pavement and planting. Eton Street forms the other key pedestrian spine of the Centre, linking the Council Chambers, Entertainment Centre, schools and shops. Eton Street already has strong landscaping and trees. However, as existing exotic and native trees age they will gradually be replaced with suitable indigenous species. This will give the Centre a strong landscape spine.

On the edges of the centre, buildings should have garden settings so that the landscaping in the public and private domain is visually continuous where possible. Large indigenous tree species should form an integral part of all future landscape design so that canopy is recreated and trees complement the scale of development. Large trees will be required at the front of new development on Old Princes Highway, between Merton Street and Belmont Street, to improve the sense of arrival in the centre and contribute to a continuous landscape treatment along the Old Princes Highway.

4. Streetscape and Built Form

Streetscape is the urban environment created by the relationship of built elements to the public domain. In the Sutherland Shire, the relationship of the built form to the natural environment, particularly along the waterways is an important consideration. The quality and scale of architecture, landscape elements, natural elements and works in the public domain determine the streetscape character. How carefully ancillary elements of development are resolved such as vehicle entrances, loading bays or garbage storage, can also be critical to the quality of the streetscape. To make a positive contribution to the streetscape, new development needs to reinforce the scale and character of existing buildings and landscape elements.

Facades are the external face of buildings and make a very important contribution to the streetscape. The composition and detailing of the building facade has an impact on its apparent scale as well as its appearance. The pattern or rhythm established by the proportions of the facade, the modulation of the external walls, the design of facade elements, their materials and detailing are all important considerations.

Architectural quality contributes to the character and quality of the streetscape. High architectural quality requires appropriate composition of building elements, textures, materials and colours and reflects the use, internal design and structure of a development.

The Preferred Built Form Plan shows the optimum arrangement of bulk, height and layout of built forms in relation to street layout, block and lot sizes in particular locations. Sites where redevelopment is unlikely to occur, or where a wide range of built form arrangements may be acceptable, have been shown hatched on the map with the maximum height limit rather than an envelope. Optimum building depth is related to building use. In the Preferred Built Form Plan, levels above the first floor have been shown with the optimum building depth of 18 metres, assuming a residential use. Typically, commercial premises have larger floor plates.

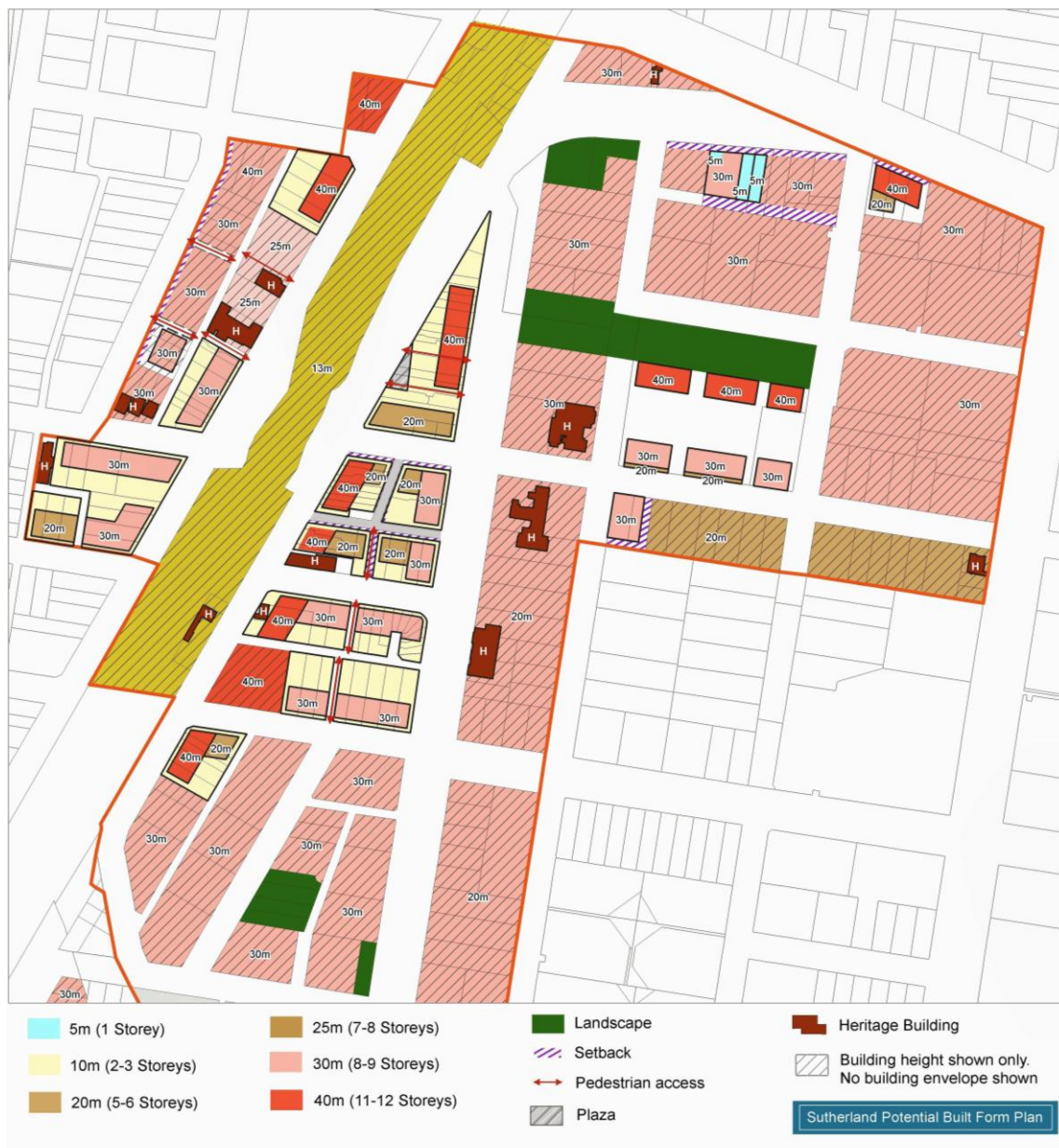
4.1 Objectives

1. Ensure sites are of sufficient size to accommodate well designed development.
2. Ensure all sites can achieve their redevelopment potential.
3. Achieve quality architecture in new development through appropriate composition and articulation of building elements, textures, materials and colours that respond to the building's use and locality.
4. Achieve development that is of an appropriate scale and context for the street and locality and which makes a positive contribution to the streetscape and amenity of the centre.
5. Ensure sufficient solar access for occupants of proposed and surrounding residential buildings and to public open space and footpaths.
6. Create opportunities for incidental open spaces and public domain.

7. Create entrances which provide a desirable and safe identity for the development and which assist in visitor orientation.
8. Minimise potential conflicts between pedestrians and vehicles.
9. Establish a barrier free environment for all people who live, work and visit Sutherland Shire.
10. Improve the visual amenity of the public domain.

4.2 Controls

1. Development must comply with the relevant building envelope where shown on Sutherland Potential Built Form Plan, and with the design guidelines for specific sites where shown.



2. Where a development is proposed with a building envelope which varies from the Potential Built Form Plan, the applicant must demonstrate that the outcomes from the development are as successful, or better, than those that would be achieved under the Built Form Plan in relation to:
 - The building's compliance with the Housing SEPP and Apartment Design Guide including solar access, building separation and residential amenity
 - Whether surrounding land will be able to achieve its full redevelopment potential without compromising the ability to meet the standards of the Housing SEPP and Apartment Design Guide.
 - Whether solar access to footpaths, open space or the public domain is compromised.
 - Whether the proposed development is as successful in terms of its transitional relationships to surrounding development, and in particularly any heritage items in the vicinity of the site.

3. Where the Potential Built Form Plan identifies a pedestrian arcade, public walkway or other public thoroughfare through a development site, the minimum width of the arcade, walkway or thoroughfare is to be 6m.
4. Development must be designed and sited so that it addresses the street and must have a clearly identifiable entry.
5. Development should acknowledge the established rhythm and scale of existing shopfronts/ small lot subdivisions in vertical facade proportions.
6. The building form must be articulated to avoid large expanses of unbroken wall, and to visually reduce bulk.

Note:

Articulation can be provided by setbacks, balconies, awnings, porticos, recesses, blade walls or projecting bays. Large flat facades are to be avoided.

7. Where development has two (2) or more road frontages, vehicular access shall be from the lowest order road. Vehicular access is to be from a rear lane where such is provided
8. Highly reflective materials are not acceptable for roof or wall cladding.
9. Where a basement car park extends above the natural ground level, it is to be designed to ensure that podiums and vehicular entries do not dominate the overall design of the building or streetscape. Basements and podiums are to be integrated into the architectural design of the building. Driveway walls adjacent to the entrance of a basement car park are to be treated so that the appearance is consistent with the external finish of the building.

Note:

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

If basement construction protrudes more than 1m above ground level, it is no longer defined as a basement. Floor space in a basement may be counted as part of gross floor area. Refer to the definitions of gross floor area in SSLEP2015.

10. Development should contribute to a comfortable pedestrian environment with improvement to signage, lighting, planting, awning cover and seating, where appropriate. Frontage works are to be designed and constructed in accordance with Council's Public Domain Design Manual.
11. Ground floor residential uses are only permitted on streets where an active street frontage is not otherwise required and where it is demonstrated that satisfactory amenity for building occupants can be achieved, particularly in relation to privacy and impacts from noise and traffic.

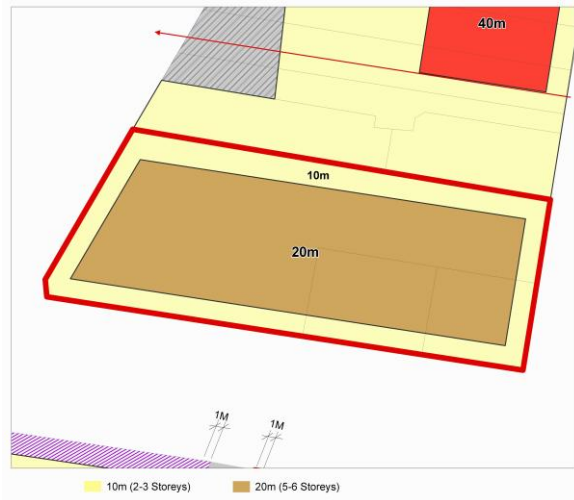
12. Where a development has a blank end wall, it is to have a high quality finish that makes a positive contribution to the appearance of the centre, should it potentially remain exposed in the long term.
13. Residential flat building, shop top housing, commercial premises or industrial development must include the replacement of existing local distribution power lines and other utilities with subsurface utilities and the provision of new street lighting to meet the requirements of the Public Domain Design Manual
12. Where there are powerlines which are not being undergrounded or bundled, street tree planting will only be required if they can be located 2m away from the wires. Where power lines are bundled, suitable trees can be planted underneath the bundled wires.

5. Design Guidelines for Specific Sites

Site 1: Amalgamated site comprising lots at 135, 137 and 139 Flora Street Sutherland



Aerial view



Detail Plan

Design guidelines for development of this site

1. Development on this site should allow for adequate solar access to the north facing footpath on Flora Street, so that at 12pm in midwinter at least 30% of the length of the block has solar access.

Site 2: Amalgamated site comprising lots at 754, 762, 764, 766, 768 Old Princes Highway and 31 Eton Street Sutherland



Aerial view



Detail plan

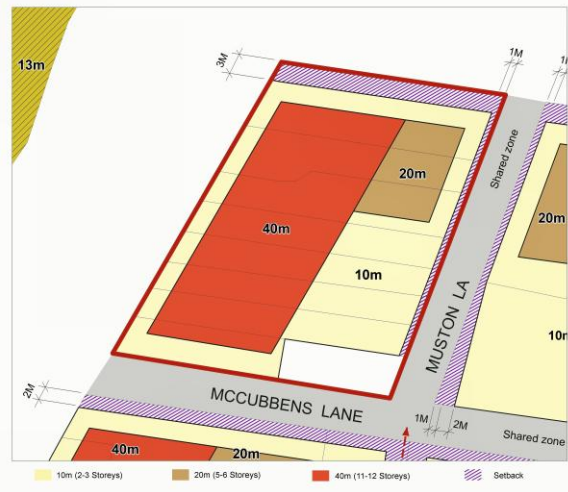
Design guidelines for development of this site

1. Development on this site should maintain the existing pedestrian access way from Eton Street to Old Princes Highway. The existing arcade connection is a valuable through block connection and a successful retail area.
2. Development on this site should provide building setbacks to create a publicly accessible plaza as an extension of the footpath on the north western side of the site. The plaza would be accessible via the arcade and will create a north facing public area sheltered from the negative impacts of traffic and suitable for outdoor dining.

Site 3: Site comprising amalgamated lots at 778-780, 782 and 786 Old Princes Highway and amalgamated lots at 790, 792, 794, 796, and 798 Old Princes Highway



Aerial view



Detail Plan

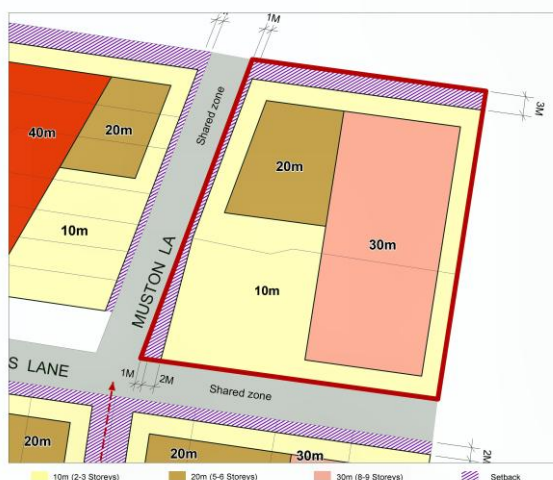
Design guidelines for development of this site

1. To allow for street tree planting on Flora Street, improve pedestrian access and provide more opportunities for north facing café dining areas, a 3m building setback is required from Flora Street.
2. To improve pedestrian access through Muston Lane and McCubbens Lane, a 1 metre building setback from the western side of McCubbens Lane is required to widen the pedestrian access way.
3. Muston Lane and McCubbens Lane will be shared ways. Frontage works design details will be in the Public Domain Design Manual.

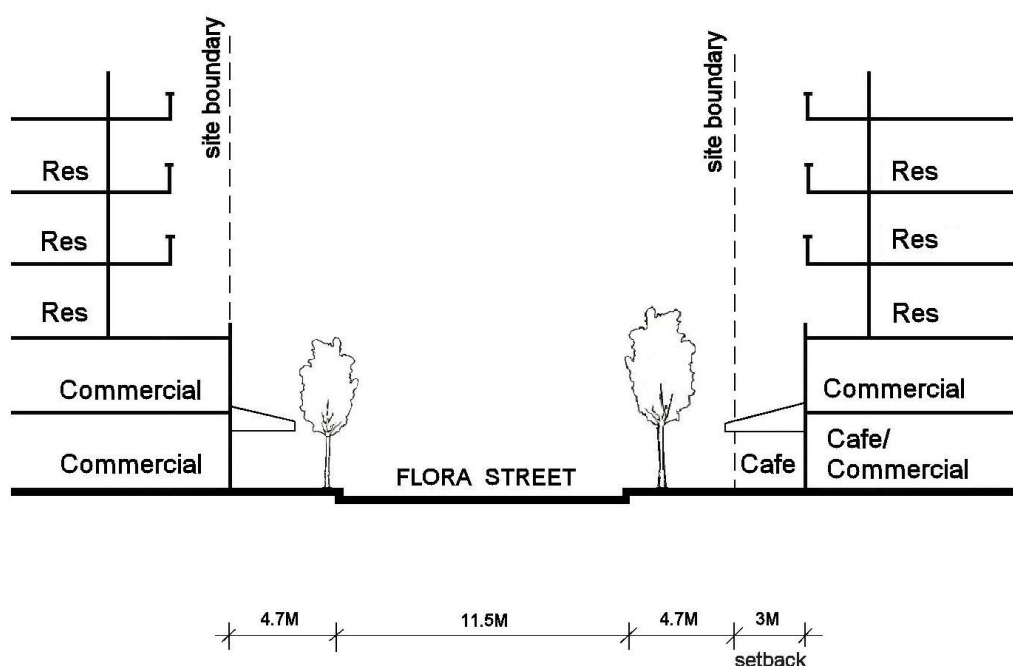
Site 4: Amalgamated site comprising lots at 41-47 Flora Street and 49-51 Eton Street



Aerial view



Detail Plan

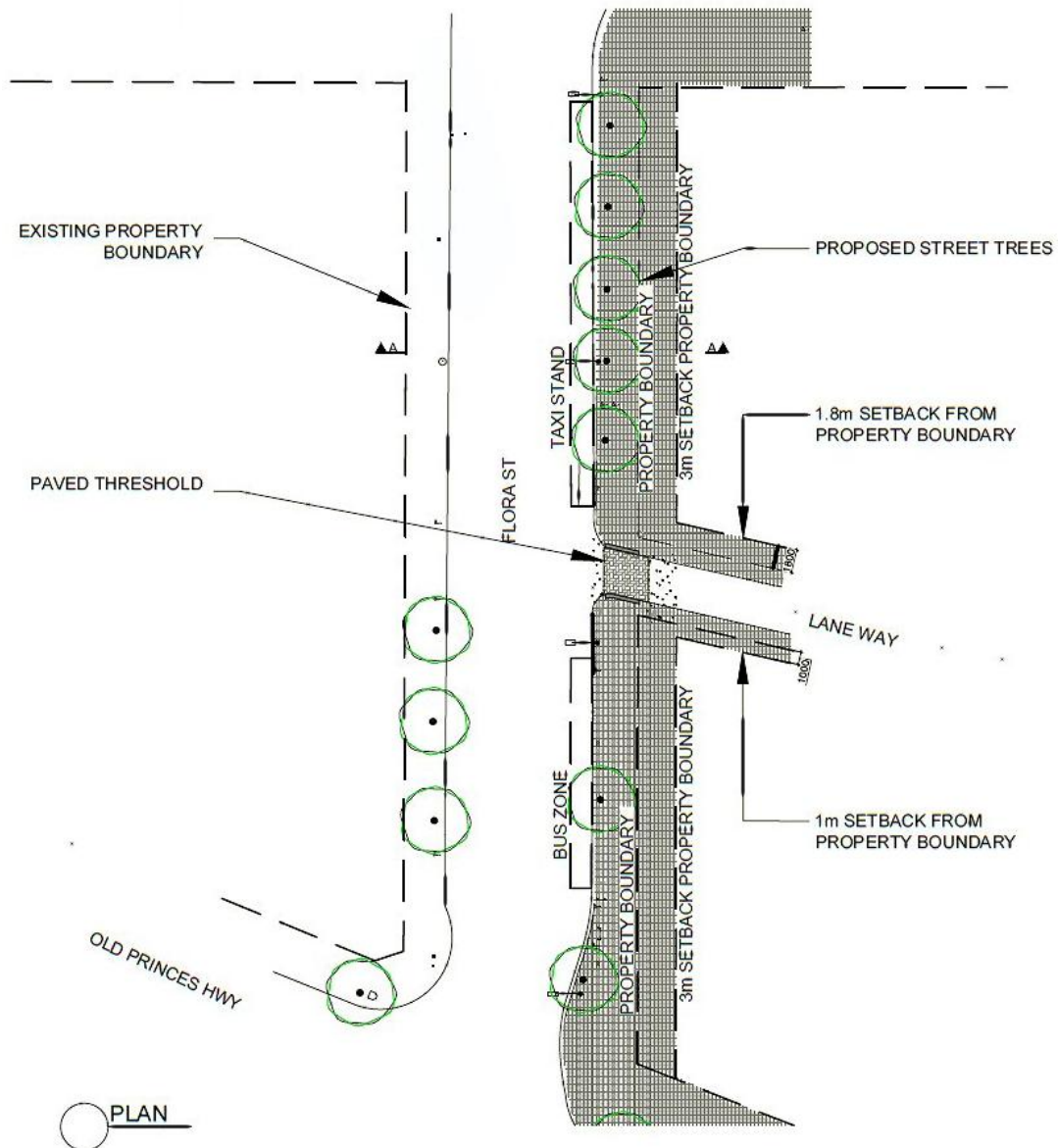


*Section through Flora Street looking west, showing required front setback
(land uses indicative only)*

Design guidelines for development of this site

1. To allow for street tree planting on Flora Street, improve pedestrian access and provide more opportunities for north facing café dining areas, a 3m building setback is required from Flora Street.
2. A continuous footpath awning should be provided.

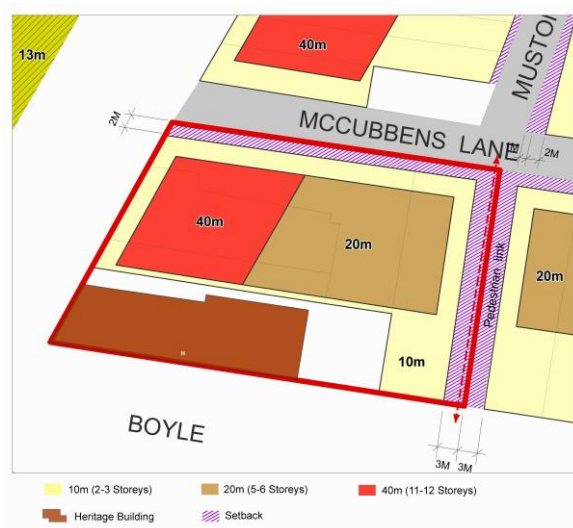
3. To improve pedestrian access through Muston Lane and McCubbens Lane, a 1 metre building setback from the eastern side of McCubbens Lane is required to widen the pedestrian access way.
4. Muston Lane and McCubbens Lane will be shared ways. Frontage works design details will be in the Public Domain Design Manual.
5. A splayed building setback to the corner of Muston Lane and McCubbens lane is required to allow for the planting of a street tree in Muston Lane,



Site 5: Amalgamated site at 800, 802, 806 and 808 Old Princes Highway



Aerial view



Detail Plan

Design guidelines for development of this site

1. Development of this lot should take into consideration the heritage qualities of the heritage listed Boyles Hotel at 808 Old Princes Highway.
2. To improve pedestrian access through Muston Lane and McCubbens Lane, a 2 metre building setback from the southern side of McCubbens Lane is required to widen the pedestrian access way.
3. Muston Lane and McCubbens Lane will be shared ways. Frontage works design details will be in the Public Domain Design Manual.

Site 6: Amalgamated site comprising lots at 1, 1-3, and 5-7 Boyle Street



Aerial view



Detail Plan

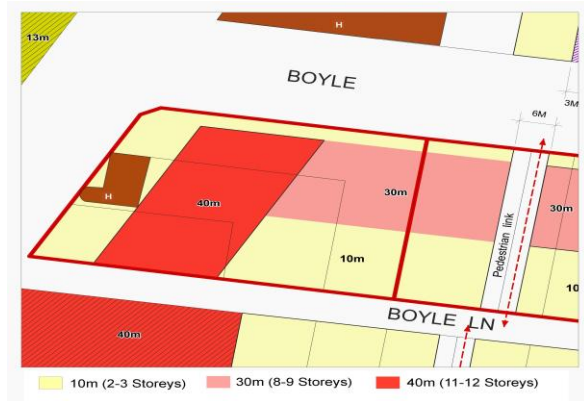
Design guidelines for development of this site

1. Development on this site should maintain the existing pedestrian accessway from Boyle Street to McCubbens Lane and hence to Flora Street. The existing shopping arcade connection is a valuable through-block connection.
2. The pedestrian way should have a minimum width of 6 metres.
3. To improve pedestrian access through Muston Lane and McCubbens Lane, a 2 metre building setback from the southern side of McCubbens Lane is required to widen the pedestrian access way. Muston Lane and McCubbens Lane will be shared ways.

Site 7: Amalgamated site comprising lots at 816, 818-820 Old Princes Highway and 16-20 Boyle Street



Aerial view



Detail Plan

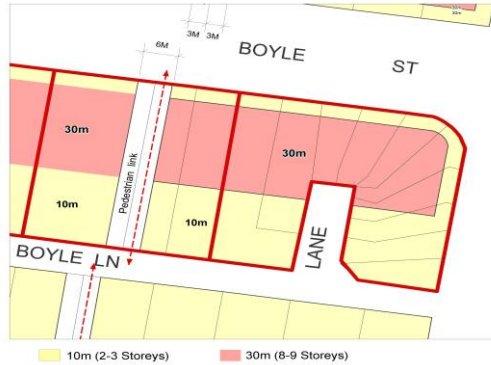
Design guidelines for development of this site

1. Development of this site should consider the heritage value of the heritage listed Commonwealth Bank at 816 Old Princes Highway.

Site 8: Comprising amalgamated lots at 2, 2A, 4, 4A, Lot A 6-6A Boyle Street and 55A, 55B, 55C, 55D, 55E Eton Street and amalgamated lots at 8, 10-14 and Lot 11 6-6A Boyle Street.



Aerial view



Detail Plan

Design guidelines for development of this site

1. A minimum 6m wide 6m through-block north south pedestrian access to be provided from Boyle Lane to Boyle Street.

Site 9: Amalgamated sites at 569 President Avenue, and

Site 10: Amalgamated site at 571, 573 and 575 President Avenue



Aerial View



Detail Plan

Design guidelines for development of these sites

Site 9: 569 President Avenue

1. A minimum 3 metre setback from the western side of the site is required to allow through-block north south pedestrian access to be provided from President Avenue to Boyle Lane. The pedestrian way could be created in conjunction with a corresponding 3m building setback on the adjacent site.

Site 10: 571-575 President Avenue

1. A minimum 6m through-block north south pedestrian access to be provided from President Avenue to Boyle Lane.

Site 11 and Site 12: Amalgamated sites in the block bounded by East Parade, Adelong Street and Robertson Lane



Aerial view



Detail Plan

Design guidelines for development of amalgamated sites in the block bounded by East Parade, Adelong Street and Robertson Lane

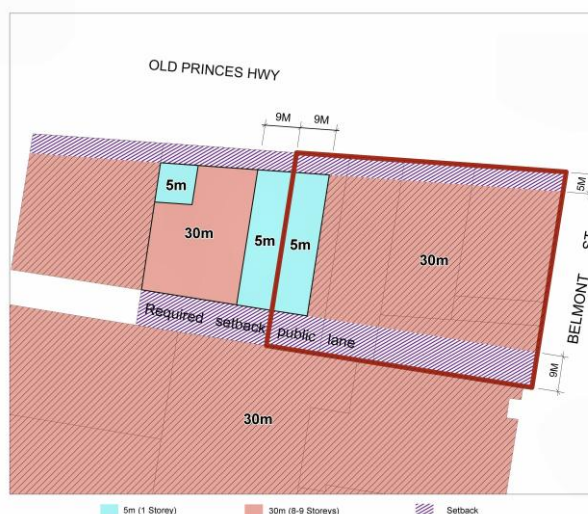
1. A 6 metre setback from the northern side of the site is required to allow through-block east west pedestrian access to be provided from East Parade to Robertson Lane.

Site 13: Site at 710 Old Princes Highway Sutherland

Site 14: Amalgamated site at 686, 692, 696, and 700 Old Princes Highway, and 31, 31R Belmont Street Sutherland



Aerial view



Detail Plan

Design guidelines for development of these sites

1. A minimum 5 metre front setback from Old Princes Highway is required to allow for tree planting and a widened footpath, creating an attractive streetscape and improved entry to the centre.
2. A minimum 9 metre rear setback is required to create a public vehicular laneway connecting Belmont Street to Merton Street, connecting to the part of the laneway already dedicated. The laneway, in full or part will allow rear vehicle access to these sites on the Old Princes Highway.
3. Setbacks above the ground floor are required for an adequate building separation, in accordance with the Housing SEPP and the Environmental Planning and Assessment Regulation 2021 if the uses are residential.

Site 15: Development on site at 680, 682 and 684 Old Princes Highway



Aerial view



Detail Plan (tallest building shown indicatively only as circle)

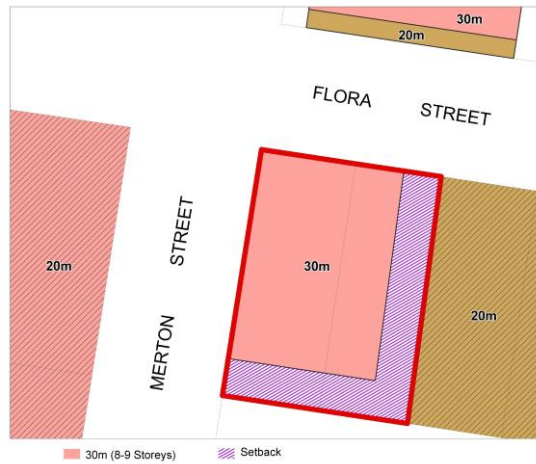
Design guidelines for development of 680, 682 and 684 Old Princes Highway

1. A minimum 5 metre front setback from Old Princes Highway is required to allow for tree planting and a widened footpath, creating an attractive streetscape and improved entry to the centre.
2. The highest elements of the building should be focused on the street corner.
3. Side and rear setbacks should be in accordance with the Housing SEPP, the Environmental Planning and Assessment Regulation 2021 and the ADG.

Site 16: Development on site at 152-154 Flora Street



Aerial view



Detail Plan

Design guidelines for development of site at 152-154 Flora Street

1. Minimum 6 metre rear and side landscaped setbacks from adjacent lots are required. Three metres of this setback on the boundary should be deep soil to allow for the planting of trees.

6. Amalgamation Requirements

Effective amalgamation patterns promote the efficient use of land and allow design constraints to be more easily resolved. In particular, they help to produce a consistent urban form and built form 'rhythm' that reflect the surrounding development pattern. They also attempt to balance planning requirements relating to height, massing, underground car-parking, vehicular access, streetscape and amenity to achieve appropriate building outcomes.

Amalgamation patterns have been defined for some parcels of land in Sutherland Centre as shown in the Sutherland Centre Amalgamation Map. Sites which have been strata subdivided have generally not been included in the amalgamation pattern.

6.1 Objectives

1. Ensure that redevelopment does not isolate lots or prevent land parcels from reaching their redevelopment potential while meeting the standards embodied in the Housing SEPP and the Apartment Design Guide.
2. Ensure that amalgamated land parcels allow for the development of built forms that make a positive contribution to the spatial definition of the street and create or maintain amenity for existing and future occupants.
3. Ensure that efficient and safe car park and vehicle entry points can be achieved.

6.2 Controls

1. Development of land identified in the Sutherland Amalgamation Map as subject to an amalgamation requirement, is to follow the identified amalgamation pattern.
2. Lots must be of sufficient width to accommodate development. A site of minimum width of 20m is appropriate for larger scale centre development. Where development of a narrower site is proposed, the development must:
 - a. provide for required parking on the site, usually in an underground car park, that allows for vehicles to leave in a forward direction;
 - b. provide appropriate access and servicing facilities, loading, storage and waste management areas;
 - c. respond to the local context.

Development sites with site frontage width less than 20m may not allow for the full FSR to be realised.

3. If an application proposes a redevelopment that does not comply with the amalgamation plan or where a proposal would result in an isolated site with minimum street frontage of less than 20 metres, the applicant must submit to council with the development justification to vary the amalgamation pattern requirements.
4. Development must be carried out in an orderly manner.

If an application proposes a residential flat development that does not comply with the amalgamation plan, the applicant must demonstrate that development of an alternative amalgamation pattern can be achieved where all sites can achieve their full development potential.

A schematic design must show that development of land under an alternative amalgamation pattern complies with the Housing SEPP and the Apartment Design Guide standards.

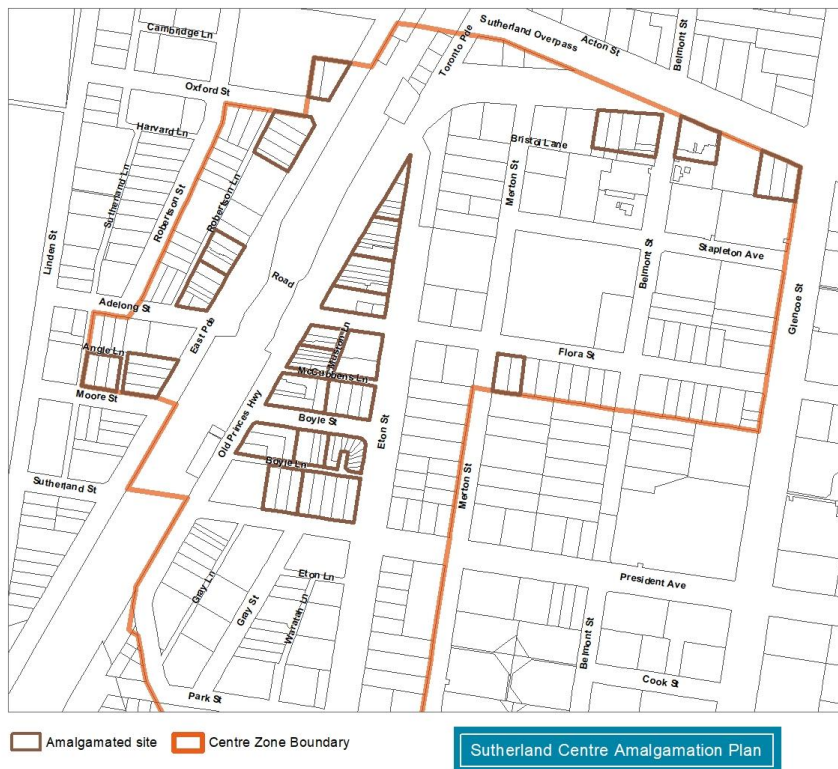
The assessment of any proposal to vary the amalgamation pattern will include consideration of the impact of the proposed development on the future capacity of lots left isolated.

Note:

Applications seeking to vary the amalgamation plan must include copies of correspondence between the proponent and the owners of any sites not incorporated in the designated amalgamation pattern or the owner of any site that would be isolated by the proposed development. The correspondence must clearly indicate that a fair financial offer has been made to that owner for incorporation into the development proposal (based on 3 valuation reports provided with the submission) and any response to these offers. Applicants must make this correspondence available to all landowners in the original amalgamation plan. The information will also be publicly available at Council.

A reasonable offer, for the purposes of determining the development application and addressing the planning implications of an isolated lot, is to be based on 3 independent valuation reports and include other reasonable expenses likely to be incurred by the owner of the isolated property in the sale of the property.

Where it has been shown that reasonable efforts have been undertaken to facilitate amalgamation of the isolated properties, and where no resolution can be reached between the parties, applicants must include with their development application a plan of adjoining lots excluded from the amalgamation which shows a schematic design of how the site/s may be developed. In such instances isolated lots are not expected to achieve the full FSR permissible in the zone.



Sutherland Centre Amalgamation Plan

7. Street Setbacks

Street setbacks establish the front building line. Controls over street setbacks create the proportions of the street and the continuity of street facades. Setbacks make an important contribution to the perceived scale of a street and the creation of an urban streetscape character with well defined street spaces.

Buildings built to the street alignment with appropriate ratios of street width to building height provide a sense of enclosure to the street and can contribute to the public domain by enhancing streetscape character and the continuity of street facades. In the commercial centre at ground floor, buildings are generally to be built up to the street alignment to reinforce the urban character of the centre.

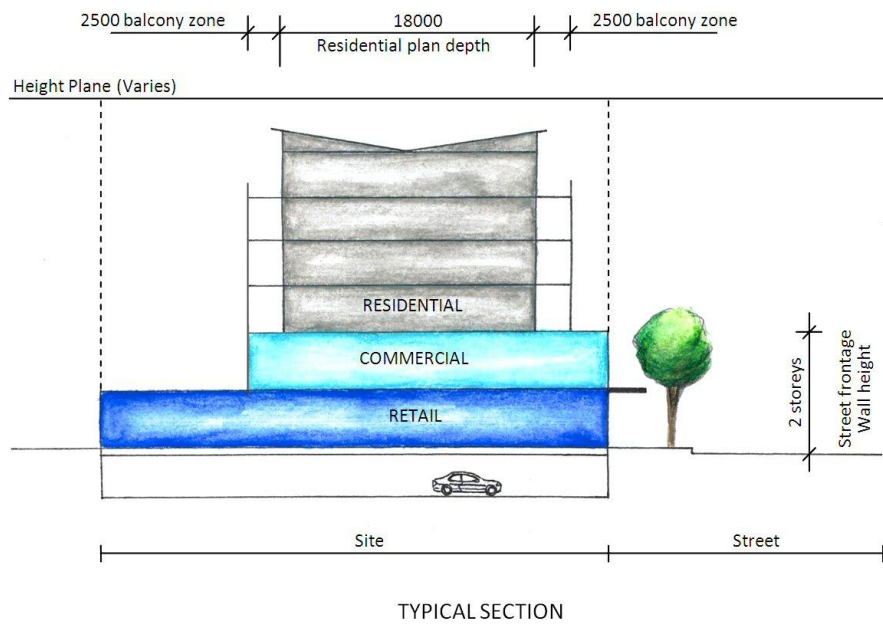
Street frontage heights refer to the height of the building that is built to the street alignment, creating a street wall. The street wall can be the front face of the balconies. Upper levels above street frontage height are to be set back to provide for solar access to streets, and daylight to other buildings.

7.1 Objectives

1. Establish the desired spatial proportions of the street and define the street edge.
2. Create opportunities for the planting of canopy trees and landscaping.
3. Ensure new development is compatible with the desired future streetscape character, or contributes to the desired future streetscape character.
4. Strengthen the urban form of the centre with consistent street wall heights.

7.2 Controls

1. Unless specifically identified in the Sutherland Potential Built Form Plan, Sutherland “Specific Site” guidelines, or a clause, the first two storeys of new development must have a nil setback to the street, with a wall height of 8-10m to an active street frontage.
2. New development of greater than two storeys shall have a two storey wall height (8-10m) to an active frontage, and a minimum setback of 4m for the upper storeys, above the two storey wall height.



Typical Section

8. Landscape

8.1 Objectives

1. Increase the volume of indigenous trees in the centre so that the local ecology becomes a defining character of the centre, to give it a unique sense of place.
2. To contribute to streetscape character and the amenity of the public domain by using planting and landscape elements appropriate to the desired character of the streetscape and the scale of the development.
3. To improve the microclimate for comfort of pedestrians, residents and visitors to the centre.
4. To ensure any planting on podiums, roof tops and in planter boxes is sustainable over the long term.

8.2 Controls

1. Existing street trees in good health are to be retained and protected. A minimum street tree planting rate is set at one indigenous canopy tree that will attain a minimum mature height of 6m to be planted at maximum spacing of 5m planted at least 1m from the kerb and/or footpath. Informal clumping of trees is encouraged. Street trees must be selected from the Native Plant Selector available on Council's website. Turf must also be planted. Planting is to be undertaken in accordance with Council's Public Domain Design Manual.
2. Where planting is proposed on podiums, roof tops or within planter boxes, the space to be planted must be designed and constructed to contain a minimum of 600mm of soil depth. Less soil depth will only be accepted when a high quality alternative solution is provided. The basis for species selection for this planting should maximise the likelihood of long term viability in view of the likely future microclimate. Landscaping on podium levels and planter boxes should be accessible for gardener access.
3. Where planting is proposed on that part of a basement which extends beyond the building footprint, roof tops or within planter boxes, the space to be planted must be designed and constructed to contain a minimum soil depth of:
 - 450mm for grass and ground covers
 - 600mm for shrubs
 - 900mm for small trees
 - 1200mm for large trees.

Species selection must be suited to the future microclimate. Landscaping on basement roofs and planter boxes must be accessible for maintenance access.

4. Where trees are proposed on roofs or planter boxes an area of 3m x 3m per tree must be provided. Planter boxes in this case must be stepped, mounded or set down in the slab to reduce their apparent height on the surface to 450mm.

5. Appropriate paving must be provided to driveways, walkways, entries, fire egress points garbage bin enclosures, letter boxes, clothes lines and under pergolas.

Note:

All indigenous tree species must be selected from Council's Native Plant Selector available on Council's website. The Native Plant Selector is a tool that recommends plants suitable for Sutherland Shire's ecosystems based on the specific address of the site locality. The tool is available online at Council's website.

For additional guidance on landscape design and implementation refer to the Sutherland Shire Environmental Specifications - Landscape 1-5. Applicants should also refer to the Greenweb map and controls in Chapter 39 Natural Resource Management. For development application submission requirements refer to Council's DA Guide.

9. Active Frontages

Active street frontages are locations where retail shop fronts and building entries address the street, building entries are positioned and pedestrians circulate along the streets length, accessing shops and services. Active street fronts contribute to the character of a centre, facilitate pedestrian movement between shops and services, and create an environment of vibrancy and vitality.

Semi-active frontages are locations where retail and commercial ground floor uses are required but need not be continuous.

9.1 Objectives

1. Identify those places in Sutherland where it is desirable for ground floor uses to have a clear street presence that connects the public and private domain through:
 - a. Display windows, retail shop fronts and other activities that attract people to the area.
 - b. Outdoor eating or dining areas, whether connected to a particular use or available for general uses that encourage people to stay in the area.
 - c. Commercial premises or service activities that utilise a street frontage for access that encourages people to come to the centre for business purposes.
2. To facilitate safe and convenient pedestrian access to shops.

9.2 Controls

1. Active frontages at footpath level are to be provided in accordance with Sutherland Centre Active Frontage Map.
2. Active frontages must be at footpath level along the full length of the building frontage. This may require the floor plate of development to step up/down with the topography to ensure that the floor level of the active frontage is at footpath level.
3. Places indicated on the map as semi-active are locations where active commercial premises or retail frontages are required but need not be continuous.
4. Vehicle entrances and service areas are not to be located in active street frontages.
5. Continuous awnings must be provided along shop fronts and active street frontages. Awnings are to be designed to maintain street canopy trees that form part of the landscape character of the locality.
6. Shop fronts are to be glazed to ensure visual interest, provide borrowed light and surveillance to the street.

10. Side and Rear Setbacks

Side and rear setbacks, either onto lanes or adjacent to established residential dwellings, are required to protect the amenity of new and existing dwellings. Setbacks can also ensure that rear access for vehicles and servicing can be provided, so that the active street front can continue to operate as a predominantly pedestrian environment.

10.1 Objectives

1. Reinforce the desired spatial character of an area in terms of openness and density.
2. Mitigate the visual intrusion of building bulk on neighbouring properties.

10.2 Controls

1. Unless specifically identified in the Sutherland Potential Built Form Plan, Sutherland 'Specific Site' guidelines, or a clause, a nil setback to side and rear boundaries is permitted. However, where new development adjoins or is across the road from a residential zone, open space or school where it is likely to remain as a standalone building, side and rear setbacks will be assessed on merit, having regard to the impacts on residential amenity of both the neighbouring buildings and the future residents of the proposed building, and the design quality of the building. A setback and or a reduction in the height and scale will be necessary to achieve acceptable transition in building forms where amenity would be unreasonably compromised by a nil setback and a blank façade. Applications will be assessed depending on the specific context of the site. The early presentation of a design to the Design Review Forum is recommended in such circumstances.
2. Where an active street frontage is required on the Active Street Front Map, nil boundary setbacks are required for all ground floor uses to allow for the provision of continuous awnings over public footpaths.
3. Building separation for residential uses should be in accordance with the Housing SEPP and the Apartment Design Guide.

11. Building and Site Layout

Good design provides a building layout that maximises the natural attributes of the site. Carefully considered building layout and design also creates a higher level of amenity for occupants through enhanced visual and acoustic privacy, passive heating and cooling, attractive outlooks from living spaces, and flexible and useable indoor and outdoor spaces that meet the needs of workers and/or occupants.

Similarly, good design meets the needs of its occupants by providing adequate site facilities. Considering the need and location of site facilities at the design stage is important in achieving good design outcomes. There is less opportunity to achieve good outcomes for ancillary facilities following construction.

11.1 Objectives

1. Ensure development provides opportunities for cross-ventilation and natural ventilation.
2. Ensure that vehicle access points do not dominate the street frontage of developments and allow for the safe passage of pedestrians along the street and into the development.
3. Integrate essential amenities and facilities within developments.
4. Minimise the impacts of ancillary aspects of development on people, building occupants or neighbours and on the streetscape.

11.2 Controls

1. New development shall incorporate passive solar building design, including the optimisation of sunlight access the minimisation of heat loss and energy consumption, to avoid the need for additional artificial heating and cooling.
2. All loading, unloading and manoeuvring of vehicles shall take place within the curtilage of the site, and vehicles are to enter and exit the site from a rear laneway wherever possible and in a forward direction at all times.
Where other arrangements for loading and unloading of vehicles are proposed, they may be acceptable where:
 - a. There is a low intensity of commercial use;
 - b. The proposed arrangement maintains a safe and convenient pedestrian and traffic environment.
3. Loading areas shall be located to avoid on-street loading and be freely available for use at all times.
4. Non-residential and residential land uses in the same development shall be sited and designed to not adversely affect the residential amenity of building occupants.

12. Shop Top Housing & Residential Flat Buildings

This section applies to shop top housing and residential flat buildings. Shop top housing is defined as, “one or more dwellings located above ground floor retail premises or business premises” (SSLEP2015 Dictionary).

Shop top housing that is only two storeys in height, and/or contains less than four dwellings is not subject to the Housing SEPP and the objectives and design criteria of the Apartment Design Guide 2015. However the following provisions aim to ensure all future dwellings in the centre achieve the design principles of the Housing SEPP and the objectives and design criteria of the Apartment Design Guide 2015.

Good design provides a building layout that maximises the natural attributes of the site. Carefully considered building layout and design also creates a higher level of amenity for occupants through enhanced visual and acoustic privacy, passive heating and cooling, attractive outlooks from living spaces, and flexible and useable indoor and outdoor spaces that meet the needs of occupants.

Good design also needs to have particular regard to the amenity of residents and surrounding residential uses.

The following controls for shop top housing and residential flat buildings are in addition to the general controls for the Sutherland Centre.

12.1 Objectives

1. Improve the design quality of shop top housing and residential flat buildings.
2. Provide greater housing choice to meet the access and mobility needs of occupants.
3. Ensure small scale shop top housing development provides opportunities for solar access, cross-ventilation and natural ventilation.
4. Ensure all sites in a centre are capable of meeting their full redevelopment potential.
5. Ensure building design and dwelling layout provides a high level of resident amenity.
6. Ensure outdoor areas are functional and responsive to the environment.

12.2 Controls

1. Residential flat buildings and shop top housing should achieve the design quality principles of the Housing SEPP and the Apartment Design Guide. This includes buildings that are two storeys or less, and/or contain less than four dwellings.
2. Facades of upper storey residential accommodation with no windows or balconies/openings may have a nil boundary side setback.

3. Small scale shop top housing (that is, development is two storeys in height, and/or contains less than four dwellings), is required to achieve the following minimum side and rear boundary setbacks:

Building Height	Setback from boundary where the façade contains windows from bathroom and/or laundry, storage, or highlight windows only	Setback from boundary where the façade contains windows from habitable rooms including living rooms, kitchens, bedrooms, or studies, and/or balconies
Up to 12m	4.5m	6m

Note:

Highlight windows have a sill height of at least 1.6m above the respective floor level. Side and rear setbacks are measured perpendicular from the side or rear boundary to the closest extent of the building, including balconies, awnings, sunscreens and the like (excluding eaves).

4. The side and rear setbacks must result in a development that:
 - a. provides adequate resident amenity- including privacy, solar access, and ventilation;
 - b. responds to the local context and streetscape, providing adequate separation from existing and future adjoining development;
 - c. does not prevent a neighbouring site from achieving its full development; potential and optimal orientation;
 - d. has architectural merit.
5. Shop top housing is to be sited and designed to maximise direct sunlight to north-facing living areas and all private open space areas.
6. A variety of dwelling types between one, two, three and three plus bedroom dwellings should be provided, particularly in large developments.
7. Living rooms and private open spaces for at least 70% of residential units in a development should receive a minimum of 2 hours direct sunlight between 9am and 3pm in midwinter.
8. A new residential flat building, without an active street frontage, must be setback 4m from the street to provide appropriate residential amenity. Changes in level, landscaping and building design should be employed to facilitate privacy for occupants.
9. Dwelling entries shall be distinguished from commercial premises /retail entries.

10. Each dwelling in a small scale shop top housing development must be provided with a primary balcony/patio with direct access from the living area, with sizes as follows:

Dwelling type	Minimum area	Minimum depth
Studio apartments	4 m ²	-
1 bedroom apartments	8 m ²	2m
2 bedroom apartments	10 m ²	2m
3+ bedroom apartments	12 m ²	2.4m
Apartment at ground level or podium	15 m ²	3m

11. Balcony design is to be integrated into the architectural form and detail of the buildings.
12. Balcony balustrades should respond to the location, being designed to allow views and passive surveillance of the street while maintaining visual privacy and allowing for a range of uses on the balcony.
13. Suitable clothes drying facilities shall be provided and not be visible from a public place and have access to sunlight.
14. Secure space in a small scale shop top housing development must be provided for each dwelling in accordance with the following table:

Dwelling type	Storage size volume
Studio apartments	4 m ³
1 bedroom apartments	6 m ³
2 bedroom apartments	8 m ³
3+ bedroom apartments	10 m ³

At least 50% of the required storage is to be located within the dwelling and accessible from circulation or living spaces.

15. Communal open space should have a minimum area equal to 25% of the site for residential flat buildings and shop top housing with a floor space ratio of 2:1 or greater. Where residential flat buildings and shop top housing have a floor space ratio of less than 2:1, 100 m² of communal open space is required.
16. Communal open space should have a minimum dimension of 3m, and larger developments should consider greater dimensions. This space must incorporate shelter, furniture and facilities suitable for outdoors, and if provided at ground level, include canopy trees. Communal open space on roof tops should be designed to optimise privacy for occupants and adjoining residents.
17. A communal rainwater tank and pump should be located in common open space. Common open space areas must be provided with a water efficient irrigation system and taps at a minimum 25m intervals connected to the rainwater tank. Each private open space at ground level must be provided with a tap connected to the rainwater tank.

13. Adaptable and Livable Housing

Adaptable and 'livable' (universally designed) dwellings are conventional dwellings that incorporate construction and design elements to meet people's changing mobility requirements over their lifetime (e.g. level pathways, wider doorways and corridors and reinforced bathroom walls to enable future installation of grab rails). The focus is on creating safe, accessible and functional housing for a diverse demography including the elderly, families with children and people with permanent or temporary disabilities.

The National Construction Code and associated Australian Standards set technical requirements in regards to the accessibility of buildings.

An 'adaptable dwelling' is a dwelling with design features that are easily adapted at a later date to flex with the changing needs of the occupants, as specified in AS 4299 (Adaptable Housing).

A 'livable' dwelling is a form of adaptability that incorporates elements 'designed in' at the construction stage, thus not requiring subsequent modification or adaptation through the lifecycle of occupants.

For the purpose of this section, a livable dwelling means a dwelling designed to the Liveable Housing Australia (LHA) Silver Level Certification standards within the *Livable Housing Design Guidelines*.

13.1 Objectives

1. Increase the supply of adaptable and universal housing in Sutherland Shire.
2. Ensure a suitable proportion of dwellings include layouts and design features to accommodate changing mobility requirements of residents.
3. Promote ageing in place by extending the usability of dwellings to meet 'whole of life' needs of the community.

13.2 Controls for Adaptable Housing

1. All new shop top housing developments must provide dwellings designed in accordance with the Australian *Adaptable Housing Standard* (AS4299) to Class C Certification at the following rates:
 - Development containing 3-5 dwellings – none.
 - Developments of 6 or more dwellings – 20% adaptable.
2. When the calculations for the number of dwellings results in a fraction, numbers $\leq .5$ should be rounded down.
3. Variations will be considered where it can be demonstrated that site conditions would preclude achieving the controls.
4. An applicant will need to demonstrate compliance with the adaptable housing provisions. This may include a report prepared by an appropriately qualified

person submitted with the development application, specifying how the proposal has addressed the requirements in this chapter, the relevant Australian Standards (e.g., *Australia Standard 1428 – Design for access and mobility*) and the National Construction Code.

5. The design of adaptable dwellings must be integrated into the development with the use of consistent materials and finishes.

13.3 Controls for Livable Housing

1. In addition to complying with the adaptable housing rates in clause 1 above, all new shop top housing and boarding house developments must provide 'livable dwellings (i.e., dwellings designed to the LHA Silver Level Certification standard within the *Livable Housing Design Guidelines*) at the following rates:
 - Developments containing 3-5 dwellings – 1 dwelling.
 - Developments of 6 or more dwellings – 10% of dwellings.
2. When the calculations for the number of dwellings results in a fraction, numbers $\leq .5$ should be rounded down.
3. Dwellings provided in accordance with Clause 1 must incorporate the following *Livable Housing Design Guidelines*:
 - An accessible continuous path of travel from the street entrance and/or parking area to dwelling entrance.
 - At least one level entrance into the dwelling.
 - Internal doors and corridors width that facilitate comfortable and unimpeded movement between spaces.
 - A toilet on the ground (or entry) level that provides easy access.
 - Reinforced walls around the toilet, shower and bath to support the safe installation of grab rails at a later date.
 - A continuous handrail on one side of any stairway where there is a rise of more than one metre.
4. On-site car parking spaces shall be in accordance with Australian Standard – AS 2890.1 (as amended) and Australian Standard – AS 2890.6.
5. Where proposed, all 'livable' dwellings must be clearly identified on the submitted DA plans.
6. Variations to (1) will only be considered where it can be demonstrated that site conditions would preclude achieving the controls.

Note:

For further details on the *Livable Housing Design Guidelines*, applicants are encouraged to visit www.livablehousingaustralia.org.au.

14. Visual and Acoustic Privacy

Building design must take into consideration aspects of visual privacy and noise sources and minimise their future impacts on occupants. Amenity is enhanced by privacy and a better acoustic environment. This can be achieved by carefully considering the location of the building on the site, the internal layout, the building materials used, and screening devices.

Major roads and rail operations generate noise and vibration, and people living and working near major transport corridors can be adversely affected. Major roads can also impact on air quality due to their volume of traffic. Building design must take into consideration the noise, vibration and air quality effects of busy roads and rail corridors and minimise the amenity and health impacts on future occupants.

14.1 Objectives

1. Ensure a high level of amenity by protecting the acoustic and visual privacy of occupants within dwellings and their associated private open spaces.
2. Ensure dwellings are sited and designed so that visual and acoustic privacy and vibration from outside sources is controlled to acceptable levels, incorporating architectural and building elements to assist in protecting privacy.
3. Minimise direct overlooking of windows and private open space so that the amenity of neighbours and intended occupants is respected.

14.2 Controls

1. Locate, orientate and design new development to ensure adequate visual privacy between buildings, and between buildings and adjacent private open space.
2. Use building design to increase privacy without compromising access to light and air.
3. All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters must be designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment must not exceed an LAeq (15min) of 5dB(A) above background noise at the property boundary.
4. Residential development adjacent to a rail corridor or a busy road as identified on the Road and Rail Noise Buffer Map should be sited and designed to include noise and vibration attenuation measures to minimise noise and vibration impacts. Refer to State Environmental Planning Policy (Transport and Infrastructure) 2021 and the NSW Department of *Planning's Development near Rail Corridors and Busy Roads – Interim Guidelines*.

Note:

Compliance with the NSW Planning and Environment's *Development near Rail Corridors and Busy Roads – Interim Guidelines* is mandatory for roads with an annual average daily traffic (AADT) volume greater than 40,000 and is best practice advice for roads with an AADT volume of 20,000 - 40,000 (based on the traffic volume data available on the website of Transport for NSW).

The Guidelines apply to development:

- located up to 300m from the road kerb and with a direct line of sight to busy roads, and, or
- located within 80m of an operational rail track

The Guidelines require that noise levels in any such residential development not exceed:

- LA eq of 35dB (A) measured within any bedroom in the building at any time between 10pm-7am and
- LA eq of 40dB(A) measured within any bedrooms between 7am-10pm and anywhere else in the building (other than a garage, kitchen, bathroom or hallway) at any time.

Depending on the classification of a development using the screen tests in the *Development near Rail Corridors and Busy Roads – Interim Guidelines*, compliance with specified noise control treatments (Appendix C) may be required or an assessment by an acoustic consultant may be required.

15. Safety and Security

In April 2001, the NSW State Government introduced *Crime Prevention Through Environmental Design (CPTED)* to Section 4.15 of the *Environmental Planning and Assessment Act, 1979*. The guidelines require consent authorities to ensure development provides safety and security for users and the community. If a development presents a crime risk, the guidelines can be used to justify modification of the development to minimise crime risk, or refusal of the development on the grounds that crime risk cannot be appropriately minimised.

15.1 Objectives

1. Reduce opportunities for crime through building layout, orientation and location, and the strategic use of design, landscaping and lighting.

15.2 Controls

1. Any design must demonstrate compliance with *Crime Prevention Through Environmental Design (CPTED)* guidelines.

Note:

For further information, refer to:
NSW Police Service 2001, *Safer by Design* NSW Department of Urban Affairs and Planning 1979, *Crime Prevention and the Assessment of Development Applications, Guidelines* under Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

16. Parking

Accommodating vehicles can have a significant impact on the design of new development. The location and layout of the parking will influence the layout and design of buildings and landscaping. All development must satisfy the demand for parking that it creates within its own site. The provision of sufficient parking must not compromise the safety of the on street and off street environment for vehicles, pedestrian and cyclists. Parking is required for different types of vehicles according to the proposed use. Vehicles include passenger vehicles, motor bikes, light vehicles and heavy vehicles and pushbikes.

16.1 Objectives

1. Ensure all land uses and/or combination of activities provides sufficient parking on site to satisfy the demand for parking by different vehicle types generated by the development including Traffic Generating Development.
2. Minimise amenity impacts on neighbouring properties including streetscape, noise and light spill.
3. Ensure that off-street parking areas are provided having regard to the area of the building, the number of employees, residents and visitors, the availability of public transport and use of bicycles

16.2 Controls

1. Car parking shall be provided in accordance with the car parking requirements set out under *Table 1 - Car Parking Numbers* in Chapter 36: Vehicular Access, Traffic, Parking and Bicycles.
2. Where a proposed development is not listed in these controls, or where the development proposal raises unique traffic and parking issues, or where development is identified as Traffic Generating Development, then a Traffic Report shall be completed.
3. In addition to the car parking requirements, motorcycle parking shall be provided at a rate of 1 motorcycle space per 25 car spaces or part thereof. For example, where 26 car parking spaces are required then 2 motorbike parking spaces are to be provided. Motor cycle parking spaces shall comply with the relevant standards.
4. In addition to the car parking requirements, bicycle parking space must be provided at the rate of 1 space per 10 car parking spaces for first 200 car spaces, then 1 space per 20 parking spaces thereafter. In addition, 1 unisex shower is required per 10 employees.
5. Bicycle parking facilities are to be installed in accordance with Australian Standard AS2890.3 – Bicycle Parking Facilities (as amended), Austroad's Guide to Traffic Engineering Practice – Part 14 Bicycles and the Austroads Bicycle Parking Facilities: Guidelines for Design and Installation (AP-R527-16).
6. Bicycle parking facilities must address the following design principles:

- a. Accommodate all usual types of bicycles such that damage to them is minimised during storage and retrieval.
 - b. Not pose a hazard to bicycle users, pedestrians or motorists.
 - c. Be well lit, safe and secure, easy to access and use.
 - d. Cater for the different needs of residents, employees and visitors to the development.
 - e. Be located in convenient and accessible locations within the development that allow for good passive surveillance; such as near key building entrances, the lobby and the lift core.
 - f. When located within a car park, preferably be situated at street level and in a manner that provides the most direct, safe and convenient access while minimising conflict with vehicles and pedestrians.
 - g. Where a bicycle parking and storage facility cannot be located at street level, it must be located no more than one level above or below street level. Access to street level entry and exits must be direct, safe and minimise potential conflicts with vehicles.
7. Where the car parking requirement is expressed as a maximum number of spaces, the development shall not exceed that maximum.
 8. Where the car parking requirement is expressed as a minimum number of spaces, the development shall not provide less spaces than that minimum.
 9. When the calculations for the number of parking spaces results in a part or fraction of a parking space of 0.5 or greater for the whole development, then the actual number shall be rounded up. For example, 1.5 spaces shall be rounded up to 2 spaces for the whole development.
 10. Where a development proposal contains two or more land uses, the parking requirement shall be the sum of parking required for the individual land uses.
 11. Where a proposed development comprises two or more land uses with different peak parking demands, the total requirement may be reduced such that the peak demand is met at any one time where supported by a study by a suitably qualified traffic engineer.

17. Waste Management Requirements

The design of waste and recycling storage areas within the development determines the efficiency of waste handling as well as affecting occupant amenity and the streetscape presentation of the development.

Multiple uses accompanied by residential accommodation within a property increase challenges with regard to minimising the volume of waste, the ease of access and the efficiency of waste sorting and removal systems.

17.1 Objectives

1. Ensure appropriate waste storage and collection facilities.
2. Maximise source separation and recovery of recyclables.
3. Ensure waste management systems are intuitive for occupants and are readily accessible, integrated with the design of a development.
4. Minimise risk to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.
5. Minimise adverse environmental impacts associated with waste management.
6. Discourage illegal dumping by providing on site storage and removal services for hard waste. Hard waste consists of discarded items of bulky household waste which are awaiting removal.
7. Enable the servicing of the waste management system on site, and the efficient collection of waste and recyclables by collection service providers, with minimum disruption and impact on the community.
8. Ensure bin storage areas/rooms do not dominate the streetscape.

17.2 Controls

1. Provision must be made for waste management, including storage and collection, in accordance with Sutherland Shire Council's *Development Application and Modification Lodgement Guideline* and *Waste Collection Policy for Multi-Unit Dwellings and Residential Flat Buildings*.

18. Late Night Trading Premises

A late night premises is any commercial premises or community facility which may impact on the amenity and safety of a neighbourhood resulting from its operation at night. The regulation of late night trading also applies to licensed premises under the Liquor Act 2007.

In relation to Late Night Trading Premises controls, Sutherland Centre is divided into High, Intermediate and Low Activity Areas.

The guidelines for Late Night Premises are in Chapter 37: Late Night Trading of the DCP.

