

SUTHERLANDSHIRE

# B1 NEIGHBOURHOOD CENTRE

DCP 2015 CHAPTER 12



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The purpose of the urban design principles and controls is to achieve high quality development. High quality development enhances the public domain, minimises potential impacts upon surrounding development, protects the environment and creates attractive neighbourhoods where people can live, work, shop and carry out their daily activities in a safe environment. High quality development must be site responsive. It must also be based upon the principles of ecologically sustainable development.

Development in neighbourhood centres should make a positive contribution to their immediate environment. Neighbourhood centres are located in predominantly low density residential areas and must therefore have particular regard to adjoining development and the locality.

The residential flat component of any development should be designed in accordance with SEPP 65 and the Apartment Design Guide 2015 (ADG).

Neighbourhood centres include:

Bundeena  
Barden Ridge  
Woronora  
Woronora Heights  
Loftus  
Yarrawarra  
Kirrawee, Marshall Rd  
Oyster Bay  
Oyster Bay, Carina Rd  
Como  
Sylvania Heights  
Kirrawee South  
Grays Point north (Tathra PI)  
Grays Point  
Gynea Bay, Ellesmere  
Gynea Bay, Coonong  
Yowie Bay (Wyralla)  
Miranda (Kingsway Kareena)  
Woolooware, Gannons Rd  
Woolooware

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. 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. Ancillary elements of development such as driveways, parking areas and fencing are important elements 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. Neighbourhood centres should encourage pedestrian movement and create an environment of vibrancy and vitality. Active frontages are locations where retail shopfronts address the street, building entries are positioned and pedestrians circulate, accessing shops and services.

### 1.1 Objectives

1. Ensure sites are of sufficient size to accommodate well designed development.
2. 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.
3. Achieve development is of an appropriate scale and context for the street and locality or contributes to the desired future streetscape character.
4. Ensure sufficient solar access for occupants of adjacent residential buildings, and to public open space and adjoining development.
5. Encourage development which makes a positive contribution to the streetscape and amenity of the centre.
6. Create opportunities for incidental open space.
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. Improve the visual amenity of the public domain.

## 1.2 Controls

1. A site must be of sufficient size to accommodate development. A site of sufficient size will accommodate a development that:
  - a. provides appropriate access and servicing facilities - vehicular parking, access, storage and waste management areas.
  - b. provides upper storey residential amenity- including privacy, solar access, ventilation, and landscaped setbacks.
  - c. demonstrates architectural merit.
  - d. responds to the local context, including providing adequate separation from existing and future adjoining development.

A small or narrow site may not allow for the full FSR to be realised.

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**Note:**

Development must be carried out in an orderly manner. Council will assess the impact of the proposed development, including impacts on future development capacity on adjoining allotments of land and where that land will be left as isolated site, less than the minimum width.

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2. Development must be designed and sited so that it addresses the street and must have a clearly identifiable entry.
3. Development should acknowledge the established rhythm and scale of existing shopfronts/small lot subdivisions in vertical facade proportions.
4. The building form must be articulated to avoid large expanses of unbroken wall, and to visually reduce bulk.

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**Note:**

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

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5. 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.
6. Highly reflective materials are not acceptable for roof or wall cladding.
7. 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 finished landscaped treatment of the site. 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.

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**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.

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8. Ground floor residential uses are only permitted subject to demonstration of satisfactory amenity for building occupants, particularly in relation to impacts from noise and traffic.
9. The provision of awnings is to be maintained where they form part of the streetscape. Awnings are to be designed to maintain street canopy trees that form part of the landscape character of the locality.
10. Development should contribute to a comfortable pedestrian environment with improvement to signage, lighting, planting, awnings cover and seating, where appropriate.
11. Frontage works for all developments must be in accordance with the Public Domain Design Manual.
12. Shop fronts are to be glazed to ensure visual interest, provide borrowed light and surveillance to the street.
13. Active frontages must be at footpath level along the full length of the building frontage. This may require the floorplate of development to step up/down with the topography to ensure that the floor level of the active frontage is at footpath level.
14. Frontage works for all developments must be in accordance with the Public Domain Design Manual.
15. 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.

## 2. Landscape Design

Good design recognises that landscape and buildings operate together as an integrated system, resulting in greater aesthetic quality and amenity for the occupants, neighbours and the public domain. High quality landscape design protects and builds on the existing site's natural and cultural features to contribute to a development's positive relationship to its context and site.

Sutherland Shire's tree cover, areas of bushland and natural beauty are valued by its residents. Landscape design in new development must recognise that existing trees, important landscape elements, appropriate planting and where possible minimise urban runoff.

Fencing, if located in the street setback area, should be an integral part of the landscape design.

### 2.1 Objectives

1. Retain and enhance the existing tree canopy.
2. 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. Minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape, in terms of siting and choice of materials.

### 2.2 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. Indigenous trees should be planted to provide shade to and visually soften surface carparking areas.
3. Landscaping in the vicinity of a driveway entrance should not obstruct visibility for the safe ingress and egress of vehicles and pedestrians.
4. Indigenous trees should be planted to minimise building bulk and improve the transition between the centre and residential/ adjacent uses.
5. Landscaping should be used to enhance the extent of remnant trees and indigenous canopies in the locality.

6. 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.

7. 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.
8. Appropriate paving must be provided to driveways, walkways, entries, fire egress points garbage bin enclosures, letter boxes, clothes lines and under pergolas.

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**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 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.

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### 3. Street Setbacks

Street setbacks establish the front building line. Controls over street setbacks create the proportions of the street. Setbacks contribute to the public domain by enhancing streetscape character and the continuity of street facades. Street setbacks can also be used to enhance the setting for the building. They provide for landscape areas, entries to the ground floor of buildings and deep soil zones suitable for planting of canopy trees.

#### 3.1 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.

#### 3.2 Controls

1. New ground floor development must have a nil setback to the street frontages for all the ground floor level in order to provide continuity in the streetscape and encourage active frontages to ground level.
2. Where existing buildings are setback behind the street boundary, and the space adds to the quality of the streetscape, new development shall maintain the established street setback.

## 4. Side and Rear Setbacks

Separation between buildings is required to minimise adverse amenity impacts, particularly at a zone interface. Buildings which are too close together can create amenity problems, including lack of visual and acoustic privacy, loss of daylight access to dwellings and to private and shared open spaces.

Setback controls for Shop top Housing are in section 6.

### 4.1 Objectives

1. Provide visual and acoustic privacy for existing and new occupants.
2. Control overshadowing of adjacent properties and private or shared open space.
3. Provide deep soil zones for tree planting.
4. Reinforce the desired spatial character of an area in terms of openness and density.
5. Mitigate the visual intrusion of building bulk on neighbouring properties.

### 4.2 Controls

1. A nil setback to side boundaries is permitted.
2. Upper storey residential accommodation may have a nil boundary side setback for blank walls to facilitate adjoining centre development. 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.

## 5. 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 built development 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 design outcomes for site facilities following construction.

### 5.1 Objectives

1. Ensure small scale shop top housing development provides opportunities for cross-ventilation and natural ventilation.
2. Ensure that vehicle access points do not dominate the street frontage of developments and provide safe pedestrians access 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.

### 5.2 Controls

1. Incorporate passive solar building design including cross ventilation, the optimisation of sunlight access and the minimisation of heat loss and energy consumption, to avoid the need for additional artificial heating and cooling.
2. Wherever possible, provide for the potential use of solar energy collectors, for example by incorporating pitched roofs facing north.
3. Minimise overshadowing of any neighbouring residential properties, particularly north facing windows, solar collectors and garden areas adjacent to dwellings and public open spaces.
4. 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.

5. Loading areas shall be located so as to:
  - a. reduce on-street loading;
  - b. be freely available for use at all times.
  
6. Non-residential and residential land uses in the same development shall be sited and designed in a manner that will not adversely affect the future operation of those land uses.

## 6. Shop Top Housing

This section applies to Shop top Housing. 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 State Environmental Policy No 65 - Design Quality of Residential Flat Development and the objectives and design criteria of the Apartment Design Guide 2015 (ADG). However the following provisions aim to ensure all future dwellings in neighbourhood centres achieve the design principles of State Environmental Policy No 65 - Design Quality of Residential Flat Development and the objectives and design criteria of the Apartment Design Guide 2015 (ADG).

Neighbourhood Centres can provide opportunities for greater housing choice, particularly opportunities for older people to age in place. The benefits of shop-top housing include: revitalisation of business centres; better use of existing public transport infrastructure; and improved safety and security by increasing the range and hours of activity in neighbourhood centres.

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.

Given the location of many neighbourhood centres, good design needs to have particular regard to the amenity of surrounding residential uses. The following controls for residential accommodation, including shop top housing, are in addition to the general controls in the B1 Neighbourhood Centre zone.

### 6.1 Objectives

1. Encourage a mix of land uses that are compatible with the character of the locality.
2. Provide greater housing choice to meet the access and mobility needs of any occupant.
3. Ensure small scale shop top housing development provides opportunities for solar access, cross-ventilation and natural ventilation.
4. Ensure the building design and dwelling layout provides a high level of resident amenity.
5. Ensure outdoor areas are functional and responsive to the environment.
6. Minimise direct overlooking of windows and private open space.
7. Dwellings shall be designed and located to maximise visual and acoustic privacy.

## 6.2 Controls

1. Shop top housing should achieve the design quality principles of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development and the objectives and design criteria of the Apartment Design Guide. This control applies for all shop top housing, including for buildings that are two storeys in height, and/or contain less than four dwellings.
2. Small scale shop top housing (that is, development is two storeys in height, and/or contains less than four dwellings), is required to have the following minimum side and rear boundary setbacks:

<b>Building Height</b>	<b>Setback from boundary where the façade contains windows from bathroom and/or laundry, storage, or highlight windows only</b>	<b>Setback from boundary where the façade contains windows from habitable rooms including living rooms, kitchens, bedrooms, or studies, and/or balconies</b>
Up to 12m (approx up to 3 storeys)	4.5m	6m

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### 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).

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3. 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.
4. Despite clauses 1 and 2, upper storey residential accommodation may have a nil boundary side setback for blank walls where it adjoins centre development. A side or rear setback is required where the development is adjacent to another zone, a park or a special use such as a school.
5. Residential accommodation is to be sited and designed to maximise direct sunlight to north-facing living areas and all private open space areas.
6. 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.
7. Residential accommodation may be required to be set back from the street to achieve greater amenity for residents.
8. Dwelling entries shall be distinguished from commercial/retail entries.

9. 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 <sup>2</sup>	-
1 bedroom apartments	8 m <sup>2</sup>	2m
2 bedroom apartments	10 m <sup>2</sup>	2m
3+ bedroom apartments	12 m <sup>2</sup>	2.4m
Apartment at ground level or podium	15 m <sup>2</sup>	3m

10. Dwelling balcony design is to be integrated into the architectural form and detail of the buildings.
11. 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.
12. Living room, dining room and kitchen windows of small scale shop top housing developments, that provide a direct outlook to an adjacent property living rooms, dining rooms and kitchens in an adjacent dwelling within 9m which leads to a loss of amenity, needs to consider the following:
- offset the edge of one window to the edge of the other window by a sufficient distance to limit the views into the adjacent windows; or
  - provide sill heights of at least 1.6m; or
  - have fixed obscure glazing or glass blocks in any part of the window below 1.6m.
  - direct the outlook from all living rooms, dining rooms, bedrooms, kitchens and studies where possible towards the street, private open space on the development site, public open spaces, and waterways.
  - where overlooking of adjacent living rooms, dining rooms, bedrooms, kitchens and studies or private open space is unavoidable then screening elements such as louvres and obscured glass must be used to preserve reasonable visual privacy for neighbours.
13. Suitable clothes drying facilities shall be provided for dwellings, not visible from a public place and have access to sunlight.
14. Secure space must be provided for each dwelling in a small scale shop top housing development, in accordance with the following table:

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

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 with a floor space ratio of 2:1 or greater. Where residential flat buildings have a floor space ratio of less than 2:1, 100 sqm 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.



## 7. 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.

### 7.1 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 development is 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 dwelling windows and private open space so that the amenity of neighbours and intended occupants is respected.

### 7.2 Controls

1. Locate, orientate and design new development to ensure 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 (Infrastructure) 2007 and the NSW Department of Planning's *Development near Rail Corridors and Busy Roads – Interim Guidelines*.

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#### 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 the RTA).

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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.

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## 8. 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.

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). The provision of adaptable housing units within a development can assist people to continue to live in a dwelling which is suited to their mobility and level of ability. It is far more cost effective than relocation or substantial building renovations to modify a home to be more accessible at a later date. Adaptable housing is an important part of the housing mix in the Shire as the number of people over the age of 55 years is above the Sydney average. It is also increasing as a proportion of the total population.

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 Silver Standard *Livable Housing Design Guidelines*.

### 8.1 Objectives for Adaptable and Livable Housing

1. Provide housing that will meet the access and mobility needs of any occupant.
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.

### 8.2 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 fewer than 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., *Australian 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.

### **8.3 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 *Livable Housing Design Guidelines*) at the following rates:
  - Developments containing 5 or fewer 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.

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**Note:**

For further details on the *Livable Housing Design Guidelines*, applicants are encouraged to visit [www.livablehousingaustralia.org.au](http://www.livablehousingaustralia.org.au).

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## 9. 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 to 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.

### 9.1 Objectives

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

### 9.2 Controls

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

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**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*.

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## 10. 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.

### 10.1 Objectives

1. Ensure all land uses and/or combinations of activities provide 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. 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.

### 10.2 Controls

1. Car parking shall be provided in accordance with the following table:

Residential Accommodation	
Use	Parking Requirements
Single Dwelling	<p>Minimum: 2 spaces per dwelling Maximum: 3 spaces per dwelling*</p> <p>Only 2 spaces are to be evident when viewed from the street</p>
Secondary Dwelling	No requirement
Dual Occupancy	<p>Minimum: 1 space per dwelling Maximum: 3 spaces per dwelling*</p> <p>Only 2 spaces are to be evident (per development) when viewed from the street.</p>
Multi Dwelling	<p>Minimum: 1 space per 1 bed, 1.5 spaces per 2 bed, 2 spaces per 3 bed, 1 visitor space per 4 dwellings</p> <p>Maximum: up to 3 spaces per dwelling*</p>
Shop Top Housing	<p>Minimum: 1 space per dwelling No visitor parking</p> <p>Maximum: up to 3 spaces per dwelling*</p>

Seniors Housing	Car parking rates consistent with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
<b>Tourist/Visitor Accommodation</b>	
Bed & Breakfast	1 space per guest room Note –This parking requirement is in addition to the parking required for the dwelling house.
Hotel or Motel accommodation	1 space per 4 rooms; plus, 1 space per 2 employees
Serviced Apartments	1 space per 2 units; plus, 1 space per 2 employees
Boarding House	1 space for every 3 rooms plus 1 space for any residential manager
<b>Commercial Premises</b>	
Office and Business Premises	1 space per 30m <sup>2</sup> GFA
Retail Premises, (including food and drink premises, except Pubs)	1 space per 30m <sup>2</sup> GFA Larger developments may require a Traffic & Parking Report
<b>Community Land Uses</b>	
Health Services Facility Medical Centre/ Health consulting rooms Residential medical centre	1 space per 30m <sup>2</sup> GFA
Child care centres	1 space per 4 children in attendance  Provisions for flexibility if: -Centre is near a public reserve -Centre is located on a corner block -Centre provides a safe drop off zone on the street -the centres has a street frontage greater than 15m, or -if the centre operates as a long day care

\*Where more than the minimum parking spaces are proposed per dwelling, the additional space/s will only be considered to meet Council's requirements for parking, and be excluded from the calculation of gross floor area, if it is provided within a basement and meets the objectives and controls for basements specified in Streetscape and Built Form,

Maximum parking rates in a basement meet Council's requirement for parking, and as such are not included in the calculation of gross floor area.

2. Where a proposed development is not listed in these controls, or where the development proposal raises unique traffic and parking issues, or where a development is identified as Traffic Generating Development, then the parking requirement specified in the RMS Guide to Traffic Generating Development shall apply.
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.



## 11. 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.

All B1 Neighbourhood Centre zones are 'low activity areas' in relation to late night trading.

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

## 12. 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.

### 12.1 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.

### 12.2 Controls for multi dwelling housing, residential flat buildings and the residential components of shop top housing and mixed use developments

1. For new multi dwelling housing, residential flat buildings and the residential components of shop top housing and mixed use developments provision for waste management, including storage areas, separation of waste from recyclables, collection areas and the like must be in accordance with Sutherland Shire Council's "Waste Collection Policy for Multi-Unit Dwellings and Residential Flat Buildings".

### 12.3 Controls (except for multi dwelling housing, residential flat buildings and the residential components of shop top housing and mixed use developments)

1. A waste storage area is to be provided for all developments to store bins for general waste and recyclables. The area must have sufficient space for the storage of garbage, recycling and green waste generated by the development.

2. The residential waste generation rate per dwelling is 120 litres per week of general waste plus 120 litres per week of recycling (for dwelling houses and each dwelling in a dual occupancy), and up to 120L of green waste per week.

Twice weekly collections of 240L bins by Council (by arrangement with Council) can reduce the number of bins required.

3. The location and design of the waste storage area must not detract from the amenity of the development and the character of the streetscape.
4. The location of waste and recycling facilities must not impact on car parking or landscaping requirements of the development.
5. Waste and recycling facilities must be designed to prevent litter and contamination of the stormwater drainage system.
6. Developments must be designed so that bins do not need to be wheeled more than 75 metres.
7. For wheeled bins, a kerbside garbage collection point must be nominated that has sufficient space where they will not pose a traffic hazard. Wheeled bins should not be placed near intersections, roundabouts, slow points or busy arterial roads, or take up more than 50% of the street frontage when presented in single file to the kerbside for collection, with adequate space between the bins to allow for collection (approximately 300mm).
8. Where an agreement has been reached with Council to service 240L bins on site, the site and driveway must accommodate Council's waste collection vehicles. To enable handling of bins during collection the maximum driveway gradient is 5%.
9. Where a private waste contractor is required to service a development, the site and driveway must be designed to accommodate waste collection vehicles used by the private contractor.
10. It is preferable for waste trucks to enter the site in a forward direction, but it is permitted for waste trucks to reverse onto a site, where design and site conditions make it safe to do so. It is never acceptable for a truck to reverse out of a site.
11. The preferred location for storage areas/rooms at ground level is behind the building setback. The storage area must:
  - i. be integrated into the overall building design and constructed of materials compatible with the new development;
  - ii. be located in an area so as not to compromise the amenity of the occupants of the development and of adjacent properties in terms of noise, odour and aesthetic impact, such as on a rear land frontage, near windowless walls, away from pedestrian areas and in the least visually obtrusive position; and

- iii. be screened from view from the street with built form and landscaping so as to not detract from the streetscape.

12. One of the following options for waste collection can be nominated:

- i. **Waste collection by Council:** where the waste is in 240L bins and the required number of 240L bins does not take up more than **50% of the site street frontage** when presented in single file to the kerbside for collection, these bins may be collected by Council's Waste Services. Bins must be spaced to allow for ease of collection (approximately 300mm). The bins are to be stored in the basement or in a designated bin enclosure set; or
- ii. **Waste collection by private contractor** (or Council by special arrangement): Where 240L bins take up more than 50% of the site street frontage, larger bins can be used for garbage, recycling and green waste provided the bins are stored in a basement or in an enclosure within 10m of the street. Where it is necessary to move the bins for collection, the bins must be moved by an employee of the body corporate from the storage area to a level area which can be serviced from the driveway to allow for ease of collection. It may be acceptable for the waste truck to straddle private and public property during collection, subject to Council's approval of the arrangement. If the development proposes to rely on Council for collection of waste, prior agreement from Council's Waste Operations Controller must be obtained. A Waste Management Plan for the development must be approved by Council's Waste Operations Controller prior to DA lodgement.

13. Developments in centres with rear lane servicing access can locate waste storage areas in enclosed spaces at ground level for rear lane waste collection.