

D Commercial and Industrial Uses

Note: for finalisation the ordering and numbering of sections within this Part will be amended as follows to reflect the hierarchy of business centres, and greater prominence of Local and Neighbourhood Centres compared to the various commercial uses:

Local Centres

- D1 Kensington Centre
- D2 Kingsford Centre
- D3 Randwick Junction Centre
- D4 Maroubra Junction Centre
- D5 Matraville Centre

Neighbourhood Centres

- D6 General controls
- D7 Maroubra Beach
- D8 The Spot, Randwick

Commercial Uses

- D9 Amusement Centres
- D10 Backpackers accommodation
- D11 Child care centres
- D12 Footpath dining and trading
- D13 Late night trading
- D14 Sex services premises

D15 Industrial Uses

Commercial Uses

- D1 Amusement centres
- D2 Backpackers accommodation
- D3 Child care centres
- D4 Footpath dining and trading
- D5 Late night trading
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- D7 General controls
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- D10 Kensington Centre
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- D12 Randwick Junction Centre
- D13 Maroubra Junction Centre
- D14 Matraville Centre

D15 Industrial Areas

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1 Introduction

This section sets out objectives and controls to assist in the assessment of amusement centre proposals with particular regard to maintaining on site amenity and that of the surrounding area.

Amusement centres are a source of entertainment and recreation and are principally used for the playing of mechanical or electronic amusement machines and/or pool tables.

Note:

Amusement centres are defined in the RLEP as:

“a building or place (not being part of a pub or registered club) used principally for playing:

(a) billiards, pool or other like games, or

(b) electronic or mechanical amusement devices, such as pinball machines, computer or video games and the like”.

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls of the DCP; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

To the extent of any inconsistency between this section and any other DCP sections, this section will prevail.

1.1 Objective

- To ensure that the location, design and activities within amusement centres have minimum adverse effect on the site and locality.

2 Location and Design Requirements

Controls

- ~~Encourage amusement centre location~~ Locate **amusement centres** on the ground floor (at street entry level) of the development.
- Building design and layout must be of an open nature without any visually isolated areas.

Note:

A floorplan must be submitted showing amusement machine and pool table layout and configuration, toilet facilities and access, supervisor's location, any partitioned areas and their proposed use, seating arrangements, ancillary uses and entrances and exits.

- iii) Adequate floor area must be provided to facilitate circulation around gaming machines and pool tables.
- iv) Noise levels generated by the premises must not exceed 5dBA above the background noise measured on the boundary of the premises.
- v) Where the amusement centre is to be used in conjunction with a food and drink premises, the floor area allocated for seating for the purposes of the consumption of food and beverages is to be a minimum of 20% of the entire floor area.

3 Management Plan

Explanation

DAs for amusement centres must be accompanied by a Management Plan that specifies the operations and measures to be undertaken to ensure that the premises will be responsibly managed.

Controls

- i) Submit a Management Plan that addresses the general requirements for Management Plans outlined in Part B Section B9 of this DCP, as well as the following specific requirements:
 - Measures to ensure the suitable conduct of patrons **within and outside the premises.**
 - Details on the number and type of amusement machines and/or pool tables.
 - Age entry requirements.
 - Access to public transport.

Note:

Approvals for amusement centre proposals including hours of operation may be subject to a trial period of operation. This would allow the flexibility to monitor the ongoing management of a premises and its impact on amenity and public safety.

Note:

Age Entry Requirements - It is the responsibility of the proprietor to ensure that persons under the age of 12 are accompanied by an adult and a sign is clearly displayed stating these age entry requirements.

Backpackers Accommodation D2

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1 Introduction

This section applies to development for backpackers' accommodation. It provides design, development and management guidelines for backpackers' accommodation premises to enable stringent assessment of their suitability for the locality, surrounding residents and guests.

Definition:

Under RLEP, Backpackers' Accommodation means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and**
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and**
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room).**

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls of the DCP; and
- Other sections of the DCP for specific development types, sites or locations, if relevant to the application.

1.1 Objectives

- To ensure that any proposal for backpackers' accommodation:
 - Maintains or enhances the character and amenity of the area; and
 - Provides a high standard of amenity for the users of that facility.
- To ensure any potentially detrimental impacts, including privacy, overshadowing, noise, anti-social behaviour and personal safety, are suitably addressed.

2 Building Design

Objectives

- To provide functional and safe areas for the sleeping and storage needs of the guests.
- To provide adequate numbers of toilet and shower facilities to cater for the requirements of the occupants.
- To ensure that appropriate kitchen facilities and dining areas are provided to cater for the needs of the occupants.
- To provide adequate space and facilities for clothes washing and drying.
- To provide sufficient recreation areas and facilities.
- To protect surrounding and adjoining residents from noise intrusion.
- To provide a reasonable acoustic environment for guests.

2.1 Sleeping Rooms

Controls

- i) The minimum area of a sleeping room must comply with the Public Health ~~(General)~~ Regulation 2002 2012:

The room has a floor area of 5.5 square metres or more for each person sleeping in it (where the length of stay is more than 28 consecutive days), or 2 square metres or more for each person (in any other case).

- ii) Provide adequate space and secured storage facilities to allow occupants to store clothes and travel gear in each sleeping room, or alternatively, provide adequate facilities elsewhere in the building.
- iii) Provide appropriate floor construction and materials in sleeping rooms to minimise noise generation.
- iv) Bedding and flooring must be able to easily be cleaned and maintained.
- v) Each sleeping room must contain an operable window opening to outdoor areas for natural light and ventilation.

2.2 Toilets and Showers

Controls

- i) Provide toilet and shower facilities meeting the following minimum requirements:

	Wash basin	Toilet	Bath / Shower
For Guest Use	1 per 7 guests	1 per 7 guests	1 per 7 guests

- ii) Toilet facilities must be provided in a separate compartment from the shower / bathroom as far as are practicable.
- iii) Bathroom facilities must be of a workable size and designed to allow easy cleaning and maintenance.
- iv) Sanitary facilities must be gender separated as far as are practicable, except for uni-sex facilities provided in accordance with the Building Code of Australia and/or AS 1428.1.

2.3 Kitchen Facilities and Dining Areas

Controls

- i) Provide at least 1 communal kitchen and 1 communal dining area (may be combined). The minimum combined floor area of these rooms must be 1 square metre per guest.
- ii) Cooking facilities must be sufficient so that 15-20% of the maximum number of guests may prepare meals at any one time.
- iii) Provide adequate cooking stove, refrigerator, bench, sink and waste storage facilities in the communal kitchen.
- iv) Communal kitchen facilities and dining areas must be designed and constructed to be convenient and comfortable for the occupants to use and easy to clean and maintain.
- v) Where the proprietor provides food services to the guests, the kitchen facilities must be designed and constructed in accordance with the Australian Food Safety Standards.

2.4 Laundry and Drying Facilities

Controls

- i) Provide a separate communal laundry area within the building.
- ii) Provide one (1) washing machine and one (1) wash tub for every 30 beds.
- iii) Provide one (1) dryer or 20 metres of external clothes line for every 30 beds.
- iv) Washing machines and mechanical dryers must not be used between the hours of 10pm and 8am, 7 days a week, if their operation is likely to cause noise impacts on the nearby residential uses.
- v) Separate laundry facilities used by guests and staff members where possible.
- vi) Design the building or introduce management measures to prevent laundry or clothes items being hung out at the windows on the street elevation/s.

2.5 Communal Outdoor Recreation Area

Controls

- i) Provide a communal outdoor recreation area in the form of a courtyard, terrace, balcony, deck or the like, with total area of 30 square metres or 1.5 square metres per guest, whichever is the lesser. The outdoor recreation area must have a minimum dimension of 3 metres.
- ii) Setback the outdoor recreation area from neighbouring residential properties by a minimum of 2 metres, or otherwise physically separate from those neighbouring properties to the extent that the potential for overlooking, noise and littering is minimised (e.g. through fencing and/or landscaping).
- iii) Locate and orientate to maximise solar access.
- iv) Incorporate deep soil planting or planter boxes to enhance the amenity for the guests.
- v) Provide shared facilities, such as fixed outdoor seating, benches, barbecues and the like to allow social interaction.
- vi) Provide partial cover for weather protection, such as pergola, canopy or the like, where it does not cause unreasonable overshadowing on adjoining properties.
- vii) Lighting of outdoor recreation areas must be designed to minimise glare or light overspill to surrounding residential properties.

2.6 Noise, Privacy and Amenity

Controls

- i) Sources of noise, such as kitchens, communal rooms, outdoor recreation areas and parking areas, must be sited and designed to minimise noise impact on adjoining properties.
- ii) Rooms and features that generate noise (e.g. laundry, communal room and kitchen) must be located away from, or sound proofed from sleeping rooms.
- iii) Windows and external openings must be located away from internal and external noise generators.
- iv) Mechanical plant and equipment must be located in areas away from living or sleeping rooms within the development and adjacent buildings.
- v) For new development, alterations and additions and proposals with an increase in guest numbers, a noise assessment report prepared by an appropriately qualified acoustics consultant must be submitted with the DA.

The report must:

- Establish the existing background noise levels;
- Identify all potential noise sources from the operation of the premises ~~and~~, including any mechanical plant and equipment;
- Estimate the level of potential noise emission;
- Establish desirable acoustics performance criteria; and
- Recommend any mitigation measures (such as sound proofing construction and/or management practices) required to achieve relevant noise criteria.

Note:

Please also refer to the Protection of the Environment Operations (POEO) Act 1997, POEO Regulation 2008 and relevant policies and guidelines for noise prevention and control.

3 Management Plan

Explanation

Effective and responsive day-to-day management of backpackers' accommodation is critical to ensure a suitable living environment for guests and minimise adverse impacts on surrounding residences.

This can be achieved by adhering to a Management Plan during the operation of the premises, which clearly documents all management measures and house rules.

Objectives

- To ensure clear and suitable management measures and practices are documented for use by staff and guests for the on-going operation of backpackers' accommodation.

Controls

- i) Submit a Management Plan with all DAs for backpackers' accommodation that addresses the general requirements outlined in the Management Plan section in Part B, and the following specific requirements:
 - Arrangement for after-hours access.
 - The maximum guest number for the entire premise, maximum occupancy per room and maximum permissible length of stay for guests.
 - A schedule detailing minimum furnishings for sleeping rooms and communal rooms.
 - House rules, covering issues including but not limited to:
 - Visitor policy
 - Rules for parties and activities
 - Use and operation hours of common areas (e.g. communal open space and living rooms)
 - Policy for regulating ~~and restricting~~ smoking and consumption of alcohol and illicit drugs
 - Cleaning and maintenance arrangements.
- ii) The following minimum on-site management requirements must be met:
 - A manager, over the age of 18 years, must be present at the premises at all times and be available to attend to complaints during night hours when the reception desk is closed. Guests must not be appointed as temporary managers.
 - A management office and/or manager's sleeping room must be permanently provided on the premises.

iii) The manager is responsible for matters including, but not limited to:

- Handling check-ins and check-outs of guests.
- Maintaining a register of guests with information on the length of stay, personal details and etc.
- Furnishing a set of House Rules to each guest at the time of registration at the reception desk.
- Establishing and maintaining a formal and documented system for the recording and resolution of complaints made to the premises.
- Attending to any complaints made to the premises and taking appropriate remedial actions to resolve the issues.
- Monitoring the premises and ensuring all guests obey the House Rules.
- Ensuring guest numbers do not exceed those permitted in the development consent.
- Ensuring the premises are operated in a manner that minimises noise and disturbance to the neighbouring properties.
- Maintaining the premises in a clean, safe and orderly condition.
- Maintaining the premises in a fire-safe manner, which includes ensuring that:
 - Fire doors are kept closed to maintain fire separation and compartmentation.
 - Emergency access is kept cleared at all times.
 - All fire services, equipment and alarm systems remain in good working order.

iv) Public Notice and Signs:

- A sign must be prominently installed at the front entry to the premises informing the public of the 24-hour contact number of the on-site management (this is not to be an answering machine) to enable the registration of complaints.
- A permanently fixed identification number and a notice stating the maximum number of guests permitted must be displayed at the doorway to each sleeping room.

All backpackers' accommodation must be registered with Council. ~~and must be subject to an annual fee covering administration and fire safety and compliance inspections by Council.~~

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1 Introduction

This section sets out objectives and controls to guide the location and design of child care centres with a key focus on ensuring the safety and well being of children and achieving a high standard of amenity for the site and surrounding locality, particularly adjoining residential land uses.

Child care centres that are appropriately located and suitably designed provide an important community service, contribute positively to the developmental growth of children and operate with minimal impact on the surrounding locality.

A variety of child care centres currently operate in Randwick City offering full time or part time childcare services. These include centres operating in purpose built buildings in residential neighbourhoods or within business centres. A number of child care centres are also co located with community services, public open space and schools.

Licensing approval for new child care centres or the expansion of existing centres must be obtained from the NSW Department of Education and Communities. To obtain a license, applicants are required to comply with various requirements of the *Education and Care Services National Law* and the *Education and Care Services National Regulations (E&C Regulations)*, which prescribe minimum standards for buildings, facilities and operational practices.

The Building Code of Australia also specifies relevant standards for child care centres relating to a number of matters including structural considerations, fire resistance, access and egress, services.

As a condition of consent, applicants must submit a signed statement or checklist to Council verifying compliance with both the *Education and Care Services National Law* and *E&C Regulations*.

Note:

Applicants should consult with the NSW Department of Education and Communities to determine licensing requirements prior to lodgement of a DA with Council.

Further information is available at (www.dec.nsw.gov.au)

1.1 Objectives

- To provide for the establishment of high quality child care centres that are located and designed to achieve a high level of safety, security, environmental health and amenity for their users.
- To ensure that child care centres respond positively to the context and setting and minimise adverse environmental impact in the locality.
- To deliver certainty to applicants, operators and the local community about the planning requirements for child care centres.

1.2 Application

This section applies to DAs relating to:

- Construction of a new purpose built child care centre.

- Conversion or adaptation of an existing building to a child care centre; or
- Expansion or alteration of an existing child care centre.

This DCP does not apply to home based childcare. Applicants for home based childcare should refer to the *Children (Education and Care Services) Supplementary Provisions Regulation 2004*.

This section of the DCP should be read in conjunction with:

- Part A – Introduction, Part B - General Controls, Part C- Residential Controls; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

For heritage items or properties within a heritage conservation area, this section should be read in conjunction with the Heritage section of the DCP.

2 Site Selection

Explanation

Careful consideration must be given in choosing a suitable location for a child care centre as not all sites are appropriate for this form of development.

Site selection should take into account the needs of centre users in terms of safety, security and environmental health, and in residential neighbourhoods consideration should be given to ensuring that the commercial nature of a proposal does not unreasonably impact on upon the amenity of residents.

An acceptable location for a child care centre depends on a number of factors including capacity, scale, compatibility with neighbouring land uses, potential for exposure to safety risks and environmental hazards, vehicle movements, sightlines and pedestrian safety.

Objectives

- To ensure that child care centres are appropriately located and sited having regard to the environmental attributes of the locality and the health and well being of centre users.
- To encourage child care centres in accessible locations in proximity to public transport, business centres, community services and open space.

Controls

- i) DAs are to address the suitability and context of the proposal including:
 - Proposed size, number of children and age breakdown for the centre.
 - The number of staff to be employed.
 - Proposed hours of operation.
 - Nature of the location and surrounding development (including proximity to residential, business, industrial uses and sex services premises etc).
 - Likely effect of the development on surrounding properties (e.g. privacy, noise, solar access, views and the means to offset these effects).
 - Likely effect of the development on the road network in the surrounding area including traffic and on street parking availability.
 - Availability of on site vehicular access and parking.
 - Proximity to public transport.
 - Proximity to existing community and children's services.
 - Demonstrated demand for the service and identification of any special needs the centre will address.

- ii) Where a child care centre is proposed within 300 metres of a mobile phone tower, base station, transmission line easement or other source of potentially significant electromagnetic radiation, a report by a suitably qualified consultant must be submitted with the DA, assessing the potential exposure impact on the centre and its occupants.

Note:

As a general guide, preferred sites for child care centres are sites:

- Situated in proximity to workplaces, businesses, retail services and public transport.
- Co-located with existing educational, open space or other community facilities where parking is already available.
- Co-located in buildings that provide on site facilities for employers to reduce trip generation.
- Situated within purpose built detached buildings on accessible sites rather than semi detached dwellings, dual occupancy or residential flat buildings.
- Where there is less exposure to neighbouring residential development (e.g. large corner sites).
- Where safe and convenient vehicle access and pedestrian safety can be provided.

Note:

Child care centres on the following sites are discouraged:

- Narrow streets, one way roads and cul de sacs
- Areas near electromagnetic radiation (e.g. mobile phone towers)
- Proximity to LPG tanks
- Areas that have poor on street car parking/traffic conditions (e.g. high traffic volumes, poor sightlines etc)
- Steep sites

3 Building Design

3.1 Built form, scale and character

Explanation

The design of a new child care centre or extensions to an existing centre can impact on the physical and visual amenity of a streetscape. Child care centres that are sensitively designed in terms of built form, scale and massing can positively contribute to the streetscape and the character of the locality.

Child care centre proposals are required to comply with relevant RLEP height and FSR controls which apply to the site to ensure an appropriate built form outcome.

Objectives

- To facilitate the establishment of small scale child care centres in residential neighbourhoods.
- To ensure that the building's form, scale and massing complements and enhances the established or desired future character of the streetscape or site.

Controls

- i) For new child care centres or extensions proposed in the R2 Low Density Residential zone, the building design is to be similar to a dwelling house in terms of built form, scale, massing, roof design and articulation. Single storey buildings are encouraged for safety and access reasons.
- ii) For all other zones or locations, the building design is to complement the desired built form, scale and character for that particular zone or location.
- iii) Where a child care centre is proposed in a multi storey building (e.g. mixed use building) it must be located on the ground floor of the development unless it can be demonstrated that:
 - There are no viable alternatives for a location at ground level in the building or surrounding area.
 - With respect to a heritage item, the proposed child care centre on the ground floor would detrimentally impact on the heritage significance of the item.
 - Adequate access to play areas, solar access (particularly mid winter) and natural ventilation is available.
 - Adequate emergency access and egress is available.
 - Adequate access for pick ups/drop offs is available.
- iv) Architectural elements which articulate the front and other facades visible from the street frontage must be

incorporated into the overall building design to create visual interest.

- v) Avoid large expanses of blank and unarticulated walls.

3.2 Setbacks

Explanation

Building setbacks define the overall footprint of a building and the outer extremities of that building in relation to front, side and rear boundaries. They have a significant influence on the relationship between buildings and the overall character of the streetscape.

Importantly, setbacks can assist in protecting solar access and mitigate against noise and privacy impacts for properties that adjoin child care centres.

Setbacks for child care centres must generally be consistent with the requirements of the relevant zone.

Objectives

- To maintain a consistent rhythm of development that contributes positively to the character of the streetscape and locality.
- To ensure adequate separation between neighbouring buildings for visual and acoustic privacy, solar access and air circulation purposes.

Controls

- i) New child care centre developments or extensions must address the setback controls for dwelling houses set out in Part C, Section C3 of this DCP or demonstrate that alternative setbacks are suitable, having regard to:
 - The zoning for the site and alternative setback controls in this DCP (e.g. for business centres, master plan sites or key sites); or
 - The site location and prevailing setbacks of surrounding properties.
- ii) Increased setbacks may be required in certain circumstances having regard to privacy, solar access, to achieve reasonable view sharing with neighbouring properties and/or to provide the required amount of space for outdoor play areas.
- iii) The front setback area may only be used for access, car parking and landscaping purposes and not for the purposes of outdoor play areas and the like, **unless it can be demonstrated that it is suitable due to:**
 - site characteristics (e.g. configuration, solar access, relationships to neighbouring properties)
 - rear access availability
 - provision of appropriate screening measures

3.3 Building Materials and Colours

Explanation

The appropriate use of durable materials, finishes and colours can improve the visual presentation of a building and make a positive contribution to the streetscape. Building materials, finishes and colours should be harmonious with surrounding development and based on local colour cues.

Objectives

- To ensure that the building's visual appearance complements and enhances the established streetscape character.

Controls

- i) For child care centres proposed in residential zones, the selection of building materials, finishes and colours must have regard to the relevant controls set out in Part C, Section C3 of this DCP.
- ii) For child care centres proposed within a business centre, master plan or key site, the selection of building materials, finishes and colours must have regard to the relevant controls set out in the relevant section of this DCP.
- iii) For childcare centres proposed in special purposes or recreation zones, a range of high quality and durable materials must be used in construction which require minimal maintenance and facilitate articulation of the building form. The use of a single colour or material should be avoided.

4 Amenity

4.1 Acoustic Amenity and Privacy

Explanation

The appropriate design and siting of child care centres can minimise overlooking and noise intrusion to and from adjoining properties and maintain a high level of environmental amenity for children, staff and other centre users.

Objectives

- To minimise any potential adverse impacts on the visual and acoustic privacy of neighbouring properties.
- To protect the visual and acoustic privacy of children, staff and other users of the child care centre.

Controls

- i) Submit an acoustic report prepared by an accredited acoustic consultant. The report must demonstrate that:
 - Adequate site planning and building design measures are proposed to minimise noise impacts.
 - Noise levels generated from the child care centre, when measured over a 15 minute period at any point on the boundary of the site) will not exceed 5dBA above the background level.
 - Suitable noise attenuation measures have been incorporated into the proposal.
- ii) Orient new buildings and extensions to minimise overlooking, overshadowing and to preserve the acoustic amenity of adjoining properties.
- iii) Locate outdoor and indoor play areas, balconies and terraces and openable windows to minimise the direct line of sight to and from neighbouring properties.
- iv) Locate pedestrian access ways and ramps away from neighbouring residential properties where practical.
- v) Maximise the use of fencing, landscape buffers and window coverings to protect visual privacy and acoustic amenity for the centre and neighbouring properties.

4.2 Safety and Security

Explanation

An accessible, safe and secure environment is integral to the well being of all child care centre users. Measures to facilitate casual surveillance, territorial enforcement and access control are important elements of building design in order to maximise safety and security.

Objectives

- To ensure that building design and facilities are safe and secure for children, staff and other centre users.

Controls

- i) Entry ~~to the~~ for child care centre visitors is to be limited to one secure point which is to be:
 - Appropriately located to allow ease of access
 - Well lit and adequately sign posted
 - Located away from areas used for vehicle access
 - ~~— Located away from outdoor space used by children~~
 - Monitored through natural or camera surveillance
 - Limited to authorised persons only through the provision of an electronic security system such as swipe cards.
- ii) Where a child care centre is located within a building that also accommodates other uses, a separate and clearly marked entrance for the child care centre must be provided.
- iii) Incorporate windows on the front façade where possible to enable casual surveillance.
- iv) Where a proposed child care centre has a direct street frontage or vehicular access onto a classified road, identify additional safety measures (e.g. secure fencing, landscaping or other measures to prevent unaccompanied children from exiting the centre).

4.3 Play Areas

Explanation

Outdoor and indoor play areas are a vital component of child care centres as they facilitate the development of cognitive and physical skills and provide opportunities for social interaction.

Both outdoor and indoor play areas should provide for a variety of activities and experiences, while ensuring the safety and security of children. Importantly, the design of play areas should take into account the potential for visual, acoustic and privacy impacts on adjoining properties.

Objectives

- To provide attractive indoor and outdoor play areas that are safe, functional and support the developmental growth of children.
- To ensure that play areas do not compromise the amenity of adjoining properties.

Controls

- i) Outdoor and indoor play areas must be clearly identified and dimensioned on the submitted DA plans.
- ii) Locate outdoor and indoor play areas to the north or north eastern portion of the site where practical.
- iii) Locate outdoor play areas away from the main entrance, **unless suitable screening or fencing is provided.**
- iv) **Locate outdoor play areas away from** car parking areas or vehicular circulation areas.
- v) Provide adequate separation between outdoor play areas and habitable rooms of adjoining residential properties.
- vi) Design and layout of outdoor play areas should maximise clear sight lines and ensure ease of access to the main indoor play areas.
- vii) Indoor play areas must have adequate access to sunlight and natural ventilation.
- viii) Dedicate at least 50% of outdoor play areas for unencumbered activity and use a variety of surfaces (e.g. grass, sand, hard paving, and moulding).
- ix) Provide physical shading devices that are integrated into the design of the building. The material and colour of shading devices must be considered in relation to the streetscape and adjoining properties.
- x) Toilets should be easily accessible from both indoor and outdoor play areas.
- xi) **Ensure that outdoor play area gates do not open straight onto footpaths or roads.**

Note:

The following site requirements are based on the E&C Regulation and are to be used as a guide only. Applicants are required to illustrate provision of indoor and outdoor play areas on DA plans. The play area calculation should exclude parking and vehicular circulation, waste, storage, landscaping and utility areas.

Indoor Space	0-6 years old	3.25m ² per licensed child space of unencumbered space
Outdoor Space	0-6 years old	7m ² per licensed child space of useable outdoor space

4.4 Landscaping

Explanation

Landscaping can assist in integrating child care centres within the streetscape, contribute to creating a pleasant environment for centre users and enhance privacy and acoustic amenity for adjoining properties.

Objectives

- To ensure that landscaping maximises privacy and acoustic amenity for child care centres users and adjoining properties.

Controls

- Submit a landscape plan with the DA clearly identifying the following elements:
 - Location of play equipment
 - Location and extent of landscape buffers
 - Proposed planting including a variety of trees and plants to create visual interest and shade for children
 - Materials and finishes of outdoor surfaces.
- Landscape design is to reflect the prevailing landscape character of the streetscape in terms of scale and planting style.
- Landscaping must be designed to minimise the visual impact of the development on the streetscape and neighbouring properties.
- A landscape buffer of no less than 1 metre must be provided in the front setback where on site car parking and drop off areas are proposed in residential zones.
- A landscape buffer with suitable screening plants should be provided along the side and rear boundaries where practicable.
- Toxic, spiky or other plant species hazardous to children should not be used.

5 Traffic, Parking and Pedestrian Safety

Explanation

Traffic, parking and pedestrian safety are critical issues to be addressed in the design and ongoing operation of child care centres. Vehicular access, parking and drop off facilities should be integrated into the design at an early stage to address potential conflicts between pedestrians, local traffic patterns, streetscape character and residential amenity.

Objectives

- To ensure a safe environment for pedestrians, particularly children, motorists and cyclists in and around child care centres.
- To minimise adverse environmental impacts in the locality in terms of traffic generation and on street parking availability.
- To ensure that car parking arrangements are designed to enhance streetscape character and have minimal visual impact.

Controls

- i) Submit a Parking and Access Report with the DA, by an accredited consultant. The Report must address, but is not limited to:
 - prevailing traffic conditions
 - likely impact of the proposal on existing traffic flows
 - pedestrian and traffic safety
 - appropriate arrangements for safe and convenient pick up and drop off at the site.
- ii) A reduction in car parking controls in Part B, section B7 may be considered where:
 - The site is located in proximity to high frequency public transport.
 - The site is co located or in proximity to other trip generators (e.g. business centres, schools, public open space, car parks).
 - There is sufficient on street parking available at appropriate times within proximity of the site.
 - The development is not likely to result in any adverse impact on the safe operation of the surrounding road network.

Note:

Any proposed reduction in car parking requirements must be suitably justified in the Parking and Access Study or the Transport Assessment Report. Considerations will be given to the size and intensity of the proposal.

5.1 Vehicle Circulation and Carparking Design

- i) On site parking and drive through facilities must not visually dominate or detract from the streetscape character.
- ii) Car parking areas and set down and pick up points, must be appropriately marked, signposted and lit to ensure pedestrian safety.
- iii) The entry and exit of set down and pick up points should preferably be separated.
- iv) On site parking and vehicle manoeuvring areas are to be designed so that vehicles can safely enter and exit the site in a forward direction, **unless an alternative safe arrangement can be demonstrated in the Parking and Access Report.**
- v) Stack parking may be considered for a maximum of 2 car spaces.
- vi) Access driveways must not be located opposite or in the vicinity of road intersections.

5.2 Pedestrian Access Design

- i) Pedestrian access must be separated from vehicular access with clearly defined paths, signage and fencing.
- ii) Appropriate site distances and traffic calming measures may be required to ensure pedestrian safety.
- iii) Pedestrian pathways are to be a minimum width of 1.2 metres to allow for easy circulation throughout the site.

6 Hours of Operation

Explanation

The setting of appropriate hours of operation of child care centres should have regard to the potential for unreasonable disturbance to adjoining residential properties, and amenity impacts to the surrounding locality (e.g. traffic, noise etc).

Objective

- To ensure that child care centres hours of operation are reasonable and have minimal impact on the locality and the environment.

Controls

- i) DAs should include supporting information demonstrating that the proposed hours of operation are compatible with adjoining land uses, and in the case of multi storey buildings, that the proposed hours of operation are compatible with the upper level uses.

Note:

As a general guide, the hours of operation for child care centres in residential zones should not extend beyond the core hours of 7:00am and 7:00pm unless suitable justification is provided (e.g. the proposal is located adjacent to a business centre or non residential land use etc)

7 Fences

Explanation

Fences within child care centres sites must be designed to ensure adequate privacy and security for child care centre users and adjoining properties while promoting a high quality streetscape.

Objectives

- To ensure that new fences complement the building and the streetscape in terms of materials, colour, height and rhythm.
- To ensure that fences are designed to maintain privacy for adjoining properties and the safety and security for child care centre users.

Controls

- i) Fencing is to be of a height and design suitable to contain noise generated by children's activities and compatible with the building and fencing materials used in the vicinity.
- ii) Child proof fencing and self closing gates must be installed around outdoor play areas and at the entrance to ensure the safety and security of children.
- iii) Fencing must not obstruct sight lines between pedestrians and vehicles.

Note:

Additional requirements on fencing are contained in the E&C Regulation.

APPENDIX A: Child care centre Facility and Equipment Requirements

The following list of requirements is based on the E&C Regulation and is intended as a guide only. Applicants should refer to the Regulation for a complete and detailed list of equipment standards and service requirements.

- Space requirements
- Laundry
- Craft preparation facilities
- Food preparation facilities
- Nappy Change Facilities
- Toilet and Washing Facilities
- Sleeping facilities
- Storage facilities
- Pools
- Telephone
- Play equipment
- First aid
- Fire safety
- Ventilation, lighting and heating
- Hot water
- Fencing
- Glass
- Cleanliness, maintenance and repairs

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1 Introduction

This section provides objectives and controls for outdoor dining and trading activities on and over public footpaths, malls and associated public spaces. Footpath dining and trading, in the right locations, contributes to an active street frontage and adds vitality to the public place.

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls of the DCP; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

The following documents should also be considered:

- NSW Food Act and food safety standards incorporated therein, and
- Other relevant statutory plans, Council and Technical Reports, guidelines and, other policies.

1.1 Objectives

- To provide controls for footpath dining and trading used in conjunction with associated, approved, indoor premises only;
- To ensure access, safety and amenity of public footpaths is maintained, while facilitating active and lively street frontages;
- To ensure footpath dining is compatible with other community use of the footpath and does not adversely impact upon the amenity of adjacent residences.

1.2 Consent Authority, Owner's Consents and Statutory Processes

Proposals for outdoor dining on public footpaths require the following processes:

- Development consent and approval under the Roads Act and the Local Government Act, and current public indemnity insurance; and
- If adjacent to a classified road, the concurrence of the Roads and Maritime Services (RMS)

Proposals for the use of footpath airspace for outdoor dining require the above as well as the following processes:

- Lease agreement with Council for use of the airspace; and

- The approval of the Director-General of Department of Planning and Infrastructure (if Council is also the roads authority).

Proposals for goods displays on footpaths require the following processes:

- Local Approval under the Local Government Act 1993 or development consent and Local Approval if not exempt development; and
- Current public indemnity insurance.

Applicants are required to maintain current public liability insurance, indemnifying Council against damage to third parties and against the issue of licences. Applicants should consult with Council's Property Officer for information regarding insurance.

Note:

Council retains management and ownership of its footpaths at all times. Council has the right to access and remove all trading items at any time for any purpose deemed suitable by it.

No compensation is payable in the event of Council or any statutory authority carrying out works which require the removal, cessation and/or alteration to any approved footpath trading activity.

2 Development and design controls

2.1 Location and layout of footpath trading activities

Explanation

Proposed footpath trading activities will be considered only in conjunction with an approved or proposed associated indoor business in contiguous premises (food premises in the case of outdoor dining and any other type of business in the case of goods displays).

Objectives

- To maintain the primary function of footpaths as public pedestrian corridors and domains, while encouraging opportunities for outdoor dining and other footpath trading activities.
- To allow for the use of airspace over public roads and public land for dining, only where appropriate.
- To ensure access for people with disabilities is provided within dining areas and associated facilities.
- To maintain public safety including unobstructed access to footpaths and adjacent buildings.
- To require high quality furniture and fittings that enhances the streetscape.
- To have regard to the heritage significance of an item or area, where applicable.

Controls

- i) Provide a clear zone on the footpath with a minimum width 2.0m or 2.5m for locations adjacent to classified roads, busy footpaths, footpaths in excess of 4m width and land within Randwick Junction Town Centre.
- ii) Provide a minimum kerb setback 0.6m. Note the following kerb setbacks apply regardless of footpath width:
 - (a) 0.9m adjacent to loading zones
 - (b) 1.0m adjacent to “No Standing” zones
 - (c) 1.5m adjacent to pedestrian crossings (applies both from kerb and the crossing)
 - (d) 1.2m adjacent to angle parking
 - (e) is not appropriate adjacent to a disabled parking space or a bus stop.
- iii) If the minimum criteria in (i) – (ii) cannot be achieved, applicants must demonstrate the following:

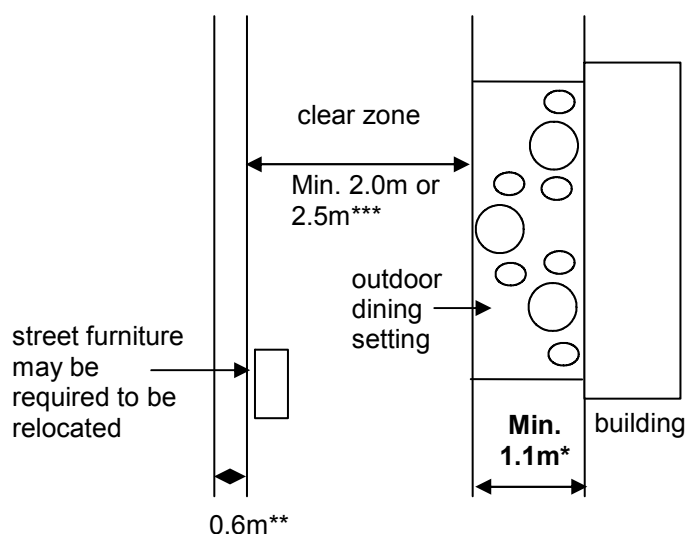
- (a) Existing levels of public access and safety will be maintained for the footpath and the adjacent road, and
 - (b) No unreasonable impacts on amenity or streetscape.
- iv) Where no footpath trading occurs in a locality, a proposed footpath trading activity is to be provided adjacent to the kerb.
 - v) Locating footpath trading adjacent to the building line must demonstrate consistency with existing footpath trading activities, exceptional circumstances and/or a public benefit.
 - vi) For trading areas longer than 10m, provide a 1.5m break in the centre of the trading area (excluding doorways and other essential openings).
 - vii) Provide a minimum break of 1.0m from public utilities including fire hydrants, rubbish bins, seats, telephones, bicycle stands, bus shelters, taxi ranks and parking meters.
 - viii) Provide a minimum break of 0.5m from all other street furniture including bollards, tree pits, street lights and traffic and electricity poles.
 - ix) Only that part of the footpath or public place directly in front of a restaurant/cafe may be used for footpath trading. The area may not extend to the area in front of neighbouring properties.
 - x) Seating may not be located next to the building line and the kerb side at the same time.
 - xi) Provide a minimum depth of 1.1m within the footpath trading area for the comfort of patrons.
 - xii) Comply with a footpath gradient (crossfall) range of 1:100 to 1:40 (maximum) or demonstrate to Council that suitable access can be provided if a proposal is located on grades outside this range.

Note:

References to footpaths in this Plan relate to existing grades. Structures or works to change footpath levels (for example, platforms) will generally not be supported, unless it can be demonstrated that pedestrian access on the footpath and to premises will not be impaired.

Diagram 2:

Suitable locations for outdoor dining areas adjacent to the building line



* A minimum depth of 1.1m is recommended for the comfort of patrons

** Kerb setbacks may be required to be increased when adjacent to no standing zones, loading zones, pedestrian crossings, angled parking

*** A clear zone minimum width of 2.5m for locations adjacent to classified roads, busy footpaths, footpaths in excess of 4m and land within Randwick Junction town centre

2.2 Use of footpath airspace for outdoor dining

Explanation

The use of airspace above footpaths (roads) and public spaces by the conversion of awnings to balconies (trafficable awnings) to provide first floor dining is generally not favoured by Council. It can result in additional noise, amenity and safety issues.

General matters for consideration

- i) The Council may consider proposals for the conversion of an existing awning only on sites with the following features:
 - (a) current approval for first floor dining in the contiguous indoor premises,
 - (b) a Business zoning,
 - (c) Not located adjacent to residential premises or residential zones, and
 - (d) located in a continuous retail strip where awnings are an integral feature of the architectural elements of the streetscape.

- ii) The Council may consider proposals for the construction of new first floor balcony awnings and their use for outdoor dining in Business zones only, where an applicant can demonstrate compliance with the following criteria:
 - (a) approval for first floor indoor dining in the contiguous premises;
 - (b) location in a continuous retail/commercial strip;
 - (c) awnings on adjacent buildings;
 - (d) design complements existing awnings;
 - (e) alignment consistent with existing awnings (minimum kerb setback 600mm);
 - (f) height related to building height and height of adjacent awnings;
 - (g) cantilevered over footpath; and
 - (h) additional awnings may not be attached to existing fixed awnings.

Controls

- i) Design of any balcony for outdoor dining must be compatible with the streetscape and with the architectural integrity of the building.

Demonstrate that the proposal:

- ii) Will not adversely affect the heritage significance of a heritage item or a heritage conservation area.
- iii) Will not adversely affect the amenity and safety of the footpath below or the adjacent road.
- iv) Will not obstruct the visibility of traffic signs and signals or pedestrian crossings.
- v) Will not hinder the use by pedestrians and vehicles of the footpath and adjacent road.
- vi) Will not adversely affect the amenity and safety of adjoining properties in terms of noise, overlooking or security.
- vii) Will not adversely affect views.
- viii) Is not located on a corner site unless visibility, traffic, safety and aesthetic issues are not adversely affected.
- ix) Is consistent with the use of other adjacent awning balconies.
- x) Is not enclosed.

Note:

A lease from the roads authority is required for use of the airspace above a road owned by it. Where the roads authority is other than the RMS, the approval of the Director-General of DP&I is required.

Council is the roads authority for local and public roads except for classified roads where the authority is the RMS.

2.3 Operating hours

Controls

The following standard hours of operation apply for all applications:

- i) Comply with the approved hours of operation of the related indoor premises subject to the criteria below.
- ii) Outdoor dining areas in Business zones:
 - (a) Local Centre Business zone B2: up to 11:00 p.m. Mondays to Saturdays and to 10:00 p.m. Sundays;
 - (b) Neighbourhood Centre Business zone B1: up to 10:00 p.m. Mondays to Saturdays and up to 9:30 p.m. Sundays.
- iii) Outdoor dining areas in potentially sensitive areas (for example, in proximity to residential zones or premises):
 - (a) Generally up to 9:30 p.m.;
 - (b) Further limitations may also be appropriate in areas within proximity to any residential premises.
- iv) Premises may be permitted a 30 minute period after the above-mentioned hours in which to vacate the outdoor dining area, provided this is within the approved hours of operation of the indoor premises.
- v) Variations to the above hours may be permissible only based on:
 - (a) The merits of the proposal;
 - (b) Existing hours of operation of the indoor premises, and/or
 - (c) Proximity of residences.

2.4 Furniture and fittings

Controls

General requirements

Demonstrate that furniture and fittings:

- i) Dimensions fit into the footpath trading area including consideration for the comfort of patrons.
- ii) Are safe, sturdy, (but not bulky), waterproof and weather resistant, can be easily removed at the close of business each day, will not damage the footpath or other public infrastructure or pose a trip/fall hazard or inconvenience to the public.
- iii) Are weighted down or otherwise secured so as to prevent accidental dislodgement (e.g. umbrellas, A-frames).
- iv) Visually complement and be physically aligned with other street furniture (including adjacent footpath trading areas) and adjacent public utilities.
- v) Define a footpath trading activity by landscape planter boxes and flowerpots, bollards or screens (all to a maximum 1.2m height and maximum 1.8m length) provided they are located within the boundaries of footpath trading area and are removable at the close of business or otherwise designed as an integral part of a public open space area. Fittings are supplied and maintained at the expense of the applicant.
- vi) Do not define the footpath trading area by full height solid or plastic screens or any other type of enclosure.
- vii) Comply with Outdoor Advertising provisions in Part F, section F3.

Note:

Design details of the proposed furniture shall be submitted to the Council for approval as part of the development application.

Fully enclosed café structures are not encouraged. This can privatise the public place which results in reduced accessibility, visibility, amenity and safety to the public.

Council reserves the right to require the replacement of inappropriate tables and chairs as a condition of the licence.

Umbrellas

Provide:

- i) Heights consistent with adjacent umbrellas or shade structures (if applicable) with a minimum height clearance from the footpath of 2.6 metres when open.

- ii) Unimpeded views (if existing) of traffic signals, signs, pedestrian crossings
- iii) Unimpeded views (if existing) of historic facades or vistas of valued or historic streetscapes.
- iv) A safe and secure anchor point, (permanently fixed and which does not pose a trip hazard when the umbrella is in storage).
- v) No overhang of any roadway.
- vi) Fire-retardant materials if located near a heating device.
- vii) Market style, not beach umbrellas.

Do not:

- viii) Provide umbrellas where building awnings exist unless it can be demonstrated that both can be appropriately accommodated within the space.

2.5 Amenity

Controls

- i) Demonstrate that the proposal will not have unreasonable impacts on the amenity of adjacent residences.
- ii) Provide adequate toilet and sanitary facilities to cater for patrons.
- iii) Provide lighting and/or heating adequate for safety and amenity for all patrons.
- iv) Demonstrate that lighting and/or heating will not cause a potential nuisance.
- v) Demonstrate suitable management measures to control noise, litter and cleanliness of the outdoor trading area.

2.6 Goods displays

Controls

- i) Goods display structures (racks, shelves or similar) must be portable, and must be removed out of trading hours.
- ii) Goods displays may be provided on footpaths with a minimum footpath width of 3.0m.
- iii) Goods display may abut the shopfront only and, only where other footpath trading activities exist adjacent to other adjoining shopfronts.
- iv) Do not affix advertising or signage.
- v) Use for the orderly display of goods which are sold in the contiguous business premises.

- vi) Maximum of one stand per commercial business or multiple occupancy commercial tenancy.
- vii) Maximum display width of 1.0m measured at right angles from the front of the premises.
- viii) Maximum length of 50% of the total length of the shopfront.
- ix) Do not affix, or restrict access to, any public utility.
- x) Do not pose a hazard or inconvenience to pedestrian movement or access to premises.
- xi) Do not display food.

2.7 A-frame advertising structures

Controls

- i) Minimum footpath widths of 3.0m.
- ii) Maintain a minimum clear zone of 2m.
- iii) Locate adjacent to the kerb line with a minimum setback of 0.6m.
- iv) Minimum 2m setback from a building corner at intersections or at arcade entries.
- v) Maximum height 1200mm and width 600mm.
- vi) Maximum of one sign per commercial business or multiple occupancy commercial tenancy.
- vii) Do not affix, or restrict access to, any public utility.
- viii) Locate away from official traffic signs, so as not to distract drivers' attention or be confused with instructions given by traffic signals.
- ix) Be safely anchored, secured and positioned so as not to pose a hazard or inconvenience to pedestrians especially those with a disability or, to traffic safety.
- x) Use durable, fade proof materials of a high aesthetic and professional quality.
- xi) Have a design theme compatible with adjacent elements within the footpath.
- xii) Content must relate directly to an activity carried out on or, associated with the related business premises.
- xiii) Content must not substantially duplicate advertising or signage elsewhere within the footpath trading area or on the frontage of the associated indoor premises.

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1 Introduction

This section contains objectives and controls to assist in the assessment of late night trading premises with particular regard to protecting residential amenity and maintaining public safety.

Late night trading premises are business, retail and entertainment uses which operate at night. These can include (but are not limited to) licensed and/or unlicensed establishments such as pubs, restaurants and cafes, take away food and drink premises and other such premises which provide late night services such as convenience stores, pharmacies and the like.

Proposals for late night trading premises must demonstrate commitment to good management and ensure that any adverse impacts are minimal and/or capable of being adequately managed.

A social impact assessment is required for ~~most cases of high impact late night trading proposals including~~ new or significant expansion of licensed premises. **Council may also require a social impact assessment for other types of late night trading proposals as part of a merit assessment.** More information can be found in the Council's Social Impact Assessment Guidelines for Assessing Development Applications.

This section has been prepared with due regard to the directions and objectives contained within the Randwick City Plan, the Safer Randwick City Plan and the Last Drinks Paper 2010.

This section of the DCP should be read in conjunction with:

- *Part A – Introduction, Part B - General Controls; and*
- *Other sections of the DCP for specific development types, locations or sites, if relevant to the application.*

To the extent of any inconsistency between this section and any other DCP sections, this section will prevail.

1.1 Objectives

- To protect neighbourhood amenity and property, particularly residential land uses.
- To minimise opportunities for anti social behaviour and crime, through the responsible management of late night trading premises and their surrounding environment.
- To enable local economies that provide for the community's diverse cultural, social and retail needs.
- To deliver certainty to applicants, operators and the local community about the planning requirements with regard to late night trading premises.
- To ensure a consistent approach in the assessment of DAs for late night trading premises.

1.2 Relationship to other documents

DAs for late night trading premises may also be subject to other Council plans, codes and policies. In particular, the following documents may be relevant:

- Social Impact Assessment Guidelines for Assessing Development Applications
- A Safer Randwick City (Crime Prevention Plan)

Applicants should check with Council to determine what other documents need to be considered when preparing a DA for a late night trading premises.

1.3 Application

This section applies to all DAs for new or existing late night trading premises that seek approval wholly or in part for:

- (a) A change of use.
- (b) New, modified or extended trading hours.
- (c) Refurbishment, additions or extensions that are likely to result in an intensification of the current use; and/or
- (d) An extension or renewal of trial trading hours or **renewable conditions of consent**.

Note:

For the purposes of (c) above, an intensification of use includes:

- 1) An increase in patron capacity**
- 2) An increase in the amount of floor area**

1.4 Late Night Trading Categories

For the purposes of this DCP late night trading premises are defined as any retail, business or entertainment use that operates at night. The DCP categorises these as high or low impact as follows:

High Impact

- (i) A pub.
- (ii) A registered club.
- (iii) Any premises with a capacity of more than 100 patrons where alcohol is sold and/or consumed on the premises (e.g. restaurant or café).

- (iv) Any premises used as a function centre or entertainment facility where alcohol is sold and/or consumed on the premises.

Low Impact

- (i) Any premises with a capacity of 100 patrons or less where alcohol is sold and/or consumed on the premises (e.g. restaurant or café).
- (ii) Any other retail or business premises which operates after 11pm.

Note:

A 'Pub' may include a wine bar and the like, where the primary purpose is the retail sale of liquor for consumption on the premises.

Note:

Outdoor seating is included in calculation of patron capacity

Note:

High and Low Impact categories do not include sex services premises and restricted premises. See Section D6 (1.0) for separate controls.

2 Matters for Consideration

Explanation

All DAs for low and high impact late night trading premises must address a number of matters of consideration. This provides the basis for a consistent approach to determining suitability of proposals, appropriate hours of operation and maximum patron capacity.

Objectives

- To ensure that late night trading proposals are appropriate to the location in terms of nature and scale of operations.

Controls

- i) All DAs for late night trading premises must address the following matters:
 - Specific nature of the proposal (e.g. pub, nightclub, restaurant etc).
 - Proposed layout of the premises
 - Current and proposed hours of operation.
 - Existing trading hours and nature of other late night trading premises operating within a 100 metre radius.
 - Current and proposed size of the premises and maximum patron capacity (including the maximum number of patrons that will be standing and/or sitting at the one time).
 - Details on whether alcohol is to be sold and/or consumed on the premises and measures for responsible service.
 - Measures to minimise likely noise or other amenity impacts on adjoining properties.
 - The likely impact of the premises on the concentration of late night uses in the locality.
 - Details on any proposed entertainment and likely amenity impacts.
 - Suitability of the location and context of the proposal, including proximity to residential land uses and other sensitive land uses (e.g. schools, places of worship etc).

Note:

The following table is a guide to the range of hours of operation that may apply to DAs for late night trading premises in Randwick City.

These hours of operation may only be granted following the Council's consideration of the matters outlined above and in those circumstances where good management can be demonstrated and where adverse impacts on residential amenity and public safety are capable of being minimised.

B2 Local Centre Zone		B1 Neighbourhood Centre Zone and other Zones	
Indoor	Up to midnight Monday to Saturday and 11pm Sundays.	Indoor	Up to 11pm Mondays to Saturdays and 10.00pm Sundays.
Outdoor	Up to 11pm Monday to Saturday and 10pm Sundays.	Outdoor	Up to 10pm Mondays to Saturdays and 9.30pm Sundays.

Table 1: Guide to hours of operation

3 Management Plan

Explanation

In addition to the matters for consideration, all DAs for high impact late night trading premises must be accompanied by a Management Plan that specifies the operations and measures to be undertaken to ensure that the premises will be responsibly managed.

The purpose of a Management Plan is to ensure that applicants demonstrate an understanding of the local context and address any potential adverse impacts that may arise from the operation of the late night trading premises. It also enables the Council to effectively assess any impacts of a proposal and forms a base for enforcement action if not suitably implemented. A Management Plan may not be required where it can be demonstrated that a proposal will not result in an intensification of a use.

Objectives

- To ensure that potential adverse impacts from the operation of high impact premises can be suitably addressed through appropriate management practices.

Controls

- i) Submit a Management Plan with a DA (for the purposes noted in 1.3 of this section) for high impact late night trading premises that addresses the general requirements for Management Plans outlined in Part B, Section B9 of this DCP, as well as the following specific requirements:
 - Onsite security arrangements including number of licensed security staff, details of any electronic surveillance systems and frequency and areas of security patrols inside and outside the premises.
 - Measures to manage large groups of patrons during peak trading periods (e.g. during weekends, special events etc).

- Measures to assist patrons to wind down before closing (e.g. reducing music volume, increasing lighting levels inside the venue etc).
- Provide a copy of the House Policy describing measures to minimise harm, anti-social behaviour and crime through the responsible service of alcohol (e.g. lock out times etc).
- Measures to monitor and manage patron behaviour within and outside the premises including when entering and leaving the premises late at night.
- If queuing outside the premises is to occur, a description of measures that will be taken to ensure that queuing is controlled to minimise adverse amenity impacts (e.g. maximum queue numbers, use of temporary ropes/bollards, actions to be undertaken to minimise loitering etc).
- Designated smoking areas and measures to increase patron awareness of the responsible disposal of cigarette butts.
- **Actions to be undertaken to discourage drug use and manage drug related incidents.**
- Overview of the accessibility and frequency of public transport and taxis during late night trading hours.
- Measures to increase patron awareness and use of public transport and taxis.
- Measures to address other likely social impact as a result of the proposal.
- Outcomes of preliminary consultation between applicants and the NSW police.

Note: NSW Bureau of Crime Statistics and Research (BOCSAR) is the official source of NSW crime information. More information on statistics per Local Government Area can be found on (www.bocsar.nsw.gov.au)

Note: Approvals for late night trading premises including hours of operation and/or patron capacity may be subject to a trial period of operation. This would allow the flexibility to monitor the ongoing management of a premises and its impact on residential amenity and public safety.

Section 80A (imposition of conditions) of the Environmental Planning and Assessment Act 1979 permits the use of reviewable conditions by a Consent Authority to approve hours of operation and/or maximum persons permitted when it is uncertain about the impacts of the proposed development on adjoining land uses.

Note: Information regarding the issuing of liquor licences should be directed towards the NSW Office of Liquor Gaming and Racing. Further information is available at (www.olgr.nsw.gov.au).

Sex Services Premises and Restricted Premises

D6

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1 Introduction

This section contains objectives and controls to assist in the assessment of restricted premises and sex services premises, and to ensure that these premises are well located, designed and managed to avoid adverse impacts on the surrounding area and maintain high levels of amenity (both internal and external).

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

The following documents should also be considered:

- Council's social impact assessment guidelines for assessing DAs
- A safer Randwick City (Crime prevention plan)
- The NSW Health Department's *Health and Hygiene Guidelines for Brothels and Adult Services*

2 General matters of consideration

Explanation

The RLEP *Location of sex services premises* clause provides for a reasonable separation between sex services premises; other land uses (residential and public recreation) and places regularly frequented by children. The purpose is to minimise land use conflicts and adverse amenity impacts arising from the location and operation of these premises and must be addressed when submitting a DA.

Note:

In addition to the RLEP, the **Restricted Premises Act 1943** provides the statutory framework for the control of sex services premises and restricted premises in NSW.

Objectives

- To provide additional criteria to assess the suitability of the location of a restricted premises or sex services premises, its impact and hours of operation.
- To ensure the design **and operation** of the premises **is are** discreet, **and fits** within the character of the streetscape **and do not adversely impact on the amenity of the neighbourhood**.

The NSW Land and Environment Court has developed a planning principle relating to brothels based on the case of *Martyn v Hornsby Shire Council* [2004] NSWLEC 614.

Controls

- i) In Business zones, restricted premises and sex services premises are to be designed with separate entries to any other use and to minimise views from public areas into the premises.
- ii) Consider the impact of the premises in terms of existing businesses in the area, the hours of operation, size and use of premises, access, car parking/traffic etc. associated with those premises.
- iii) Restricted premises and sex service premises are to be located above ground floor level or street level of a building, away from shopfronts and arcades or thoroughfares of high pedestrian use. The entrance however should preferably be located at ground level on the primary frontage.
- iv) The external design and colour of the premises must be in keeping with the character and appearance of the streetscape, and not be a prominent feature in the street.

3 Privacy and Noise

Objectives

- To ensure that the activities within the premises arising from its operation are not visible from the street or an adjoining property.
- To minimise noise and vibration at the boundary of the premises.

Controls

- i) A sex services premises must not give rise to:
 - a. A sound level at any point on the boundary of the site greater than a background levels specified in AS 1055-Acoustics- Description and measurement of environmental noise, or
 - b. An “offensive noise” as defined in the ~~Noise Control Act 1975~~, ~~Protection of the Environment Operations Act 1997~~, or
 - c. The transmission of vibration to any place of different occupancy.
- ii) Premises should be designed, incorporate building materials and arrange room layouts to minimise noise transmission, and to provide privacy (internal and external) and to prevent activities being visible from outside the premises.
- iii) There is to be no display of restricted material, sex-related products, sex workers, performers or semi-dressed staff from windows or external doors, or public areas outside the premises.
- iv) Spruikers business for any restricted premises or sex services premises will not be supported.

4 Health and Safety

Objective

- To ensure that the design and operation of the restricted premises and sex services premises maximises the comfort, safety and security of visitors/clients, staff, workers and the general public.

Controls

- i) All DAs for sex services premises must comply with the requirements of the Public Health Act ~~1994~~ 2010 and the requirements of the New South Wales Health Department.
- ii) Provide internal reception/waiting areas (except for premises providing retail services) for visitors.
- iii) Design internal areas to minimise alcoves and entrapment spaces.
- iv) Provide suitable safety and surveillance systems (both internal and external) including adequate lighting of access ways and car parking areas.
- v) Design entrances and exits to facilitate the privacy of staff and visitors without compromising personal safety.
- vi) Landscaping is not to obstruct visibility from public areas to exits and entrances for the safety of staff and visitors.
- vii) Premises are to be clearly numbered, so the number is visible from the street to prevent inadvertent visitors to private homes or businesses in the area.
- viii) For sex services premises of 3 or more rooms, all working rooms and staff areas are to be provided with intercoms and duress alarm systems linked to a central base and monitored at all times.
- ix) Storage spaces are to be provided for both soiled and clean linen, and safe sex equipment.

5 Management Plan

Explanation

The safe and efficient operation of a sex services premises or a restricted premise should effectively minimise any adverse impacts on the amenity of a locality. The preparation of a management plan setting out clear procedures and responsibilities remains an active document (reviewed annually) and assists business owners and operators, the community and council in ensuring the suitable ongoing operation and oversight of the premises.

Objectives

- To minimise the potential for the operation of sex services or restricted premises to cause disturbance in the surrounding area.
- To ensure the safe and adequate storage, handling and disposal of waste, appropriate cleaning procedures and the safety and health of staff and visitors.

Controls

- i) Submit a Management Plan for all DAs for new or expanded restricted premises or sex services premises that addresses the general requirements for Management Plans outlined in Part B, section B9 of this DCP, and the following specific requirements:
 - a. Procedures appropriate to the nature of the proposed activities; and procedures for where staff are placed under duress,
 - b. How access can be provided when required by a client with a disability,
 - c. Access arrangements for the attendance of health service providers,
 - d. Procedures that support the health and health education needs of staff.
 - e. Demonstrate compliance with the Workcover NSW Health and Safety Guide 2001

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1 Introduction

Whilst business zoned land comprises only 1.36% of land within Randwick City, neighbourhood centres are an important part of a City's economy. They provide convenient access to goods and services to meet community needs, they support employment and they contribute to lifestyle and neighbourhood amenity. Neighbourhood centres are also sustainable as they are often located within walking distance of residents and/or located on primary transport routes **and public transport stops**.

The controls in this section apply to business related development permitted in the B1 Neighbourhood Centre zone, and also in limited circumstances, within residential zones.

A range of non business land uses are also permitted within the City's neighbourhood centres, such as hospitals, service stations, registered clubs, entertainment facilities, etc. Any DA for such uses will need to address the controls contained within this section.

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

Development proposals in the Maroubra Beach centre and The Spot, Randwick must also refer to their individual DCP section.

1.1 Randwick City's neighbourhood centres

Randwick City's neighbourhood centres comprise a small cluster of retail and commercial businesses (generally five or more shops) that service the convenience needs of residents and workers in the immediate surrounds.

Shopping strips in Randwick City often have a distinct character and identity which offers services on a more intimate level, often valued as it promotes personal contact between shopkeepers and shoppers/local residents and creates a more unique shopping experience than those offered in a 'big box' shopping centre.

To remain viable, planning for our neighbourhood centres needs to focus on their local advantages such as proximity to parks and public transport and building on any specialty niches. There is also a need to ensure appropriate residential, public spaces and building design to support the continued success of these neighbourhood centres.

Note:

Residential development in this zone should refer to Part C4 of the DCP

Randwick City has 20 centres zoned B1 Neighbourhood Centre, listed as follows. This section applies to development within these neighbourhood centres, in addition to business uses in residential zones.

1. Maroubra Beach	11. Lexington Place, Maroubra
2. The Spot	12. Shirley Cres, Matraville
3. Frenchmans Rd	13. Canara Ave, Phillip Bay
4. Clovelly	14. Nix Ave, Malabar
5. West Randwick	15. Snape St, Kingsford
6. Malabar	16. Maroubra Road West, Maroubra
7. Duffys Corner	17. Clovelly Rd, North Randwick
8. Chifley	18. Arden St (and Clovelly Rd, Clovelly)
9. Little Bay	19. Alison Rd (and Carrington Rd), Coogee
10. La Perouse	20. Bream St (and Carrington Rd), Coogee
11. Moverly/Malabar Rd, South Coogee	21. Havelock Ave (and Dudley St), Coogee
12. Malabar Rd, Maroubra (Lurline)	22. Byron St (and Coogee Bay Rd), Coogee
13. Maroubra South	23. Flower St (and Maroubra Rd), Maroubra
14. South Coogee	24. Carrington Rd (and Clovelly Rd), Randwick

Note:

Part D7 Neighbourhood Centres – General Controls do not apply to Maroubra Beach or The Spot commercial centres. Development proposals in these neighbourhood centres must refer to the controls in their site specific DCP section

Explanatory Note:

The eight centres added to the list were zoned B1 Neighbourhood Centre under RLEP 2012, but inadvertently left off this list.

1.2 Objectives

- To enhance commercial amenity and ongoing economic viability of Randwick City's neighbourhood centres.
- To promote active street level frontages in neighbourhood centres.
- To maintain the small shop and small shopping centre character of individual centres.
- To enhance the scenic quality and amenity of streetscapes and public places.
- To ensure development in these centres is compatible with the character and form of existing development in the neighbourhood.
- To encourage shop top housing as a form of affordable residential accommodation.
- To ensure that development provides for the amenity of residents living in or near centres.

2 Site planning

Given the variety of sizes and configurations of allotments in the City's neighbourhood centres, this section of the DCP does not provide specific controls for site planning. Rather, site planning for new development will be assessed on its merits and on a case by case scenario.

While site planning controls may be assessed according to site characteristics, all development in neighbourhood centres must provide for active ground floor uses. eg. Uses such as cafés, shops are encouraged as opposed to office uses.

2.1 Building envelope

Explanation

A building envelope is a conceptual 3-dimensional space in which a development may occur. Building envelope is defined by a combination of controls such as setbacks, building height, wall height and FSR.

The building envelope ensures that the scale and bulk of future development is compatible with site conditions and the desired future character. A building envelope for a site represents the maximum limits of development and can only be achieved if all other planning controls and objectives for the site can be addressed.

Objectives

- To ensure development height establishes a suitable scale to the street and contributes to its character.
- To ensure development height does not cause unreasonable impacts upon the neighbouring dwellings in terms of overshadowing, view loss, privacy and visual amenity.
- To ensure front setbacks maintain the continuity of setbacks in the street.
- To ensure the form and massing of developments respects the topography of the site.

2.2 Floor space ratio

Explanation

Floor space ratio (FSR) is a measure that assists in controlling the mass and bulk of a development. FSR operates in conjunction with building height, wall height and setback controls to define the 3-dimensional space within which a development may occur, that is, the building envelope. FSR is expressed as a ratio of the permissible gross floor area to the site area.

The maximum FSR control for the B1 Neighbourhood Centres is stipulated in RLEP, at either 1:1 or 1.5:1, depending on the centre location and surrounding development.

2.3 Building heights

Explanation

Building height is an important control which influences the bulk and scale of a development and the visual amenity of a place and neighbouring properties. It can also reinforce an area's existing or desired character.

The maximum building height control for the B1 Neighbourhood Centres is stipulated in RLEP, at either 9.5m or 12m, depending on the centre location and surrounding development.

This section of the DCP works in conjunction with the maximum building height controls, ~~contained within~~ in RLEP

Objectives

- To ensure an appropriate relationship between new development, street width and surrounding dwellings.
- To ensure appropriate floor to ceiling heights within commercial buildings and to enable flexibility of uses through higher floor to ceiling heights for ground floor development.
- To achieve a consistent built street edge height.

Controls

- In neighbourhood centres with a 9.5m maximum height limit, ~~commercial or mixed use~~ development must not exceed 2 storeys in height (with the exception of habitable roof space/partial floor, ~~if incorporated into roof design and not visible from the street~~ which must be setback so as not to be visible from the street or incorporated into the roof design to have the appearance of a roof rather than an additional storey).
- In neighbourhood centres with a 12m maximum height limit, ~~commercial or mixed use~~ development must not exceed 3 storeys in height (with the exception of habitable roof space/partial floor ~~if incorporated into roof design and not visible from the street~~ which must be setback so as not to be visible from the street or incorporated into the roof design to have the appearance of a roof rather than an additional storey).
- The minimum floor to ceiling height for a floor must comply with the following table:

Floor	Minimum floor to ceiling height (in metres)
Ground floor	3.5m 3.3m
First floor Upper floors	3.3m 2.7m
Residential floor	2.7m

Note: (Ceiling heights shall be measured from finished floor level (FFL) to finished ceiling level (FCL)).

- iv) Demonstrate the suitability of an alternative number of storeys and/or floor to ceiling heights having regard to:
- existing predominant storeys and/or floor to ceiling heights within the centre
 - character of the street.

2.4 Setbacks

Explanation

Front setbacks establish the building line at the primary street front. They help define the proportions of the street and can contribute to the streetscape character through continuity of street facades. Continuous retail frontages with a zero street setback help reinforce a shopping street.

~~Front~~ Setbacks are measured from the ~~street~~ property boundary to the outside face of the external wall of the building.

Side and rear setbacks are also important as they provide for amenity between neighbouring properties, in terms of bulk, solar access and privacy and where rear lanes exist, provide for parking, loading and services. Setbacks to upper levels may also be required to ensure an appropriate building form is created.

Setback controls do not apply to below ground structures.

Objectives

- To define the street edge and establish or maintain the desired spatial proportions of development on the street.
- To ensure a development does not detrimentally affect the amenity of adjoining residential development.
- To ensure any building fronting a rear lane has a scale and mass secondary to the main dwelling on the site, and is appropriate for the width of the lane.

Setbacks for residential redevelopment in B1 zones will need to refer to the Medium Density Residential setback controls.

Controls

2.4.1 Front setback

- i) Comply with the following minimum front setback:

Description	Minimum setback
Development fronting a primary road, up to 9.5m in building height	0m setback from the street edge
Development fronting a primary road, above 9.5m in building height	2m setback
Corner allotments	A minimum 1.5metre x 1.5metre splay corner across all levels at the intersection of two roads. No walls or plantings higher than 600mm may be located within the splay corner.

- ii) Provide increased setbacks over and above the aforementioned minimum requirements, or demonstrate the suitability of an alternative setback having regard to the the following matters:
- existing predominant street setback
 - character of the street

2.4.2 Rear setback

- iii) Where the site has rear lane access, car parking structures (hardstand carspace, carport or garage) and ancillary development must have a 1m minimum setback from the rear boundary.
- i) All ancillary buildings fronting laneways must have a maximum height of not more than 6m. The maximum external wall height is limited to 4.5m.

Ancillary buildings on laneways must have a mass and scale secondary to the primary dwelling on the allotment. Any upper level (for instance, storey above garage) must be contained within the roof form as an attic storey.

- iv) Where there is no rear lane access and the site adjoins land in a residential zone, provide a minimum rear setback of 15% of allotment depth or 5m, whichever is the lesser.

2.4.3 Side setback

- v) Where the site's side boundary adjoins land in a business zone, provide a zero metre side setback.
- vi) For alterations and/or additions to dwellings **houses** in B1 zones, redevelopment must address the residential sections of the DCP.
- vii) Where a side boundary of the site forms the edge of a business zone or, adjoins land in a non-business zone (and not separated by a road), provide a minimum 3m setback from the side boundary for a minimum of 60% of the allotment depth. For constrained sites, Council may consider a variation to the standard if the proposal can demonstrate that a reduced setback will suitably address privacy and solar access to the neighbouring properties.

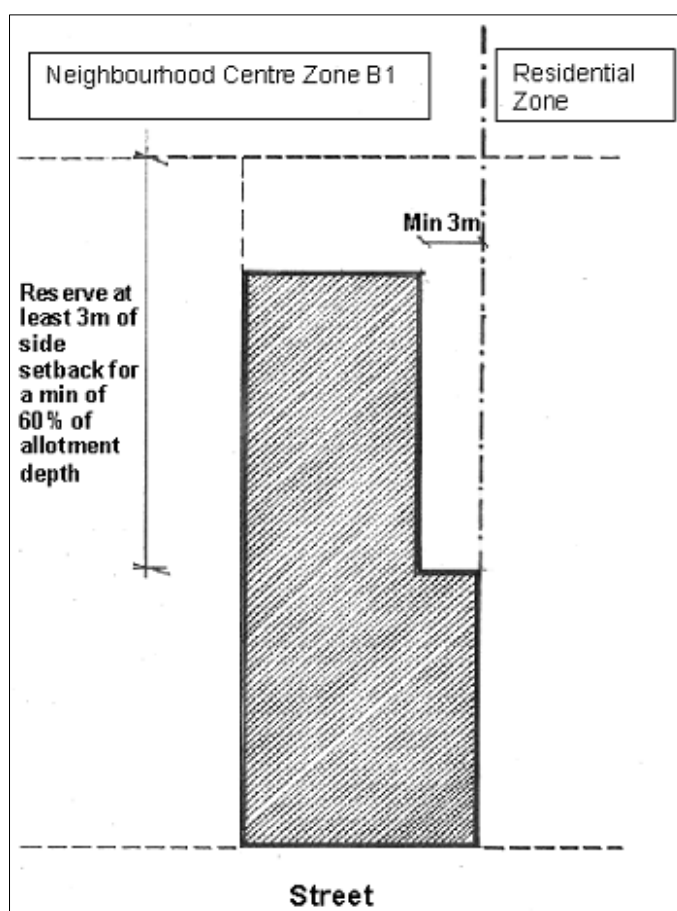


Figure 1: Side setback controls for development adjoining non-commercial zone

3 Building design

3.1 Facades

Explanation

Facades have an important role to play in the perception and enjoyment of a place. Design emphasis through facade details, materials, colours, changes in the building plane (recessed or extended from building surface), contrasts in materials or decorative artwork can all contribute to the unique character of a building and a place. This visual interest, or articulation, can also assist to visually 'divide' buildings into smaller, identifiable proportions.

Objectives

- To ensure building facades are articulated to complement and enhances the character of the street.
- To achieve buildings with well designed, articulated facades, reflecting a 'fine grain' character, common to neighbourhood centres.
- To ensure that corner buildings respond to the characteristics of the two streets they address, and to reinforce corner elements.
- To retain and restore the surviving examples of original whole shop frontages and elements.
- To encourage new shopfronts to be compatible with the existing proportions, materials and detailing across the centre to maintain and enhance the character of the neighbourhood centre.

Controls

- Where a development has two street frontages, each façade treatment must respond to the buildings in those streets.
- Include shopfronts on side street frontages of corner sites to enhance the commercial potential of the space and minimise blank walls to the streetfront.
- Facades should display proportions and detailing which respect the prevailing building facades across the centre (i.e. designing fine grain shop fronts, where the existing subdivision is fine grain).
- Distinguish residential entries from commercial/retail entries in the case of mixed use development.
- Design shopfronts, including entries and windows, to reinforce any prevalent character in the centre.



Examples of facades in the City's B1 Neighbourhood centres

- vi) All street frontage windows at ground level are to have clear glazing. Large glazed shopfronts should be avoided, with window configurations broken into discrete sections to ensure visual interest.
- vii) All facade elements must be contained within the site boundaries.
- viii) Building services, such as drainage pipes shall be coordinated and integrated with overall facade and balcony design.
- ix) Balconies to the street facade are to be recessed behind the principal building facade.
- x) Balcony balustrades should comprise a light open/glazed material and should be compatible with the style of the building.
- xi) The development of colonnades is discouraged.

3.2 Roof forms

Explanation

Well designed roof forms and parapets can enhance buildings and conceal mechanical structures such as lift overruns and service plants. Many of Randwick City's neighbourhood centres are characterised by flat roofs and often with a distinctive parapet.

Objectives

- To reinforce existing parapet features in neighbourhood centres.
- To add visual interest to the business centre skyline when viewed from street level or surrounding vantage points.
- To ensure the roof form contributes to the overall design and performance of the building.
- To ensure that roof plant and service areas are incorporated into the roof design and not visible from adjoining public roads or private property.

Controls

- i) In centres where parapet forms are prevalent, development should include parapets that reflect the rhythm, scale and detailing of existing parapets.
- ii) Provide flat roofs where these prevail across the centre, unless the site conditions justify an alternative roof form (eg. Corner sites).
- iii) Design roof forms to generate a visually interesting skyline, while minimising apparent bulk and potential for overshadowing. The style and pitch of new roofs should relate sympathetically to neighbouring buildings.

- iv) Relate roof forms to the size and scale of the building, the building elevation and the three dimensional building form.
- v) Structures such as ventilation shafts, lift over-runs and service plants, should be wholly contained within roof structures and not project above the roof line.

3.3 Awnings

Explanation

Awnings improve the shopping experience by providing weather protection and by encouraging pedestrian activity, supporting the vitality of a centre. Awnings also play a role in sheltering passengers waiting at bus stops and for outdoor diners. Well designed awnings can also contribute to the character of the street.

Objectives

- To provide shelter and amenity for pedestrians on public streets.
- To provide continuity in the streetscape.

Controls

- i) Provide continuous street frontage awnings to all new development.
- ii) Generally awnings should be a minimum 3 metres deep and setback a minimum 600mm from the kerb.
- iii) Design new awnings to be complementary with their neighbours and aligned with the general alignment of existing awnings in the street.
- iv) Cantilever awnings from the building must have a minimum soffit height of 3.5metres.
- v) Provide under awning lighting to improve public safety.
- vi) Colonnades along the street edge are inappropriate.
- vii) Canvas blinds along the street edge may be suitable where they would assist in sun access/protection.
- viii) Signage on canvas blinds is inappropriate.
- ix) Ensure all awnings are structurally sound and safe and comply with relevant BCA requirements.

3.4 Colours, materials and finishes

Explanation

Well considered use of external building materials, finishes and colours can greatly contribute towards the appearance and cohesiveness of a business centre. New development or refurbishment should improve the overall presentation of the streetscape.

Objectives

- To achieve a pleasant, coherent streetscape that integrates new and existing buildings incorporating quality materials and finishes.
- To limit solar glare and the reflection of sunlight from buildings.

Controls

- i) Utilise high quality and durable materials and finishes which require minimal maintenance.
- ii) Combine different materials and finishes to assist building articulation and modulation. The use of face bricks and/or natural stone cladding may assist the integration of new development into the existing streetscape.
- iii) The following materials are considered incompatible:
 - Large wall tiles;
 - Rough textured render and/or bagged finish;
 - Curtain walls; and
 - Highly reflective or mirror glass.
- iv) Avoid large expanses of any single material to facades.
- v) Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%.

3.5 Lighting

Explanation

Lighting should be managed for centres to be safe and inviting, while avoiding nuisance to nearby development, residential areas and/or traffic. Light spillage can be managed through location and design considerations'.

Objectives

- To encourage external lighting that adds to the architectural character of buildings whilst having regard to the amenity of nearby residents.
- To illuminate parts of a site for security and safety.

- To provide correct lighting orientation and minimise overspill lighting.

Controls

- i) The external lighting of buildings must integrate external light features with the architecture of the building.
- ii) Under awning lighting should be provided in accordance with the relevant Australian Standard.
- iii) Where residential development is located above or adjoins the development, provide location and design details demonstrating that light is directed away from residences.
- iv) Avoid floodlights or excessive lighting of buildings.

3.6 Signage

Explanation

Signage plays a significant role in promoting retail and commercial uses and in creating a lively shopping strip. Signage in centres should be integrated into the design of buildings.

Objectives

- To ensure that signage is in keeping with the scale, quality and overall design of the development.
- To ensure signage maintains, enhances and unifies the visual quality of the streetscape.
- To prevent unnecessary excessive signage and visual clutter by encouraging fewer, more effective signs.

Controls

- i) The location, size and design of signage must integrate with the architectural detail of the building and act as a unifying element to the neighbourhood centre.
- ii) Signage must not:
 - obscure important architectural features;
 - dominate the architecture of buildings;
 - protrude from, or stand proud of, the awnings;
 - project above any part of the building to which it is attached;
 - cover a large portion of the building façade.
- iii) Avoid fin signs, signage on canvas blinds, signage on roller shutters and projecting wall signs and large elevated solid panel business and building name signs including those fixed on parapets or roofs.
- iv) Ensure that signs provide clear identification of premises for residents, visitors and customers.

- v) All premises must display a street number. The height of these numbers should be legible but not a dominating feature, and no less than 300mm presented in a clear readable font.
- vi) Signage must relate to the business being carried out on the property.
- vii) Early building names (on parapets, pediments, etc) should be preserved wherever possible.
- viii) Any signage structure or sign must have regard to the impact on residential occupants in terms of illumination and visual impact.

4 Public domain

4.1 Active frontages

Explanation

Continuous business or retail land uses that open directly to the footpath provide people oriented and active street frontages. An active frontage enhances public security and passive surveillance and improves the amenity to the public domain by encouraging pedestrian activity. Active street frontages are a vital contributing factor to the economic viability and vitality of a business centre.

Objectives

- To achieve a well designed streetscape that engages and activates the neighbourhood centre and contributes to its economic viability.
- To provide a walkable environment, with visual interest and opportunities for social interaction.
- To provide active uses and pedestrian orientated activities at ground level in business centres.
- To ensure that the provision of active street frontages are compatible with the scale, character and architectural treatment of the building.

Controls

- i) Maximise street level activity (e.g. by wrapping shopfronts around corners) and minimise opaque or blank walls at ground level.
- ii) Minimise vehicular entrances not associated with active uses or building entries.
- iii) Security grilles or shutters may be fitted only within the shop itself behind glazing, and must offer a minimum of 70% transparency.

- iv) Doors shall not encroach over the footpath when open. The use of fully operable glass walls or windows (eg pivot, stacking or bi-fold) to open cafés and restaurants to the street is encouraged, where suitable for the prevailing character of existing buildings in the centre.
- v) ATMs and takeaway service counters should be recessed within a building wall to avoid negative impact on footpaths being used as service/queuing space. These areas are to be designed to avoid a hidden alcove/niche.

4.2 Pedestrian friendly access and spaces

Explanation

Pedestrian friendly design focuses on delivering high quality, safe and pleasant walking environments. Pedestrian access in a neighbourhood centre should provide a barrier-free environment where all people who live and visit the centre can enjoy the public domain. Public art can enhance centres by celebrating local heritage and exploring community and cultural heritage.

Objectives

- To promote development that is well connected to the street and contributes to the accessibility of the public domain and functionality of the neighbourhood centre.
- To ensure that residents, including users of strollers and wheelchairs, are able to reach and enter shop top housing via minimum grade ramps, paths, accessways or lifts.
- To encourage public art that enhances the unique identity of centres.

Controls

- i) Development should aim to increase the area of public spaces and pedestrian links that are available in the business centres.
- ii) In designing such areas, consideration should be given to solar access and protection from wind and rain.
- iii) Pedestrian and vehicle accessways are to be separated and clearly distinguishable.
- iv) Pedestrian areas should minimise any changes in levels and allow wheelchair access to the shops from the car parking area and public footpaths.
- v) Consider artworks and design which integrates private development with the public domain. Eg. Window treatments, paving, sculptures and decorative elements.

4.3 Vehicular access

Explanation

Vehicular access interrupts the active streetscape and the continuity of footpaths. Where alternatives such as rear lanes and side streets exist, vehicular access for land within centres should be via these alternatives.

Objectives

- To access sites within centres via driveways from side streets and rear lanes.
- To minimise the number of vehicle access points on shopping street frontages.
- To maximise retail frontages and streetscape presentation.
- To maximise pedestrian safety.

Controls

- i) Where new development has access available off rear laneways or side streets, vehicular access must be provided from the laneway or side streets.
- ii) Where no alternative street frontage is available:
 - demonstrate ~~including a transport and traffic study~~ alternative sustainable measures for meeting parking and delivery requirements.
 - ~~Alternatively~~ The entry to the building ~~shall~~ **should** be designed to give priority to pedestrians by maintaining a constant grade for the footpath crossing for pedestrians.
 - Before the exit from the site, speed bumps and or warning signs to give way to pedestrians ~~shall~~ **should** be provided. The vehicle crossing area of the footpath ~~shall~~ **should** be identified by pavement blending with the footpath treatment as required by Council's Engineering Services.
- iii) Design driveways to minimise visual impact on the street and maximise pedestrian safety. Setback any rear lane garage doors 1 metre from the laneway alignment.
- iv) Avoid locating accessways to driveways adjacent to the doors or windows of habitable rooms.

4.4 Loading areas

Explanation

Loading areas provide for short term use of vehicles when loading or unloading goods in the course of business or when dropping off or picking up passengers. They are an integral aspect of a commercial business, however if situated inappropriately have the potential to impact adversely on the amenity for adjoining land uses and pedestrian and vehicular safety.

Objectives

- To ensure the provision of adequate loading/unloading areas.
- To ensure vehicular access to buildings and areas dedicated for offstreet loading and servicing does not diminish active street frontages.
- To ensure efficiency and amenity in the design and operation of offstreet loading and servicing.

Controls

- i) Provide for loading facilities on site wherever feasible or demonstrate that suitable alternative arrangements to minimise impact on other premises and people within the centre.
- ii) Service/delivery areas are to be located to minimise conflict between pedestrians/cyclists and vehicles and to minimise impact on residential amenity of neighbouring properties.
- iii) Where new development has access available off rear laneways or side streets, loading areas shall be located off these areas.

5 Amenity

5.1 Solar access

Explanation

Sunlight access supports the health and amenity performance of buildings and is a financial benefit by reducing the need for artificial heating and cooling. This applies to new development and their relationship to existing adjoining buildings, requiring reasonable access to sunlight for living spaces and private and public open spaces.

Objectives

- To optimise solar access to habitable rooms and to minimise the need for artificial lighting during daylight hours.
- To minimise the impact of overshadowing on the internal and outdoor areas of neighbouring buildings.
- To retain the amenity of the public domain by maximising solar access.
- To promote natural cross ventilation and discourage sole reliance on air conditioning.

Controls

- i) Commercial and mixed use development are not to reduce sunlight to adjacent dwellings below a minimum of 3 hours of sunlight on a portion of the windows of the habitable rooms between 8am and 4pm on 21 June.
- ii) Where adjacent dwellings and their open space already receive less than the standard hours of sun, new development should seek to maintain this solar access where practicable.
- iii) If suitably justified, Council may accept a reduction in solar access for the subject site and adjacent development if the topography and lot orientation are such that the standard is considered unreasonable.
- iv) Ensure that building layouts facilitate good solar access to both internal and external living spaces (eg. Ideally locate living areas to the north and east, and service areas to the south and west of the development).
- v) Maximise any northerly aspect and optimise the number of north facing windows. Shade north facing windows with roof eaves, verandahs or balconies, awnings or other horizontal shading devices.

5.2 Acoustic and visual privacy

Explanation

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

Visual privacy aims to protect every resident's ability to carry out private functions within all rooms and private open spaces.

Objectives

- To ensure high levels of acoustic privacy within and between developments.
- To provide reasonable levels of external and internal visual privacy.
- To maximise outlook and views from principal rooms and private open spaces without compromising visual privacy.

Controls

- i) Developments are to be designed to minimise noise transmission by:
 - Locating busy noisy areas next to each other and quieter areas next to each other ~~and quieter areas next to each other~~;
 - Locating bedrooms away from busy roads and other noise sources;
 - Using storage or circulation areas within a dwelling to buffer noise from adjacent apartments, mechanical services or corridors/lobbies.
 - Avoid locating wet areas, such as toilets, laundries and kitchens, adjacent to bedrooms of adjoining dwellings.
- ii) Locate exhaust vents away from windows and open space of **dwellings** ~~residential units~~.
- iii) For development fronting arterial roads, provide noise mitigation measures to ensure an acceptable level of living amenity for the **dwellings** ~~units~~ is maintained.
- iv) Operating hours must be submitted with the DA. Should the development require deliveries and/or operation of machinery outside of standard hours (7.30am to 5pm, Monday to Friday), an acoustic report must accompany the DA. The acoustic report must be prepared by a suitably qualified acoustic consultant.

6 Shop top housing

Explanation

Shop top housing is an important feature of neighbourhood centres as it provides housing diversity and affordability. Long term affordability and sustainability aspects are improved for residents since less dependence is needed on transport (particularly private car use) when housing is located within walking distance of services and facilities, employment, shopping and entertainment.

The addition of housing can also increase interest, pedestrian activity and provide a human element to the zone, particularly after business hours. Shop top housing also increases the revitalisation of under-utilised spaces, and general land efficiency. It provides opportunities to 'work from home' or in close proximity to home.

Objectives

- To encourage the inclusion of dwellings in new developments, whilst ensuring that active commercial uses continue to be provided at ground floor area on principal retail streets.
- To maintain the built form arising from the historical subdivision pattern and the small shop character at street level.
- To maintain the built **form** character of small shops originally built to serve residents within a walking catchment, together with shop-top housing.
- To provide a range of usable, attractive and accessible landscaped outdoor spaces and recreation areas for the use of the occupants of shop top housing.
- To ensure that shop top development reinforces the character of the commercial precincts and forms a satisfactory transition between the commercial uses and adjacent residential uses.

Controls

- i) Entries to residential apartments are to be separated from commercial entries to provide security and an identifiable address for each of the different users.
- ii) Each dwelling must be provided with private open space directly accessible from its living area, in the form of either a balcony at least 2m deep or a terrace or private courtyard at least 10 square metres in area.
- iii) Private open spaces should be:
 - located adjacent to and accessible from the main living areas of the dwelling;
 - located so as to maximise solar access, i.e. preferably orientated from north-east to north-west;

- located to ensure privacy and away from noisy locations, where possible; and
 - screened by vegetation or a wall to ensure privacy.
- iv) If an elevator is provided for residential use, it must not be used for retail loading or waste removal.
- v) Separate the waste storage facilities for commercial and residential components of a development.
- vi) Site services and facilities (such as letterboxes and drying yards) should be designed:
- to enable safe and convenient access by residents;
 - in an aesthetically sensitive way;
 - to have regard to the amenity of adjoining developments and streetscape;
 - to require minimal maintenance; and
 - to be visually integrated with the development.

6.1 Neighbourhood shops and business uses in Residential Zones

Explanation

Corner neighbourhood shops and limited business uses are permissible in residential zones. RLEP also has a clause allowing the retention and continued use of existing purpose **designed or** built commercial premises. It should be noted that development should be consistent with the controls stipulated in either the Low Density Residential or Medium Density Residential sections of the DCP, **and should also consider controls, as relevant in this Section.**

The purpose of this sub-section is to provide additional design controls for these business uses.

Objectives

- To encourage the retention of the fabric of existing purpose built corner shops/shop-top housing in residential areas.
- To ensure commercial development in residential zones do not create adverse noise or disturbance.

Controls

- i) Preserve glazed shopfronts (ie. do not infill), awnings and primary wall heights at the street front.
- ii) A Noise Impact Assessment prepared by a qualified acoustic consultant may be required depending on the use, scale and location of a development to demonstrate that the use can suitably operate within a residential area.

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1 Introduction

This section of the DCP contains development controls for the Maroubra Beach commercial centre.

There are two different potential development scenarios contained in this section of the DCP for the block bounded by Marine Parade, McKeon Street, Fenton Avenue and Mons Avenue. The Amalgamated Scheme allows greater building heights but only where lot consolidation is achieved and where a north-facing public square on the southern side of McKeon Street, public open space and through-site links are provided. The intention is to create a heart for the Maroubra Beach commercial centre, focused on the area around a new public square. Development in the Amalgamated Scheme is to be staged as in the following diagram:



There is also a base scheme which contains controls to be used where sites are developed individually rather than being amalgamated. Due to the flooding constraints in the commercial centre, developing sites individually is unlikely as car park entries, ramping and driveway gradients will require larger development sites than currently provided for in the subdivision pattern. The Base Scheme includes the block bounded by Marine Parade, Mons Avenue, Fenton Avenue and McKeon Street and also the northern side of McKeon Street between Hereward Street and Marine Parade and a portion of the southern side of McKeon Street to the west of Fenton Avenue.

A range of uses, including residential, commercial and retail are permitted with consent in the B1 Zone of Randwick LEP 2012 which applies to the area covered by this section of the DCP. The controls in this section of the DCP further encourage development which will preserve the fine grain pattern of development in McKeon Street through a limit on the width of retail spaces. A mixture of residential and home/office uses on Fenton Avenue are

to be provided so that there is a transition to residential development further to the west of the commercial centre.

1.1 Objectives

- To create a heart for the Maroubra Beach Commercial Centre by providing a north-facing public square on the southern side of McKeon Street.
- To provide public open space and a through-site link between Fenton Avenue and Marine Parade.
- To improve the amenity and safety of the public domain.
- To maintain the existing fine-grain pattern of development.
- To provide for a range of uses including small retail businesses, a mini-supermarket, commercial activities, home-offices and residential uses in order to create and support a vibrant community.
- To ensure development is of a high quality contemporary architectural design providing high levels of amenity for residents and visitors and in a manner that enhances the character of the commercial centre.

The land to which this section of the DCP applies is shown in the following diagram:



2 Building Envelope

Explanation

A building envelope is a three-dimensional space which defines the maximum extent within which development may occur. It describes maximum height, width, length and depth of a potential development. The envelope includes colonnades and balconies but does not include cantilevered awnings along retail/commercial shopfronts.

Objectives

- To determine the appropriate siting and scale of the built form.
- To ensure that the built form and density of new development respects the desired future character of the commercial centre.
- To determine the appropriate amount and siting of open space.

Controls

- i) Figures 2 and 3 define the building envelopes for the Amalgamated and Base schemes
- ii) All development in the Amalgamated Scheme must demonstrate that the gross floor area achieved occupies not more than 80% of the maximum building envelope (Figure 2)
- iii) All development in the Base Scheme for the land bounded by McKeon Street, Marine Parade, Mons Avenue and Fenton Avenue (Figure 3) must demonstrate that the gross floor area achieved occupies not more than 70% of the maximum building envelope
- iv) Any development of the land on the northern side of McKeon Street and the south western corner of McKeon Street and Fenton Avenue is subject to a maximum Floor Space ratio of 2:1
- v) Ensure that the built form contributes to a high quality urban environment by limiting building depth and height.

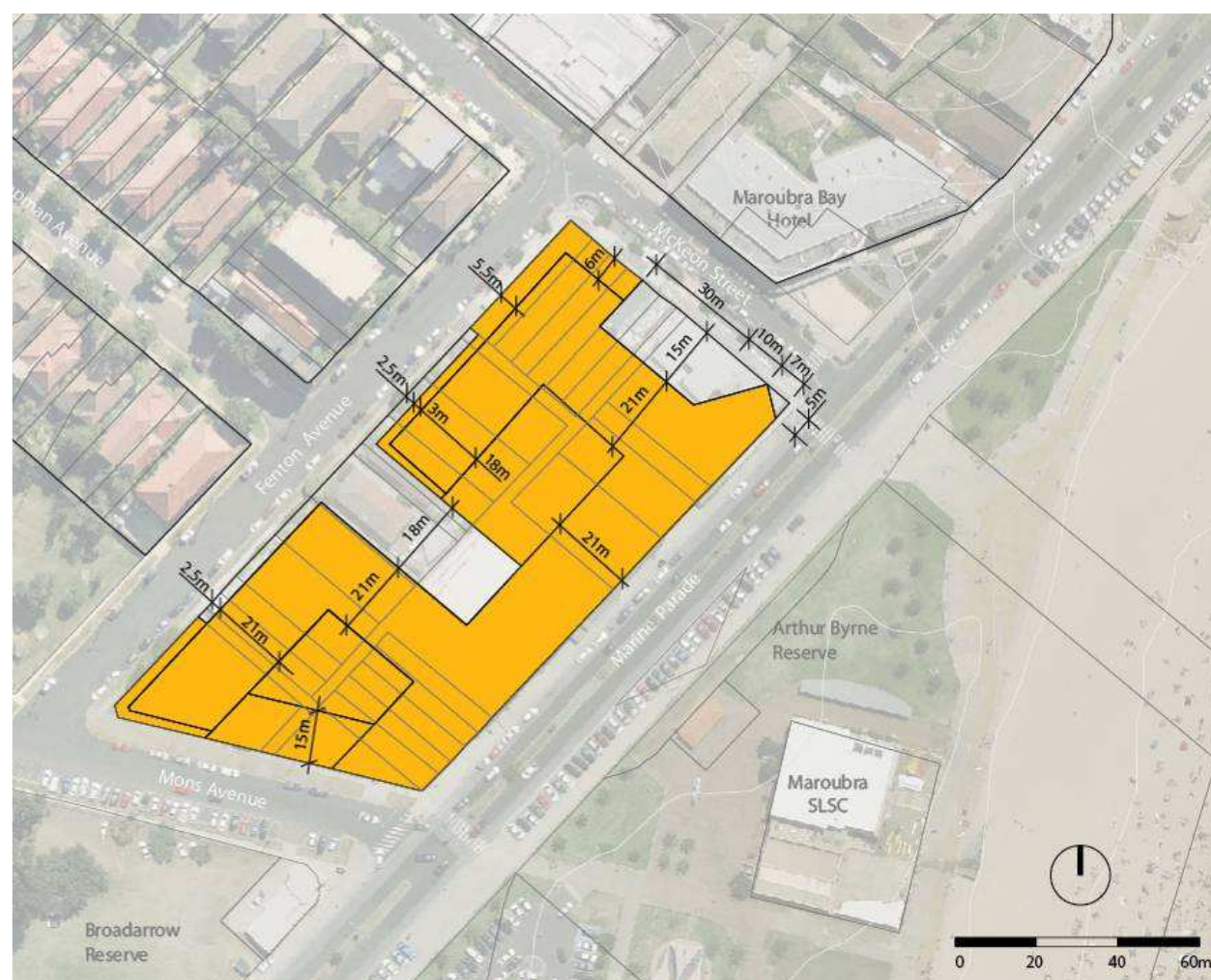
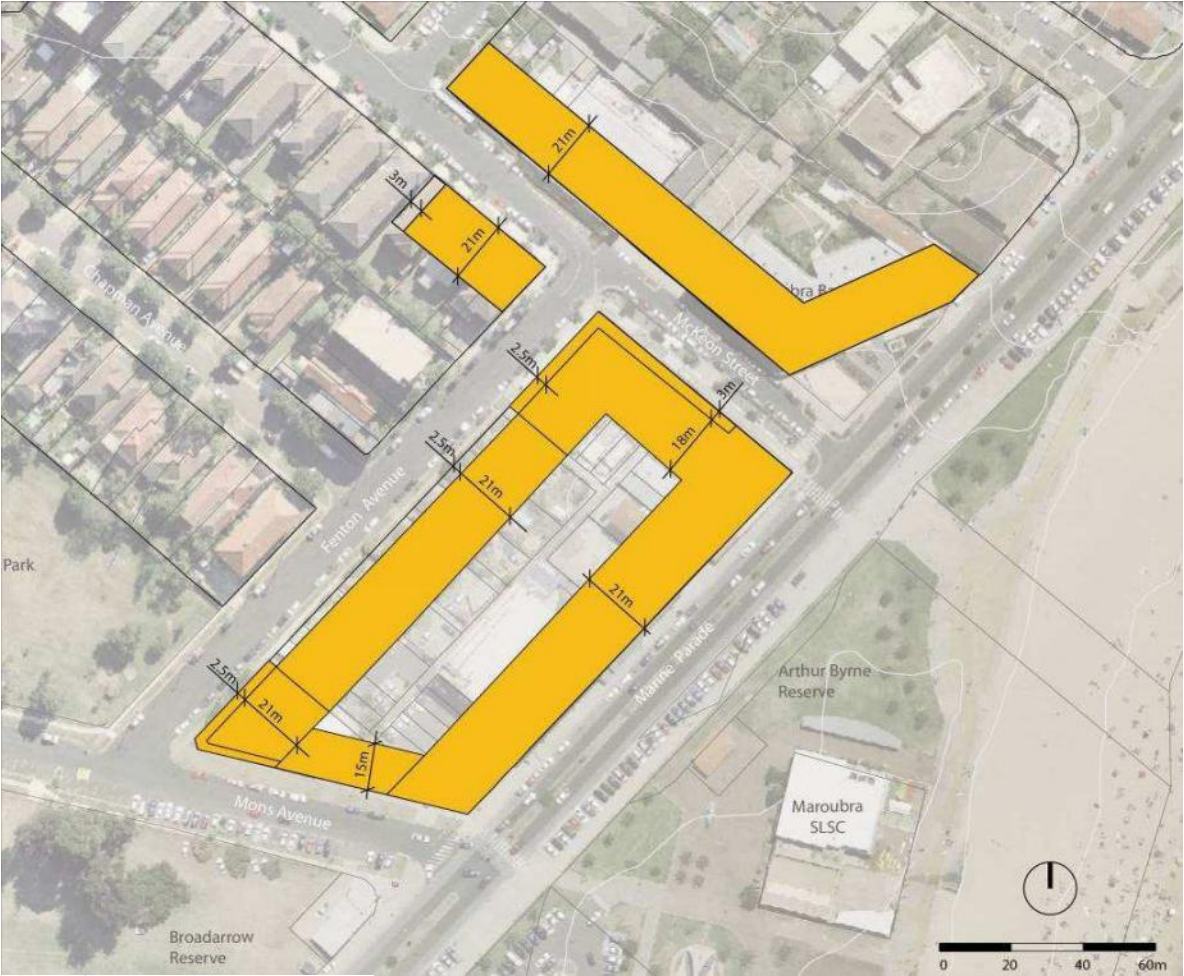
Figure 2 Building Envelope – Amalgamated Scheme

Figure 3 Building Envelope – Base Scheme



Legend

 Building Envelope

3 Building Heights

Explanation

Height is an important control as it has a major impact on the amenity of both the subject site and the surrounding neighbourhood, both physically and visually. Height controls are an important mechanism for achieving the desired future character of the site and area.

The Amalgamated Scheme for the block bounded by Marine Parade, McKeon Street, Fenton Avenue and Mons Avenue allows for greater building heights but only where lot consolidation is achieved and where a north-facing public square on the southern side of McKeon Street, public open space and through-site links are provided.

Randwick LEP 2012 - clause 4.3 B Height of buildings on land within the Maroubra Beach Commercial Centre

- (1) The objective of this clause is to allow greater building heights on land within the Maroubra Beach Commercial Centre if lot consolidation is achieved and public open space and through site links are provided.**
- (2) If all of the land identified as “Area 6” on the Height of Buildings Map is consolidated into a single lot, the maximum height shown for that land is the maximum height shown for that land on the Alternative Building Heights Map.**
- (3) If all of the land identified as “Area 7” on the Height of Buildings Map is consolidated into a single lot, the maximum height shown for that land is the maximum height shown for that land on the Alternative Building Heights Map.**

Objectives

- To ensure development responds to the desired scale and future character of the street and locality.
- To allow reasonable solar access to the public domain and within the development sites.

Controls

- i) The maximum height for development in the Amalgamated Scheme must be in accordance with Figure 4 and is subject to Clause 4.3B of the Randwick LEP 2012.
- ii) The maximum height for development that does not satisfy Clause 4.3B of the Randwick LEP 2012 must be in accordance with the Base Scheme in Figure 5.

Figure 4 Building Heights – Amalgamated Scheme

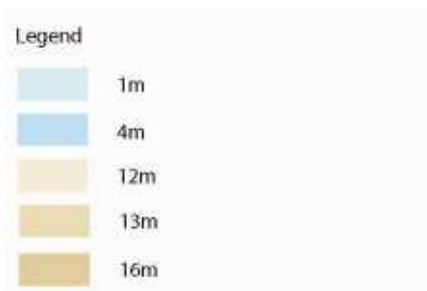


Figure 5 Building Heights – Base Scheme**Legend**

	1m
	12m
	13m
	16m

4 Street Setbacks

Explanation

Street setbacks establish the front building line. Setbacks generally reflect building use, with commercial buildings traditionally built to the front boundary and residential development setback from the street frontage. Setbacks allow for landscape areas, entries to ground floor apartments and provide room for balconies at upper levels.

Objectives

- To allow retail/commercial development to be built to the street boundary to maintain an urban edge.
- To provide a clear threshold by allowing a transition between public and private space.
- To provide privacy to dwellings by providing residential setbacks.
- To create a landscape character along the street.
- To allow for quality entries to individual apartments and apartment building lobbies.

Controls

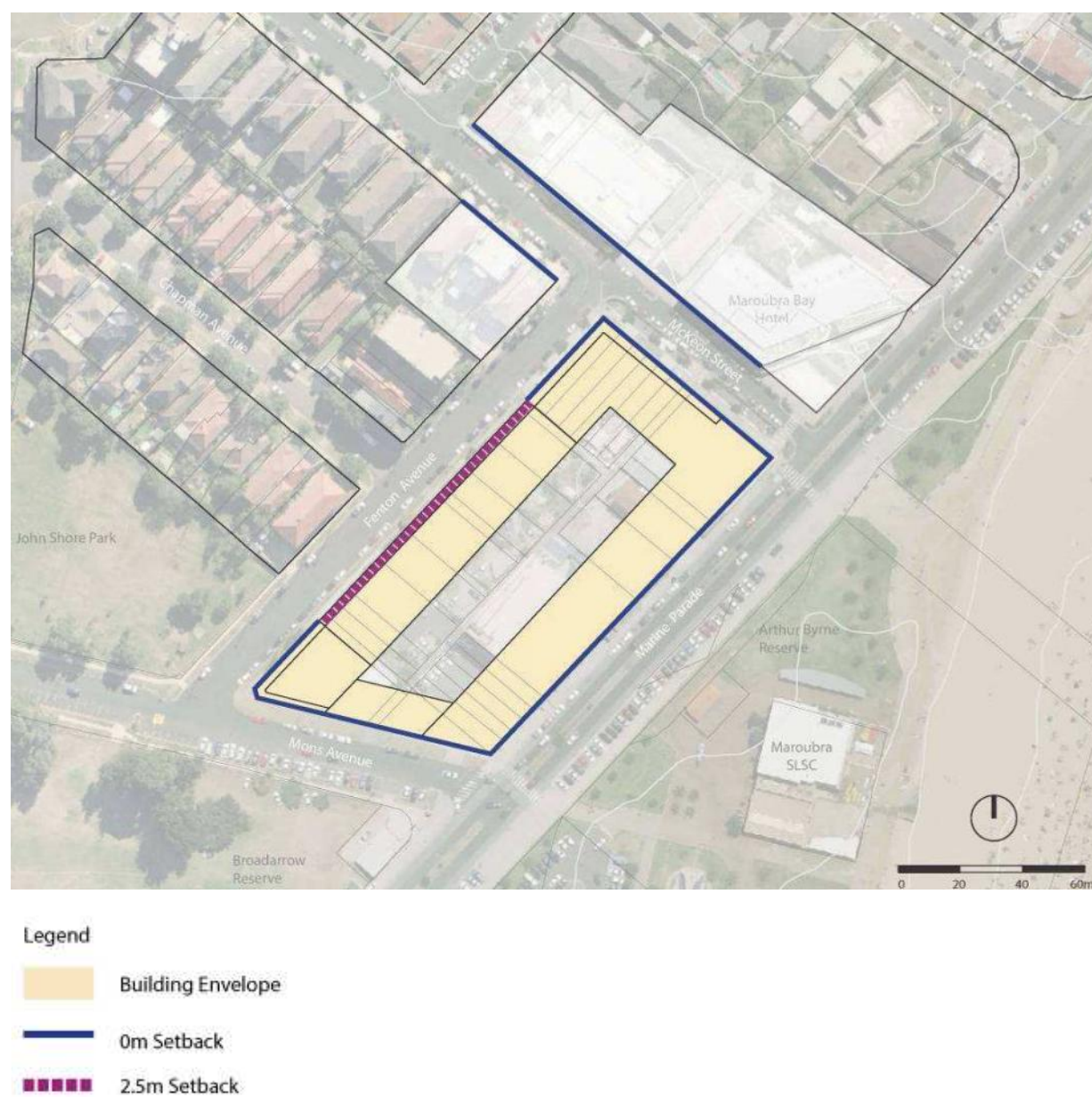
- i) Street setbacks for development that is subject to the Amalgamated scheme must be in accordance with Figure 6.
- ii) Street setbacks for development that is subject to the Base Scheme must be in accordance with Figure 7.

Figure 6 Street Setback – Amalgamated Scheme



Legend

- Building Envelope
- 0m Setback
- 2.5m Setback
- Setback to form public open space
- Min. 4m wide Colonnade
- Fixed or operable awnings

Figure 7 Street Setback: Base Scheme

5 Upper Setbacks

Explanation

Street wall heights create the proportions of the street and contribute to the public domain. The height of street walls are designed to allow maximum solar access and limit overshadowing of the public domain and reduce the apparent scale of buildings to the street.

Objectives

- To establish the desired spatial proportions of the street and define the street edge.
- To minimise the visual impact of development by setting back upper levels from the street in particular locations.
- To minimise overshadowing.

Controls

- i) The upper level setbacks for the Amalgamated scheme must be in accordance with Figure 8.
- ii) The upper level setbacks for the Base scheme must be in accordance with Figure 9.

Figure 8 Upper Setback : Amalgamated Scheme

Figure 9 Upper Setback : Base Scheme

6 Side setbacks – base scheme

Explanation

Side setbacks ensure that building height and separation of the built form from boundaries maintain the amenity of neighbouring land. Minimum side setbacks of 3 metres are required for development in the Base Scheme fronting Fenton Avenue and for development on the southern side of McKeon Street adjacent to the western boundary of the area covered by this section of the DCP. These setbacks are necessary to minimise the impact on the amenity of existing properties in terms of daylight and visual bulk given that consolidation of lots is unlikely to occur in the Base scheme.

Objectives

- To protect the amenity of existing development by requiring adequate side setbacks.
- To ensure existing development receives adequate light and is not adversely impacted in terms of visual bulk and scale.

Controls

- i) Minimum side setbacks for development subject to the Base scheme must be in accordance with Figure 10.

Figure 10 Side setbacks – Base Scheme

7 Building appearance and façade articulation

Explanation

Building facades are to be articulated in order to reduce perceived building bulk and to provide visual interest. Blank walls, exposed car parks, large basement car park entries and the use of reflective glass are not appropriate.

Clause 6.12 of the Draft Randwick LEP 2012 requires development on a site that has an area of 10,000 square metres or greater, is on land for which a development control plan is required to be prepared, or is, or will be greater than 15 metres in height to exhibit design excellence.

Objectives

- To incorporate architectural features which reduce the visual bulk of a building.
- To promote high architectural quality.
- To define and enhance the public domain and character of the locality.

Controls

- i) Building facades must be articulated and modulated within a 2.5 metre articulation zone to allow visual depth to the facade. Balconies are permitted within the articulation zone
- ii) Building facades must have well balanced vertical and horizontal proportions
- iii) Development over a number of lots should provide building facades that present as a street of buildings whilst still maintaining a coherent architectural language
- iv) The selection of exterior colours and materials must be harmonious with and complement the coastal character of the area. Materials used are to be suitable for the local climatic conditions and are to be able to withstand natural weathering
- v) External walls must have a high material quality and be durable
- vi) Large expanses of any single material should be avoided. Highly reflective finishes and curtain wall glazing are prohibited
- vii) All windows not facing balconies are to have external shading appropriate to their orientation



Examples of acceptable use of materials and façade articulation

- viii) Entries to basement car parks are to be designed as part of the overall development and are to be kept to a minimum in size and number
- ix) Express important corners by giving visual prominence to part of the façade by a change in building articulation, material, colour and roofing.

8 Floor to ceiling heights

Explanation

Ceiling heights are design elements for controlling the amenity of residential and commercial spaces and also allow for the use of spaces to be varied, for example from residential to commercial use.

Objectives

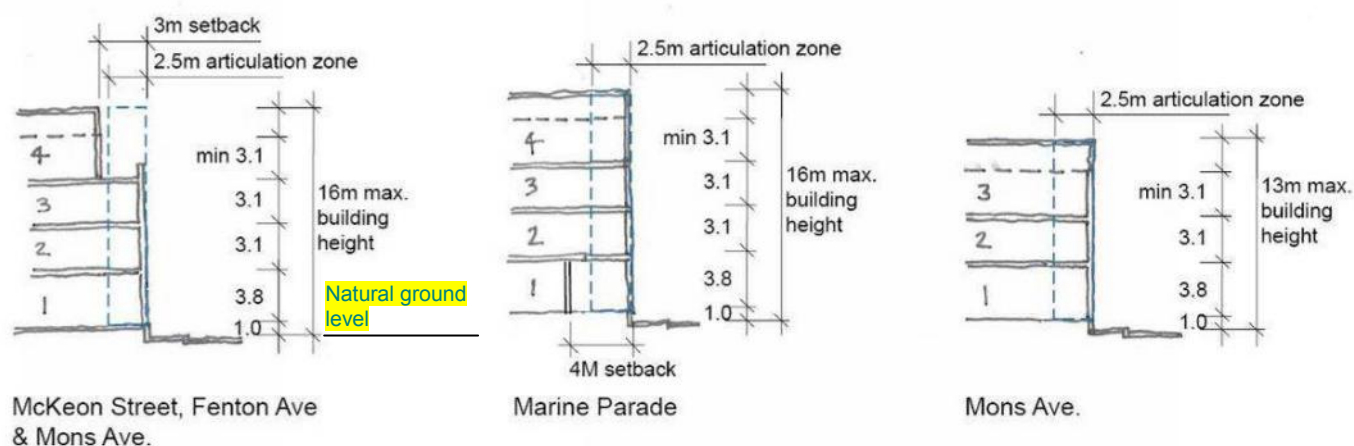
- To ensure that interior spaces have a high level of amenity and sense of space.
- To allow for the flexibility of use of ground level spaces on Fenton Avenue.
- To allow for sunlight penetration into apartments.

Controls

- i) Minimum floor to ceiling heights must be in accordance with Figure 11.

Note: Flood study investigations require ground floor levels to be set a minimum of 1.0m above natural ground level. Refer to Section B8 for further flood related controls.

Figure 11: Floor to ceiling heights for amalgamated and base schemes and articulation zones



9 Awnings and Colonnades

Explanation

Continuous cantilevered awnings currently run the length of the southern side of McKeon Street between Marine Parade and Fenton Avenue and return partly onto Marine Parade. The Maroubra Bay Hotel has an awning, as does the development to the west of this on McKeon Street. Awnings and colonnades are required to preserve this character, provide weather protection and to give a pedestrian scale to retail/commercial areas. **The construction of a colonnade along Marine Parade will also address flooding levels and provide disabled access.**

Objectives

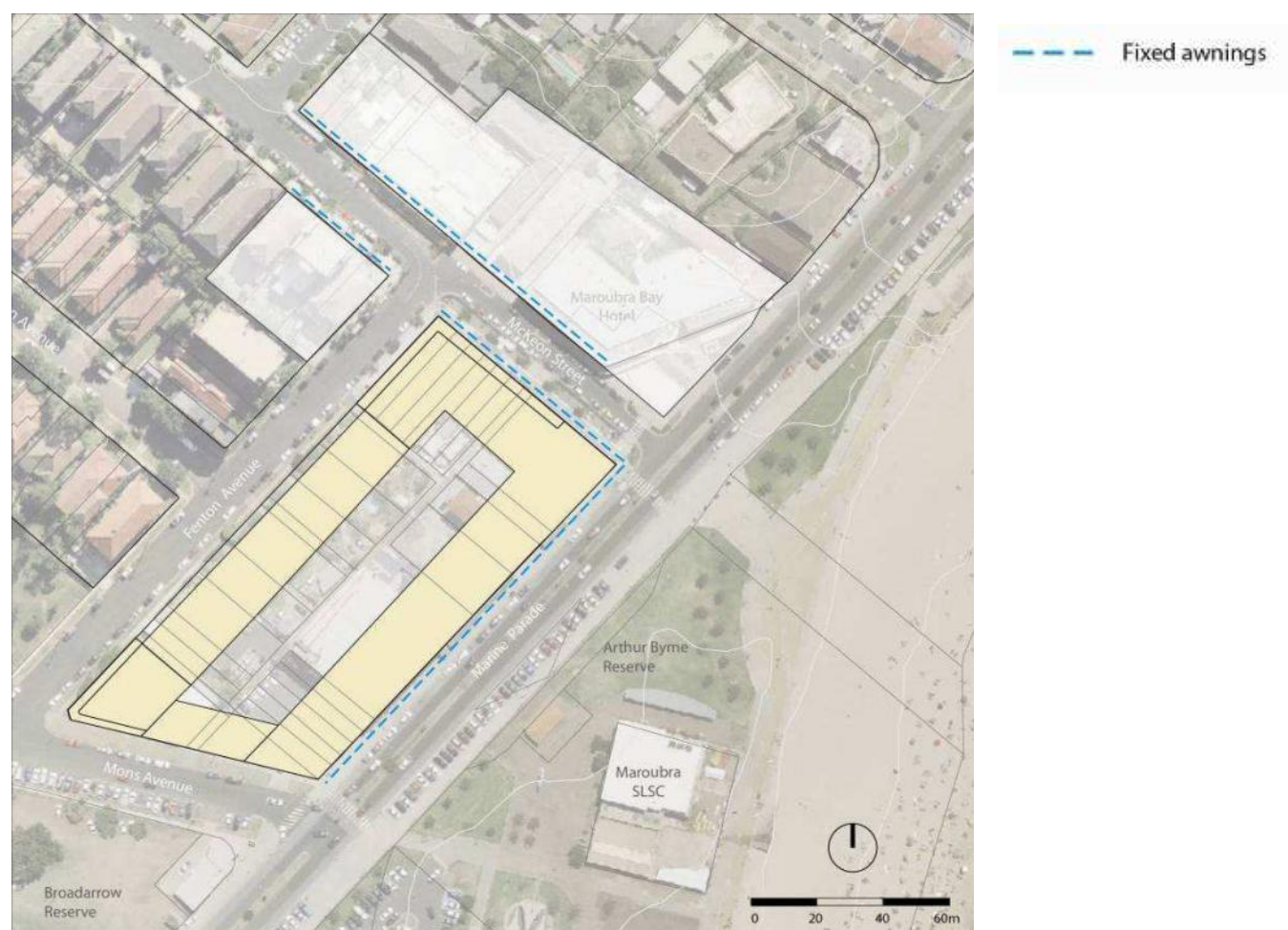
- To provide weather protection to pedestrians both from rain and to provide shade.
- To give a pedestrian scale to retail/commercial streets.
- Awnings and colonnades are to be designed to complement the building to which they are attached.

Controls

- Colonnades and awnings must be provided in accordance with Figures 12 and 13.
- Awnings must be constructed to provide continuous cover and protection from sun and rain. Awnings must not be constructed in glass and other transparent materials.

Figure 12 Awnings/Colonnades Amalgamated Scheme



Figure 13 Awnings Base Scheme

10 Open Space

Explanation

The primary function of open space is to provide amenity to the public domain and to a development. To meet this need the amalgamated scheme provides for the construction of a north-facing public square on the southern side of McKeon Street, public open spaces and a through-site link between Fenton Avenue and Marine Parade. This will create a heart to the Maroubra beach commercial area. A shared pedestrian/vehicular zone on McKeon Street will further enhance this area.

Open space should be considered as an integral part of a development. It provides amenity by creating areas for landscaping and recreation. The provision of open space areas also facilitates the separation of buildings to allow for sunlight access and visual privacy.

Objectives

- To provide for the construction of a north-facing public square on the southern side of McKeon Street.
- To provide on-site public open space on Fenton Avenue opposite Chapman Avenue with a public through-site link to Marine Parade from Fenton Avenue.
- To create a residential scale and form of development to Fenton Avenue by providing for front gardens on the Fenton Avenue frontage.
- To provide for a shared pedestrian and vehicular area with removable bollards to enable closure of the road when required, on McKeon Street adjacent to the Maroubra Bay Hotel.

Controls

- i) Public open space, communal and private open space areas must be provided in accordance with Figures 14 and 15
- ii) A shared pedestrian/vehicular zone with removable bollards must be constructed on McKeon Street in accordance with Figure 14
- iii) A pedestrian link must be provided between ~~McKeon Street~~ Fenton Avenue and Marine Parade in accordance with Figure 14. The entry and passage through the building envelope at Marine Parade must have a minimum width of 4.2m
- iv) Public open must be provided on the southern side of McKeon Street in accordance with Figure 14 to create a public square.

Figure 14 Open Space Amalgamated Scheme

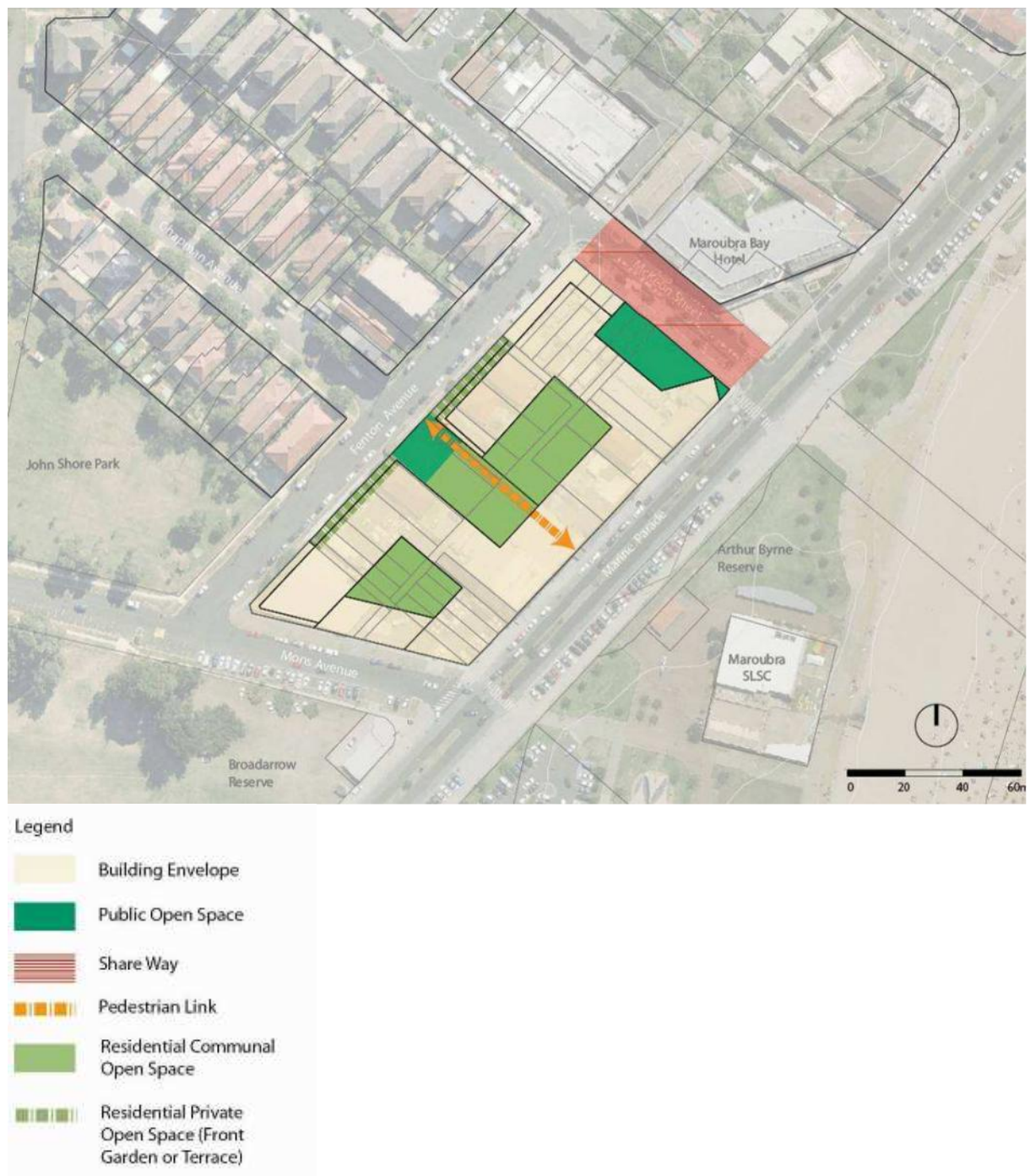


Figure 15 **Open Space Base Scheme**

11 Deep Soil Zone Landscape Requirements

Explanation

Deep soil zones are areas of natural ground retained within a development which allows for soft landscaping and the planting of large canopy trees. Deep soil areas provide environmental amenity by promoting healthy growth of trees while providing a pervious surface allowing rainwater infiltration and therefore reducing stormwater runoff.

Objectives

- To improve the amenity of the development by providing a soft landscape area for the planting of canopy trees.
- To assist in stormwater management and quality.

Controls

- i) Deep soil zones must be provided in accordance with Figure 16
- ii) Deep soil planting on structures must be provided in accordance with Figure 16 and must have minimum dimensions of 6 metres by 6 metres with a minimum soil depth of 1 metre.

Figure 16 Deep Soil Zone landscape Requirements – Amalgamated Scheme

12 Balconies and private open space

Explanation

It is desirable for each residential unit to have access to private open space at ground level or a balcony if the residential unit is located at a higher level, in order to provide a useable area for outdoor recreation. It is necessary to ensure balconies and areas of private open space are functional and respond to the environment. Balconies should be integrated into the overall architectural form of a building.

Objectives

- To provide each apartment with a functional area for outdoor recreation.
- To provide reasonable levels of amenity for residents.
- To ensure balconies are integrated into the design of a development.

Controls

- i) Each apartment must have a balcony or area of private open space with a minimum area of 8 square metres and a minimum dimension of 2 metres.
- iii) Balconies and areas of private open space must be adjacent to the main living areas
- iv) Balconies and areas of private open space must be facing predominantly north, east or west to provide adequate solar access
- v) Balconies must be integrated into the design and form of the building.

13 Dwelling layout, sizes and mix

Explanation

A mixture of apartment sizes provides housing choice and ensures that new residential development meets the needs of the community.

Objectives

- To ensure apartment layouts provide high standards of residential amenity.
- To ensure the spatial arrangement of apartments is functional and well organised.
- To maximise the environmental performance of apartments.

- To accommodate a variety of household sizes, activities and occupants' needs.

Controls

- i) Main living areas must be located adjacent to private open space
- ii) Opportunities for natural ventilation and daylight must be maximised by providing:
 - o Corner apartments
 - o Cross-over or cross-through apartments
 - o Split-level or maisonette apartments
 - o Shallow, single-aspect apartments
- i) A variety of apartment types must be provided at the following ratio:
 - o 50% studio or one bedroom
 - o 40% two bedroom
 - o 10% three bedroom.

14 Uses

Explanation

The proposed B1 Neighbourhood Centre Zone allows for a range of small-scale retail and business uses.

By further controlling land use through limiting the size of shop fronts on McKeon Street and Marine Parade, this Development Control Plan will ensure that a variety of small business can establish in this location, contributing to the on-going economic viability of the commercial centre.

Small commercial and home offices are provided for on Fenton Street to provide a transition from commercial uses to residential uses located to the west of the commercial centre.

Residential development is also allowed which integrates with and supports the adjacent commercial uses.

A 600 square metre supermarket is provided for in order to provide good access to services for residents in the locality.

Objectives

- To maintain the scale and proportion of the existing fine-grain, narrow lot shopfronts which give McKeon Street its distinctive character.
- To provide for a mini-supermarket located behind the McKeon Street frontage with a maximum floor area of 600 sqm.
- To allow for mixed-use development with upper level residential use.

- To restrict the uses on Fenton Avenue to smaller commercial/home office development as a transition to residential development to the west of the commercial centre.

Controls

- Land uses for the amalgamated scheme must be in accordance with Figure 17.
- Land uses for the base scheme must be in accordance with Figure 18.

Figure 17 Land Use Amalgamated Scheme

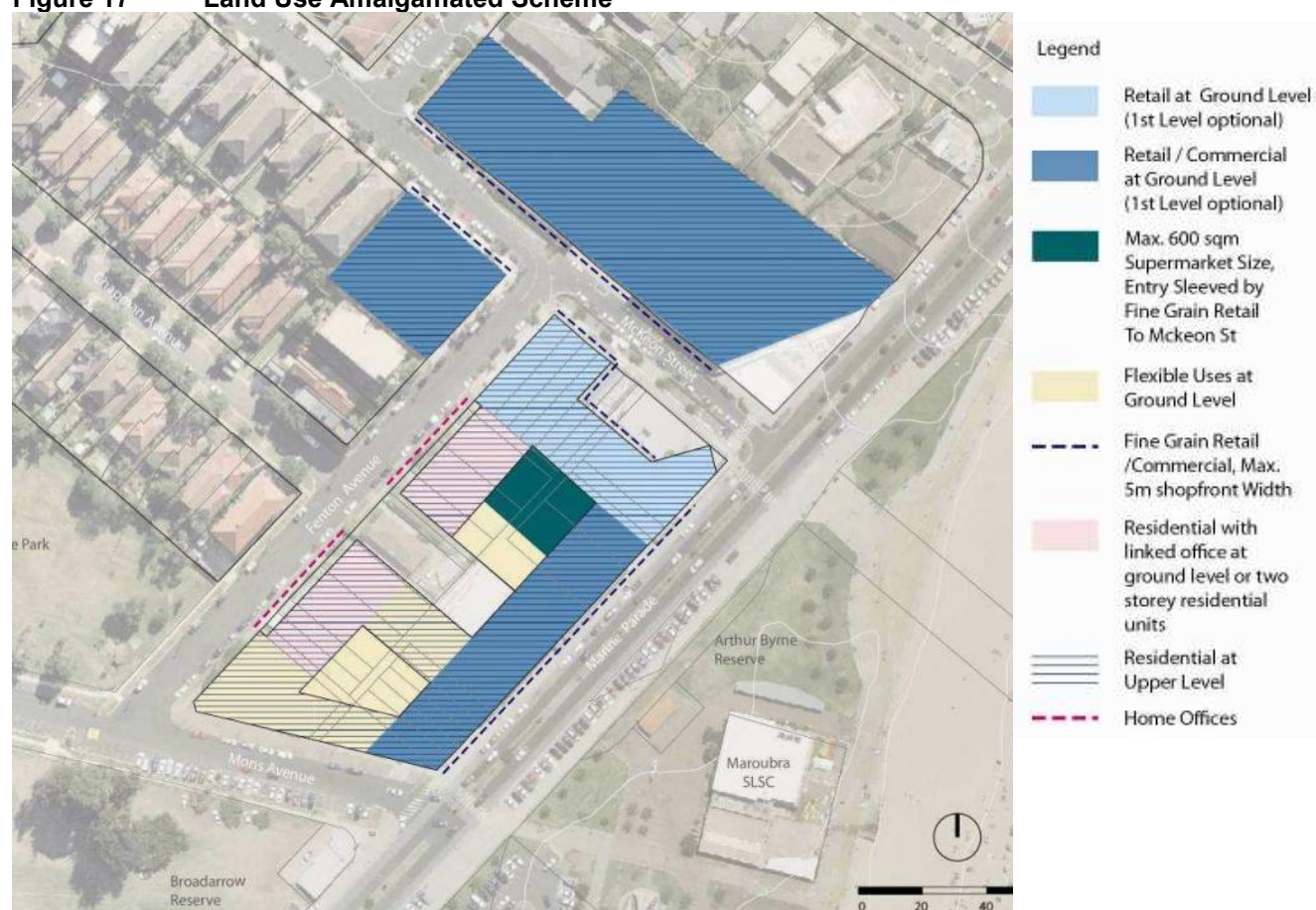
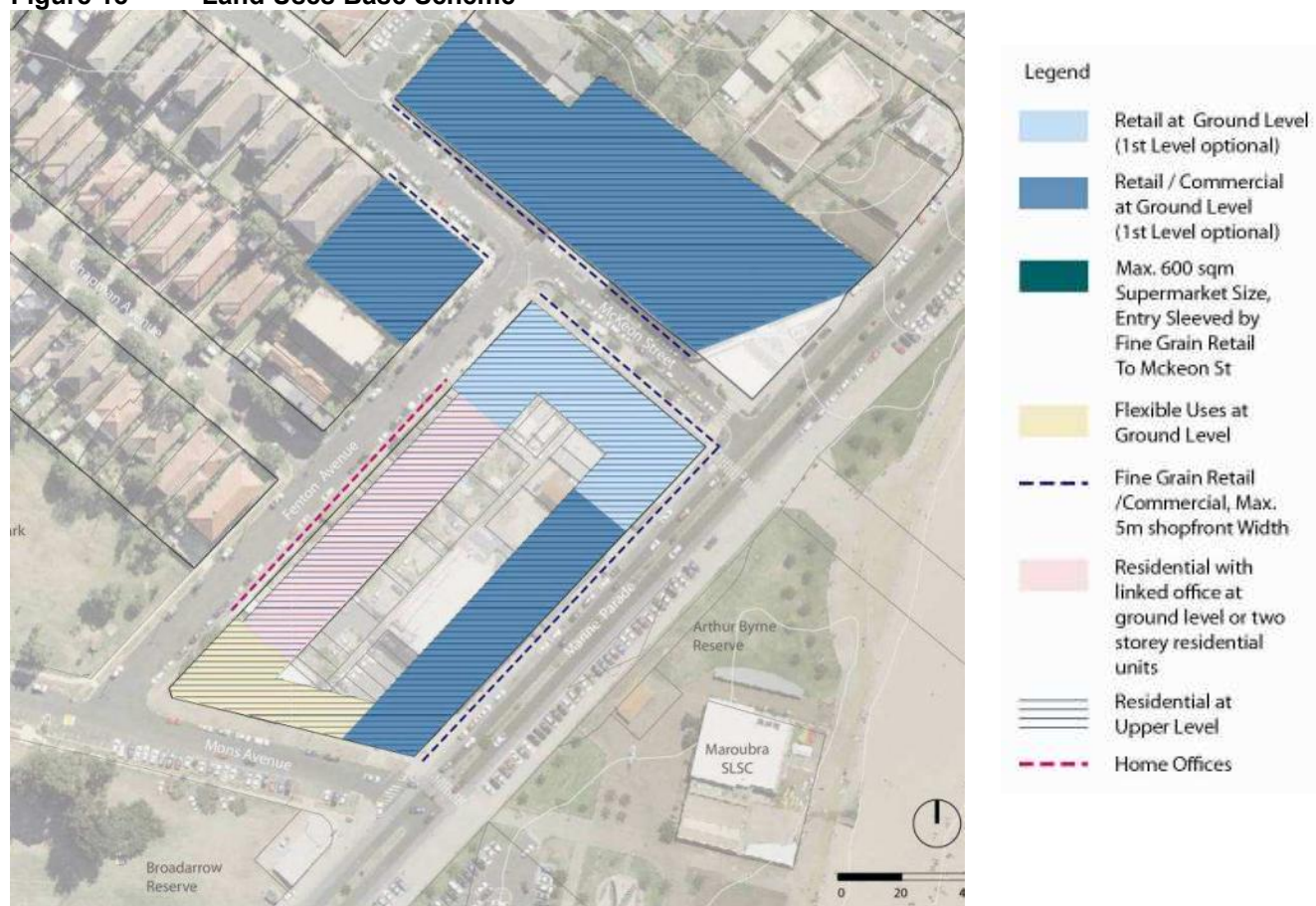


Figure 18 Land Uses Base Scheme

15 Size and Configuration of retail spaces

Explanation

The scale and proportion of the existing fine-grain (narrow lots) shopfronts on McKean Street are distinctive and provide local character. The retention of these dimensions is necessary to preserve this character and to allow for the establishment of a variety of small businesses in the area thereby contributing to the ongoing economic viability of the commercial centre.

Objectives

- Retail/commercial uses are to reinforce and reflect the existing fine-grain strip retail frontages at street level along McKean Street, surrounding the proposed public open space fronting McKean Street and along Marine Parade.

Controls

- i) Retail/commercial premises must be no greater than 5 metres in width in accordance with Figures 17 and 18
- ii) The supermarket must be located behind tenancies on McKean Street with access to be provided from McKean Street.

16 Building entries

Explanation

Building entries define the transition between the public and private domain. Entries differ with building use. Retail and commercial building entries are generally accessed directly from the street, whereas residential developments are generally setback to ensure a degree of privacy.

Objectives

- To contribute positively to the streetscape and building façade design.
- To orient the visitor.
- To create residences with a desirable residential identity.

Control

- Building entries must be prominent and marked with an awning or colonnade



17 Roofs and parapets

Explanation

To provide high quality roof designs which contribute to the overall design and composition of the development. Due to the topography of Maroubra, roofs of buildings in the Maroubra Beach Commercial Centre will be highly visible from surrounding ridgelines to the north, south and west. It is therefore important to ensure that roof design contributes to the character of the area.

Objectives

- To avoid large expanses of roof especially on large developments. Articulate the roofline to minimise the apparent bulk and relate to the context of smaller building forms.
- Roof design to relate to the size and scale of the development.
- Parapets can double as a balustrade on roof terraces to limit visual impacts.

Controls

- Rooflines must be articulated to reduce the appearance of bulk
- Large expanses of roof must be avoided



Examples of good building entries

- iii) Roof design must be integral to the design of the development
- iv) Parapets must be used as balustrades on roof terraces where possible in order to limit visual impacts.

18 Access – Pedestrian and vehicular

Explanation

It is important to integrate adequate vehicle servicing and parking without compromising street character, landscape or pedestrian amenity and safety. To achieve this, vehicular access is not permitted from McKeon Street in the block bounded by Marine Parade and Fenton Avenue. The design of vehicular access points are to accommodate expected flood levels. All new development should be well-connected to the street and the public domain with pedestrian entries clearly identified and designed with safety and accessibility as priorities.

Objectives

- To limit the visual impact of vehicular access to development.
- To ensure vehicular access points are designed to accommodate known flood levels.
- To ensure vehicular and pedestrian safety meets required safety standards.

Controls

- i) Access for residents to apartments and communal areas must be provided by minimum grade ramps, paths, access ways or lifts.
- ii) Development must separate and clearly distinguish between pedestrian and vehicle accessways.
- iii) Development must be designed to minimise potential for pedestrian and vehicle conflict.
- iv) Vehicular access must be designed to accommodate expected flood levels.
- v) Vehicle access must be designed as an integral part of the building and to limit visual impacts.
- vi) Vehicle access to properties must be limited as detailed in Figure 19.

19 Parking

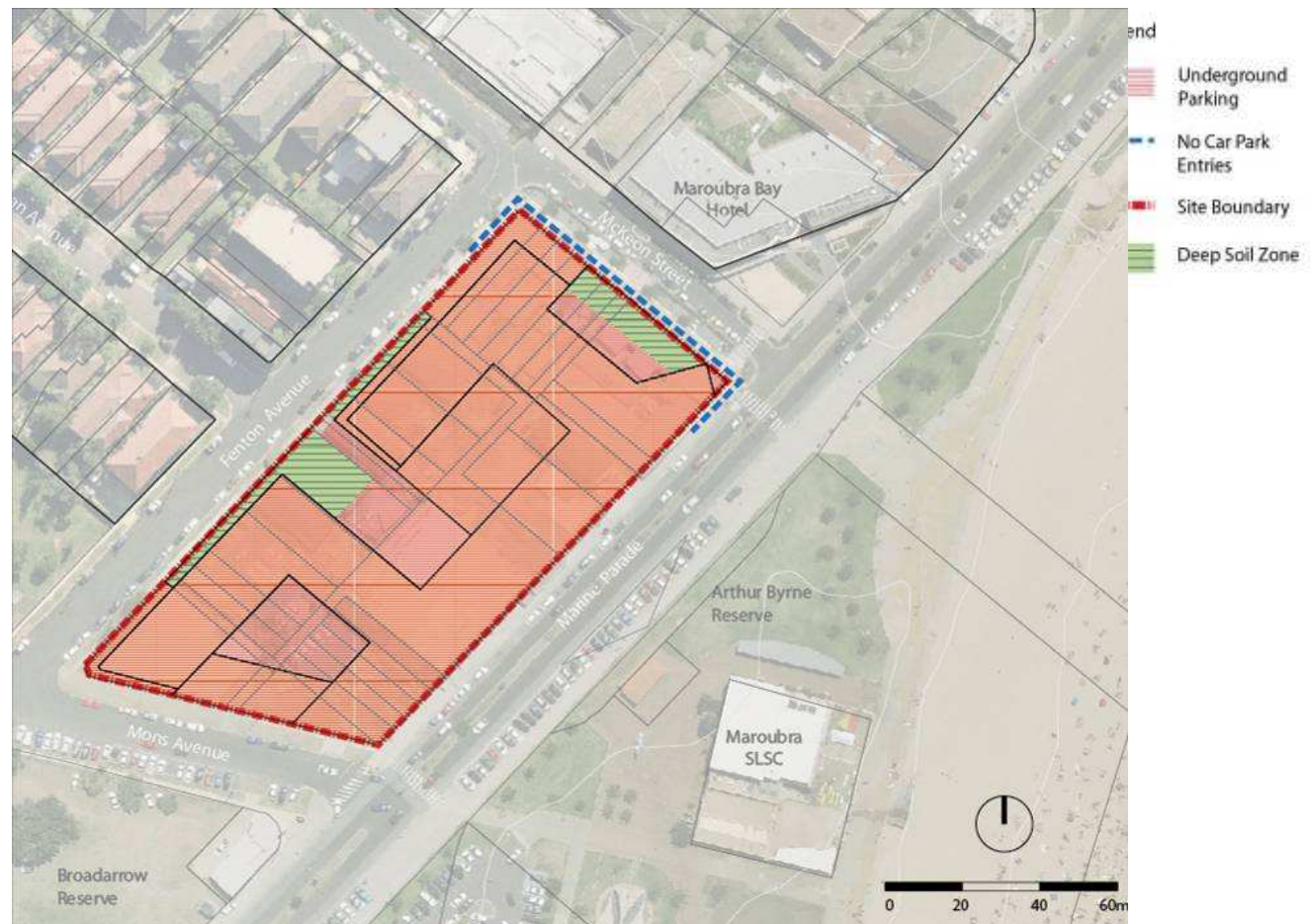
Objectives

- To limit the impact of basement car parking and allow for deep soil planting.
- To ensure adequate parking is provided to meet additional parking demand resulting from development.

Controls

- i) Basement car parking must be provided in accordance with Figure 19.
- ii) Car parking must be provided in accordance with the controls detailed in the general traffic/parking section of the DCP.

Figure 19 **Underground car parking**



20 Safety and Crime Prevention

Explanation

New development must be designed and constructed so that it is safe and secure for residents and visitors. The design of new development must also ensure that the safety of the public domain is maintained and enhanced.

Objectives

- To ensure that all development is safe and secure for residents and visitors alike.
- To ensure that the safety of the public domain is enhanced and maintained.

Control

- i) Best practice Crime Prevention through Environmental Design (CPTED) principles must be utilised in building design.
- ii) Development must optimise the visibility, functionality and safety of building entrances.
- iii) The design of new buildings must maximise opportunities for casual surveillance over public and communal spaces.
- iv) Opportunities for concealment must be minimised.
- v) Boundaries between public and private open space must be clearly defined.

21 Sustainable Development

Refer to section the sustainable development section of the DCP.

22 Solar access

Explanation

It is important to ensure that adequate daylight access is provided to all habitable rooms within a development and that the need for artificial lighting is minimised during daylight hours. Shadow impacts on the public domain and adjacent properties require careful consideration and are to be minimised.

Objectives

- To ensure new development is designed to maximise sunlight access to apartments.
- To ensure new development limits shadow impacts on the public domain.

- Shadow impacts on adjacent properties are minimised.

Controls

- i) Living rooms and private open space areas for at least 70 percent of apartments in a development must receive a minimum of three hours direct sunlight between 9am and 3pm in mid winter
- ii) The number of single aspect apartments with a southerly aspect (SW-SE) must be limited to a maximum of 10 per cent of the total number of units in a development.

23 Fences

Explanation

Fences contribute positively to the public domain. They also protect privacy and enhance security.

Objectives

- To enhance the public domain.
- To provide security and privacy.

Controls

- i) Solid fences facing the street must be no higher than 1.2 metres. This may be increased to 1.8 metres where the fence has openings that make it at least 50% transparent.
- ii) Fences must be designed to integrate with the development on the subject property and the neighbourhood.

24 Public Domain Interface

Explanation

The design of the public domain is critical in ensuring that the design of the new public square, the through-site link and the Mckean Street upgrade are of high standard and incorporate expected levels of public safety. It is also critical that these new or improved areas of public domain integrate well with the existing public domain.

Objectives

- To improve the amenity of and enhance the overall appearance of the commercial centre.
- To ensure that the public domain is designed so that it is accessible to everyone.

Controls

- i) The public domain interface must be designed in accordance with the requirements of the draft public domain plan.

25 Privacy

Explanation

Privacy measures allow residents to carry out private functions within all rooms without compromising the functioning of internal and external spaces. The following controls are designed to meet occupants' expectations of privacy and amenity. Windows located in main living areas and balconies located off main living areas are to be located so that overlooking of similar windows and areas of private open space is avoided. Development is also to be designed so that noise transmission between dwellings is minimised in order to meet expectations of residents.

Objectives

- To maintain reasonable levels of aural and visual privacy within new development.
- To limit privacy impacts on adjacent development.
- To ensure new development meets relevant Australian standards relating to noise from road traffic and aircraft.

Controls

- i) Windows in new development must be off-set from windows in adjacent development. Where this is not possible, sill heights of 1.6 m above floor level must be provided
- ii) Screens and louvres must be utilised for balconies and/or windows to increase privacy
- iii) Vegetation must be utilised for screening between ground level private open space areas
- iv) Noise-generating areas must be located adjacent to each other and quiet areas next to each other (for example, living rooms to living rooms, bedrooms to bedrooms).
- v) Wet areas, such as toilets, laundries and kitchens must not be located adjacent to bedrooms of the adjoining dwelling
- vi) Development affected by noise from aircraft or road traffic must be designed to meet the requirements of the relevant Australian Standards.

26 Storage

Explanation

The provision of adequate storage within easy access for each residential apartment is a necessity for all residents. Storage areas need to be suitable for the needs of residents including being able to accommodate larger items.

Objectives

- To provide storage in a convenient location for all apartments.
- To provide adequate storage for everyday household items.
- To provide storage for sporting leisure, fitness and hobby equipment.

Controls

- i) Storage (in addition to kitchen cupboards and bedroom wardrobes) must be provided at the following rates:

a. One-bedroom and studio apartments	-	6sqm
b. Two-bedroom apartments	-	8sqm
c. Three plus bedroom apartments	-	10sqm
- ii) At least 50% of the required storage must be located within each apartment and is to be accessible from either the hall or the living area
- iii) Dedicated storage areas must be provided within basement car park areas.

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1 Introduction

“The Spot” is a small ~~business~~ neighbourhood ~~business~~ centre, ~~zoned B1: Neighbourhood Centre in the RLEP, located~~ at the junction of two relatively busy roads within a residential and school precinct. Its aesthetic, historic and social significance are recognised by its heritage conservation area listing.

Clause 5.10: Heritage conservation ~~in~~ the RLEP establishes ~~the~~ parameters for development within ~~the~~ conservation areas and for heritage items. Within the ~~precinct~~ ~~centre, heritage~~ items ~~which~~ comprise residential and commercial buildings.

This section of the DCP should be read in conjunction with:

- Part A - Introduction and Part B - General Controls; and
- Other sections of the DCP for specific development types, locations or sites, if relevant to the application.

1.1 Objectives

- To protect and enhance the heritage values of the commercial area.
- To encourage and facilitate well designed and appropriate development within “The Spot” commercial centre with new development or alterations to existing buildings designed to be compatible with and enhance the heritage streetscape.
- To minimise the potential of the buildings within the commercial zone to adversely affect the amenity of the residential land by implementing building height planes and controls around the commercial periphery.

2 Existing Character and Quality

Explanation

“The Spot” comprises groupings of nineteenth and twentieth century residential and commercial buildings including the outstanding Art Deco Ritz cinema.

The Statement of Significance for The Spot heritage conservation area identifies the heritage values of the area which contribute to its character and quality.

3 Statement of Significance

3.1 Aesthetic significance

The Spot is a large precinct exhibiting an interesting diversity of streetscapes. In the commercial centre the facades are mostly two storeys, continuous and built to the street alignments. They create a distinctive urban space, particularly at the curved corner of Perouse Road and St Pauls Street. The most common building styles of the commercial buildings are Victorian Italianate and Federation Free Classical. There are also Inter-War Art Deco style buildings. The Randwick Ritz, at No 39 St Pauls Street is an excellent example of an Inter-War Art Deco style cinema.

The residential areas contain representative groupings of buildings from the Victorian, Federation and Inter-War periods.

Residential buildings from the Federation period are the most common. Most are Bungalow style. The row of detached houses at Nos 77-93 Perouse Road is only one example of several excellent groupings of Federation period detached or semi-detached houses in the conservation area.

There is a concentration of Victorian period houses in the western half of the conservation area, north of Barker Street and west of Perouse Road. Some are Italianate style detached houses. There are several rows of Filigree style two storey terraces, which give streetscapes such as St Pauls Street, a distinctive character.

The most common types of Inter-War period residential buildings are California Bungalow style detached and semi-detached houses, and two or three storey residential flat buildings. A large number of the Inter-War period flat buildings are in the western half of the conservation area. However, the most intact grouping of Inter-War period buildings is on Hardiman Avenue. These buildings are detached houses or flat buildings, and are characterised by their liver brick external walls and fences.

Tree plantings, such as the Moreton Bay Figs in St Pauls Street, make a major contribution to the visual quality of streetscapes in the conservation area.



The Ritz cinema upper level facade

3.2 Historic significance

The Spot heritage conservation area has historic significance for its origins as “Irishtown”, a poor working area on the fringe of Randwick Village, dominated by Irish Catholics. It came to be considered a settlement in opposition to Simeon Pearce’s “Struggletown”, the housing area he developed for his own workers. The original group maintained a long association with the area and contributed to its strong sense of local identity.

The original shanties, located along Perouse Road, have long since disappeared. The redevelopment of The Spot, in the late 1800’s, was an attempt to clear the temporary dwellings of Irishtown and displace the inhabitants.

The Spot is now a cohesive residential and commercial neighbourhood. It demonstrates the later processes of large scale urban subdivision and development, which began after the establishment of the tramway route between Randwick and Coogee in 1883. The commercial centre developed around a tram stop at the intersection of Perouse Road and St Pauls Street.

The Inter-War period flat buildings demonstrate the intensification of land use which resulted from increases in population and scarcity of other land for subdivision.

The designs of the Victorian, Federation and Inter-War period dwellings and commercial buildings, and their range of types, are representative of contemporary lifestyles and economic conditions.



3.3 Social significance

The Spot is a popular local name for the precinct and there is a strong sense of individual identity, dating back to its origins as “Irishtown”. The precinct remains something like a suburban “village”. The existing neighbourhood character has social significance for local residents and the general community. The heritage conservation area continues in its traditional residential and commercial use.

Themes represented

The following historical themes, identified in the 1989 Randwick Heritage Study, are directly illustrated in the conservation area:

- Speculation and promotion
- Industry and commerce
- Transport and communications
- Suburbanisation

The following themes are indirectly represented:

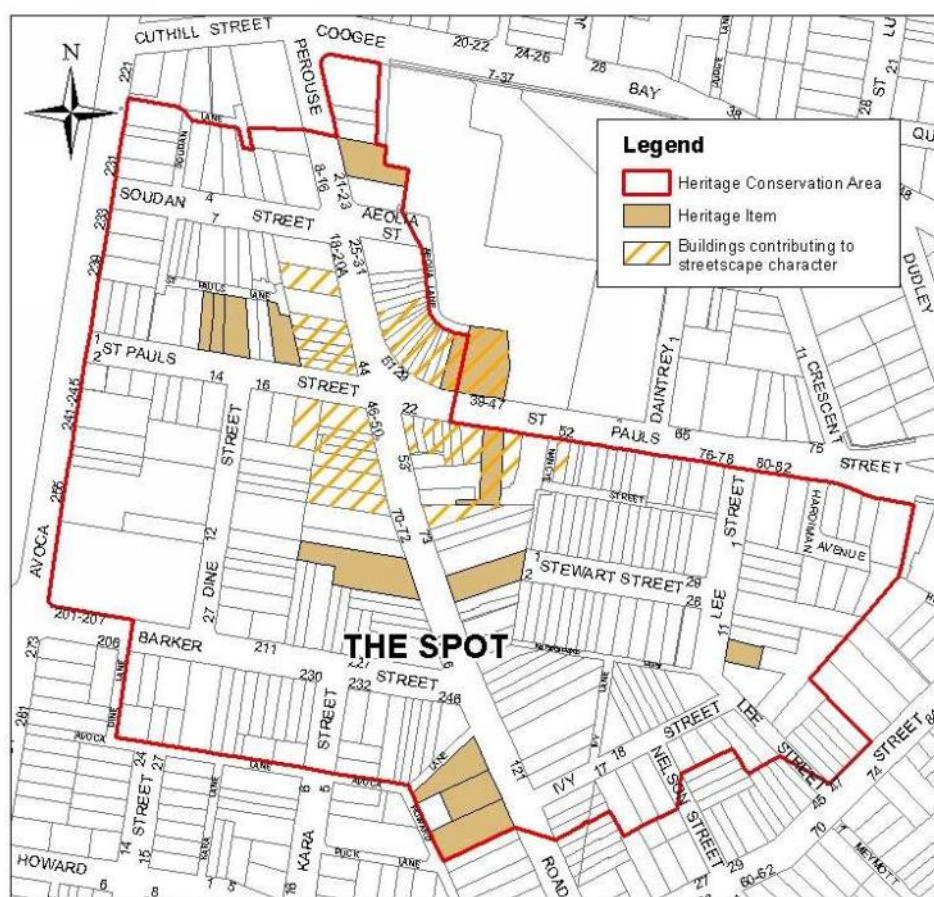
- Modifying the landscape
- Promotion, culture, religion and education
- Recreation, entertainment and leisure

4 Heritage items and Contributory buildings

Explanation

The Knox and Tanner *Urban Design Study of Randwick and “The Spot” Shopping Centres* identified many buildings which contribute to the heritage value, aesthetic qualities and visual character of the Spot, and which tell us about the development history of the area. Contributory buildings substantially located within the business zoned land are listed in the table below and also mapped in Figure 1.

Figure 1 The Spot heritage and contributory buildings



Controls

- i) Retain heritage items and contributory buildings.
- ii) Original fabric should be conserved, new work should be sensitive, and neighbouring development should be sympathetic to their character.

Note:

“Facadism” (the retention of only the outer skin of a building) is not acceptable as suitable conservation practice

Contributory buildings within the commercial centre

22-30 Perouse Road	22 St Pauls Street
36-38 Perouse Road	28-32 St Pauls Street
40-44 Perouse Road	29-37 St Pauls Street
41 Perouse Road	34 St Pauls Street
43-51 Perouse Road	36-40 St Pauls Street
46-50 Perouse Road	42 St Pauls Street
52-56 Perouse Road	39-47 St Pauls Street
60 Perouse Road	44-46 St Pauls Street
62-64 Perouse Road	52 St Pauls Street
65-71 Perouse Road	
66-68 Perouse Road	

5 Urban Form

The commercial centre of The Spot is essentially an old style strip shopping centre. Its two major streets generally comprise two storey buildings with ground floor retail space. This has produced a comfortably enclosed and human-scaled streetscape environment.

The urban form of The Spot is characterised by two major periods of development, occurring around the turn of the century and between the two world wars, with many relatively intact buildings from these periods.

6 Site Planning

Objectives

- To maintain and enhance retail quality, variety and continuity.
- To promote an attractive and harmonious streetscape which relates to the scale of pedestrians.
- To ensure local site conditions, constraints and opportunities are taken into account in the design of new development.
- To achieve a coherent site layout that provides a pleasant, attractive and sustainable environment for living, socialising and work.
- To ensure consideration of the relationship between new and existing development and to minimise negative impacts.

Controls

- i) Provide ground floor retail and/or commercial floor space along all business zoned street frontages, other than the frontage required for access.
- ii) Where suitable provide additional commercial/retail uses at first floor.
- iii) In addition to the continuous commercial street frontage, the ground floor commercial area should have a minimum depth of 10 metres in order to achieve a viable shop or office size (except in heritage situations where it may be different).
- iv) New development should relate to the dimensions and shape of the site.
- v) New development should integrate with the surrounding area through consideration of streetscape and landscape design and pedestrian and cycle links.
- vi) Retain and integrate heritage items or contributory buildings and significant features such as stone fencing and retaining walls.
- vii) New development must minimise impacts on the amenity of neighbouring sites.

7 Business area – building envelopes

Objectives

- To ensure that any new development respects the scale and form, and siting and setbacks of surrounding buildings.
- To ensure that any new development reinforces existing urban form and streetscape character.
- To minimise the potential of buildings within the commercial zone to adversely affect the amenity of adjoining residential land.

7.1 Application of building envelope planes- Commercial Development

Explanation

The building height plane defines the envelope or space within which a building is to be confined. The following explains each of the building height planes.

Building envelope plane- 45 degrees above 8m

The building height plane defines the envelope or space within which the building is to be confined. Figure 2 shows various applications of the Building Height Plane control. The building

height plane for new development adjacent to existing residential development applies throughout the business zone.

Building envelope plane - Residential development in Business zone

This building envelope plane also applies where any proposed development shares a boundary with an existing residential property and is overlooked by proposed development. The building height plane applies regardless of the location of the residential development. The reasons for this building height plane are to minimise the effects of overshadowing and overlooking on existing residential development within the commercial centre. This building height plane is illustrated in Figure 2.

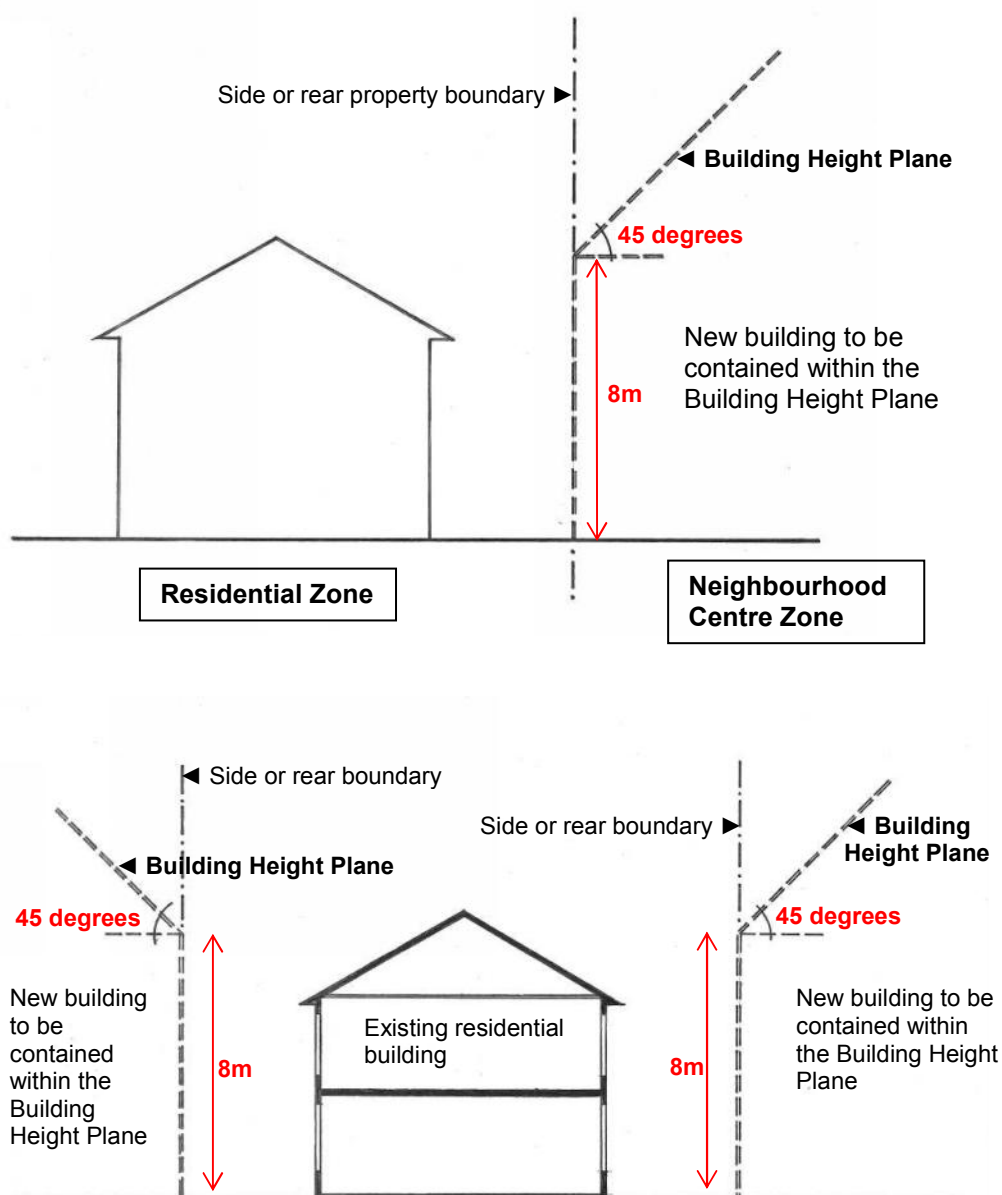


Figure 2 Application of Building Height Plane control

Building envelope plane - Heritage items and Contributory buildings

A third building height plane applies to the heritage items and contributory heritage building facades shown on Figure 3.

The purpose of this building height plane is to reduce the prominence of new building additions and alterations behind conserved heritage facades and contributing facades and to ensure new buildings will not necessarily or unreasonably intrude upon:

- a) a heritage item
- b) the existing streetscape
- c) the existing character of buildings in the locality built between the late 1880's to the mid 1930's

This height plane is measured at right angles to the building alignment and is projected from a point 1600mm above the kerb line. Its angle is determined by the height of the retained buildings, but not more than 45° as indicated in Figure 3.

Controls

- i) ~~A maximum building height of 12m and a floor space ratio of 1.5:1 apply to land in the business zone as set by the RLEP. The height, FSR and envelope controls define the overall built form and scale of development.~~
- ii) ~~Where the commercial component proposed for any development is less than 25% of gross floor area within the Business zone, side and rear boundary setbacks should be carefully considered to provide streetscape definition and ensure residential amenity. State Environmental Planning Policy No 65 Design Quality of Residential Flat Buildings will apply.~~
- iii) The FSR and building height controls set by RLEP together with DCP envelope controls define the overall built form and scale of development.

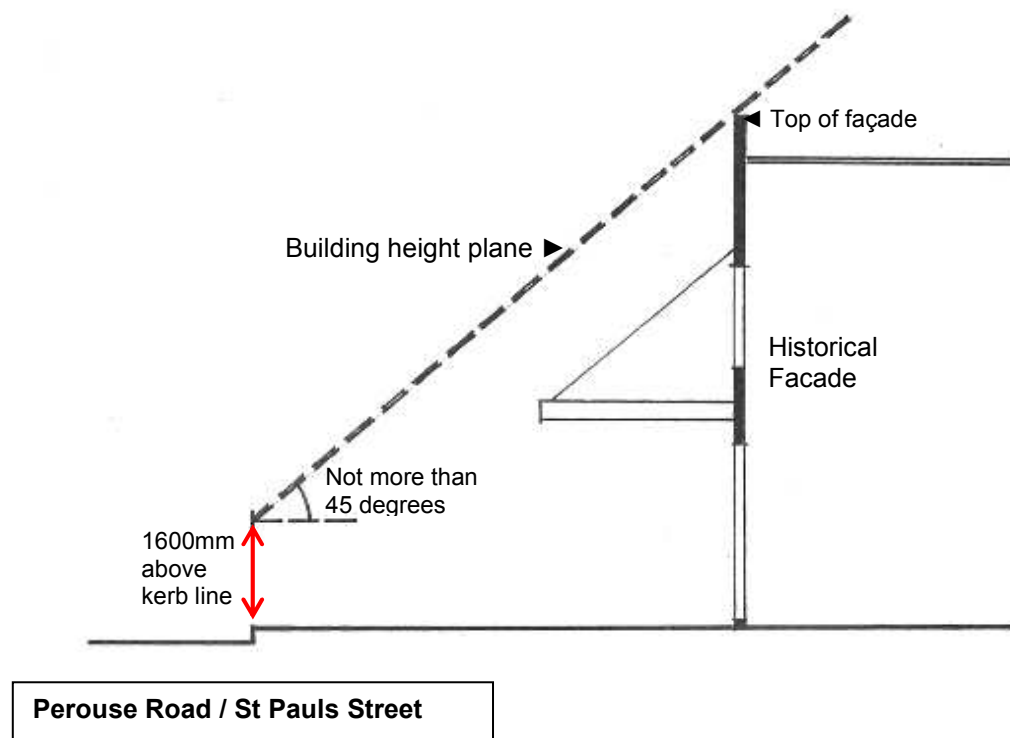


Figure 3 Building Height Plane - Historic Buildings and Contributory Facades

This diagram should be moved to the previous page and could be reduced if necessary.

8 Business area – building design

Explanation

The distinctive character of the Spot is largely determined by the existing built form of heritage and contributory buildings. Change within this area is envisaged as being incremental and it is not intended that the centre becomes dominated by new development with a modern character. New development is instead expected to be consistent with the existing built form and character.

The form of a new building includes a number of design elements that contribute to its appearance, function and impact on the surrounding area, including:

- Shopfronts
- Awnings
- Upper level facades
- Materials and colours

Objectives

- To ensure that new development is consistent with the distinctive character, aesthetic qualities and heritage significance of the precinct.
- To ensure that any new development respects the detailing, materials and finishes of surrounding heritage and contributory buildings.
- To conserve and enhance the existing commercial streetscape, in particular above the awning level.
- To encourage reinstatement of original features such as awnings and windows and remove inappropriate alterations and additions.
- To ensure materials, painting/colour schemes of buildings are appropriate to the heritage streetscape.



Controls

8.1 Shopfronts

- i) Original heritage shopfronts and detailing (eg doors, tiles, windows and ornamental detailing) should be retained.
- ii) New shopfronts must be designed to reinforce the character of the locality and to ensure street level continuity. The form, scale and proportion of shopfront elements should be consistent with nearby heritage or contributory buildings/development.
- iii) Acceptable security measures include expanding metal grilles, open, perforated or clear shutters or shutter grilles which can be placed inside the shopfronts.

- iv) The use of solid roller shutters is unacceptable as these severely detract from the visual and heritage amenity of the area outside of business hours.

8.2 Awnings

- i) Continuous awnings attached to buildings and covering all main pedestrian routes must be provided for pedestrian comfort.
- ii) Provide, as characterises many suburban shopping centres of similar age, steel-framed awnings, suspended from wall brackets, and covering the 3.5m wide footpath.
- iii) The traditional box awnings are acceptable as they consolidate the centre's overall character.
- iv) New development should include a flat suspended/cantilevered awning to provide continuous pedestrian shelter.
- v) Awning fascias should align with the awning of adjoining buildings, matching the established height above footpath level.
- vi) The depth of the fascia should be uniform with adjoining properties. Design and materials should be light weight to complement the building to which the awning is to be attached.
- vii) New development should provide an awning across its street frontage, setback 600mm from the kerb, between 3.5m and 4.5m above the footpath and with openings provided for street tree planting. Gaps between awnings should be closed.
- viii) Glass or translucent roofing must not be used as these materials provide no shade and facilitate heat transfer. Opaque materials such as ribbed sheet steel are encouraged.
- ix) Drop blinds protecting shopfronts and shoppers from low sun angles should be included at the outer edge of awnings.
- x) Advertising space on these could be used to diversify the street appearance. The underside of drop blinds should be at least 3m above the footpath level. In cases where it is impractical or unreasonable to require continuous awnings other forms of providing shade and shelter may be considered.



8.3 Upper level facades

Explanation

The building façade is one of the strongest elements which contributes to the character and image of “The Spot”. Changes to individual buildings should respect the built heritage of the business centre.

Elements which contribute to the character of “The Spot” include:

- Building facades that incorporate a vertical emphasis which is reinforced through window design, parapet details, etc
- Buildings that incorporate a parapet roof form which obscures views of the roof.

Controls

- Upper floor windows should be returned to original detailing through replacement of sympathetic frames or the reinstatement of timber frames and mouldings.
- The character of the area can be improved with the removal of inappropriate alternations and additions from the facades.
- New development should adopt a fenestration pattern and architectural design elements which emphasise the vertical proportions of the existing facades.
- A parapet roof form should be included which creates an interesting skyline and harmonises with the existing parapets (see examples of parapet roof forms in adjoining column).
- New parapets should align with the parapets of adjoining buildings and a design that generally relates in bulk and scale.

Note:

Council encourages the retention and reinstatement of early verandah and balcony forms for historic buildings (including commercial buildings) to improve the local streetscape

- For new development, façade alterations and infill buildings verandahs and upper storey balcony design and materials should be compatible to the heritage items and contributory building facades within the area.
- Cantilevered balconies should not be used on new buildings.



Examples of parapet roof forms

- viii) Balconies should be sized and arranged so that strong horizontal lines do not dominate the façade of the development.
- ix) Recessed balconies which modulate the façade should be incorporated in the design of new development.
- x) Balconies should be designed to protect the visual amenity of occupants, neighbours and the street and should therefore have a solid appearance.

8.4 Materials and colours

Controls

- i) Materials and finishes for new development should be compatible with adjoining and nearby development. Sympathetic use of building materials can reduce the impact of a modern shopfront on the streetscape.
- ii) Acceptable materials include face brickwork (traditional reds, browns and manganese) and rendered masonry. The use of precast concrete is to be avoided. Acceptable roof materials include corrugated iron and Marseilles tiles.
- iii) Original face brickwork or stone should not be painted or rendered.
- iv) Colours should enhance the locality and be appropriate to the architectural style of the building.

Note:

Suitable colour schemes for buildings of each period of development can be found on Council's website

8.5 Outdoor advertising

Controls

- i) Advertising should respect and demonstrate an understanding of the design of the building and should not adversely affect the heritage streetscape values.
- ii) If an advertising structure is proposed to be attached to a building, the drawings accompanying the application should provide elevations showing windows, awnings or other major architectural features in relation to the advertising structure.
- iii) The use of above awning signage is not suitable.
- iv) The installation of “drop blind” type signs suspended from awnings is encouraged.
- v) Council encourages the removal of existing above awning signage in The Spot and its replacement with signs in appropriate locations.

8.6 Car parking and access

Controls

- i) Car parking, delivery areas and accessways are not to detract from the streetscape environment.
- ii) On-site car parking is to be provided either at ground level or as basement car parking.
- iii) Above ground car parking must not be visible from St Pauls Street and/or Perouse Road.
- iv) Carpark ventilation grilles must not be located on primary street frontages.
- v) If the development has access to a rear lane, the loading and unloading facilities must be provided from the lane, in order to minimise the intrusion of vehicular access and servicing upon the pedestrian character of The Spot.
- vi) Rear servicing areas in mixed use development should be able to cater for both residential and commercial servicing requirements.

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Notes for finalisation

This Section of the DCP contains graphics, diagrams and images that will be amended for finalisation to improve formatting, clarity, resolution and relevance.

1 Preliminary

1.1 Introduction

This section of the DCP will guide future development in the Kensington ~~Town~~ Centre, by:

- Providing a clear vision;
- Establishing controls that encourage high quality urban design, a high level of residential amenity, and environmental sustainability; and by
- Promoting innovation and creativity.

This section applies to all development within the Kensington ~~Town~~ Centre zoned B2 Local Centre as identified in RLEP.

To the extent that the provisions of this section are inconsistent with the provisions of any other sections of the DCP, the provisions of this section shall prevail.

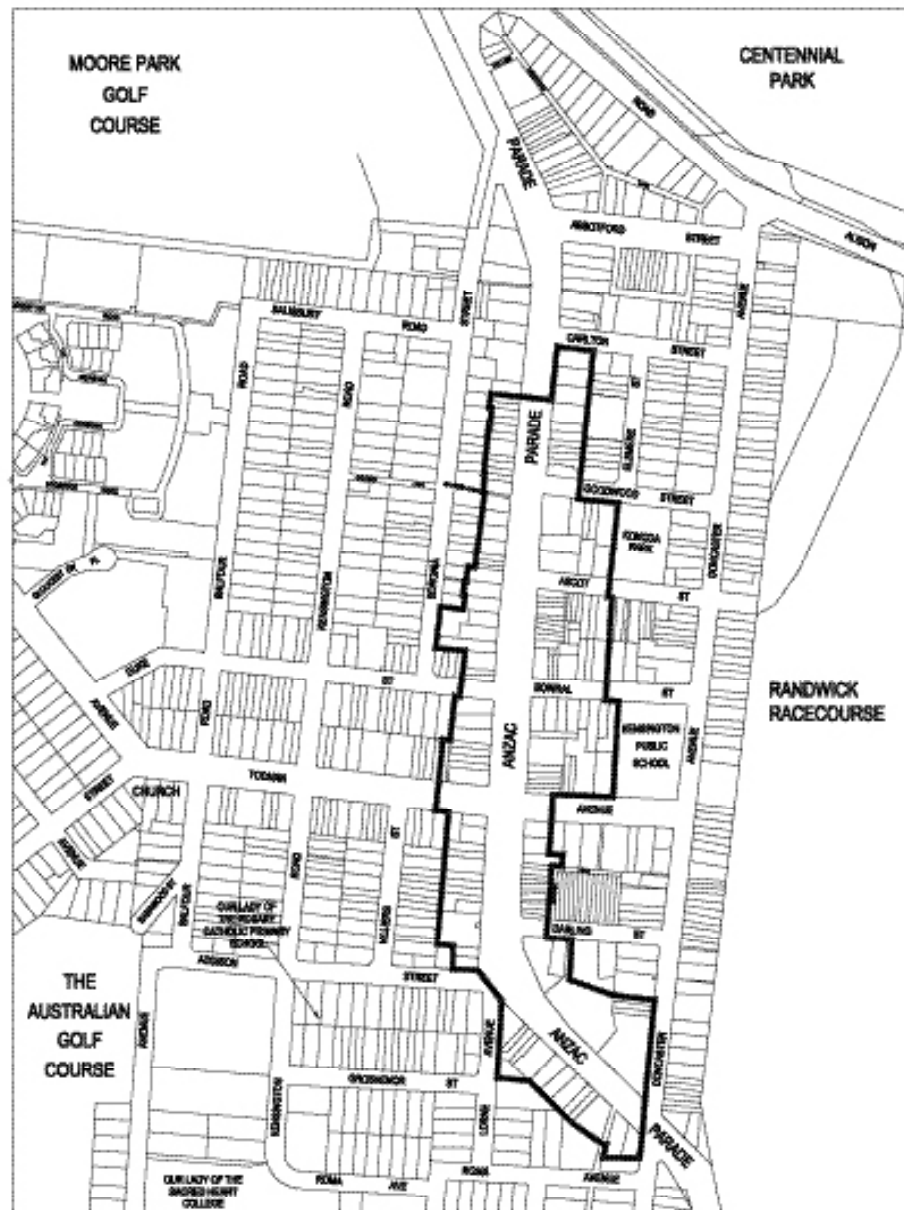
1.2 How to Use This Section

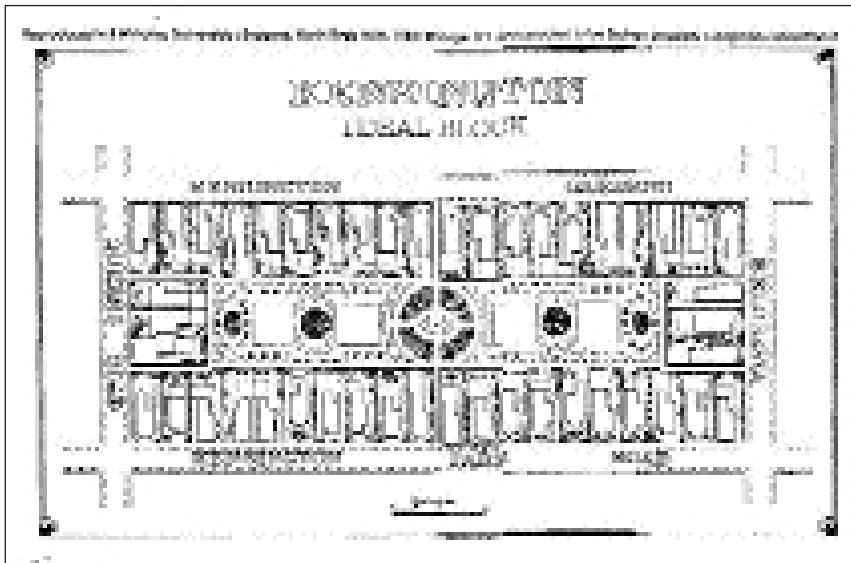
This section must be read and understood as an entire document: no single element takes precedence over another, unless there is a clear statement otherwise. Also read in conjunction with Part A - Introduction and Part B - General Controls, and other sections for specific development types, if relevant to the application.

To use this section, you should:

- Become familiar with the clear vision of the desire future character for the Kensington ~~Town~~ Centre (2: Vision statement);
- Develop an understanding of the existing ~~Town~~ Centre Context, from its early history as a Town to the current Urban Structure;
- Recognise that site amalgamation may be necessary in order for development to proceed, and that a detailed site analysis must be prepared (4.1: Managing Change);
- Become familiar with the concept of Building Envelopes (4.2: Building Envelopes);
- Identify your site's Block number, and then develop an understanding of how the specific Block by Block Controls (including height, setbacks, building location zone) apply to your site (4.3: Block by Block Controls);
- Within the constraints and opportunities of those Block by Block Controls, use the remaining sections of Part 4 to guide the detailed resolution of your development proposal. These sections will note instances in which the Block by Block Controls take precedence.

Map 1 - Kensington Town Centre





19th Century planning for Kensington envisaged perimeter block development surrounding communal open spaces. These design principles are just as relevant today.

A poster advertising the 'Plan of the First Subdivision of the Kensington Freehold Estate' 1891, by the vendors (Australian Cities Investment Corporation Ltd) described an 'extension of the City' where 'everything that science and energy can do will be done to make Kensington the most perfect, the most healthy, and the favourite place of residence for the citizens of Sydney'.

92 KENSINGTON AND KINGSFORD



A group of workmen from the Kensington Estate. The estate was the result of Sydney's first town planning contest displayed at Sydney Town Hall in 1889. The original plan included a railway which never eventuated. (Bowen Library)

2 Vision Statement

In the Kensington ~~Town~~ Centre of the future:

New development and public improvements have created a high quality medium density ~~Town~~ Centre, where walking, cycling and public transport use are promoted, and where a mix of retail, commercial, residential and leisure uses caters primarily for the needs of the local community.

The vitality of the retail, commercial, residential and leisure mix encourages users of major facilities such as Randwick Racecourse, Centennial Park and the University to enjoy local community life.

Extensive new landscaping in Anzac Parade brings to life the unfulfilled Victorian vision of a Model Suburb with a grand boulevard creating a focus for shopping and community activities in a Town Centre where *'everything that science and energy can do' has been done to create 'the most perfect, the most healthy and the favourite place of residence for the citizens of Sydney'.*

Ground floor areas of new development are characterised by shops, restaurants and business premises that create active building frontages and contribute to the life of the street. Residents who live on the upper floors, or work from home, enjoy the vibrant and convenient facilities at street level.

Design excellence contributes to the recognisable identity of the ~~Town~~ Centre, by helping to define streets and public spaces, and by creating environments that are sustainable, comfortable, interesting and safe.

People are attracted to live, work and enjoy their leisure time in the Kensington Town Centre, because it is dynamic, well presented, enjoyable, and highly accessible by walking, cycling and public transport. It is a ~~Town~~ Centre that:

- creates an active heart for the Kensington community by fulfilling its day to day needs;
- builds community values by encouraging residents to meet and interact with one another in the public domain;
- encourages residents to invite friends and family members to visit;
- encourages other Sydneysiders to enjoy its facilities;
- creates business and employment opportunities;
- is well connected to the major public facilities which surround it; and
- has a recognisable and welcoming 'identity'.



3 Town Centre context

3.1 Early History

The area now encompassed by the suburb of Kensington was, in the nineteenth and early twentieth centuries, a swampland traversed by the Lachlan Stream. A water-powered mill on the bank of the Lachlan Stream near what is now Todman Avenue, produced paper, cloth, and later flour from 1814 until 1832.

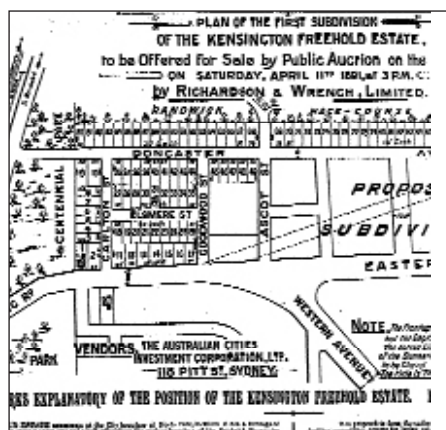
When emancipist Samuel Terry gained title to the surrounding area in 1819, he called his land the 'Lachlan Mills Estate', a name that was retained after he on-sold the land to former convicts Solomon Levey and Daniel Cooper. Daniel Cooper, who in time bought out Levey's share, encouraged industry on his land, attracting workers and their families to the area.

The estate, with its rough one and two room shanties, passed from Daniel Cooper to his nephew, who was the first to envisage a grander future for the land now known as 'Tin Town'. He proposed to level the shanties and subdivide the land for a new township to be called 'Epsom'. But work was forestalled until 1887, when Sydney stopped drawing its water supply from the Lachlan Stream.

This lifting of Sydney Water Reserve restrictions freed Daniel's nephew Samuel to attract the private capital which formed a syndicate to subdivide the estate. Aspiring architects competed to produce the best design for what was to be the new 'Model Suburb' of Kensington.

The winning entry, romantically entitled *Rus in Urbe* (country in the city) envisaged:

'The principal feature is the main Boulevard.....which is the main artery for traffic. It is designed two chains in width and comprises two outer roadways for light and local traffic and a central one for tram and heavy traffic. Two outer and two inner footpaths provide for foot traffic and general promenading, the inner ones being planted down their centres with suitable trees.'



The first subdivision of the Kensington Freehold Estate was offered at public auction by the Australian Cities Investment Corporation Ltd on Saturday April 11, 1891. The 96 allotments, including 9 along Anzac Parade and the whole of the eastern side of Doncaster Ave, were substantial, with frontages varying from '50 to 78 feet, and depths from 123 to 165 feet.....presenting a most pleasing appearance to the eye.'¹

By October 1891, another public auction was offering the balance of 'unsold allotments in the Kensington Freehold Estate'², including lots fronting Anzac Parade between Bowral Street and Doncaster Ave, and lots fronting Ascot, Bowral, Todman and Darling Streets. The allotment sizes first established in April were maintained.

Land on the western side of Anzac Parade, between Salisbury Road and Grosvenor Street, was released later, with auctions continuing until at least March 1906. In October 1907, the Centennial Park Lands on the corner of Alison Road and Anzac Parade were submitted for public auction.

¹ Sale Poster,
'The Model Suburb of Kensington, Plan
of the First Subdivision of the Kensington
Freehold Estate' April, 1891

² Sale Poster,
'The Model Suburb of Kensington, Plan
of the First Subdivision of the Kensington
Freehold Estate' October 1891

At the turn of the century development in the area was sparse but some major developments began to take place in the 1920s as the second wave of residential development swept across the suburbs.

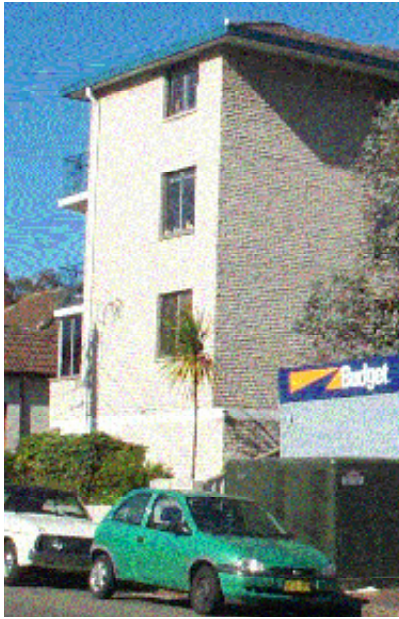
West Kensington's eventual and long awaited release in 1912 saw it develop relatively quickly. The area was almost fully settled within 15-20 years. The consistency of the area is strengthened by it being almost wholly residential¹.

The 1920s represented the most important stage of development along Anzac Parade, boosted by residential development. The Masonic Temple was built on the south western side of the recently named Anzac Parade and became popular for social events. Shops sprang up on either side of the road and on the Eastern side adjoining the Doncaster hotel (built in 1922-23), while the Doncaster Theatre was erected between Anzac Parade and Doncaster Avenue².

No other significant periods of development are represented in Kensington town centre for the remainder of the 20th century.



¹ The Doncaster Hotel Heritage
Assessment Report, Dec 1996
Noel Bell Ridley Smith and Partners
Architects Pty Limited
² West Kensington Draft DCP.



3.2 Regional Context

The Kensington ~~Town~~ Centre, on Anzac Parade, lies approximately 6 kilometres south east of the Sydney CBD. It is strategically located within one block of Royal Randwick Racecourse, immediately north of the University of New South Wales, and just south of Centennial Parklands.

The largest nearby shopping centre is a Major Regional: Westfield Eastgardens, approximately 3 kilometres to the south. The nearest regional centre is Westfield Bondi Junction, approximately 2.5 kilometres to the north east. Sub-regional centres also provide competition at Bondi Junction and Maroubra Junction.

3.3 Local Context

The suburb of Kensington is primarily characterised by its physical proximity to the University. The single largest age group (counted at the 2001 Census) is 20 - 29 years. The dominant marital status is 'never married'. Almost one quarter of the local population attends university or another tertiary institution full time. Close to 60% of all private dwellings are flats, units or apartments. In particular, the streets nearby the ~~Town~~ Centre primarily comprise flats, units and apartment buildings of 3 storeys or more, populated by younger, single people. Approximately one-third of all Kensington residents live within a block of the ~~Town~~ Centre.

Slightly older residents have taken up home ownership of the better quality apartments provided by the Raleigh Park development, which opened in 1993. For example, 32% of those who live close to the ~~Town~~ Centre are aged 40 years or more, whilst 43% of those who live in the area of Raleigh Park are aged 40 years or more. 42% of apartments here are fully owned, and another 12% are being purchased.

Families with children under 15 years, and more mature residents over 60 years, tend to live in well preserved and well presented aggregations of Federation homes located more than a block away from the ~~Town~~ Centre.

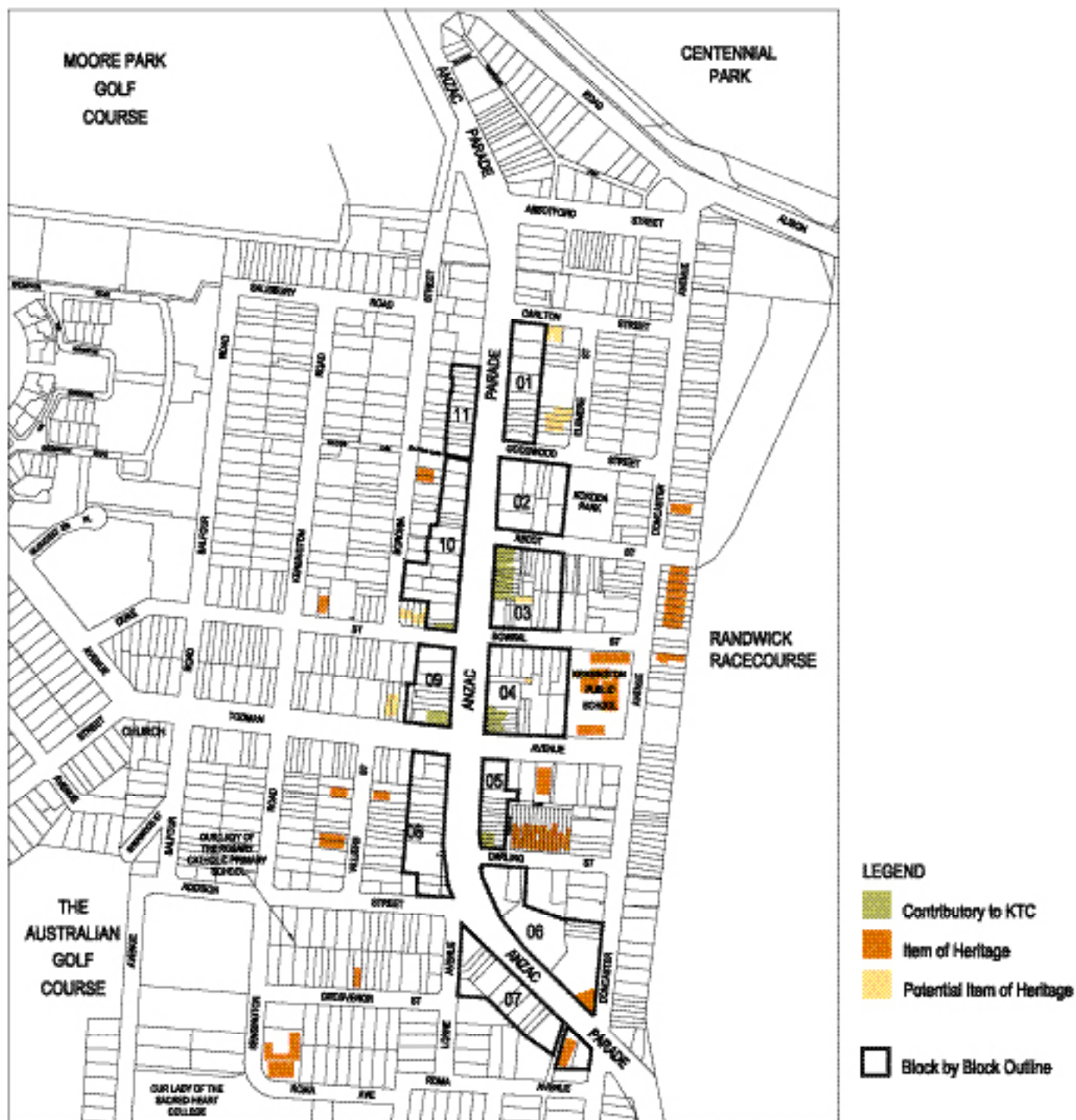
3.4 Heritage Built Form

In today's ~~Town~~ Centre the Masonic Hall and the Doncaster Hotel are ~~is the only~~ identified ~~as~~ Items of Heritage (~~Randwick Heritage Study & LEP 2012 1998~~). ~~The Doncaster Hotel was recently recognised for listing in Council's draft LEP.~~ The balance of properties represent a cross section of architecture dating back to the late 19th and early 20th centuries. None can really be considered as exemplary expressions of the architecture of their respective periods. However, a number of two storey Victorian terrace style shops do reflect the gentrified origins of Kensington in its earliest days of subdivision. These properties are considered Contributory to the Kensington ~~Town~~ Centre streetscape. (See Map 2)

All new development should be sympathetic to the architectural characteristics of Contributory buildings. Improvements to Contributory buildings should utilise established Heritage principles to avoid Facadism.

~~Council will develop a Kensington Colour Palette and Style Guide to encourage appropriate refurbishment of existing and other buildings not yet ready for redevelopment.~~ (note: this was not developed)

Map 2: Heritage Built Form: ~~Town~~ Centre & Surrounds



CONTEXTUAL HERITAGE ANALYSIS

KENSINGTON TOWN CENTRE

Randwick City Council
September 2002

3.5 Landscape Character

Current street tree planting is intermittent throughout the **Town** Centre. Current tree species include: London Plane trees, Figs, Brush Box and various Eucalypt species. There is remnant avenue planting within the Anzac Parade median strip.

Council will implement a co-ordinated Public Domain Improvement Strategy to progressively improve and upgrade pedestrian and environmental amenity throughout the **Town** Centre.

3.6 Parks and Public Open Space

Kokoda Park is centrally located near the **Town** Centre, which is itself surrounded by open space assets including Centennial Park, Moore Park and the Randwick Racecourse.

New development should capitalise on opportunities to strengthen open space links to Centennial Park, Moore Park, Randwick Racecourse, Kokoda Park and UNSW. New development should maintain views and vistas from the **Town** Centre into the surrounding open spaces such as Centennial Park and should give particular consideration to the historic values of the Centennial Parklands.

3.7 Pedestrian and Bicycle Amenity

Pedestrian amenity is affected by: the speed and configuration of traffic along Anzac Parade; the current condition of footpaths; the current location of pedestrian crossings; and the current timing of walk indicators at crossings.

There is currently no designated bicycle or pedestrian network connecting Kensington with major facilities such as the Randwick Racecourse, Centennial Park and Moore Park, the University of NSW, and the Australian Golf Course.

Council will work with the Centennial Park and Moore Park Trust to promote visitation to these facilities by sustainable means such as walking and cycling. Council will progressively implement the Randwick Bicycle Plan and the Public Domain Improvement Strategy, and will work with State Government Agencies to improve the location of pedestrian crossings and the timing of walk indicators at those crossings. New development should identify where it can improve pedestrian links, and pedestrian amenity.

3.8 Local Parking

On-site parking is limited and the current perception of existing users is that the availability of parking is inadequate. Existing users also believe that resident and short term customer parking in local roads off Anzac Parade is negatively impacted by long stay commuter parking. Council will work to optimise the efficiency of on-street parking within the **Town** Centre.

Council will work to discourage long stay and commuter parking that impacts negatively on residential amenity and the commercial viability of the **Town** Centre, in association with Parklands and the Racecourse to find solutions which do not displace commuter parking to other areas.



3.9 Public Transport

Public Transport is a significant presence in the Kensington street network. ~~Line-haul~~ Major bus services operate along Anzac Parade and a cross regional service operates in Todman Ave.

The State Government has ~~advised that there is no medium to longer term confirmed~~ plans to introduce a Light Rail System ~~from central Sydney to UNSW along~~ Anzac Parade.

New development should consider the benefits of locating 24 hour uses adjacent to ~~public transport~~ bus-stops.

Council will continue to work with State Government Agencies to improve and promote public transport use in Kensington, including ~~the any future potential for a~~ Light Rail System.



3.10 Traffic

The speed of traffic along Anzac Parade is relatively fast compared to other successful suburban retail streets. When combined with the movement effects of clearways, the traffic volume is not pedestrian friendly.

Council is committed to working with State Government agencies to slow the speed of traffic through the ~~Town~~ Centre in order to improve the local shopping and social environment.

3.11 Groundwater Conditions

The ~~Department of Land and Water Conservation~~ advises that the Kensington ~~Town~~ Centre is entirely underlain by the Botany Sand Beds of the Botany Basin. The Botany Sand Beds consist of fine to medium grained sands with interspersed lenses of silt, sandy clay, clay and peat. These sediments range up to about 50 metres in thickness but there are paleochannels where the depth to bedrock could be around 70 metres.

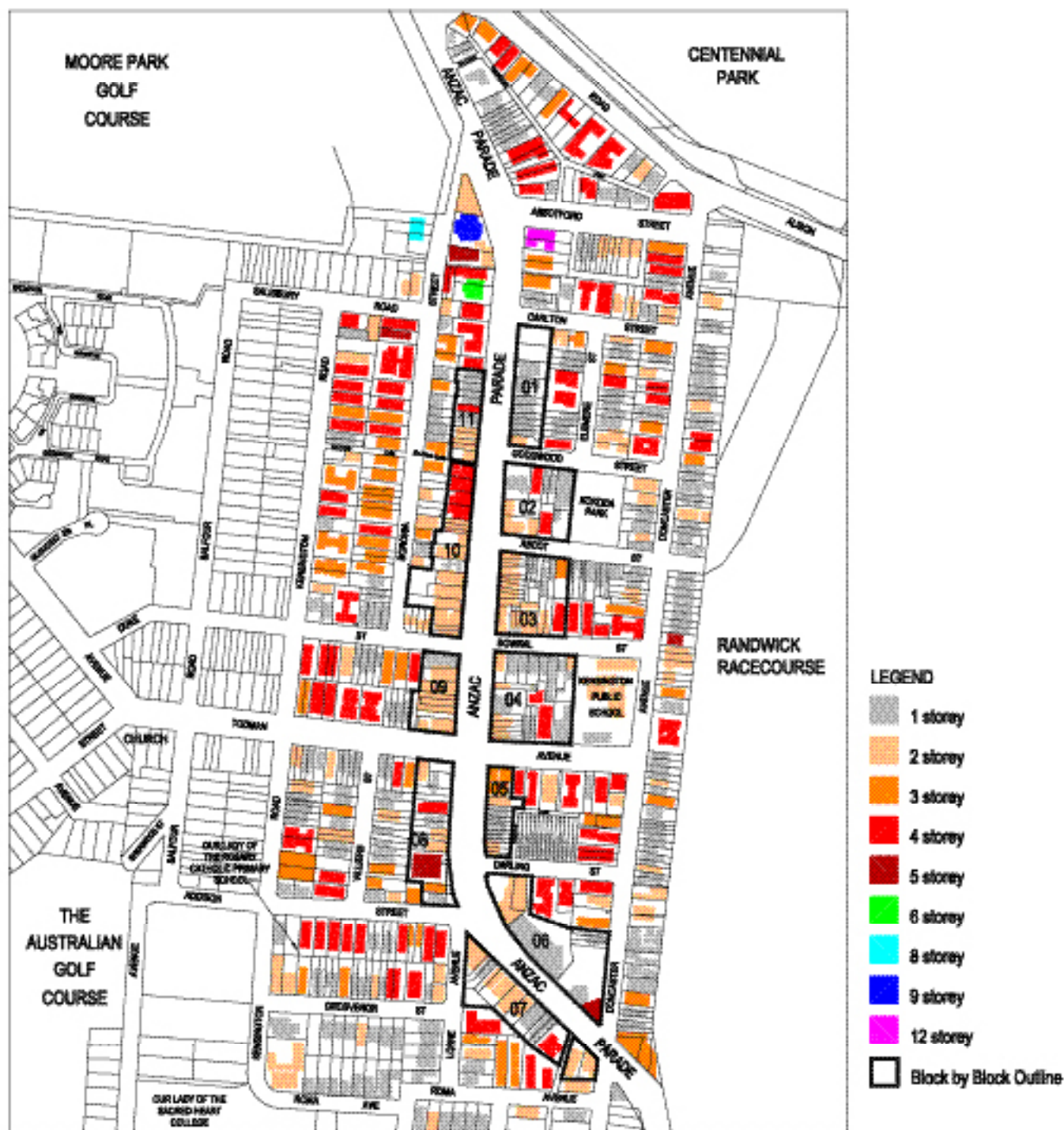
The water table is particularly shallow in the Kensington ~~Town~~ Centre area with groundwater levels commonly found to be less than 2.5 metres below the natural surface level.

Groundwater levels are also very responsive to seasonal conditions and may fluctuate up to about 1 metre from a period of dry conditions to a period of wet weather.

To assist the development of underground parking in these conditions, this Plan proposes semi-basement parking, to reduce the need for excavation. For more information, refer to ~~4.5.2: On-Site Parking~~ on page 85.

The ~~NSW Office of Water~~ ~~Department of Land and Water Conservation~~ has a statutory involvement where a proposed development intersects a shallow permanent water table. More information ~~about the Department's requirements~~ can also be found in ~~4.5.2: the section on~~ On-Site Parking and Section B8: Water Management.



Map 3: Existing Building Heights: ~~Town~~ Centre & Surrounds - 2002

CONTEXTUAL HEIGHTS ANALYSIS

KENSINGTON TOWN CENTRE

Randwick City Council
September 2002

3.12 Urban Structure

The Kensington ~~Town~~ Centre is a long, linear strip stretching from Carlton Street in the north to Doncaster Ave in the south. Current retail and commercial uses aggregate into three distinct urban precincts:

3.12.1 Park/Lifestyle Precinct Carlton St to Goodwood St

This precinct comprises a series of mainly single storey commercial buildings, interspersed with residential dwellings. Retail and commercial uses are currently fragmented and service oriented.

Properties on the eastern side of Anzac Parade are within a B2 Local Centre Zone while those on the western side are zoned Medium Density Residential R3. Adjacent properties with frontages to Boronia St to the west and Elsemere St to the east are within a Medium Density Residential Zone R3.

Within and adjacent to this precinct are many 3, 4 and more storey residential dwellings, particularly to the west of Anzac Pde and north of Carlton Street.



3.12.2 Core Retail Precinct Goodwood St to Todman Ave

This part of the Town Centre includes a series of narrow frontage retail buildings on the eastern side of Anzac Parade, with more recent, larger retail buildings on the western side.

This precinct has an almost continuous retail frontage in predominantly two storey commercial buildings.

The B2 Local Centre Zone encompasses all properties fronting to Anzac Parade, and some with frontages to Goodwood, Ascot, Bowral and Todman. Adjacent properties are within a R3 Medium Density Residential Zone.

Residential dwellings within or immediately adjacent to this precinct tend to be 3 to 4 storey walkups - the Census Collection District with the most 3 storey walkups in Kensington straddles this precinct.

There are no Items of Heritage in this precinct. The former bank on the western corner of Todman and Anzac Parade, a series of Victorian shops between Ascot and Bowral and another on the eastern corner of Todman and Anzac Parade are considered 'Contributory' to the Kensington ~~Town~~ Centre streetscape.

This precinct would make an ideal location for a supermarket.

3.12.3 University Precinct Todman Ave to the UNSW

This precinct includes some large individual freestanding buildings with varying front and side setbacks in a B2 Local Centre Zone. It also includes a number of 2 storey residential buildings with ground floor commercial uses, operating in a R3 Medium Density Residential Zone. Where retailing occurs at the ground floor it tends to be service oriented.

The Masonic Hall near the corner of Anzac Parade and Doncaster Ave is an identified Item of Heritage, and the Doncaster Hotel has been recognised for identification in Council's LEP.

A series of three Victorian shops on the corner of Anzac and Darling is considered Contributory to the Kensington ~~Town~~ Centre streetscape.

Refer to Maps 2 & 3 & 4 for visual detail of the information on this page.

4 Development & Design Controls

4.1 Managing Change

4.1.1 Site Amalgamation

The Vision for the Kensington ~~Town~~ Centre will only be fulfilled if the built form of new development achieves design excellence, environmental sustainability and a high level of residential amenity.

The Kensington ~~Town~~ Centre comprises a variety of lot sizes and dimensions, some of which are unsuitable for redevelopment into the required built form unless they are amalgamated with one or more adjacent sites.

Objectives

- To facilitate redevelopment when existing lots are too small to achieve a change in building type.
- To ensure that redevelopment achieves an appropriate scale and is able to meet the Performance Criteria of this Plan.
- To achieve new residential development comprising dual aspect, cross-ventilated apartments located on the perimeter of lots.
- To maintain street rhythm and expression.
- To achieve a neighbourhood supermarket centre within the Retail Core of the Kensington ~~Town~~ Centre.

~~Performance Criteria~~ Controls

Unless otherwise indicated in the Block by Block Controls:

- i. The minimum frontage for new development is 20 metres, except for corner sites.
- ii. Corner sites may be developed if they are a minimum area of 900 sq metres, regardless of frontage.
- iii. Existing strata title buildings may be developed regardless of frontage.
- iv. Ensure that lot dimensions contribute to the built form, grain and rhythm along the street.
- v. Ensure that development/redevelopment/amalgamation results in allotments which are able to achieve the envelopes designated in the Block by Block Controls.
- vi. Ensure that development/redevelopment/amalgamation does not adversely affect the development potential of adjacent and adjoining sites within the Block.
- vii. When development or redevelopment occurs in the ~~Town~~ Centre, ensure that lots left between developable properties are not limited in their identified future development potential by providing a minimum 20 metre separation between the developable properties.

4.2 Building Envelopes

4.2.1 New Built Form

New development in the Kensington ~~Town~~ Centre will occur within Building Envelopes that are determined by:

- The Architectural Character of the ~~Town~~ Centre;
- Articulation Zones which provide for architectural movement and modulation within building facades;
- Building Heights which establish the appropriate height for each block, and in some instances for particular buildings or groups of buildings;
- Building Zones which establish the area in which buildings can be located;
- Contributory Buildings, which must be treated in accordance with the principles of the Burra Charter, and must be sensitively incorporated into new development;
- Setbacks which are defined for each block, and in some instances for particular buildings or groups of buildings; and
- Transitional Development, which addresses local streets rather than Anzac Parade, and must create the transition from ~~Town~~ Centre heights and setbacks to local street heights and setbacks.

Objectives

- To achieve a new built form that responds to the Building Envelope Controls of this Plan.
- To achieve well designed buildings incorporating suitable facade design and articulation

A Building Envelope is not a building. It is a three dimensional shape within which a building can be designed.



The Building Envelopes in this Plan do not include roofs.

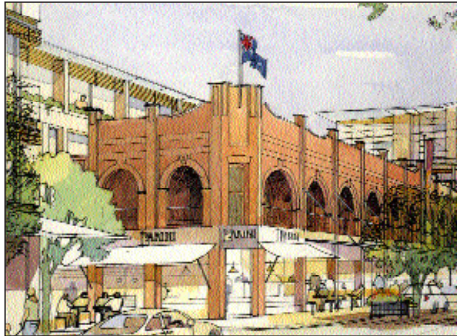
Performance Criteria Controls

- Demonstrate that the achieved Gross Floor Area occupies no more than 80 - 85% of the Building Envelope.
- With each Development Application, submit a summary of Uses and Areas, detailing:
 - Building Envelope Footprint;
 - Breakdown of Residential Apartments (by number of Bedrooms, by Area, by Storey, and by Area of associated Private Open Space);
 - Total retail floor space;
 - Total commercial floor space;
 - Floor space of Building entrances and associated foyers and lobbies;
 - Floor to Ceiling and Floor to Floor Heights (by Storey and by Use);
 - Common vertical circulation (stairs and lifts);
 - Communal Open Space (by location);
 - Number of car spaces and method for calculating this number;
 - Floor space occupied by vehicular access and pedestrian access to parking,
 - Floor space occupied by loading areas, garbage and services, lift towers, cooling towers, machinery and plant rooms, and air-conditioning ducts.

4.2.2 Architectural Character

Quality and Innovation

Posters advertising the 1891 subdivision plan for the 'Model Suburb of Kensington' described:



This Plan will achieve the high standards of architectural quality detailed by Planning NSW in its Residential Flat Design Pattern Book and Residential Flat Design Code.



*Externally and internally, new development in the Kensington **Town** Centre is expected to strive for innovation and excellence*



'The new suburb of Kensington - or rather Extension of the City.....that should become to Sydney what the original Kensington has proved to be to London.....a subdivision upon the most artistic and scientific principles, including the provision of all modern conveniences. The modern estates which have been laid out within the last few years in the suburbs of the principal cities and watering places of the Old World, and in the United States of America, are well known to many Australians, who cannot possibly fail to appreciate the enormous advantages to be derived from a residence in a properly ordered and attractive suburb, such as Kensington will undoubtedly be.....'

'...the Australian Cities Investment Corporation have already entered into arrangements for the erection upon the Estate of various residences of a modern and attractive class. The Corporation have also invited architects to submit competitive designs for various types of houses.....everything that science and energy can do will be done to make Kensington the most perfect, the most healthy, and the favourite place of residence for the citizens of Sydney.

New development in the Kensington **Town** Centre is expected to achieve today's equivalent of the innovative design quality first envisaged for the 'Model Suburb of Kensington'.

The overall character of new development will comprise slim buildings designed with a clear bottom, middle and top, helping to break down building scale and relate buildings to their neighbours. Building facades will be articulated and modulated in all elevations, using a variety of physical and design elements to achieve buildings of character and visual interest.

The ground floor of new development along Anzac Parade will feature retail and commercial uses to activate the street. Anzac Parade, including its corners, will feature continuous awnings to provide shelter for pedestrians.

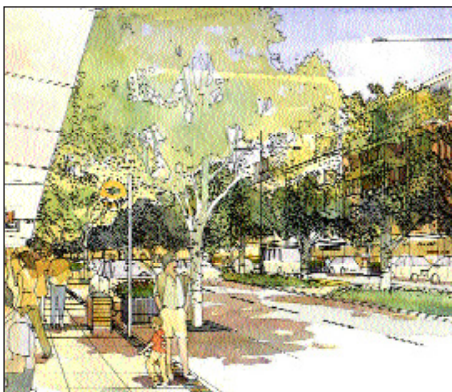
The general form will feature a strong street edge, with development built to the street alignment, but setback on its upper floors. At the rear, covered colonnades will provide sheltered access to residential lobbies and rear gardens, creating opportunities to soften rear facades with upper level terraces and balconies.

To maximise open space and provide a pleasant outlook for residents and neighbours, no off-street parking will be provided above ground. Basement and semi-basement parking will achieve access across landlocked sites by Rights of Carriageway negotiated between adjoining owners on the open market.

Residential apartments will be designed to achieve environmental sustainability, with a requirement that all apartments be dual orientated to facilitate natural ventilation and maximise solar access. Generous room sizes and ceiling heights, and large balconies and terraces will ensure the highest standards of residential amenity.

Objectives

- To achieve design excellence and innovation.
- To achieve a desirable, healthy, modern urban environment.
- To achieve well-mannered buildings which fit sensitively into the **Town** Centre streetscape.



Performance Criteria Controls

- In accordance with SEPP 65: 'Design Quality of Residential Flat Development', engage a registered architect to design all developments of three or more storeys involving 4 or more apartments.
- Address the ten SEPP 65 Design Principles: respond and contribute to the Context of the **Town** Centre; provide an appropriate Scale of development; achieve a Built Form that contributes to the character of the streetscape; achieve a Density appropriate to the Town Centre; make efficient use of Resources including energy and water; recognise that Landscape and buildings operate as an integrated and sustainable system; optimise Amenity and Safety & Security; respond to the Social context of the **Town** Centre and its desired future character; and ensure that buildings achieve quality Aesthetics.
- Design for best practice in planning, environmental quality, and local context.
- Design for the urban environment of the Kensington Town Centre, with particular attention to the Vision of a grand boulevard.
- Explore innovative technologies and design approaches to maximise accessibility, natural ventilation, solar orientation, and energy efficiency.
- DAs** for developments of 30 or more apartments and all student accommodation proposals will be subject to assessment by a Design Review Panel.
- DAs** which can demonstrate that the design is a result of a competitive process formulated to achieve design excellence will be highly regarded. Refer also to Section B1: Design for requirements for development to demonstrate design excellence.

4.2.3 Articulation Zone

Dynamic Facades

Older buildings along Anzac Parade present an almost continuous frontage at the street property line, and new development should reinforce this existing character. However, this reinforcement will not be achieved by buildings which present a bland, unarticulated façade for the entire length of any given site. Quality design will be achieved by articulated facades to the front, sides and rear of new development.

All development permitted under this Plan must achieve an Articulation Zone, an area within the Building Envelope which provides for architectural movement and modulation.

The Articulation Zone allows for expression of entries to buildings, awnings, façade modulation and other architectural elements, as well as private open space features such as courtyards at ground level and balconies incorporated into the building's façade.

Objectives

- To achieve building facades that contribute to the character of the street.
- To achieve buildings of articulated design and massing to all facades, with useable private external spaces.
- To ensure buildings respond to environmental conditions such as noise, sun, breezes, privacy and views.
- To promote integration of buildings and open spaces.

Controls Performance Criteria

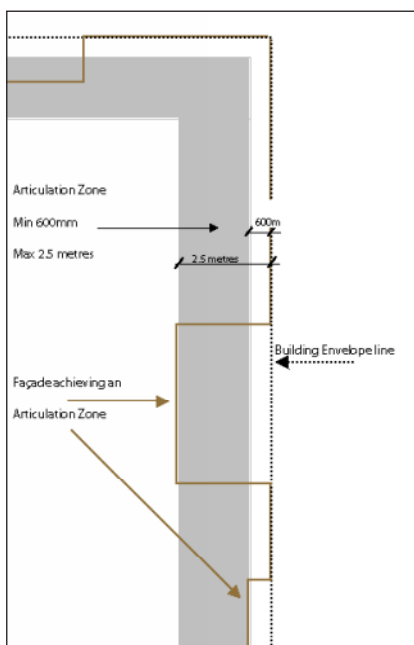
i. Physically articulate all facades to achieve an Articulation Zone with a minimum depth of 600mm and a maximum depth of 2.5 metres within the most extreme points of the Building Envelope.

ii. Emphasise articulation where building facades face an adjacent building.

iii. Ensure that buildings along Anzac Parade reinforce the continuity of the street edge.

iv. For further requirements see [4.6.4: Façade Composition and Articulation on page 92](#).

Note: the Articulation Zone does not apply for Ground Floor (Storey 1) retail frontages.



4.2.4 Building Heights

The Right Scale for the Street

Most dwellings in Kensington streets close to the **Town** Centre are residential flats in buildings of 3 storeys or more (See Map 3). Proposed building heights for the **Town** Centre acknowledge that Anzac Parade can visually support slightly taller buildings along the main street, with a visual transition to lower heights 'behind' the main street. Generally, this means that the maximum height of any building along Anzac Parade will be 4 storeys setting back to 6 storeys, and the maximum height of any other building will be 3 storeys setting back to 5 storeys.

Objectives

- To ensure appropriate scale relationship between new development and: street width; local context; adjacent dwellings; and Contributory Buildings.
- To achieve well-proportioned buildings.
- To maintain public view corridors from the east side of Randwick Racecourse over the **Town** Centre to the Monastery of the Missionary of the Sacred Heart.
- To ensure appropriate management of overshadowing, access to sunlight and privacy.
- To ensure appropriate floor to ceiling height within buildings.
- To achieve a visual transition between the heights of buildings on Anzac Parade and the heights of buildings 'behind' the main street.

Performance Criteria

- Comply with the maximum Envelope heights specified in the Block by Block Controls.
- Achieve the minimum heights in respect of each Storey. For more information see [4.7.6: Floor to Ceiling Heights on pages 110 and 111](#).
- Achieve a built form which reflects the proportions of the Building Envelopes specified in [the 4.3: Block by Block Controls i.e 3:5, 4:6, 5:8](#).
- Comply with the maximum height of any building as a relationship between storeys and height to the underside of the ceiling of the topmost floor, in accordance with the following:

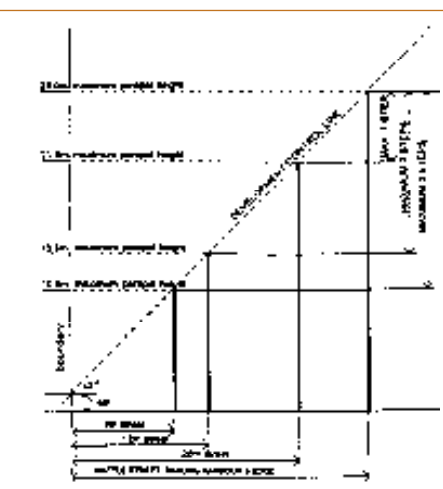
Anzac Parade, Doncaster Ave & Mews Style Development

	Minimum z	Maximum z
Grd Floor/Storey 1	3.5	4.5
Storey 2	7.2	8.2
Storey 3	10.7	11.7
Storey 4	13.6	15
Storey 5	16.5	18.3
Storey 6	19.4	21.6
Storey 7	22.3	24.5
Storey 8	25.2	27.4

Transitional Development fronting other streets

	Minimum z	Maximum z
Grd Floor/Storey 1	3.5	3.5
Storey 2	7.2	7.2
Storey 3	10.1	10.5
Storey 4	13	13.8
Storey 5	15.9	17.1

z Building Height (in metres) to underside of top most ceiling



$$H = D + 1.5$$

H = maximum building height
D = street width
1.5 = pedestrian eye level

The Urban Design Advisory Service, in its 'Guidelines for Better Urban Housing in NSW', notes that well-proportioned streets are generally 1:1 street width to building height. For the Kensington Town Centre, 1:1 proportions would result in Anzac Parade building heights of 40 metres or more.

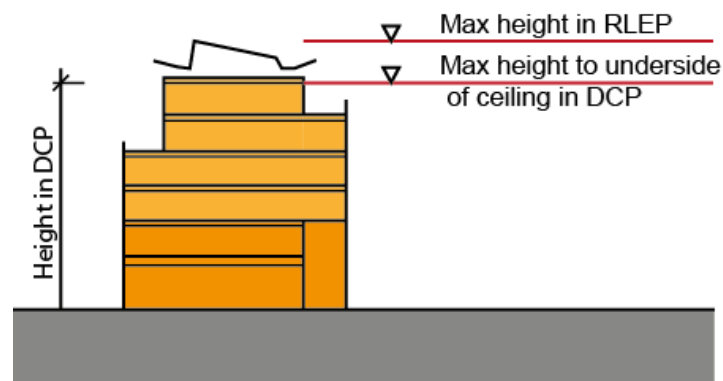
This Plan reflects Council's response to community input that building heights of 40+ metres would be out of context with the character of the Kensington **Town** Centre.

Note about building height

RLEP applies maximum building height controls to Kensington Centre. Under RLEP **maximum building** height is defined as:

The vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

The envelope controls in this section of the DCP refer to height in storeys, and building height as the height to the underside of the **ceiling of the** top-most **floor ceiling**. The relationship between the two height measurements is explained in the diagram below:



This diagram illustrates the relationship between the maximum building height expressed in RLEP, and the heights in this section of the DCP.

The space between the overall maximum building height permitted in RLEP, and the height to the underside of the topmost ceiling identified in the DCP allows for roof design, plant structure, and possible habitable roof space (if identified in the controls).

4.2.5 Building Zone

Addressing the Street

The Building Zone determines the position of new development in relation to the lot, the street edge and neighbouring development. Along Anzac Parade, the intention is to reinforce the existing street character by aligning buildings with the line of the street. This will have the additional benefit of improving the natural surveillance of footpaths and bus stops, a strategy recommended by Planning NSW (Practice Note - Improving Transport Choice) to encourage walking, cycling and public transport use.

Because dual aspect, cross-ventilated apartments are an essential component of this Plan, the resulting Building Zone is slim.

Similarly, Building Zones which align with side streets are expected to result in slim buildings which can ultimately contribute to perimeter block development.

Objectives

- To achieve a strong street edge to Anzac Parade.
- To achieve environmentally sustainable, dual aspect apartments with natural cross-ventilation.
- To achieve a high standard of environmental amenity for residents of new development.
- To ensure the bulk and scale of new development reinforces positive neighbourhood amenity and character and responds to the scale of the street and surrounding buildings.
- To distribute building bulk and height in order to maximise accessible, well configured communal open space.

Controls ~~Performance Criteria~~

- i. Locate buildings within the Building Zones indicated on the Block by Block Controls.
- ii. Align buildings to the street and line of kerb.



Slim buildings aligned to the street edge allow dual aspect apartments which easily achieve natural cross-ventilation and maximise solar access.

4.2.6 Contributory Buildings

Recognising the Past



The Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter) provides the guiding philosophy for the care of important places, defining the basic principles and procedures to be observed in their identification and conservation.

The Burra Charter defines the term 'Conservation' and the specific processes which make up Conservation work: Preservation, Restoration, Reconstruction and Adaptation. (For a more complete explanation, refer to the entire Burra Charter: www.icomos.org/australia/).

Several buildings in the Kensington ~~Town~~ Centre are identified as 'Contributory to the ~~Town~~ Centre Streetscape' because their basic form, which has not been significantly altered over time, attests to the early history of main street shopping in Kensington. These buildings are clearly identified in the Block by Block Controls. Their retention will help to mark the continuing history of the Kensington ~~Town~~ Centre as a place of commerce and trade.

Sensitive Adaptation and Reconstruction¹ of these buildings to ensure their Adaptive Re-Use is encouraged, but Facadism is not. Facadism, (the retention of only the outer skin of a building) is not accepted as suitable conservation practice. Development adjacent to Contributory Buildings should be sensitive to those buildings.

Objectives

- To ensure sensitive Adaptation and Reconstruction of buildings considered Contributory to the Kensington ~~Town~~ Centre streetscape.
- To ensure that new development adjacent to Contributory Buildings is sympathetic to their character.

Performance Criteria **Controls** For Contributory Buildings:

- Provide a Statement of Conservation Works prepared by a heritage practitioner/Conservation Specialist identified by the Heritage Office of NSW.
- Conserve the substantial part of Contributory Buildings indicated in the Block by Block Controls.
- Do not diminish, destroy, distort or conceal Significant fabric. If alteration to Significant fabric is necessary, ensure that it is reversible.
- Avoid changes that falsify evidence of the building's history.
- When undertaking Reconstruction or repairs, clearly distinguish new work from old. Buildings and structures should not nostalgically create a false impression or interpretation of age or a style.
- Do not place emphasis on one period of the Building's development at the expense of others, unless that period is much more significant.
- For any developments involving neighbouring contributory buildings, ensure that any internal connections are designed to recognise and express original room configurations.

For new development adjacent to Contributory Buildings:

- Provide a contemporary design which is sympathetic to the Contributory building in terms of: proportions; materials; colours and details.
- Do not closely imitate, replicate or mimic the historic style of the Contributory Building.
- Do not apply historic details such as small paned windows, cast-iron decoration, ornate decorative details, original window glazing, etc. New development should be recognisable as a product of its time and should not create a false impression of age or a style.
- Provide contemporary new signage that compliments the character of the Contributory Buildings.

¹ For the meaning of terms such as 'Conservation', 'Significance', 'Re-use' and 'Reconstruction', refer to the ICOMOS Burra Charter.

4.2.7 Mews Style Development

Sensitive and Stylish

New development in Mews Style (i.e buildings lining a court, yard or pedestrian lane) is encouraged at the rear of Contributory Buildings, in order to provide a suitable incentive for owners to invest in the work necessary to appropriately upgrade those Contributory Buildings. Mews Style Development will be slim, no more than 5 storeys high, and setback from Contributory Buildings by pedestrian connections along their frontage and through to Anzac Parade.

These pedestrian connections will also create a physical separation between 2 storey Contributory Buildings and any adjacent new development along Anzac Parade, softening the transition from 2 to 4 storeys at the street edge.

Objectives

- To ensure appropriate setbacks between Contributory Buildings and adjacent new development along Anzac Parade.
- To achieve unique Mews Style Development at the rear of Contributory Buildings.
- To provide pedestrian pathways from Anzac Parade to Mews Style Development.

Controls ~~Performance Criteria~~

- i. The maximum height for Mews Style Development is 5 storeys.
- ii. There are no upper level setbacks.
- iii. Provide retail/commercial/residential uses on the Ground floor and residential uses on Storeys 2 to 5.
- iv. Provide pedestrian-only pathways between Contributory Buildings and Mews Style Development, connected to Anzac Parade and side streets as indicated in the Block by Block Controls. Ensure that pedestrian pathways remain permanently open for public access.
- v. Front and side balconies may project up to 1.5 metres outside the Building Zone, but may not penetrate the property boundary.
- vi. Articulate the building to the front, sides and rear. Note the 'front' is considered to be the elevation which faces the Contributory Buildings.
- vii. Provide individual shopfront canopies rather than continuous awnings.



Mews Style development will create intimate spaces at the rear of Contributory Buildings.

4.2.8 Neighbourhood Supermarket Shopping Centre

Day to Day Shopping

The Kensington ~~Town~~ Centre would benefit from the development of a neighbourhood supermarket shopping centre, fulfilling local day to day shopping needs with the provision of groceries, fresh food and other convenience items. Subject to suitable site amalgamation, there are three Blocks within the Core Retail Precinct with the potential for redevelopment as a neighbourhood supermarket shopping centre: Blocks 4, 9 and 10.

Objectives

- To create an active heart for the Kensington community by fulfilling its day to day shopping needs.
- To achieve one neighbourhood supermarket shopping centre with an active and inviting street edge.

Controls ~~Performance Criteria~~

- The minimum site area is 3,000 sq metres.
- The minimum lettable and common floor area is 4,500 sq metres over two levels.
- Provide supermarket and other convenience shopping at ground level. The building depth at ground and first level (Storeys 1 & 2) may extend to within 6 metres of side and rear property boundaries.
- Use skylights to maximise daylighting to this extended building depth.
- Council may consider a zero metre setback at the side and/or rear subject to impact on the amenity of residential neighbours.
- Ensure that the entrance to an internally orientated arcade, and the arcade itself, is a minimum of 7 metres wide.
- Provide active retail uses (including shopfronts, café/restaurants, and retail entrances) to the Anzac Parade frontage.
- Provide all loading and parking at basement or semi-basement level.
- Provide evidence of an Agreement to Lease with a recognised supermarket retailer intending to operate a supermarket of at least 1,000 sq metres retail area.
- Submit a design which is the result of a competitive process formulated to achieve design excellence.
- Any development consent granted for a neighbourhood supermarket shopping centre will have a time limited period of two years for commencement.



4.2.9 Specialist Concept Retail

Lifestyle/Leisure/Recreation

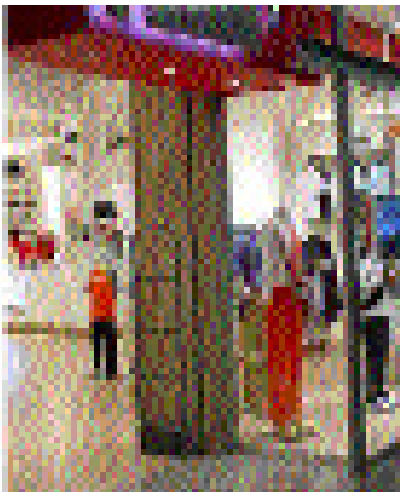
The Kensington ~~Town~~ Centre would benefit from the development of a large specialist or concept retailer, servicing needs for lifestyle/leisure or recreational goods e.g. a large bookstore, a specialist sports or fashion retailer. There are four Blocks within the Core Retail Precinct with this potential: Blocks 2, 4, 8 & 10.

Objectives

- To achieve a specialist retail outlet with an active and inviting street edge.

Controls ~~Performance Criteria~~

- i. The minimum site area is 1,000 sq metres.
- ii. The minimum site depth is 35 metres.
- iii. The building depth at ground and 2nd storey may extend to 26 metres.
- iv. Use skylights to maximise daylighting to this extended building depth.
- v. Ensure that the entrance to an internally orientated arcade, and the arcade itself, is a minimum of 7 metres wide.
- vi. Provide active retail uses (including shopfronts, café/restaurants, and retail entrances) to the Anzac Parade frontage.
- vii. Provide retail and/or commercial uses on the 2nd storey.
- viii. Provide all loading and parking at basement or semi-basement level.
- ix. Provide evidence of an Agreement to Lease with a recognised retailer intending to operate a single specialist store of at least 500 sq metres retail area.
- x. Submit a design which is the result of a competitive process formulated to achieve design excellence.



4.2.10 Setbacks

Address & Transition

Depths of front setbacks reflect the character of a precinct. Typically, in ~~Town~~ Centres, buildings have little or no setback from the street alignment. Other than the use of the Articulation Zone to provide interest and modulation to the building façade, new development along Anzac Parade and at the Anzac Parade corners of local streets is encouraged to build to the street property line. Within the residential zone, front setback can provide a front garden. The Block by Block Controls indicate locations where minimum front setbacks are necessary to establish the transition from commercial to residential zones.

Rear and side setbacks create the relationships between neighbouring buildings, create opportunities for landscaped open space and are important contributors to visual and acoustic privacy. Minimal side setbacks encourage buildings to address the street, rather than addressing side boundaries and adjacent buildings. This not only contributes to privacy but increases passive surveillance of the street.

Upper level setbacks soften the built form, and assist buildings to achieve a human scale.

Objectives

- To reinforce the prevailing character of the ~~Town~~ Centre.
- To provide visual and acoustic privacy between neighbouring buildings.
- To orientate buildings and habitable rooms towards the street, and towards communal open space.
- To minimise any negative impact on the amenity of adjacent sites.

Controls ~~Performance Criteria~~

i. Unless otherwise specified in the Block by Block Controls, comply with the following setbacks:

(note: tables below to be re-drawn to improve legibility for finalisation)

Location	Building	Setback distance	Setback from
Anzac Parade	First 4 storeys 5th & 6th storeys 6th storey rear All storeys	0 metres 4 metres (min) 4 metres (min) 6 metres (min)	Anzac Parade & side boundaries Anzac Parade & side street boundaries Floor below Property boundary existing strata title building unlikely to change
Transitional Development	First 3 storeys 4th & 5th storeys All storeys	0 metres 4 metres 6 metres (min)	Front & side boundaries Front boundaries Property boundary existing strata title building unlikely to change
Mews Development	All storeys	2 metres	Street boundary

ii. All development should give consideration to the following setbacks:

Non-habitable room	6 metres	Non-habitable room adjacent building
Habitable room	9 metres	Non-habitable room adjacent building
Habitable room	12 metres	Habitable room adjacent building

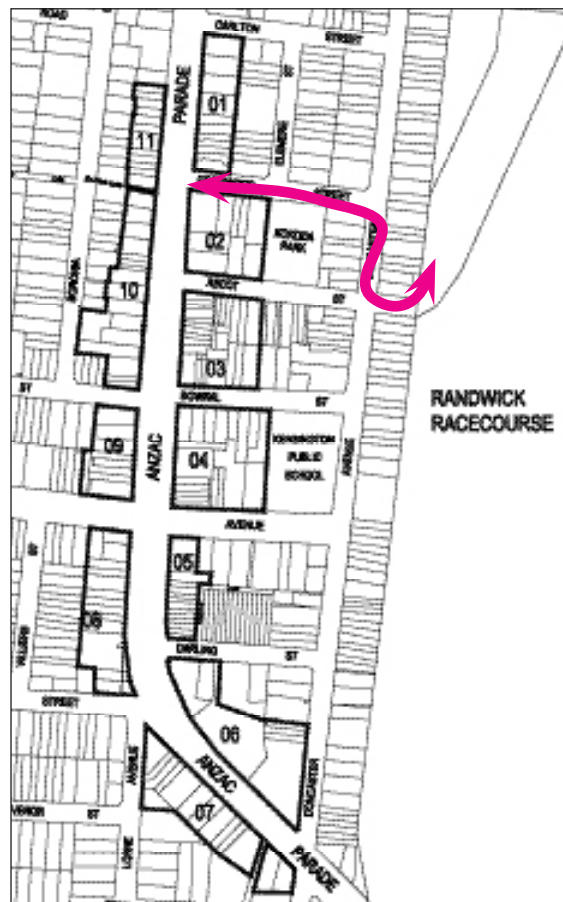
4.3.1 Block 01: Carlton Street to Goodwood Street



Block 01: Carlton Street to Goodwood Street

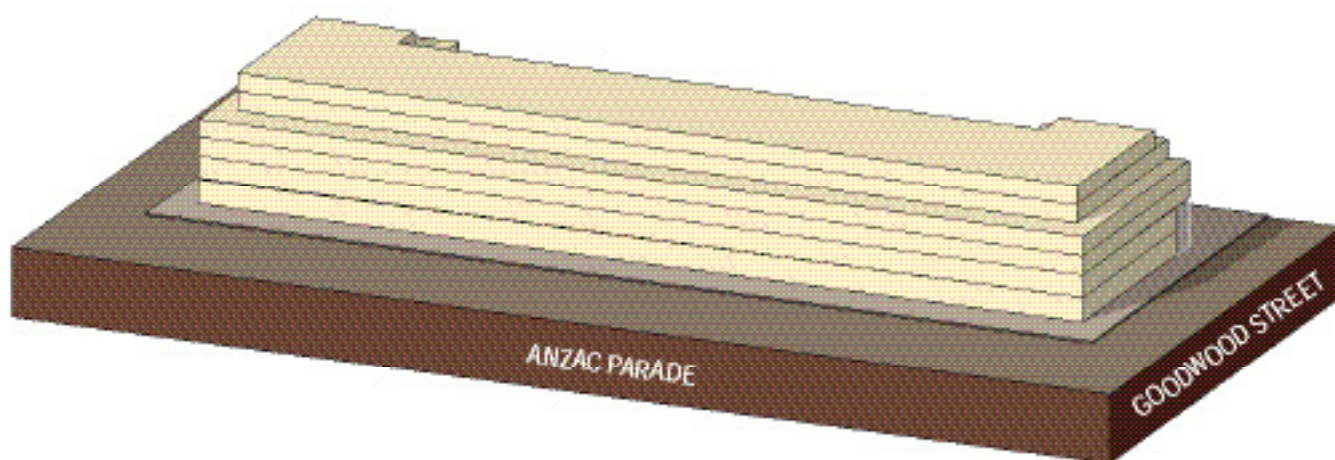
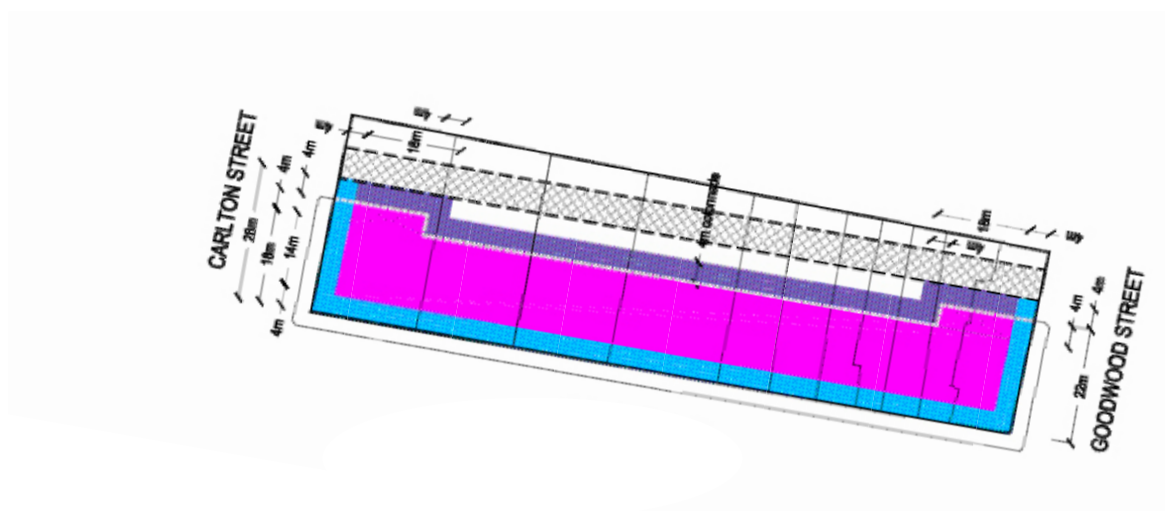
This Block marks the northern edge of the **Town** Centre boundary. Between this Block and Darling Street, the potential to create synergies with the Randwick Racecourse are important to the future of the **Town** Centre.

If well designed and well presented to the street, new development along Goodwood Street should encourage pedestrian movement between the **Town** Centre and the Racecourse, and between the **Town** Centre and regional cycleway along Doncaster Ave and the Centennial Parklands/ Alison Road.



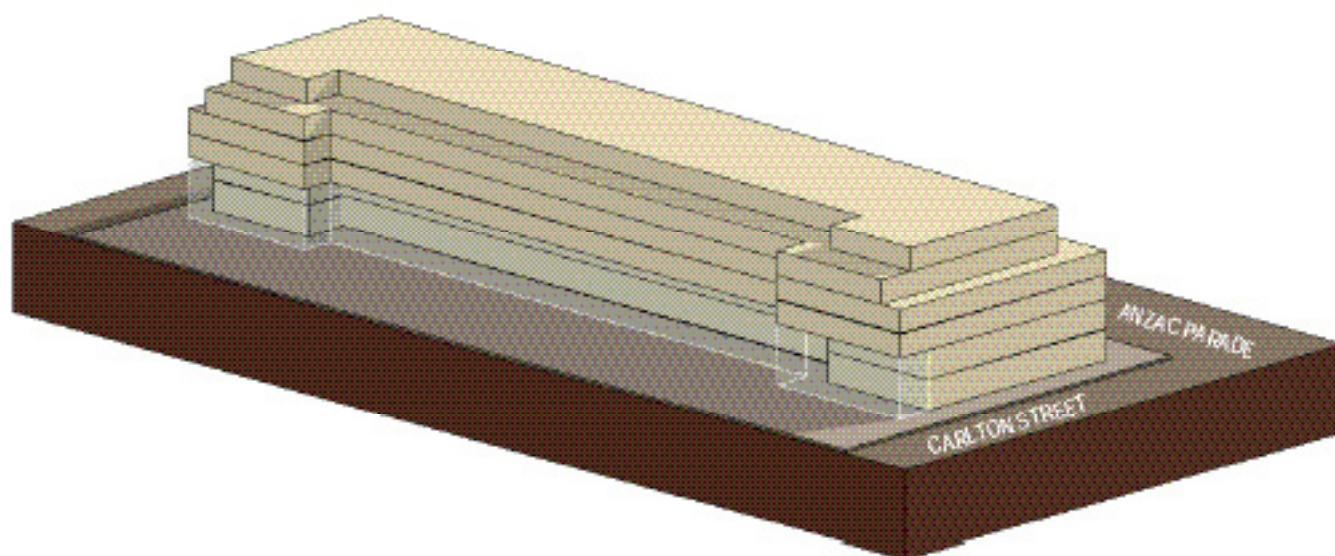
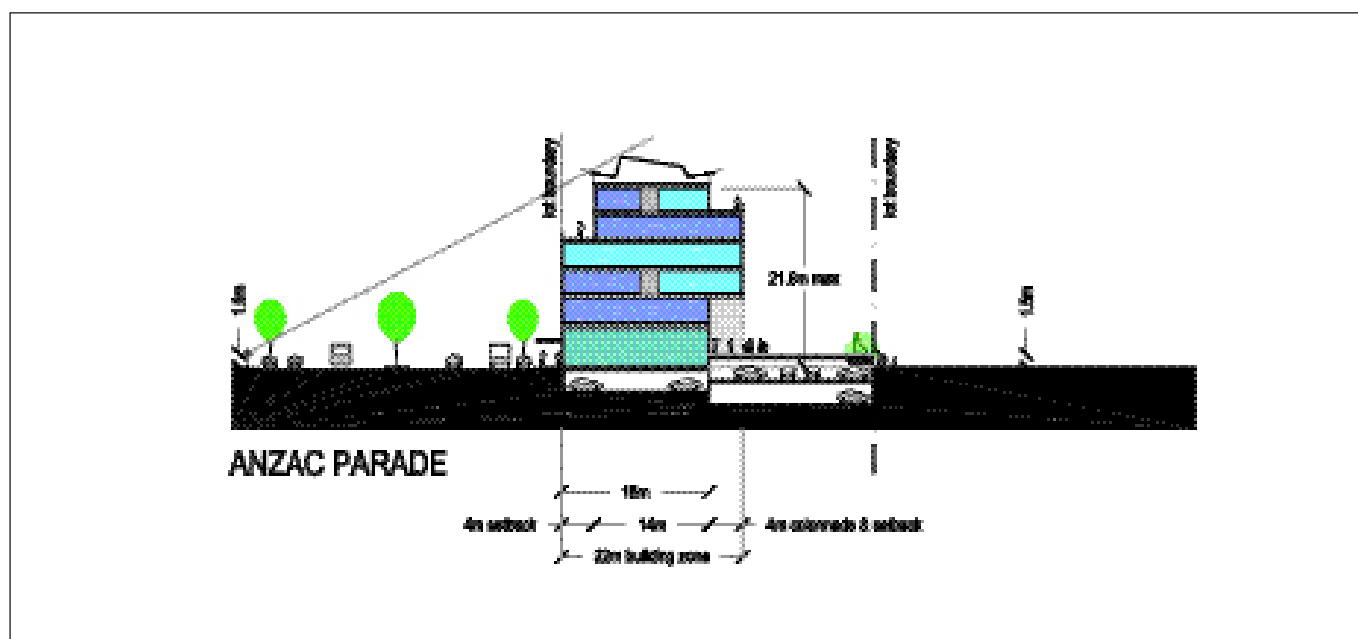
Block 01:

Carlton Street to Goodwood Street
Building Envelope Viewed from Anzac Parade



Block 01:

Carlton Street to Goodwood Street
Building Envelope Viewed from Rear

**Carlton Street to Goodwood Street**

Section West to East Looking North

4.3.2 Block 02:

Goodwood Street to Ascot Street

**BLOCK 02: EXISTING LAYOUT****LEGEND**

- 6 STOREY
- 5 STOREY
- 4 STOREY
- 3 STOREY
- 2 STOREY
- 1 STOREY
- RIGHTS OF CARRIAGEWAY (VEHICULAR ACCESS)
- DEFINED PARCEL
- AWNING
- COLONNADE
- STRATA TITLE UNLIKELY TO CHANGE

**BLOCK 02: PROPOSED LAYOUT**

not to scale

4.3.2 Block 02

Goodwood Street to Ascot Street

Block 2 abuts Kokoda Park, a formal memorial park with some child play facilities. Ascot Street is the main taxi and chauffeur driven vehicle entrance to the Race Course on Race days. As such it provides an opportunity to impress race-goers with the qualities of the Kensington **Town** Centre: if well presented, Ascot Street could encourage race-goers to use the **Town** Centre on Race days or to return to the **Town** Centre in future.

If well designed and well presented to the street, new development along Goodwood and Ascot Streets should encourage pedestrian movement between the ~~Town~~ Centre and Kokoda Park, and between the Race Course and the ~~Town~~ Centre.

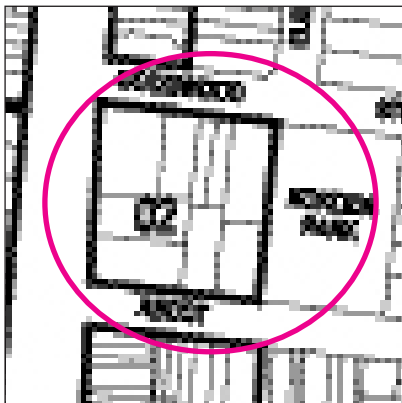
Within Block 2, built to the boundary of Kokoda Park, is Kensington War Memorial Club and the Kensington RSL Sub-Branch. Club facilities play a significant role in the social life of Kensington. An extended Club with improved facilities is considered an appropriate use for this site, given its relationship with the Randwick Racecourse.

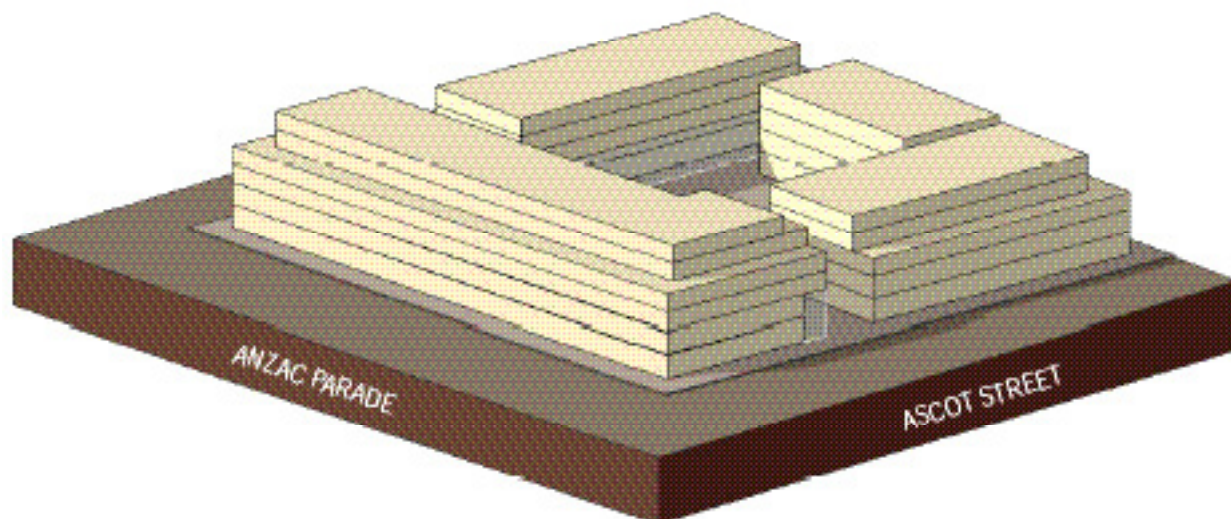
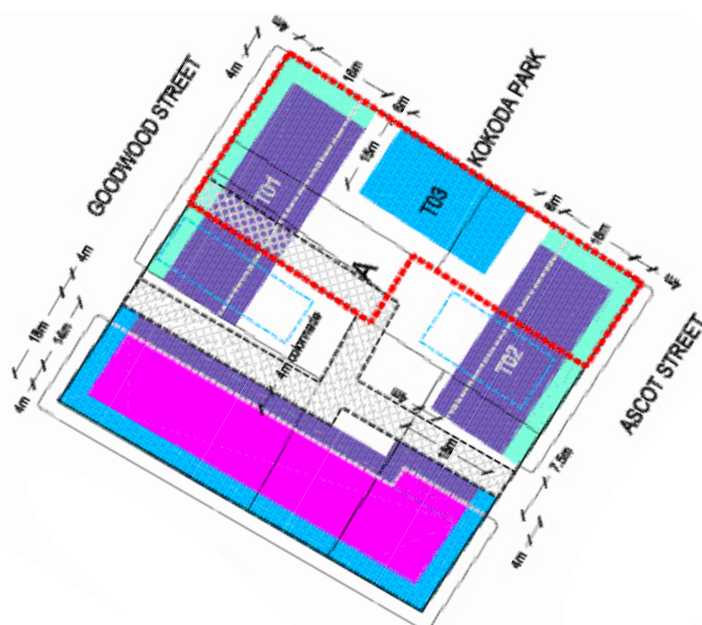
If Site Amalgamation results in Defined Parcel A, Council may consider an extension of Building depth for Club use at Ground level, subject to design considerations and impact on neighbouring amenity. Council may consider balconies which project up to 1.5 metres outside the western edge of the Building Zone of T03 development, which would be for Club uses as well as residential uses. However, no ground floor uses should encroach on the public spaces of Kokoda Park.

There are two existing strata titled buildings in this Block. Although they are unlikely to change, there is always the slight possibility that development may occur in the future. The standard setback requirements for development adjacent to existing strata titled buildings apply in this Block. Note that these standard setbacks allow for future infill to side boundaries if existing strata titled buildings do redevelop.

Should the entire Block be developed, a pedestrian through link connecting Kokoda Park to Anzac Parade would be a desirable outcome.

This Block has been identified as an appropriate location for a large specialist concept retailer, should suitable site amalgamation occur.

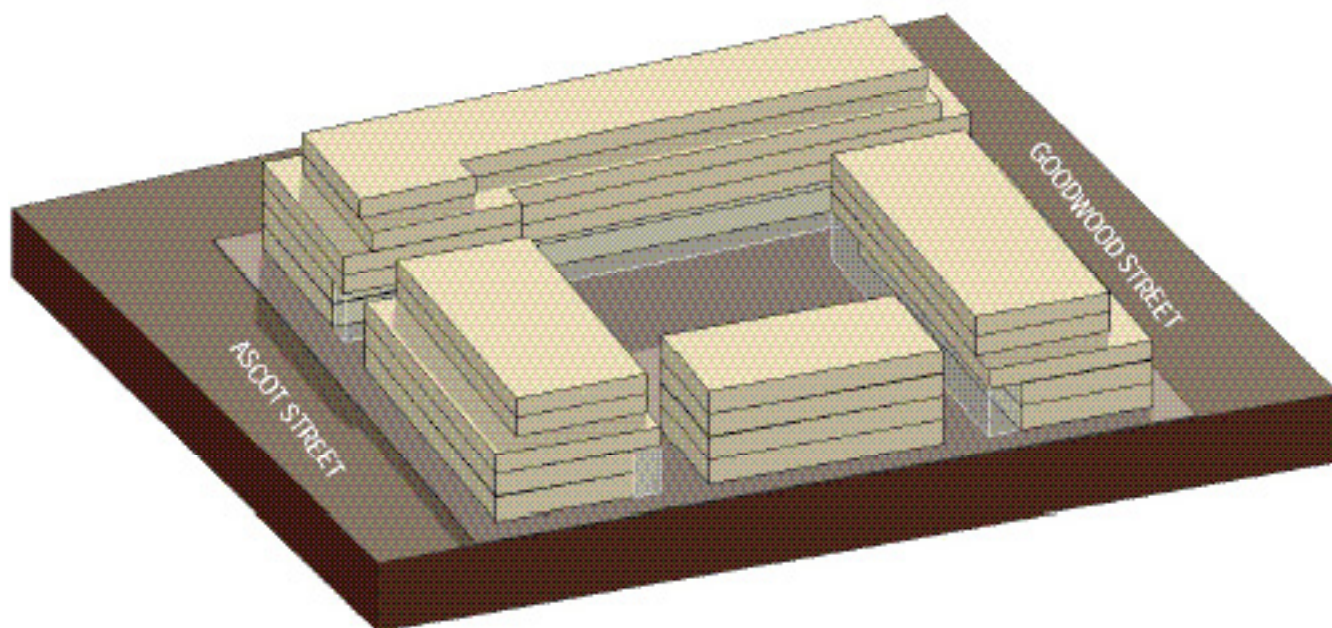


Block 02: Goodwood Street to Ascot Street**Building Envelope Viewed from Anzac Parade**

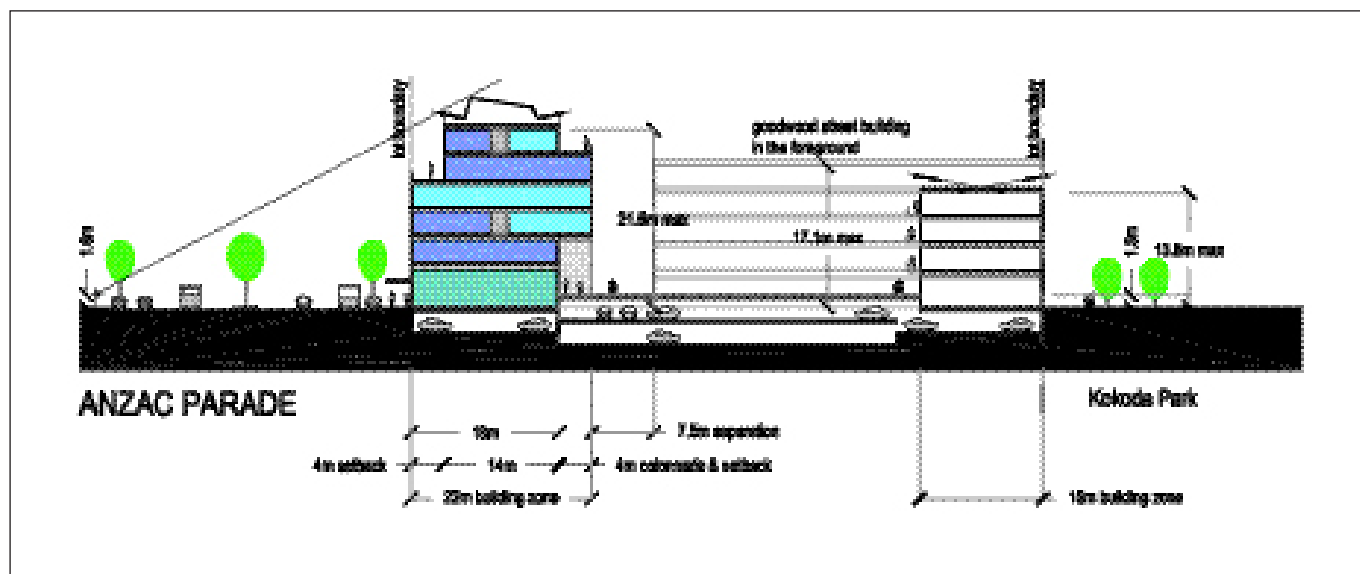
Block 02: Goodwood Street to Ascot Street

Building Envelope Viewed from Kokoda Park

Goodwood Street to Ascot Street

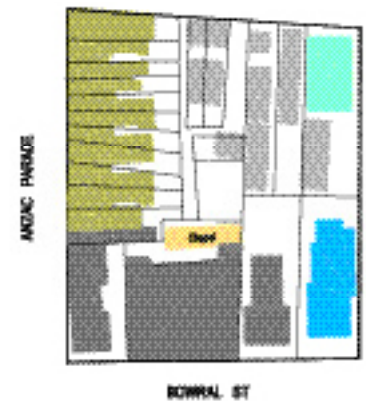


Section West to East Looking North



4.3.3 Block 03

Ascot Street to Bowral Street



BLOCK 03: EXISTING LAYOUT



BLOCK 03: PROPOSED LAYOUT

not to scale

LEGEND

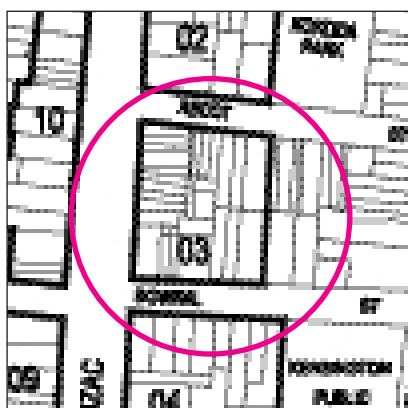
- 6 STOREY
- 5 STOREY
- 4 STOREY
- 3 STOREY
- 2 STOREY
- 1 STOREY
- 2 STOREY CONTRIBUTORY BUILDING
- 1 STOREY POTENTIAL ITEM OF HERITAGE
- RIGHTS OF CARRIAGEWAY (VEHICULAR ACCESS)
- DEFINED PARCEL
- AWNING
- COLONNADE
- STRATA TITLE UNLIKELY TO CHANGE

Block 03: Ascot Street to Bowral Street

Like Block 2, this Block forms an important pedestrian and vehicle link with the Randwick Racecourse. New development towards the Anzac Parade end of Ascot Street should attract movement from the Racecourse to the retail and commercial offerings of Anzac Parade.

Contributory Buildings make up much of the Anzac Parade frontage of this Block, creating the opportunity for Mews Style development at the rear, connected to Ascot Street and Anzac Parade by a pedestrian and visual through-link which is to remain permanently open to public access.

Note that the current configuration of Contributory Buildings in Defined Parcel A includes a recent imitative infill (shown in grey at the southern end of the collection of Contributory Buildings on the Existing Layout). This infill is positioned over what was once an entry point to a 1902 Methodist Chapel, which this study has identified as a potential item of Heritage. New development must remove this infill building to reinstate the original entry path to the Chapel. Defined Parcel A has been identified as the minimum site amalgamation necessary to enable this reinstatement.



This Block also includes the recently completed Coptic Church. The Church features non-habitable walls to the east and west, and adjacent new development may therefore build to the property boundary of the Church, provided that the first residential floor level from the ground is clear of the domes of the Coptic Church (i.e it is likely that Storeys 1, 2 & 3 would be required to be retail/commercial uses). Otherwise, setbacks would apply.

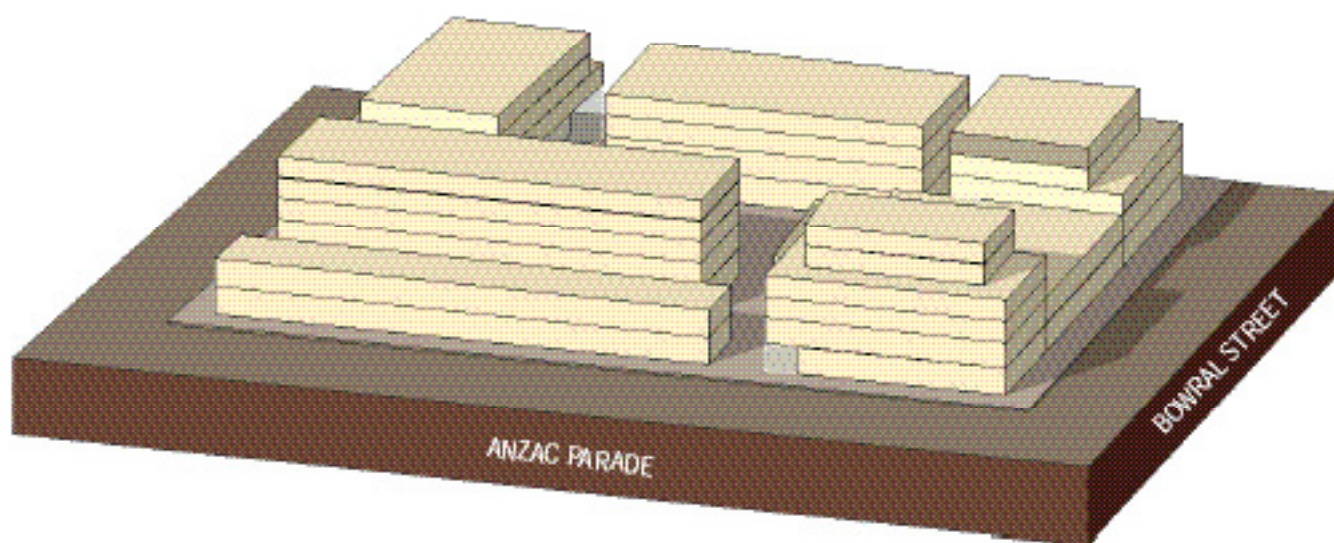
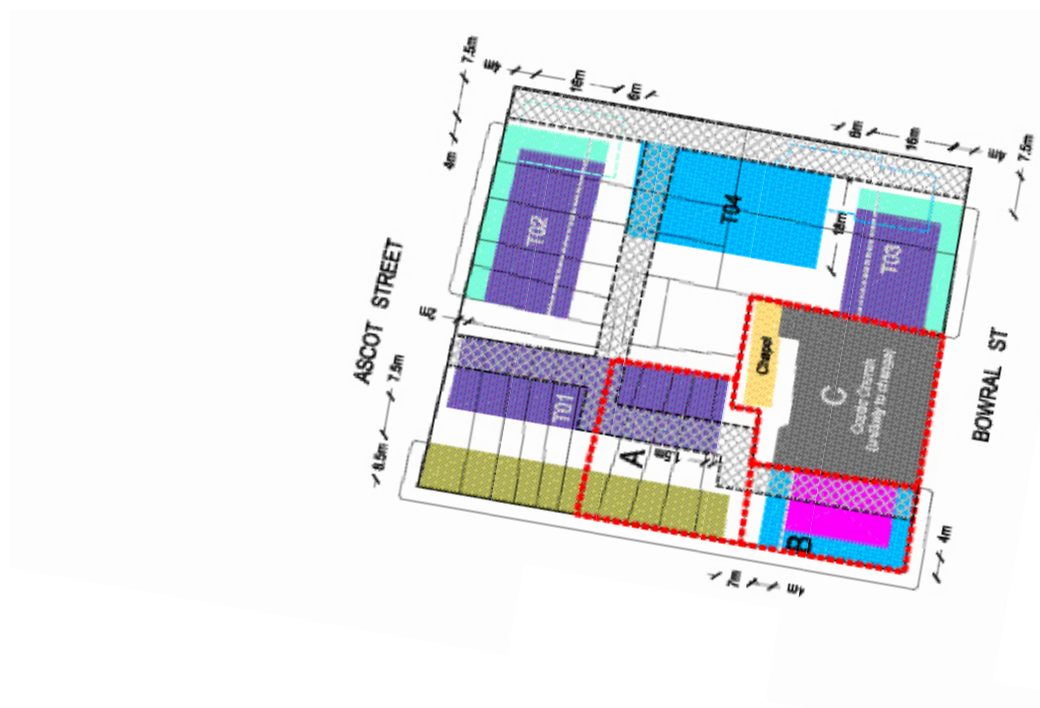
Development which creates visual and physical (subject to suitable negotiations with the owners) connections with the Chapel at the rear of the Coptic Church will be highly regarded. In order to ensure that physical connections are possible, the pedestrian through link in Defined Parcel B must meet this Plan's accessibility criteria.

Defined Parcel B may be developed. Council may consider an automated traffic light control for the Bowral Street entry point to the Rights of Carriageway for Parcel B, reducing the entry requirement from 6 metres to 3.5 metres.

The Maximum Building Height for Development TO4 is 13.8 metres. TO4 is only likely to occur if two existing strata titled residential flat buildings (one fronting Ascot Street and one fronting Bowral Street) are part of substantial site amalgamation.

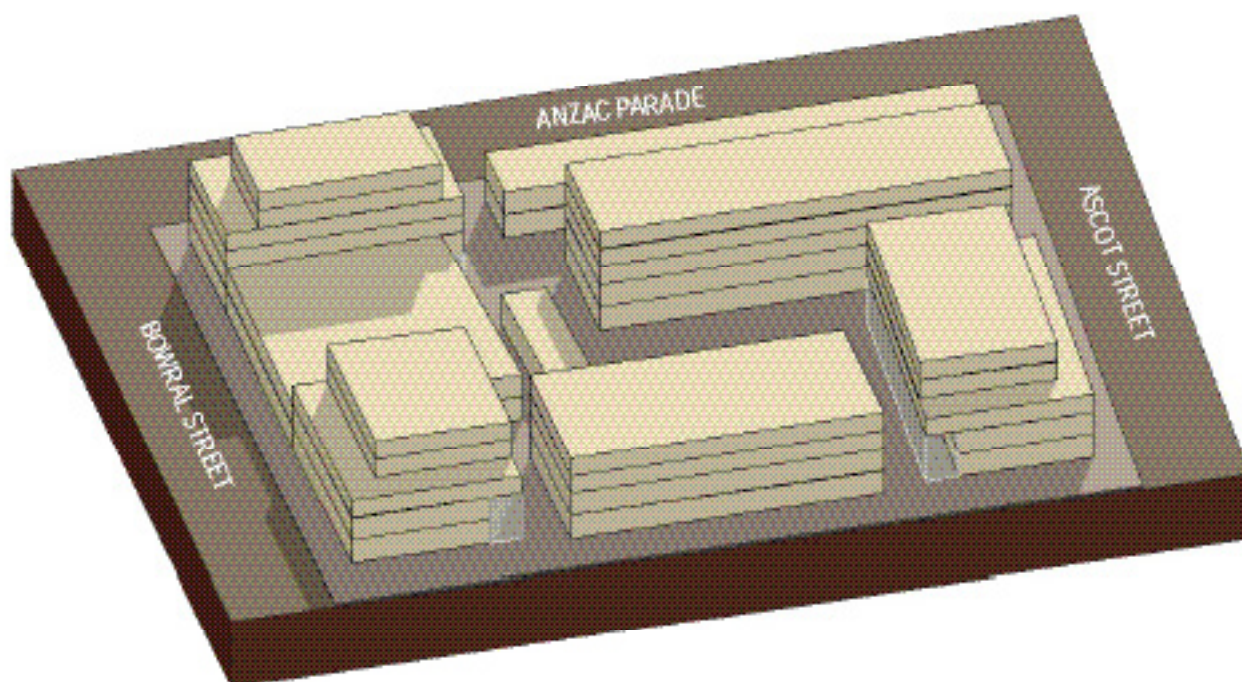
The Maximum Building Height for the Coptic Church is 2 storeys, excluding domed roof structures.



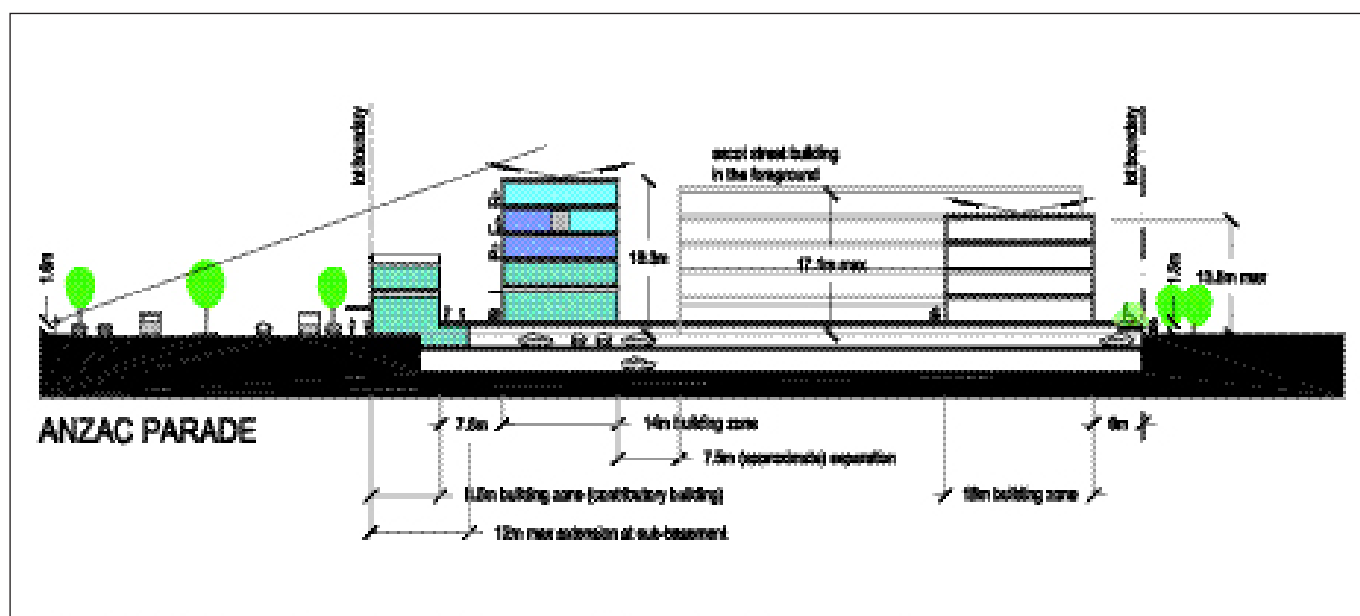
Block 03: Ascot Street to Bowral Street**Building Envelope Viewed from Anzac Parade**

Block 03: Ascot Street to Bowral Street

Building Envelope Viewed from School



Ascot Street to Bowral Street
 Section West to East Looking North



Bowral Street to Todman Avenue



not to scale

Block 4: Bowral Street to Todman Avenue

Block 4 is in the heart of the Core Retail Precinct, and is one of the locations where sites could be amalgamated to create the space necessary to achieve the neighbourhood supermarket shopping centre, or a specialist concept retailer.

Contributory Buildings at the corner of Todman Ave create the opportunity for Mews Style development at the rear, connected to Todman Ave and Anzac Parade by a pedestrian and visual through-link which is to remain permanently open to public access.

Development which creates visual and physical connections (subject to suitable negotiations with the owners) to the Potential Item of Heritage in the centre of the Block will be highly regarded.



A large strata titled complex exists in the centre of this Block. Although unlikely to change, there is always the slight possibility that development may occur in the future. The standard setback requirements for development adjacent to existing strata titled buildings apply in this Block. Note that these standard setbacks allow for future infill to side boundaries if existing strata titled buildings do redevelop.

The eastern edge of this Block abuts the Kensington Public School. Currently, parents dropping off and picking up their children from school find themselves double parking, mainly in Bowral Street. This situation is considered unsatisfactory for the school children involved, as well as for other traffic.

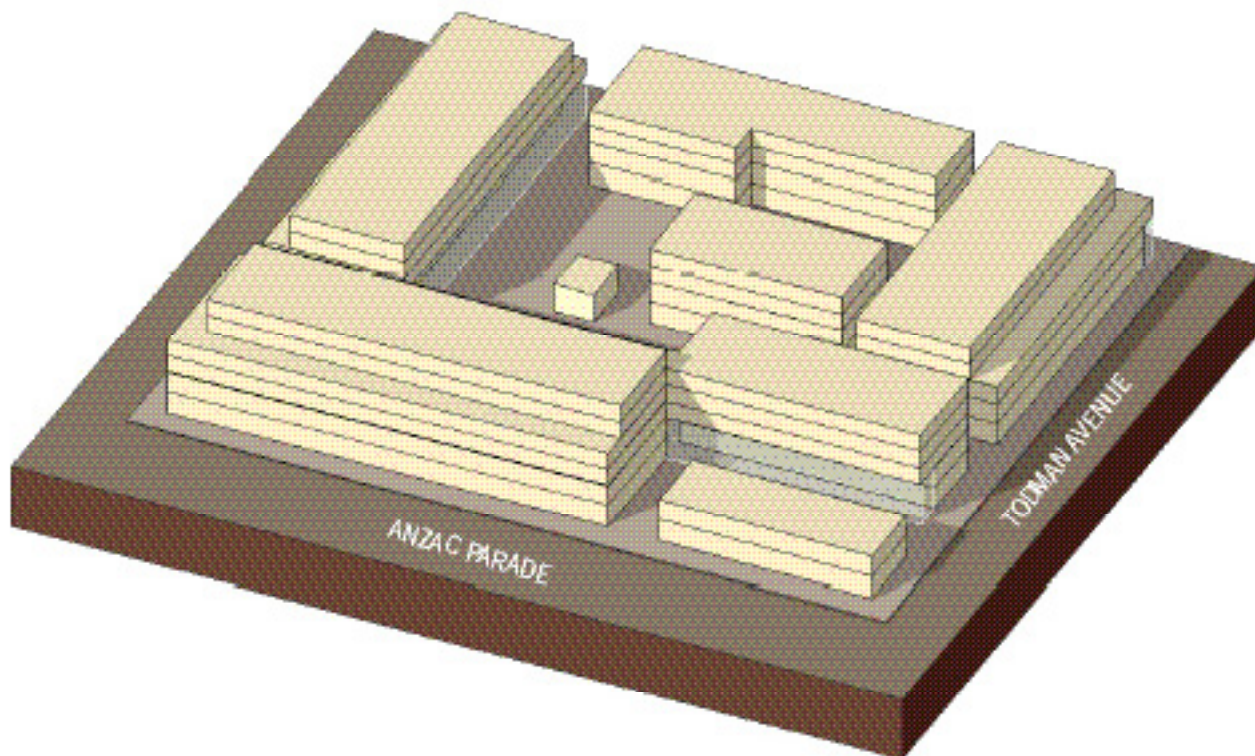
Should site amalgamation result in Defined Parcel A, T04 may be developed, providing that the owner dedicates the identified shared zone to provide a suitable kiss/n/ride area for Kensington Public School parents and children. This shared zone must be created in consultation with Council and the Kensington Public School, and must satisfy Randwick City Council's Traffic Committee requirements.

Council may consider balconies which project up to 1.5 metres outside the western edge of the Building Zone of T04.

The maximum Building Height for T04 & T05 is 13.8 metres.

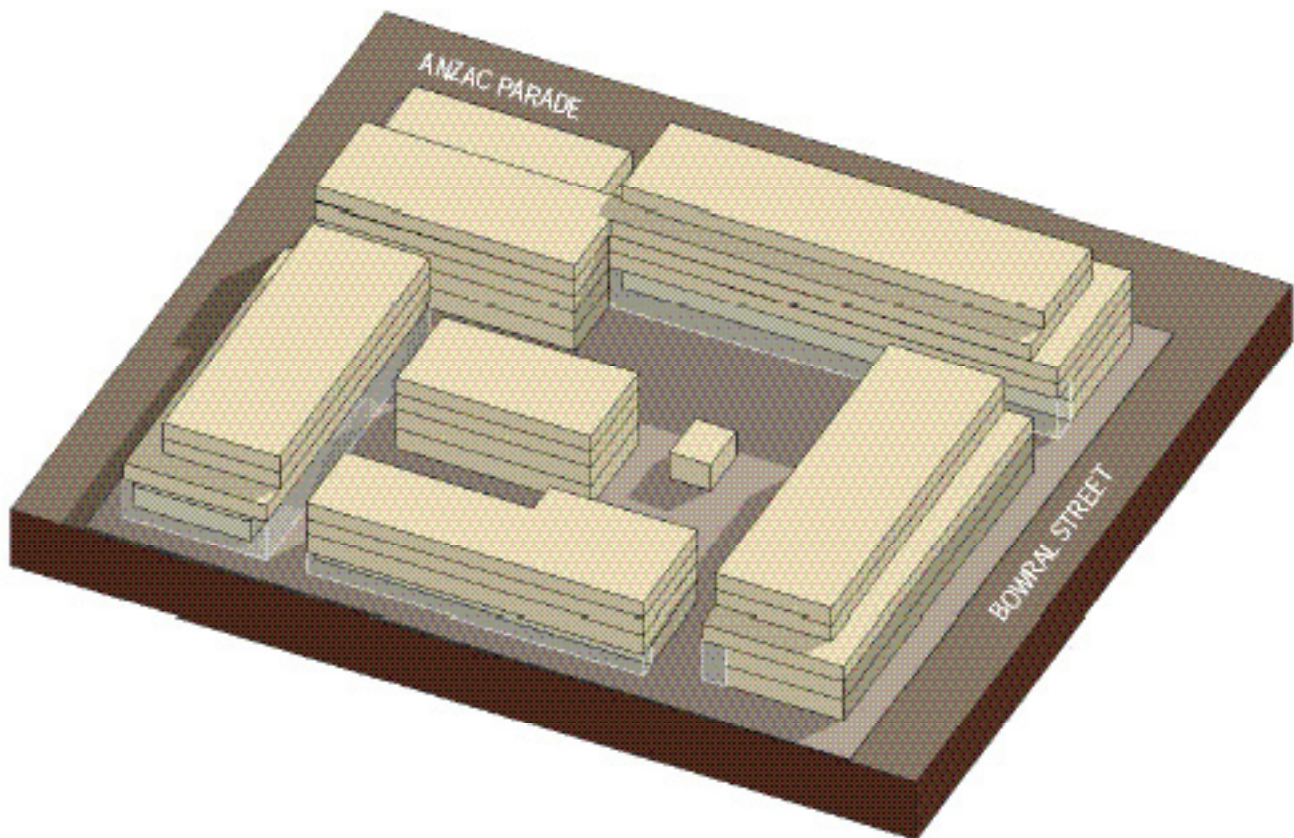
Block 4: Bowral Street to Todman Avenue

Building Envelope Viewed from Anzac Parade

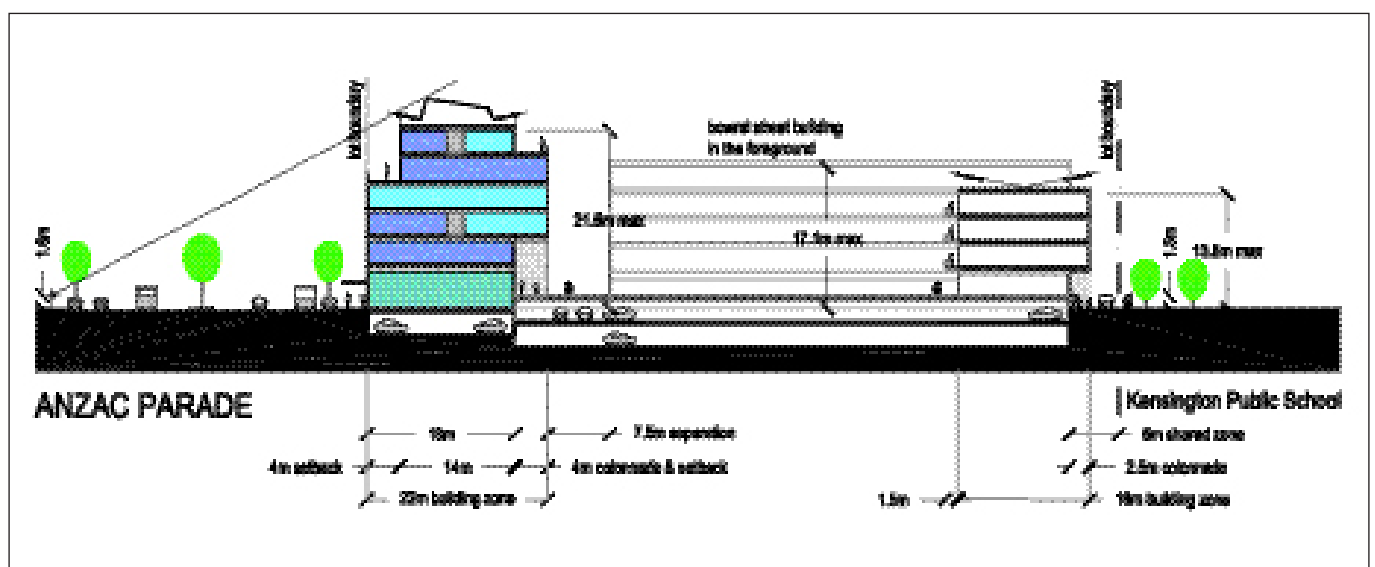


Block 4: Bowral Street to Todman Avenue

Building Envelope Viewed from Shared Zone adjacent to School
~~Bowral Street to Todman Avenue~~

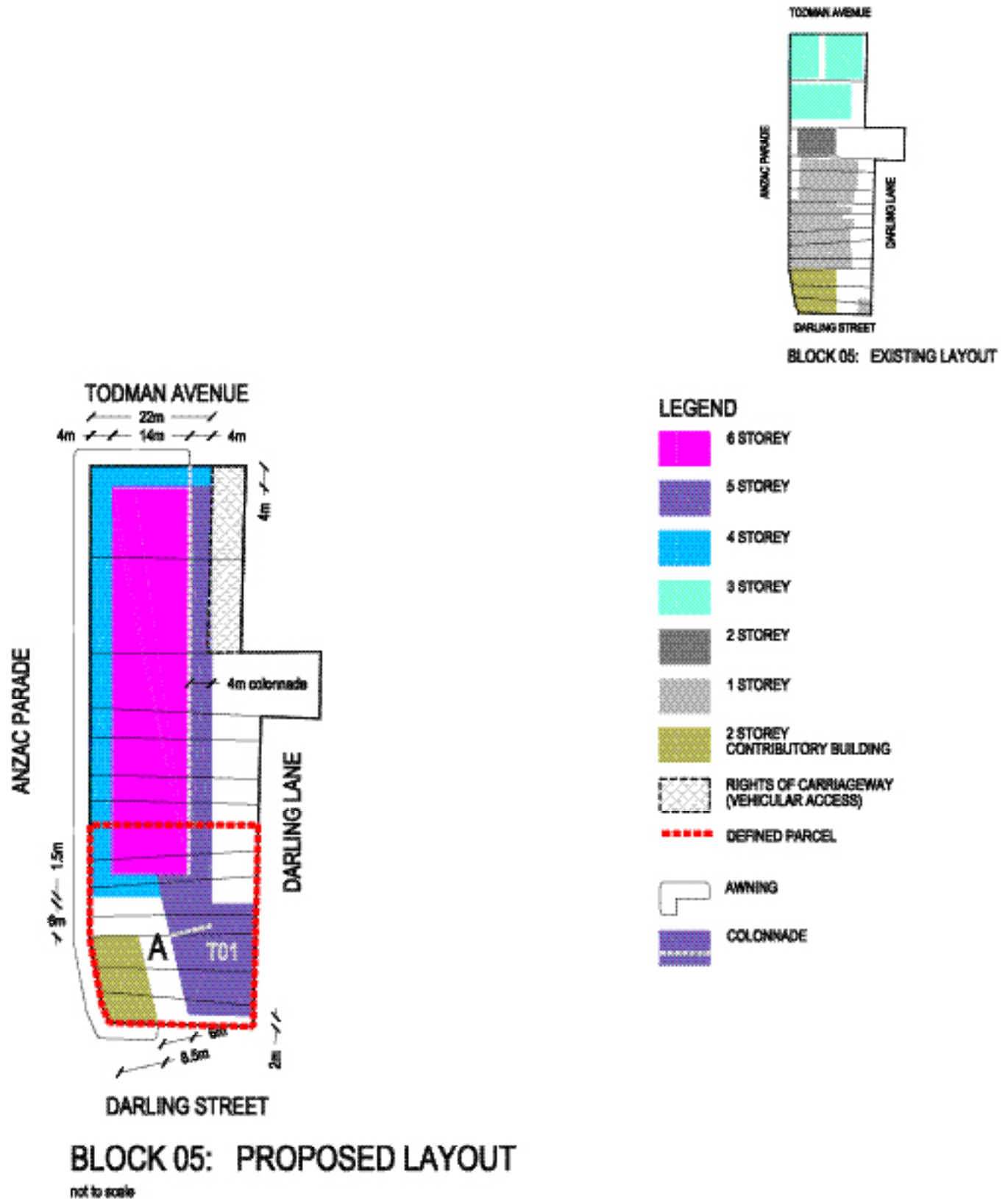


Section West to East Looking North



4.3.5 Block 05

Todman Avenue to Darling Street



Block 05: Todman Avenue to Darling Street

Block 5 features some Contributory Buildings at the corner of Darling Street, creating the opportunity for Mews Style development at the rear, connected to Darling Street and Anzac Parade by a pedestrian and visual through-link which is to remain permanently open to public access.

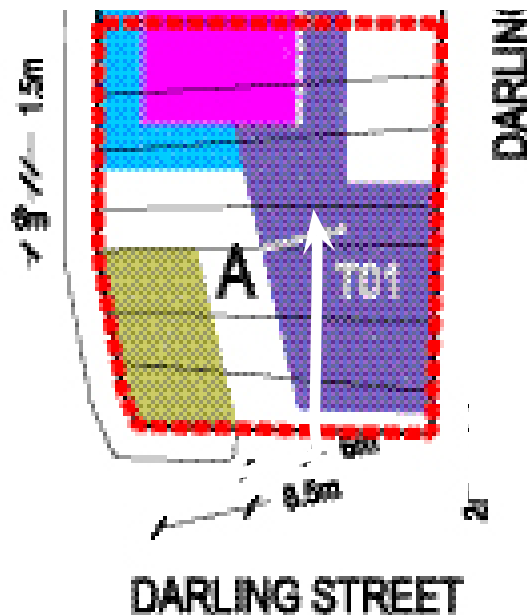
The Darling Street elevation of this Mews Style development should complement the existing Heritage dwellings on the other side of Darling Lane.

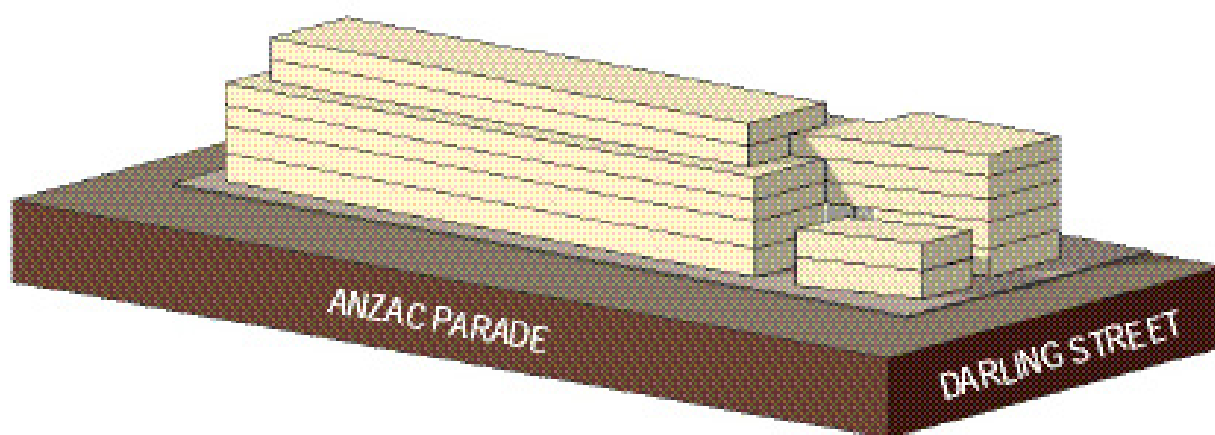
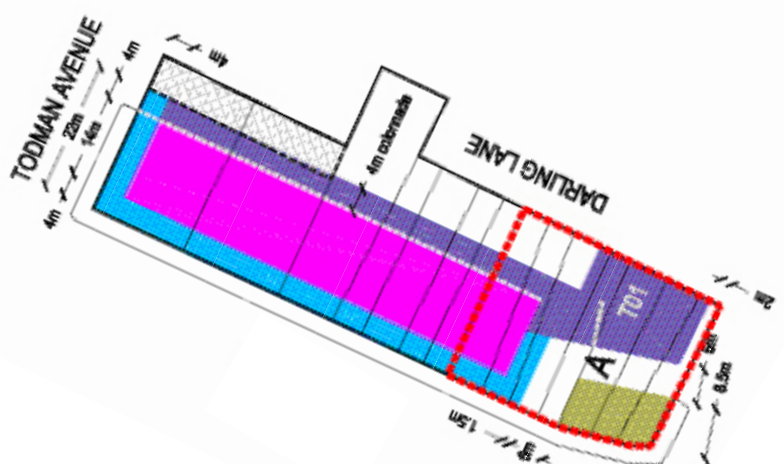
Other than at the Todman Corner, vehicular access to this Block can be gained from Darling Lane.

Defined Parcel A represents the minimum site amalgamation required for redevelopment of the Anzac Parade/Darling Street corner.



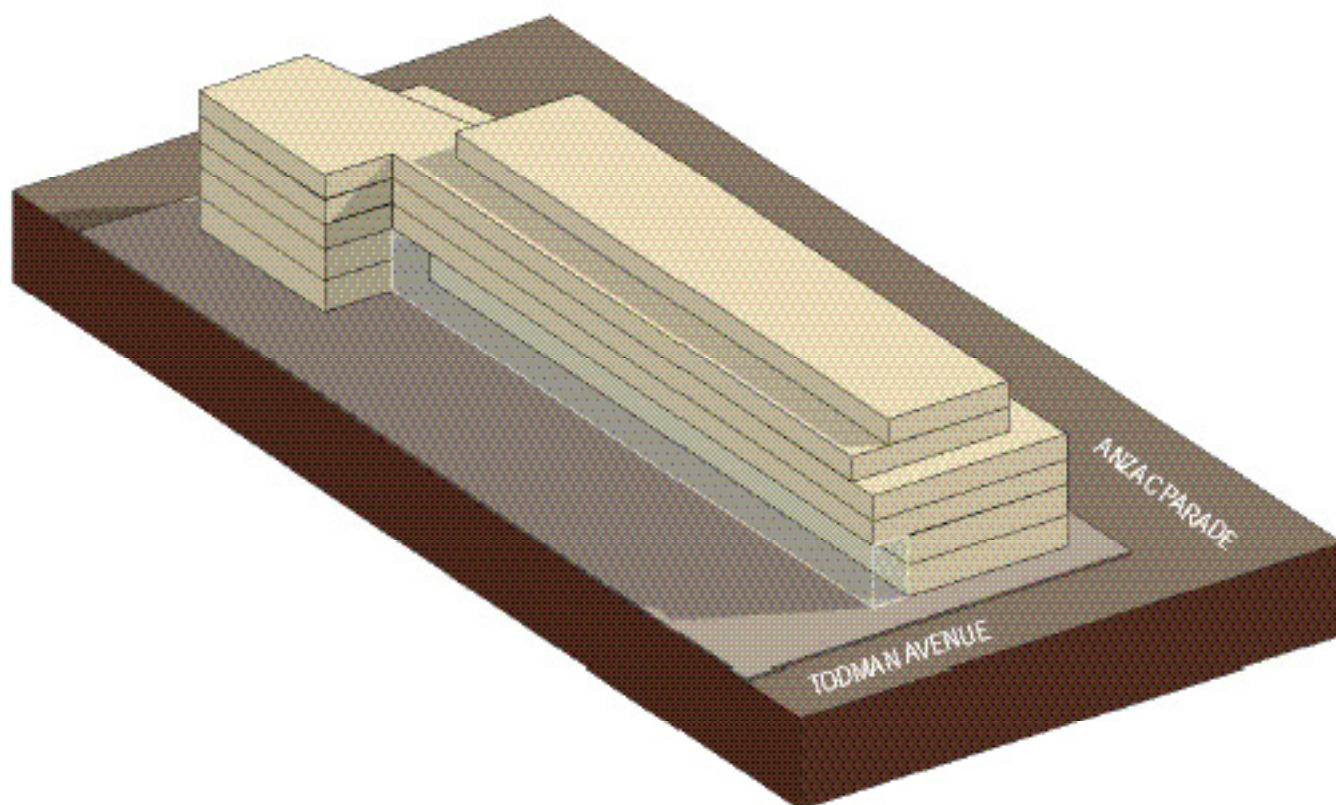
achieve a permanent pedestrian connection at this location by turning the colonnade around the northern elevation of the mews style development



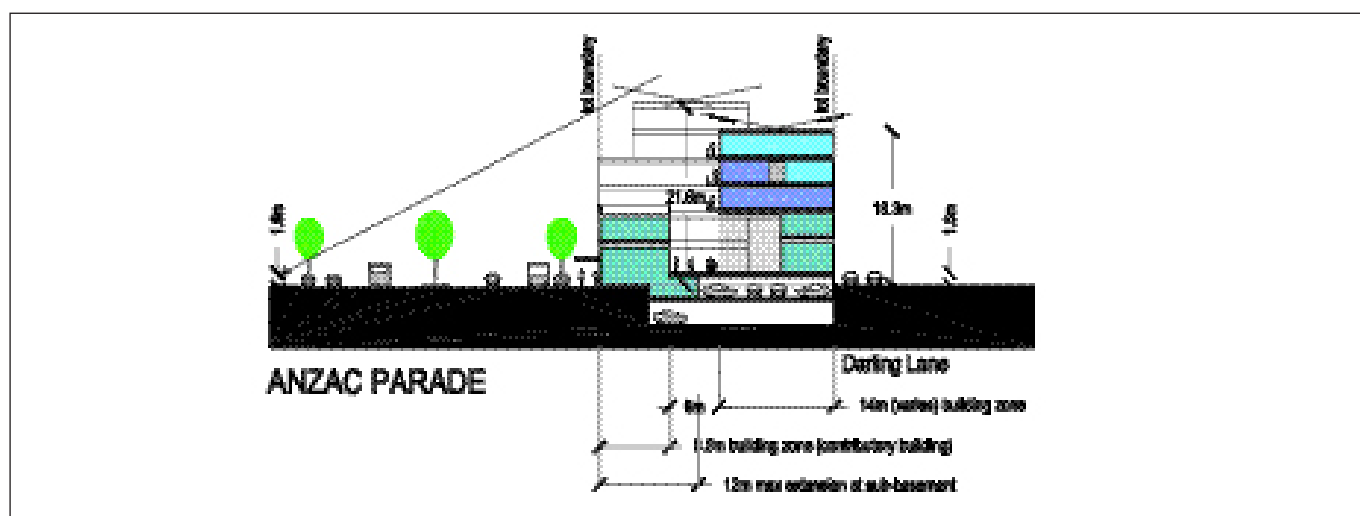
Block 05: Todman Avenue to Darling Street**Building Envelope Viewed from Darling Street/Anzac Corner**

Block 05: Todman Avenue to Darling Street

Building Envelope Viewed from Rear

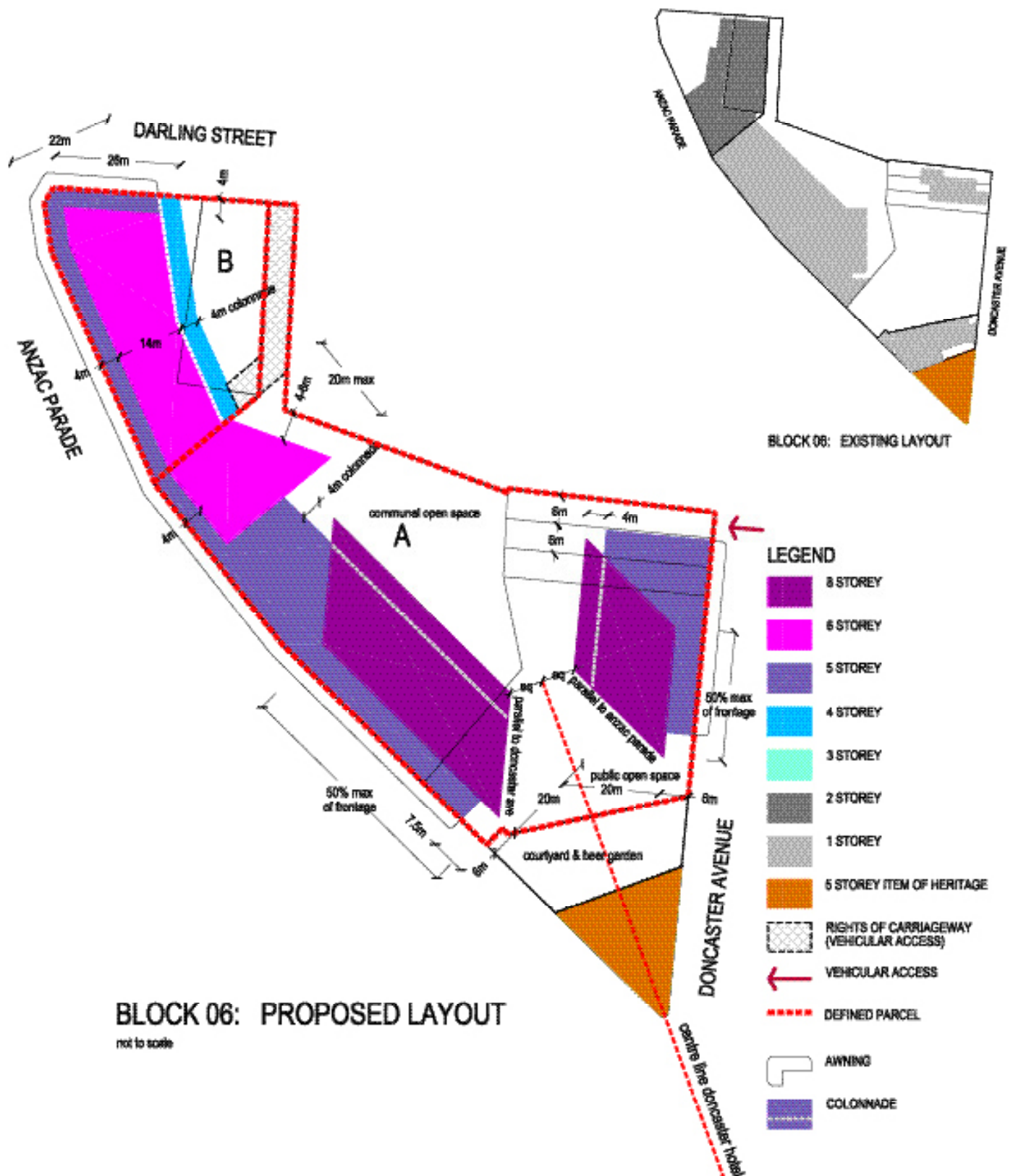
~~Todman Avenue to Darling Street~~

Section West to East Looking North



4.3.6 Block 06

Darling Street to Doncaster Avenue

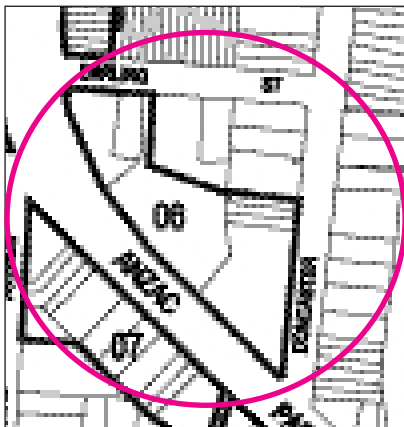


Block 06: Darling Street to Doncaster Avenue

Block 6 includes: Defined Parcel A - the 'Doncaster Plaza Site'; Defined Parcel B - the corner of Darling Street and Anzac Parade; and the Doncaster Hotel, an identified Item of Heritage.

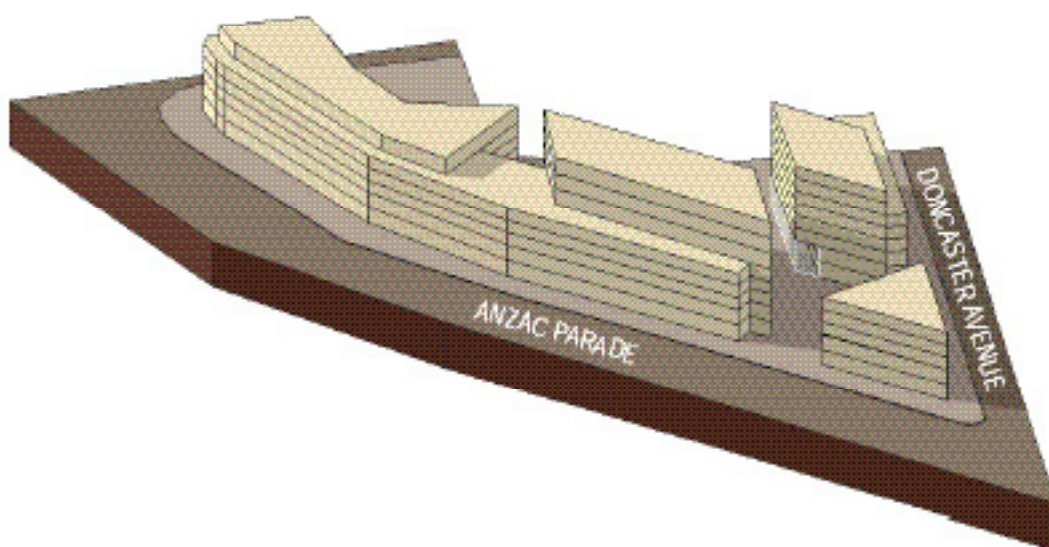
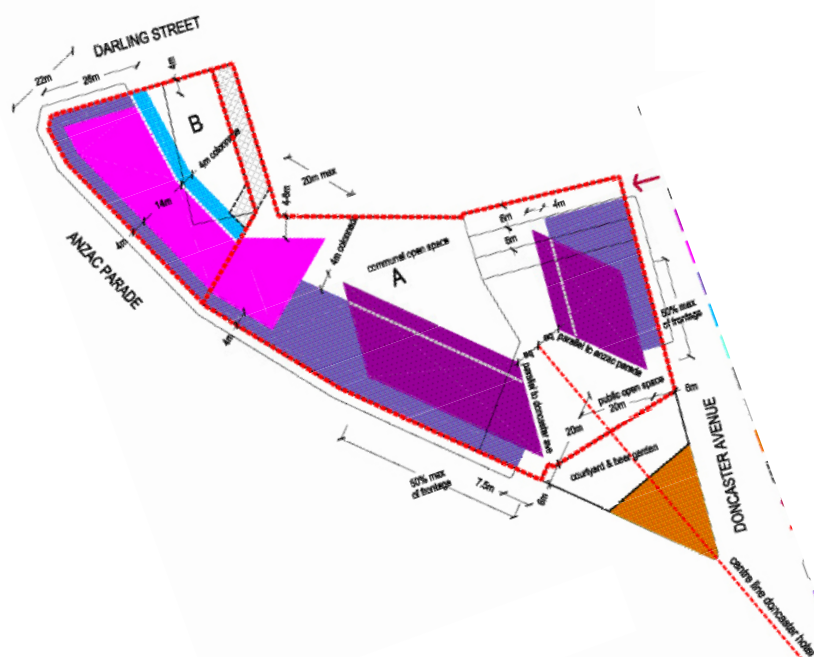
Specific controls for the Doncaster Plaza set an Anzac Parade street edge maximum of 5 storeys and this height can also be supported on the corner of Anzac Parade and Darling Street.

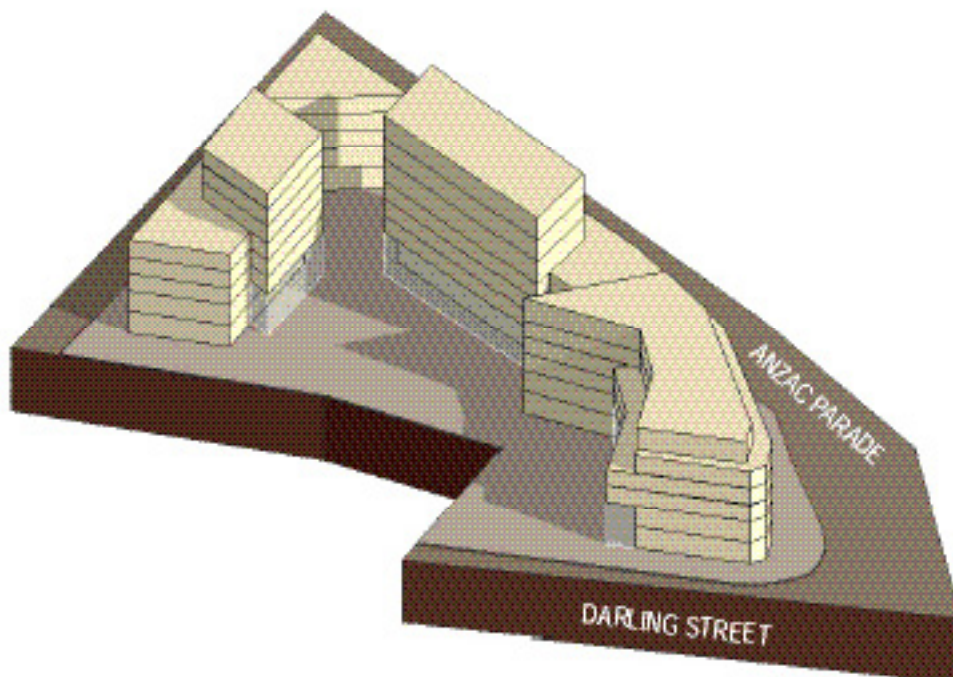
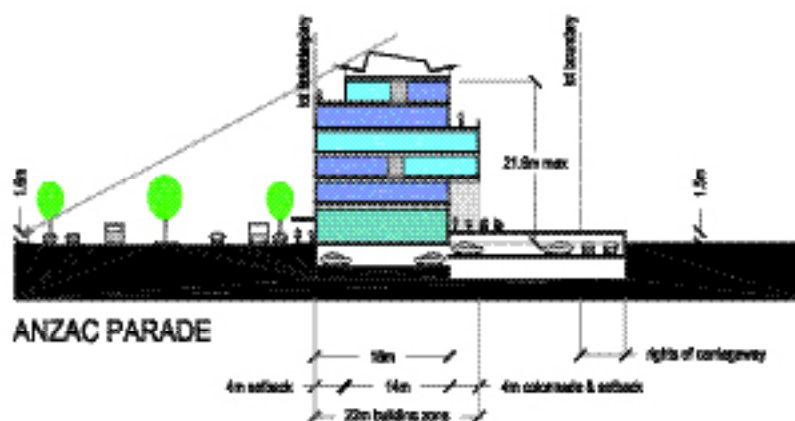
Defined Parcel B represents the minimum site amalgamation required to achieve the preferred design outcome for the redevelopment of the Anzac Parade/Darling Street corner.



The Doncaster Hotel is an identified Item of Heritage and may not be increased in height. In future, the preferred outcome for the site of the Doncaster Hotel is that the existing single storey addition at the rear be removed altogether for a wide entry to open space uses (possibly including open lightweight structures suitable for a beer garden or outdoor dining area using a narrower footprint than existing) in conjunction with the Restoration of the Hotel facade.

Any proposals for the Doncaster Hotel must better integrate with Anzac Parade and on-site open space and must be accompanied by a Heritage Impact Assessment (prepared by a Conservation professional identified by the Heritage Office of NSW) in accordance with the terms of Burra Charter, to ensure that they are sympathetic to the Doncaster Hotel Item of Heritage.



Block 06: Darling Street to Doncaster Avenue**Building Envelope Viewed from Darling Street/Doncaster Corner****Darling Street to Doncaster Avenue**
Section West to East Looking North

4.3.6.(a) 240-264 Anzac Parade 'Doncaster Plaza Site'

Vision for the Doncaster Plaza Site

A vibrant mixed use development that:

- Reinforces the heritage values, visual appearance and importance of the adjacent Doncaster hotel;
- Provides a high quality living environment for its residents;
- Incorporates uses such as commercial office space, community facilities, restaurants, entertainment, and retail;
- Incorporates an active town square/public open space; and
- Creates pedestrian links between Anzac parade and Doncaster Avenue to enhance the uses on-site and the social and recreation amenity of the Kensington town centre in general.

Doncaster Plaza Site Objectives

- To achieve perimeter buildings of slender proportions, with buildings orientated to the street.
- To ensure that buildings address the major intersection of Anzac Pde and Doncaster Ave and the geometry of the Doncaster Hotel.
- To ensure that higher building elements within the site are appropriately proportioned to the perimeter building elements.
- To integrate site through-links from Anzac Pde and Doncaster Ave.
- To ensure that a significant proportion of the site is retained as open space for the benefit of residents and amenity of surrounding areas.
- To provide useable areas of private open space for outdoor living and recreation to serve the needs of the residents.
- To provide public open space on-site that enhances public uses of the site.

Doncaster Plaza Site Building Height:

1. The maximum height of any building on-site is 8 storeys (maximum 27.4 metres).
2. Buildings are not to exceed 5 storeys along Anzac Parade and Doncaster Ave, setting back to 8 storeys.

The overall built form must achieve an aesthetically pleasing 5:8 ratio, and match the geometry of the Doncaster Hotel.

Doncaster Plaza Site Minimum Floor to Ceiling Heights:

Variations of up to 0.1 metres from this Plan's minimum Floor to Ceiling Heights (see Page 111) may be acceptable, to enable the first 5 storeys to align along Anzac Parade and Doncaster Ave with the eaves line of the Doncaster Hotel (R.L. 38.8 metres).

Should flood levels/ground level rises along any frontage mean that acceptable floor to ceiling heights cannot be achieved within R.L. 38.8 metres, the applicant must:

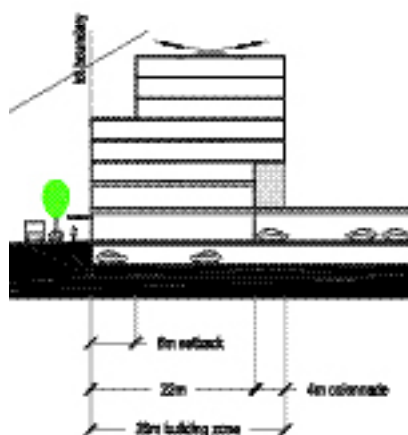
- comply with the minimum/maximum floor to ceiling/floor to floor/overall building heights described on pages 21 and 111 and
- provide a Heritage Impact Assessment (prepared by a Conservation Specialist identified by the Heritage Office of NSW) demonstrating that the eaves line of the hotel is suitably reflected in the built form, facade detailing and articulation of the 5 storey (maximum 18.3 metre) elements of the building.

Doncaster Plaza Site Building Zone

- i. The built form should comply with the Block by Block Plan.
- ii. The preferred built form incorporates two separate buildings aligned to Anzac Parade & Doncaster Ave.
- iii. Any 6th to 8th storey elements along the Anzac Parade frontage should generally occupy not more than 50% of the total site frontage, to ensure that the built form is well proportioned and does not dominate the street frontage.
- iv. To ensure adequate sunlight access, privacy and amenity for apartments within and adjacent to the site, a minimum distance of 12 metres is required between:
 - face to face windows of habitable rooms; and
 - the rear or side facade of any building fronting the street and the façade of any building located within the central portion of the site.
- v. The siting and design of buildings should enclose and define a mid-block open space system creating intimate and useable open spaces.
- vi. Continuous colonnades may be acceptable in addition to awnings along Anzac Parade and internally on the site, where these provide useable and safe spaces that integrate with the adjacent public domain.

Doncaster Plaza Site Parking/ Access

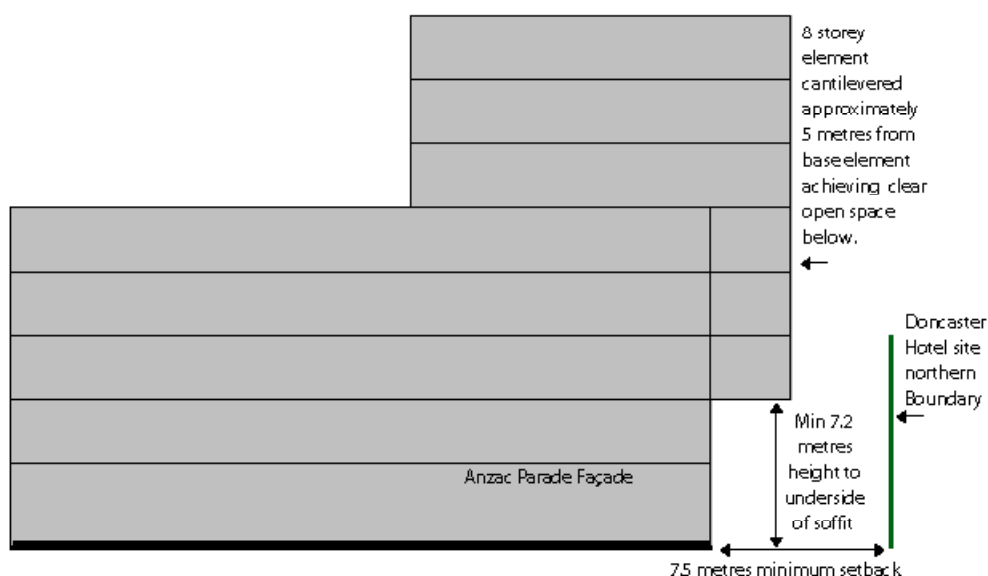
- i. Provide all car-parking facilities below ground, at semi-basement level, and/or beneath a podium to optimise site amenity and open space. The roof of any podium should, at most, align with the finished floor level of Storey 2 provided that, at the boundaries of the site, the podium achieves continuity with the ground levels of adjacent sites.
- ii. Provide a two-way vehicle access to the site from Doncaster Avenue.
- iii. Provide additional vehicle access/accesses along Doncaster Avenue to allow for relocation of the bottle shop, while minimising breaks in the commercial frontage.
- iv. An additional two-way access may be considered from Darling Street, on the basis of detailed traffic investigations on impacts for the site and surrounds.
- v. Provide a series of pedestrian and visual through-links to connect areas of public open space with surrounding streets, between Anzac Parade and Doncaster Avenue.
- vi. Consider a pedestrian/vehicle access between Doncaster Avenue and Darling Street, to enhance through-links within the site.



Doncaster Plaza Site Setbacks

In order to ensure an adequate separation between buildings, landscape opportunities, privacy, adequate sunlight access, and residential and streetscape amenity:

- i. The first 5 storeys on the front boundary should align with the Doncaster Hotel along both Anzac Pde and Doncaster Ave, to reinforce the geometry of the hotel and its street corner.
- ii. Setback the 6th to 8th storeys on the front boundary along both Anzac Pde and Doncaster Ave a minimum of 6 metres to ensure a pleasant and well proportioned relationship between the lower and upper levels of each building.
- iii. Setback the first 5 storeys of the building a minimum of 6 metres from the northern boundary of the site along Doncaster Ave.
- iv. Setback the 6th to 8th storeys at the northern boundary along Doncaster Ave a minimum of 6 metres from the 5th storey setback.
- v. To ensure adequate separation of new and existing buildings, landscape opportunities, privacy, sunlight access and residential amenity, and to maintain opportunities for site through-links, provide a minimum 6 metre setback along the northern boundary of the site and entry of the laneway to Darling Street, or a minimum of 4 metres if the vehicle through link is provided underground.
- vi. Provide an open and welcoming entry to the public open space from Anzac Parade by setting back 7.5 metres from the southern boundary of the site (Doncaster Hotel Northern Boundary), in accordance with the following diagram:
- vii. Side setbacks are not required along the northern-western boundary of the site's Anzac Pde frontage.



Doncaster Plaza Site Open Space

- i. Provide public and private/communal open space in the locations designated in the Block by Block Plan.
- ii. Retain at least 50% of the site as open space (including private, communal and public open space).
- iii. The majority of the open space must be open to the sky.
- iv. If ground level communal open space equates to more than 30% of the total site area, Council may consider removing the requirement for private open space from up to 10% of all apartments, providing those apartments have good visual and physical connections with the communal open space.
- v. Private and public open space should be appropriate in size, dimensions, sunlight access and amenity for users and nearby residents.
- vi. The private/communal open space may be provided on a podium *see pge 53 Site Parking/Access*) or over excavated basements but should, at the boundaries of the site, ensure continuity with the ground levels of adjacent sites.
- vii. Provide visual links to private/communal open space from the public domain.
- viii. Provide significant public amenity by creating a welcoming, defined and safe public open space that addresses any noise impacts from Anzac Parade or noise/wind impacts from the configuration of surrounding buildings.
- ix. Integrate public open space with other public uses on-site and on the adjacent hotel site.
- x. Public open space should provide for a range of uses for local residents and visitors including outdoor dining, leisure and recreation.
- xii. All public open space should be continuously accessible to the public.
- xiii. All accesses to public open space should be at grade (without steps) and allow direct views from the street.
- xiv. Locking or closing these through-links will not be permitted.

Doncaster Avenue to Lorne Avenue



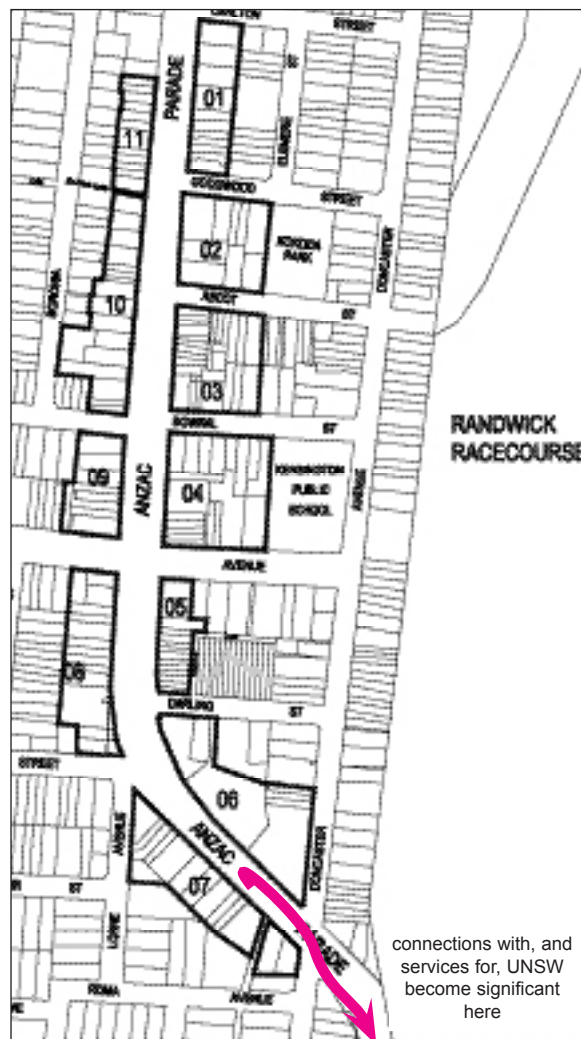
Block 07: Doncaster Avenue to Lorne Avenue

Block 7 includes the ~~Town Centre~~ Heritage Item (Masonic Temple), a number of number of older style two storey residential flat buildings and the 'Lorne Ave Site'.

The maximum Building Height for the corner of Doncaster Ave and Anzac Parade is shown as 3 storeys setting back to 5 to provide a similar scale to the Doncaster Hotel (identified Item of Heritage) opposite.

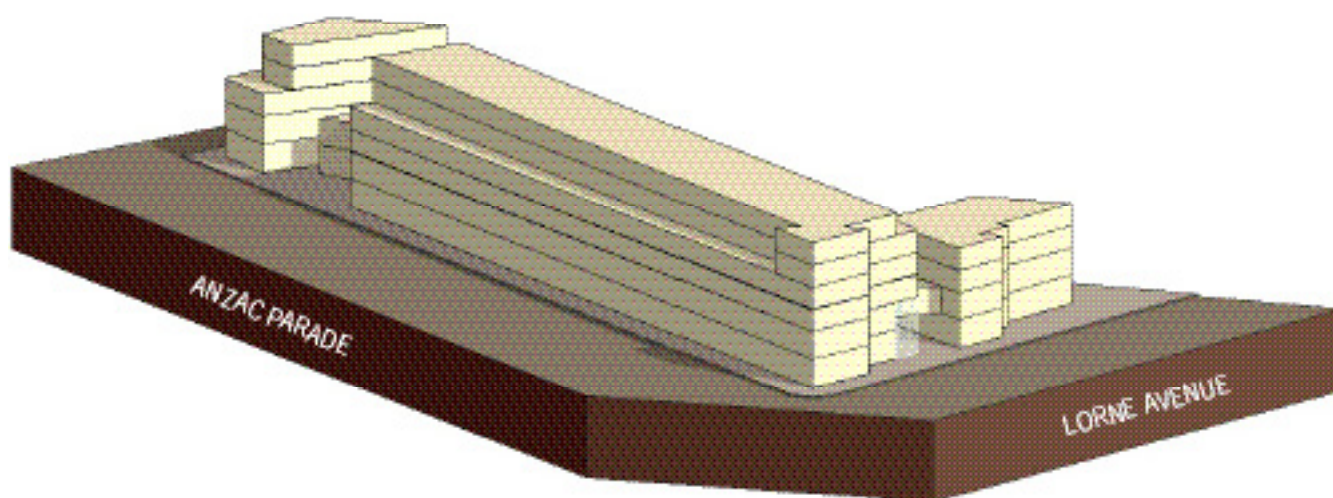
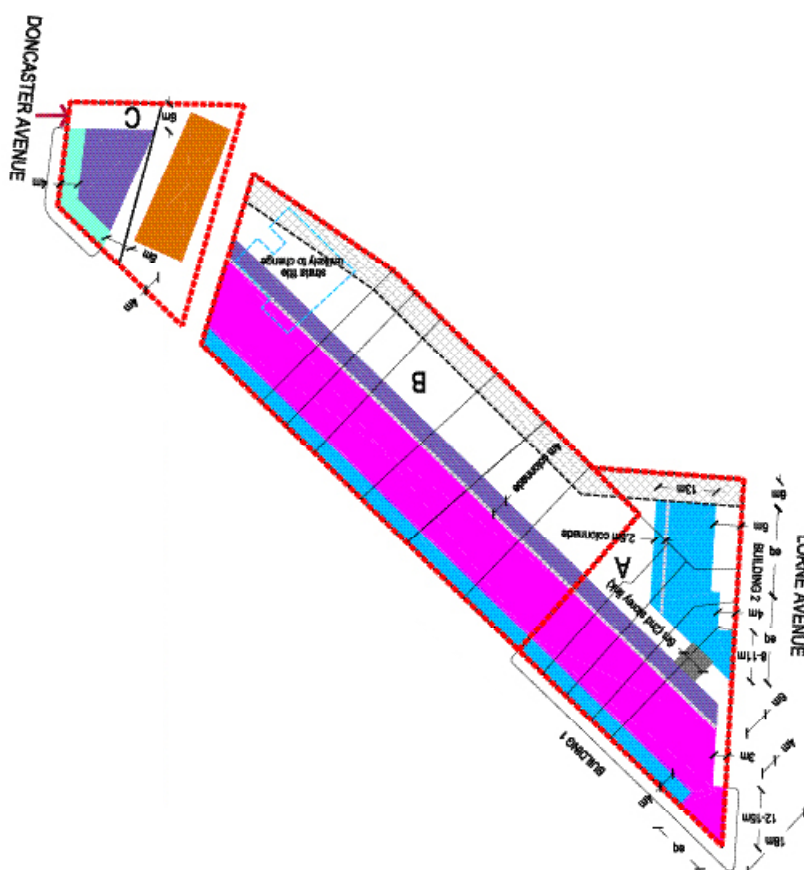
The maximum Building Height for the Masonic Temple is 2 storeys.

New development between the Masonic Temple and the Lorne Ave site (Defined Parcel B) should be strictly commercial/ residential unless a retail feasibility study demonstrates otherwise.



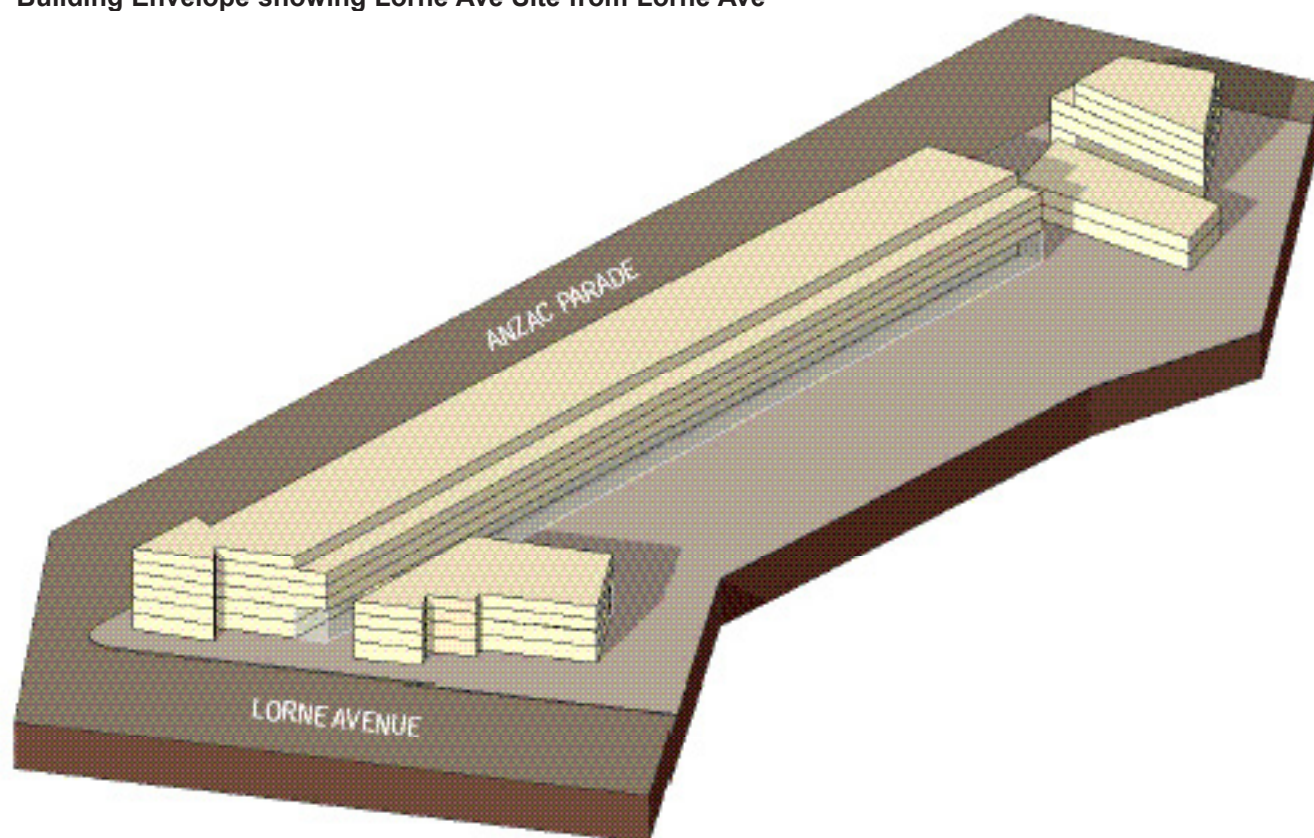
Block 07: Doncaster Avenue to Lorne Avenue

Building Envelope Viewed from Lorne Ave/Anzac Corner

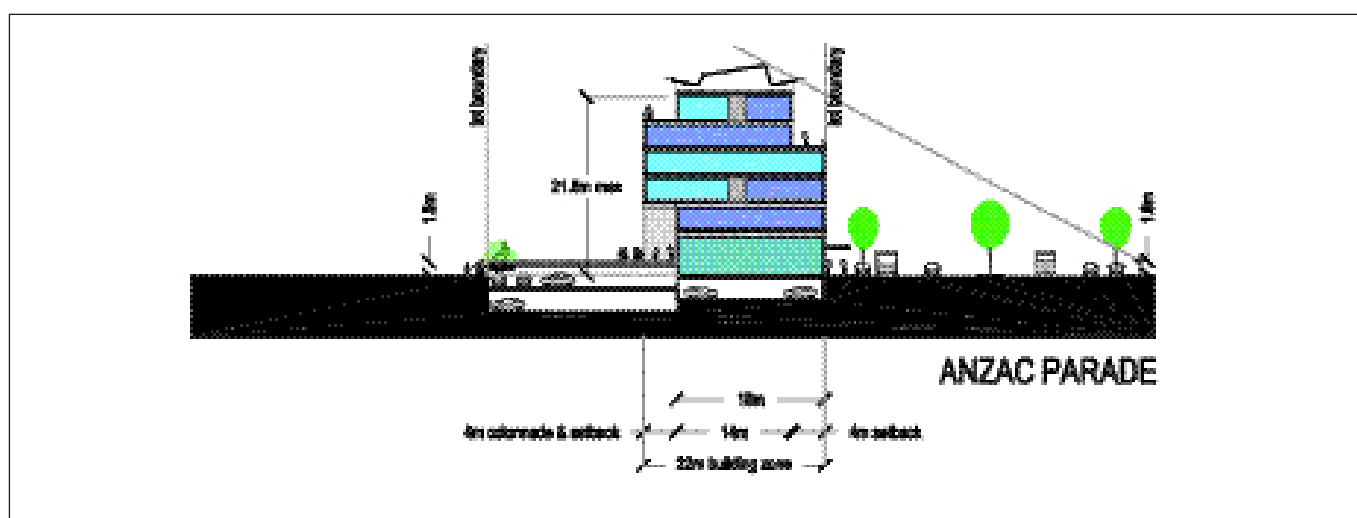


Block 07: Doncaster Avenue to Lorne Avenue

Building Envelope showing Lorne Ave Site from Lorne Ave

**Doncaster Avenue to Lorne Avenue**

Section South West to North East Looking North West



4.3.7 159-171 Anzac Parade - 'Lorne Avenue site'

Vision for the Lorne Ave Site

A dynamic mixed use development that:

- Activates the street frontage to Anzac Parade;
- Provides an appropriate transition to residential uses along Lorne Avenue;
- Provides a high quality living environment for its residents; and
- Incorporates such uses as commercial office space, community facilities, restaurants, entertainment, retail uses, residential accommodation and university-related uses.

Lorne Ave Site Objectives

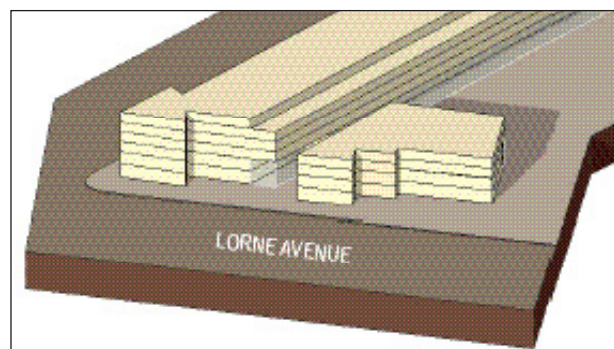
- To achieve perimeter buildings orientated towards Anzac Parade and Lorne Avenue, enclosing an internal open space.
- To achieve a distinct built form along Anzac Parade, recognising the importance of this curve to the streetscape of the ~~Town~~ Centre.
- To achieve a distinct built form on the corner of Anzac Parade and Lorne Avenue, marking the termination of a key vista south along Anzac Parade.
- To achieve a design transition from commercial and retail uses towards the corner of Lorne Avenue and Anzac Parade to purely residential uses in Lorne Avenue.

Lorne Ave Site Building Height

- i. The maximum height of any building on site is 6 storeys (21.6 metres to the underside of the ceiling of the topmost storey).
- ii. The maximum height of 6 storeys applies only to Building One. Setbacks apply.
- iii. Building Two must not exceed 4 storeys (13.8 metres to the underside of the ceiling of the topmost storey). Setbacks apply.

Lorne Ave Site Building Envelope

- i. The built form and building articulation should comply with the Block by Block Plan.
- ii. The preferred built form for the site incorporates two separate perimeter buildings orientated to the street, with one aligned to Anzac Parade and another, smaller scaled building aligned to Lorne Avenue.
- iii. The central portion of the block will comprise a well defined intimate and useable open space.
- iv. Above-ground linkages between the buildings are discouraged. Any proposed above-ground linkages must demonstrate:
 - The use of largely transparent materials;
 - That habitable rooms and internal open spaces would retain adequate sunlight access, privacy and amenity;
 - That level changes between the two Buildings are designed to achieve equity of access; and
 - That they do not add bulk to the building design.
- v. The built form and roof elements of the corner between Anzac Parade and Lorne Avenue should utilise a strong vertical emphasis to reflect and reinforce the curve of Anzac Parade.
- vii. At roof level, the corner element to Anzac Parade/Lorne Avenue (Building One) may extend at least 4 to 6 metres in height above the ceiling of the topmost storey, in order to contribute to the vertical emphasis of the corner built form.
- viii. The design of the northern corner of the building fronting Lorne Avenue (Building Two) should be consistent in design with Building One, scaled proportionately to the relative height and bulk of the two buildings.



Lorne Ave Site Visual Privacy

In order to ensure visual privacy between Buildings One and Two:

- i. Stagger or offset windows and/or balconies
- ii. Provide external privacy screens to windows and/or balconies.
- iii. Demonstrate that any fixed screens do not diminish sunlight and natural ventilation to habitable rooms.

Lorne Ave Site Open Space

- i. Provide a minimum of 550 sq metres of open space, appropriately dimensioned and sited to achieve sunlight access and amenity for residents.
- ii. The majority of the open space must be open to the sky.

Lorne Ave Site Car Parking

- i. Provide all car-parking facilities below ground or semi-basement, to optimise site amenity and open space.
- ii. Provide access to the below ground parking from Lorne Avenue, to avoid a break in the built form along Anzac Parade.

Lorne Ave Site Usage

- i. Ground and Storey 2 Building One: Retail/Commercial
- ii. Ground Floor Building Two: Commercial uses for no more than half the Lorne Avenue façade, measured from the northern corner.

Lorne Ave Site Floor to Ceiling Heights

- i. Minimum floor to ceiling heights should comply with the 'Floor to Ceiling Heights'.
- ii. For Building Two, the minimum floor to ceiling height for the Ground Floor (Storey 1) is 2.7 metres. The minimum floor to floor height for this floor is 3.5 metres.

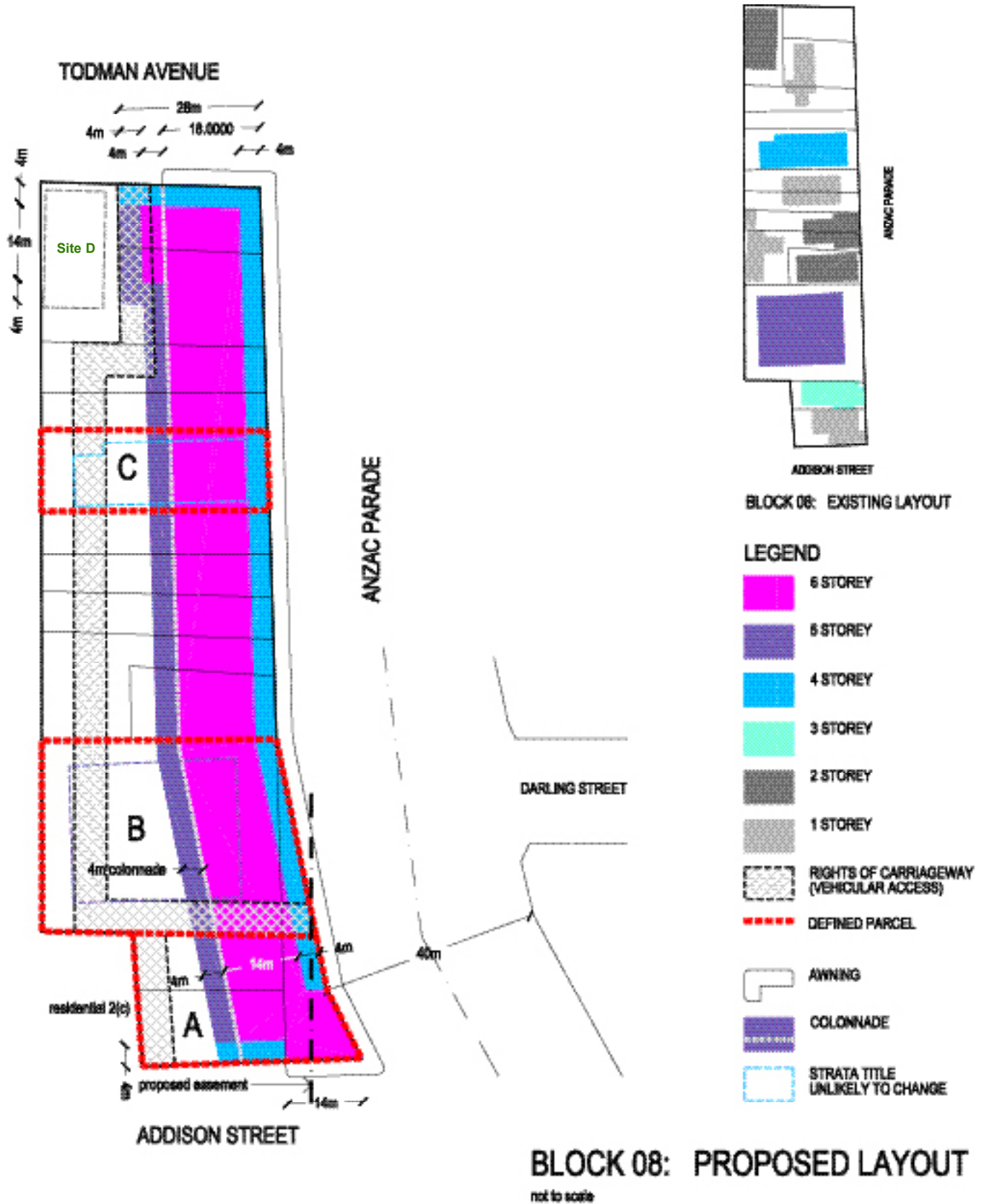
Lorne Ave Site Setbacks

- i. To ensure an adequate separation between buildings, opportunities for landscaping, privacy, sunlight access and residential amenity:
- ii. Align the first 4 storeys of the Anzac Parade façade of Building One with the property line.
- iii. Set back the 5th and 6th storeys of the Anzac Parade façade of Building One a minimum of 4 metres from the property line.
- iv. Define the Anzac Parade/Lorne Avenue corner element of Building One by reducing this setback to zero for a distance of 12 to 15 metres from the corner in both directions (i.e. to both the Anzac Parade and Lorne Avenue facades). Ensure that the preferred length is symmetrical to both facades and demonstrate that it reinforces the corner by providing vertical emphasis.
- v. Provide a minimum 3 metre setback for the balance of the Lorne Avenue façade of Building One. The length of this set back façade should be equal to the length of the zero setback element. Balconies may project up to 2.5 metres into this setback providing they achieve a level of physical transparency which clearly defines the corner.
- vi. Provide a minimum 6 metres separation between Buildings One & Two.
- vii. Establish a new corner element by aligning the Lorne Avenue facade of Building Two with the property line for 8 to 11 metres from its northern corner. Demonstrate that the preferred length achieves façade proportions similar to those achieved for the corner element of Building One.
- viii. From this point south, provide a minimum 4 metre setback for a distance of no more than half the Lorne Avenue façade, measured from the northern corner. Balconies may project up to 2.5 metres into this setback providing they achieve a level of physical transparency which clearly defines the corner.
- ix. Provide a minimum 6 metre setback for the remainder of the Lorne Avenue façade of Building Two. Balconies may project up to 2 metres into this setback to enhance articulation, and as an appropriate transition to existing residential setbacks in Lorne Avenue.

Provide a minimum 6 metre setback to adjacent property boundaries.

4.3.8 Block 08

Addison Street to Todman Avenue



Block 08: Addison Street to Todman Avenue

The current built form at the corner of Anzac Parade and Addison Street is inconsistent with the overall objective for the ~~Town~~ Centre of a continuous built form at the street edge. This corner currently features a very small Council owned carpark at the street edge.

The Kensington streetscape would benefit from realignment of the footpath to achieve a continuous built form as Anzac Parade sweeps around the corner. However, this is dependent on the outcome of the current planning for light rail route alignment, and implications for existing utility services.

Such a re-alignment would also achieve an effective privacy barrier for residential dwellings on the Addison Street/Lorne Avenue corner.

Council may consider the sale of land currently in the public domain in order to achieve this streetscape benefit. These controls are based on the built form which could be achieved should such a sale (including suitable off-set arrangements for the existing on-street carparking) be concluded. The sale would also need to address access to existing infrastructure services located within the road reserve (the sewer, a Sydney water main, AGL gas line and a Telecom line).

Whilst an easement is preferred, and generally not considered problematic given the type of services involved, public authorities may require that services be relocated along the new footpath.

Should site amalgamation result in Defined Parcel A, this Parcel may be developed despite being slightly smaller in size than the 900sq metre minimum for corner sites.



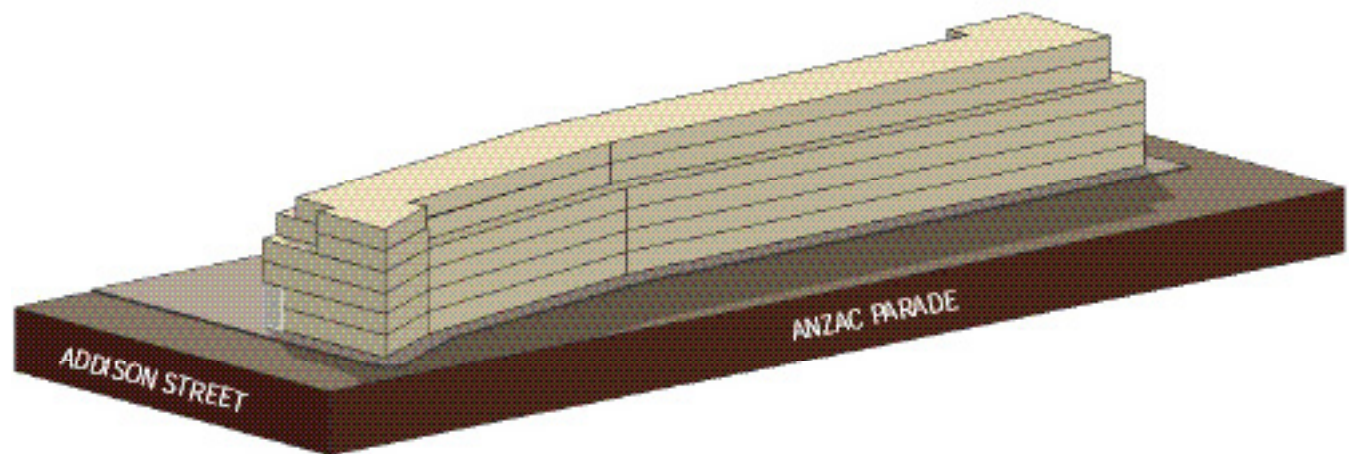
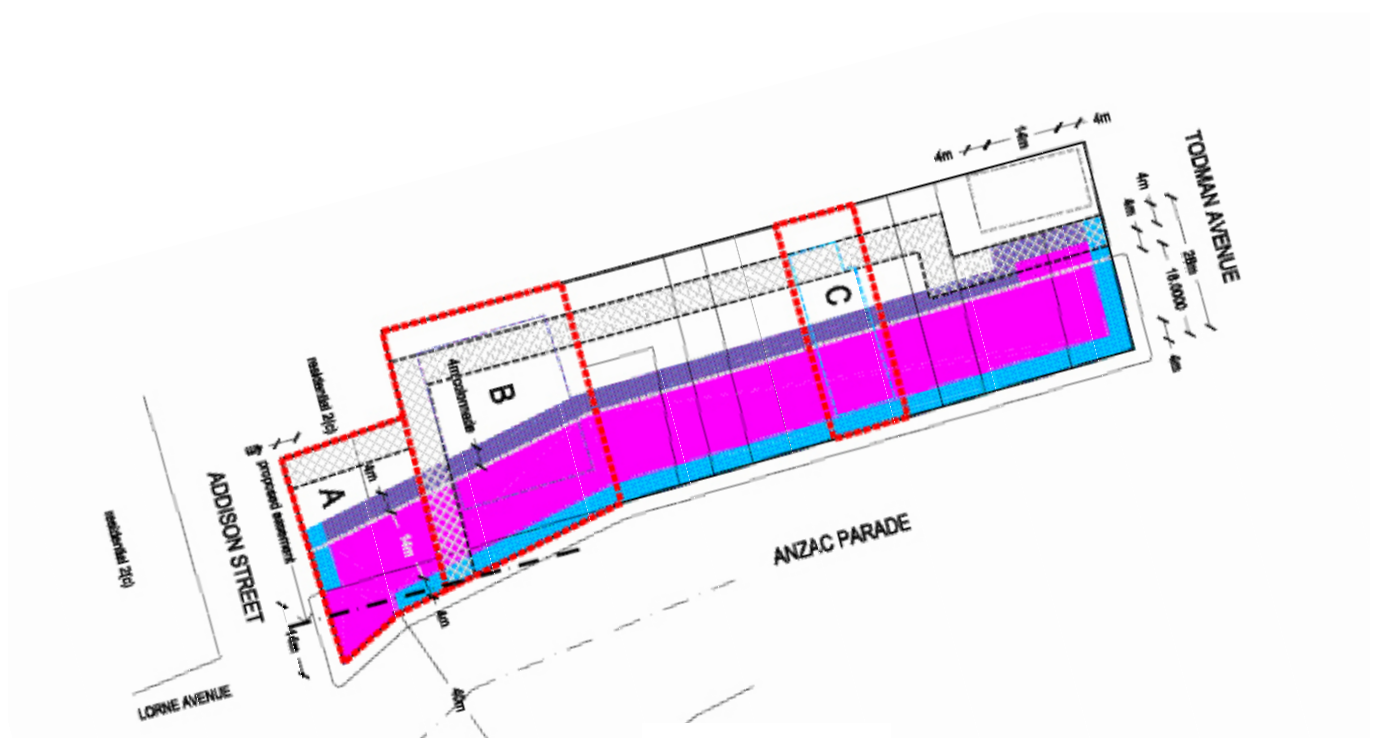
Defined Parcel B represents the Addison on Anzac, a 5 storey motel with more floor space than is envisaged under this Plan. This complex currently dominates the streetscape, with highly visible features inconsistent with this Plan's Design Controls (e.g. lift overruns and other structures visible on the roof). Defined Parcel C represents a large strata title residential flat building. In order to achieve a better built form than currently exists in these Parcels, Council may consider development proposals incorporating portions of the existing buildings, subject to suitable design resolution of that incorporation.

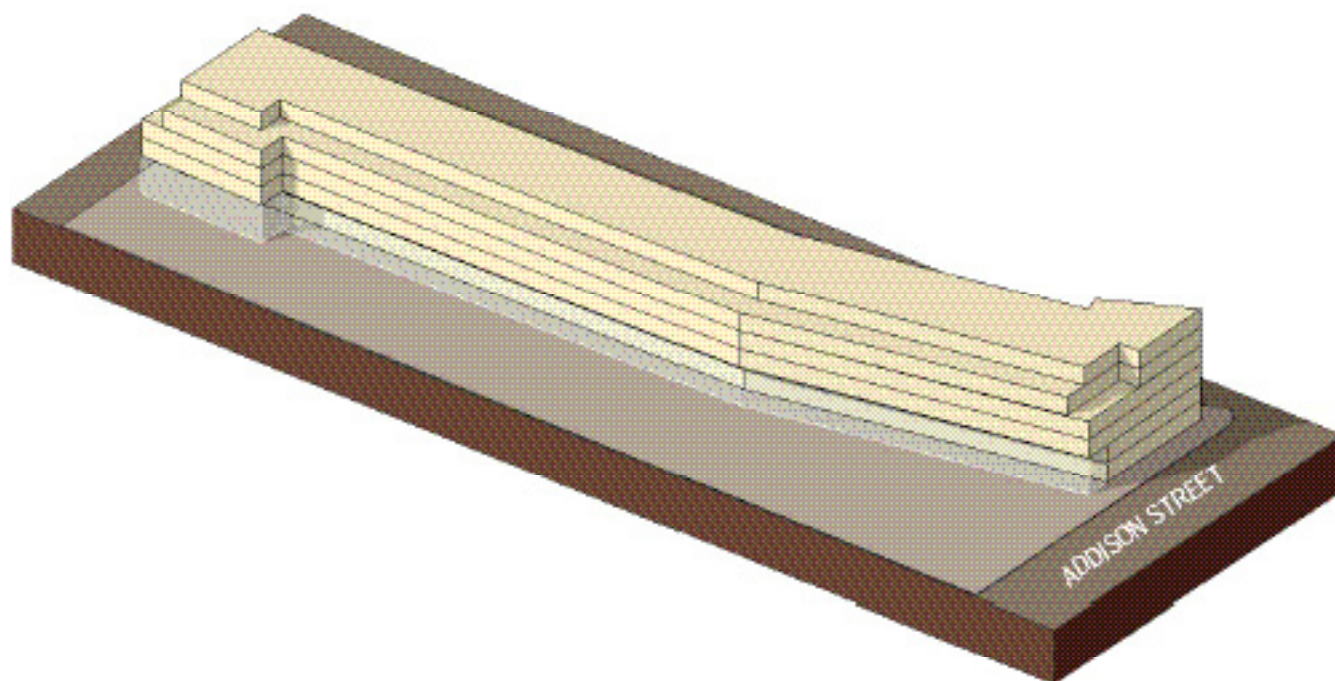
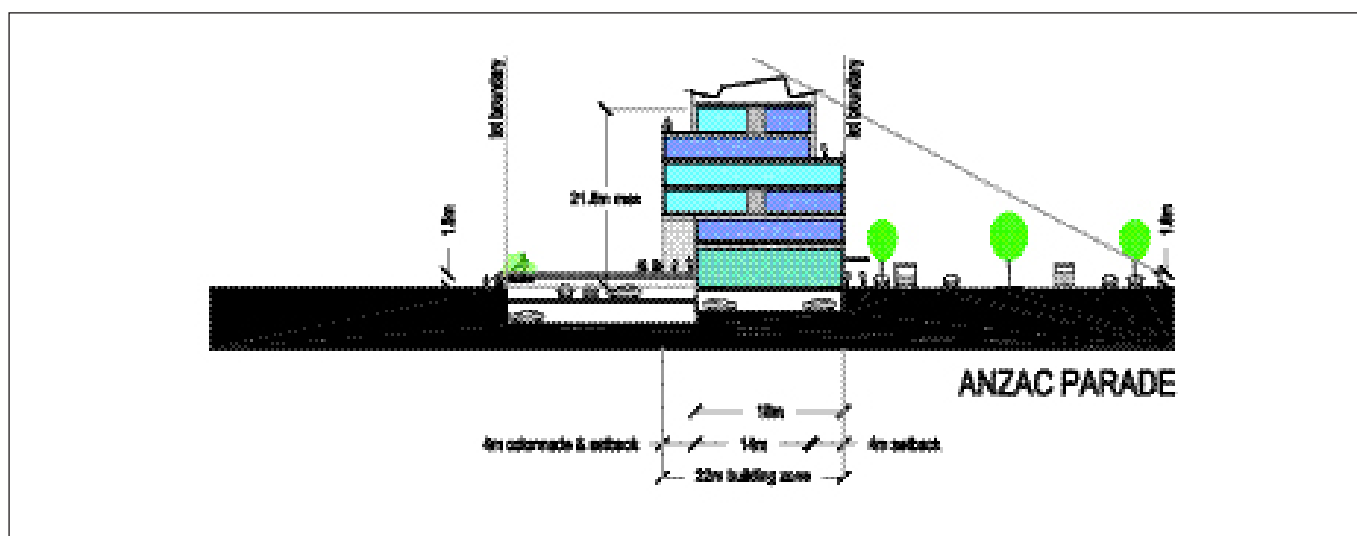
The 26 metre Building Zone at the Todman/Anzac Parade corner only applies if the site on the western boundary (Site D) is amalgamated into the development. Otherwise a 22 metre Building Zone applies, with the usual upper level setbacks.

Block 08 has been identified as a suitable location for a specialist concept retailer, subject to suitable site amalgamation. (See Page 26)

Block 08: Addison Street to Todman Avenue

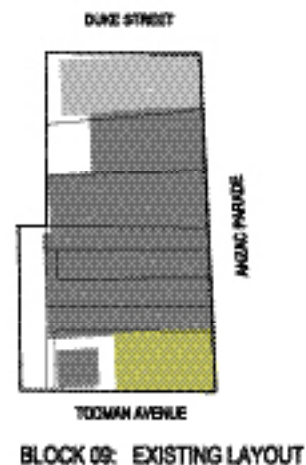
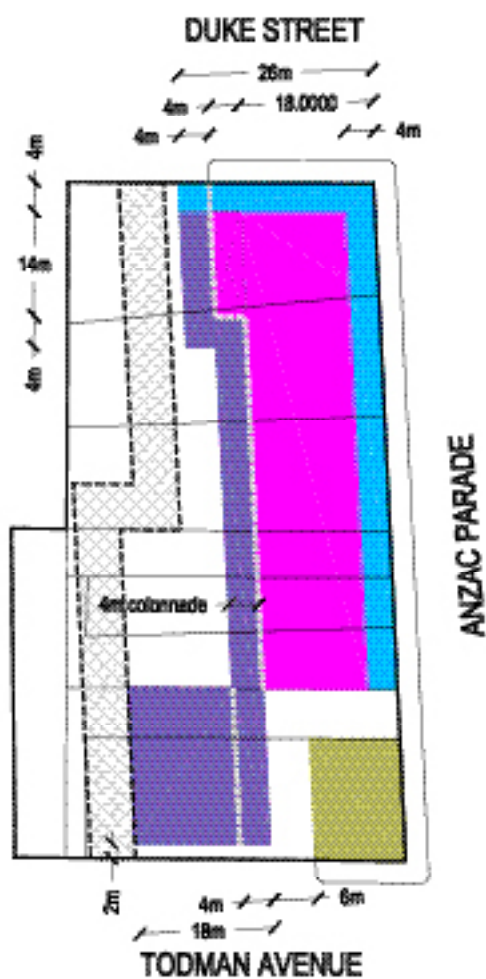
Building Envelope Viewed from Anzac Parade



Block 08: Addison Street to Todman Avenue**Building Envelope Viewed from Rear****Addison Street to Todman Avenue**
Section West to East Looking North

4.3.9 Block 09

Todman Avenue to Duke Street



LEGEND

- 6 STOREY
- 5 STOREY
- 4 STOREY
- 3 STOREY
- 2 STOREY
- 1 STOREY
- 2 STOREY CONTRIBUTORY BUILDING
- RIGHTS OF CARRIAGEWAY (VEHICULAR ACCESS)
- AWNING
- COLONNADE

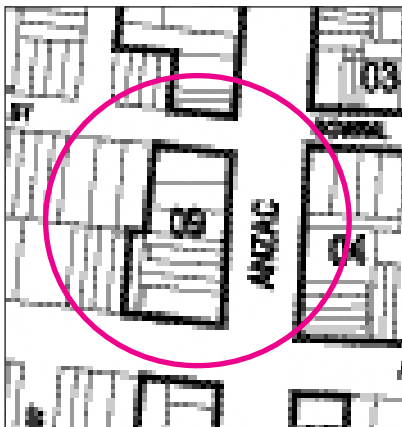
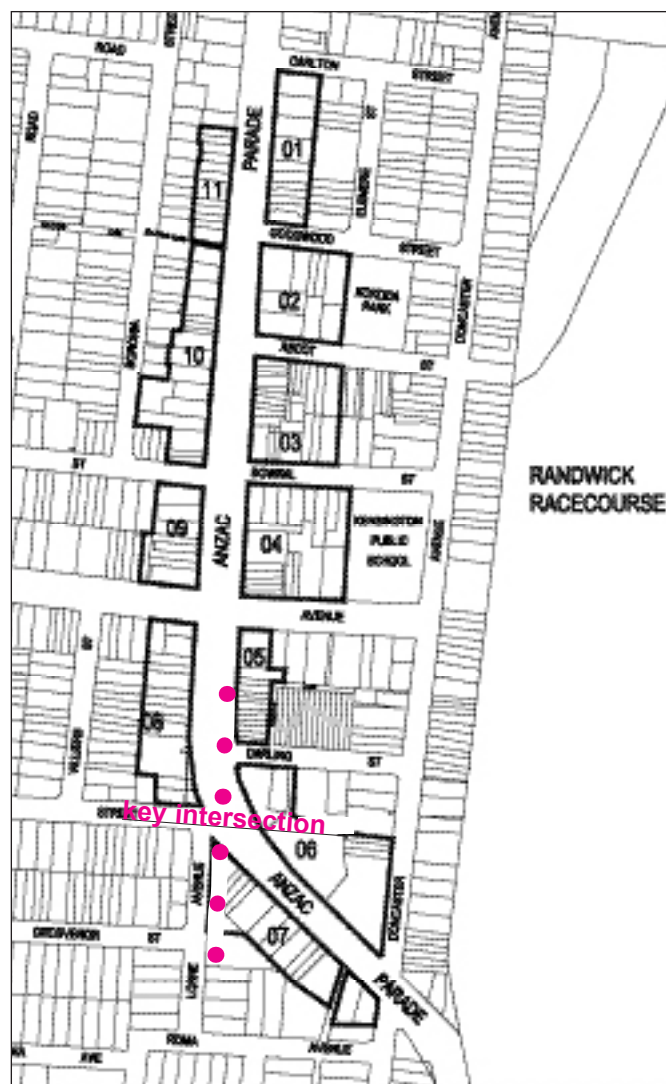
BLOCK 09: PROPOSED LAYOUT

not to scale

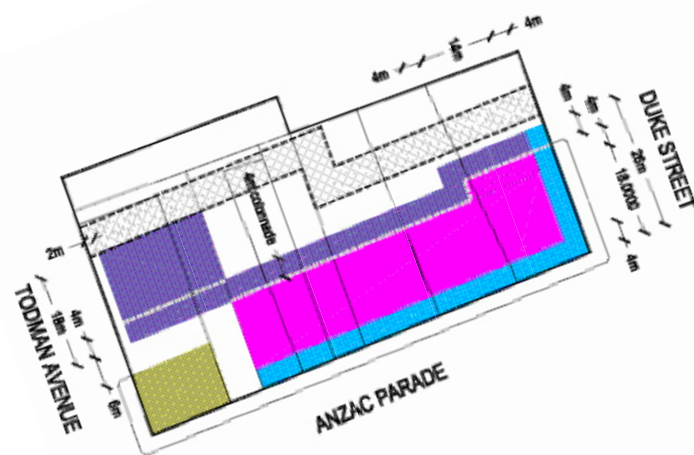
Block 09: Todman Avenue to Duke Street

As a Block within the core retail precinct, located on a convenient corner, Block 9 is one of the Blocks identified as suitable for a neighbourhood supermarket shopping centre, should site amalgamation result in an allotment with a minimum area of 3000 sq metres.

A Contributory Building on the Anzac Parade/Todman Avenue corner creates the opportunity for Mews Style development at the rear, connected to Todman Avenue and Anzac Parade by a pedestrian and visual through-link which is to remain permanently open to public access.

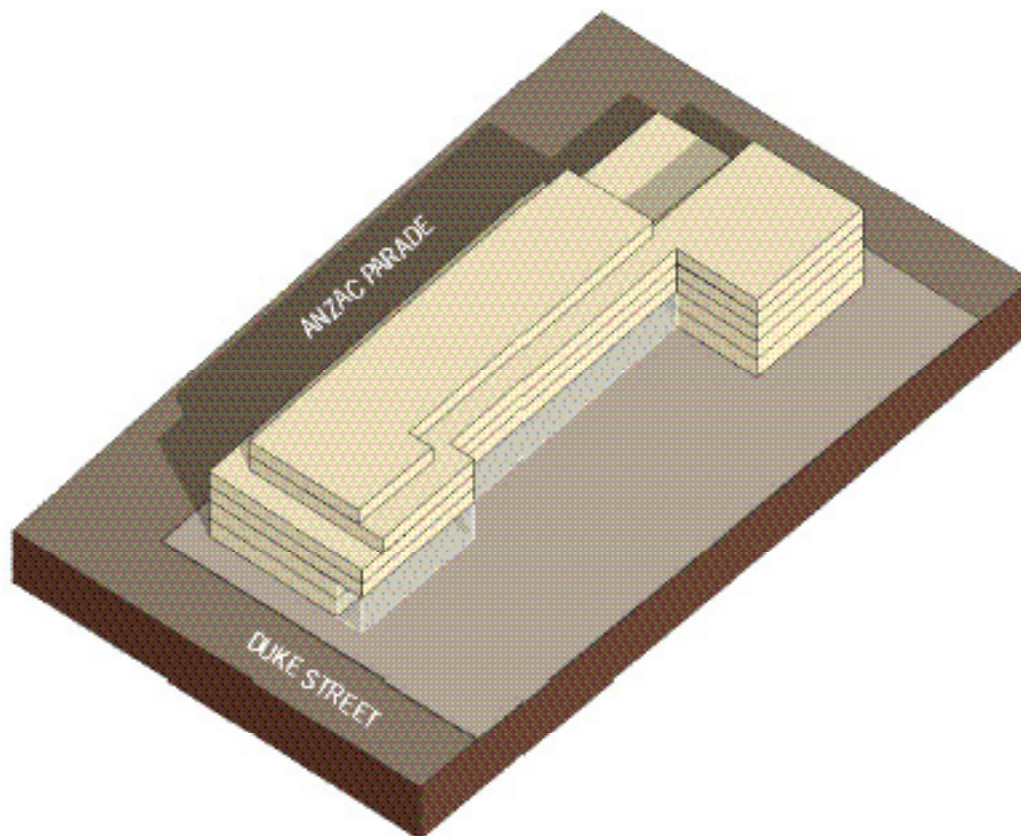
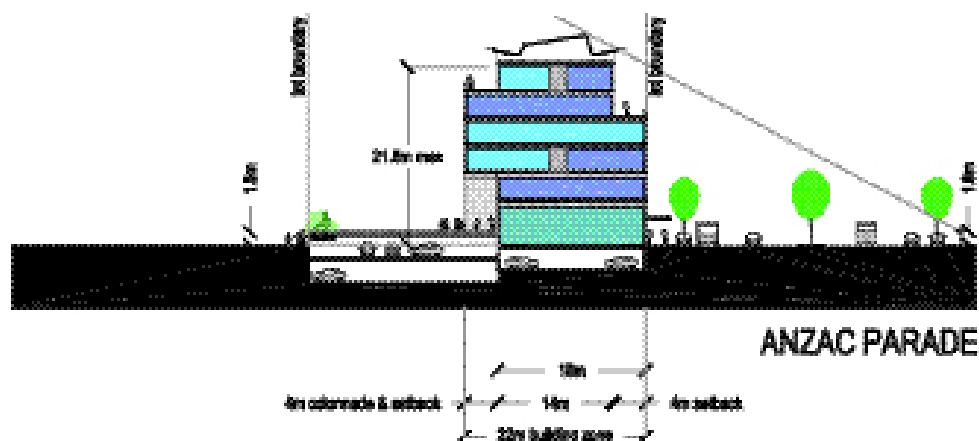


Building Envelope Viewed from Todman Ave/Anzac Corner



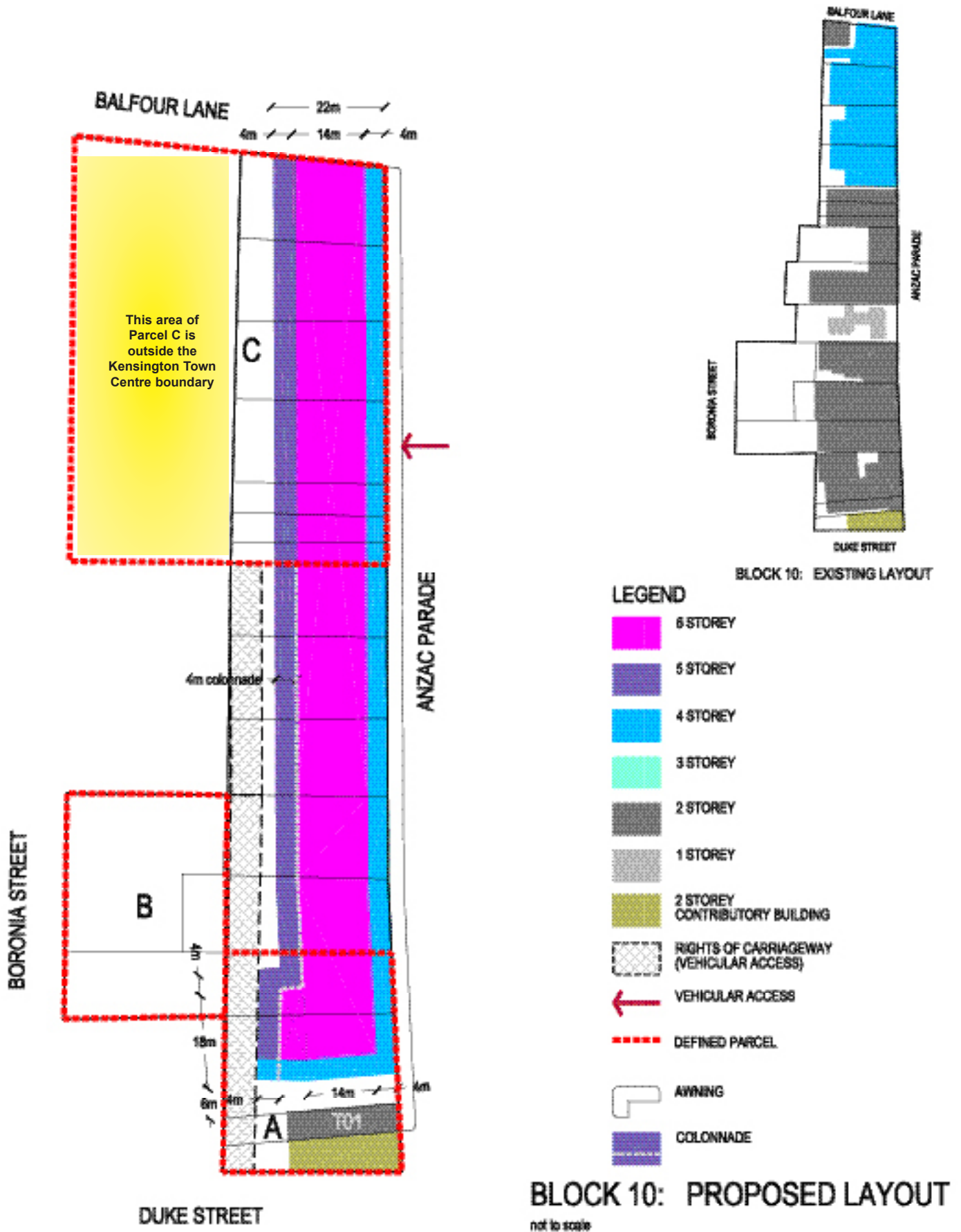
Block 09: Todman Avenue to Duke Street

Building Envelope Viewed from Rear

**Todman Avenue to Duke Street**
Section West to East Looking North

4.3.10 Block 10

Duke Street to Balfour Lane



Block 10: Duke Street to Balfour Lane

This Block has been identified as a suitable location for a neighbourhood supermarket shopping centre or a specialist concept retailer, subject to suitable site amalgamation. An alternative Building Zone Layout for a neighbourhood supermarket shopping centre is included in this Plan on page 76. (note that the maximum height for T02 fronting Boronia Street is 13.8 metres)

Defined Parcel A represents the minimum site area for development at this corner. It includes a Contributory Building on the Anzac Parade/Duke Street corner, creating the opportunity for pedestrian and visual connections between Duke Street and Anzac Parade.

New 2 storey development (T01) abutting this Contributory Building should be contemporary but sympathetic, and should 'complete' the overall form of the building, creating an architectural 'whole' but clearly showing new work, in accordance with the principles of the Burra Charter.



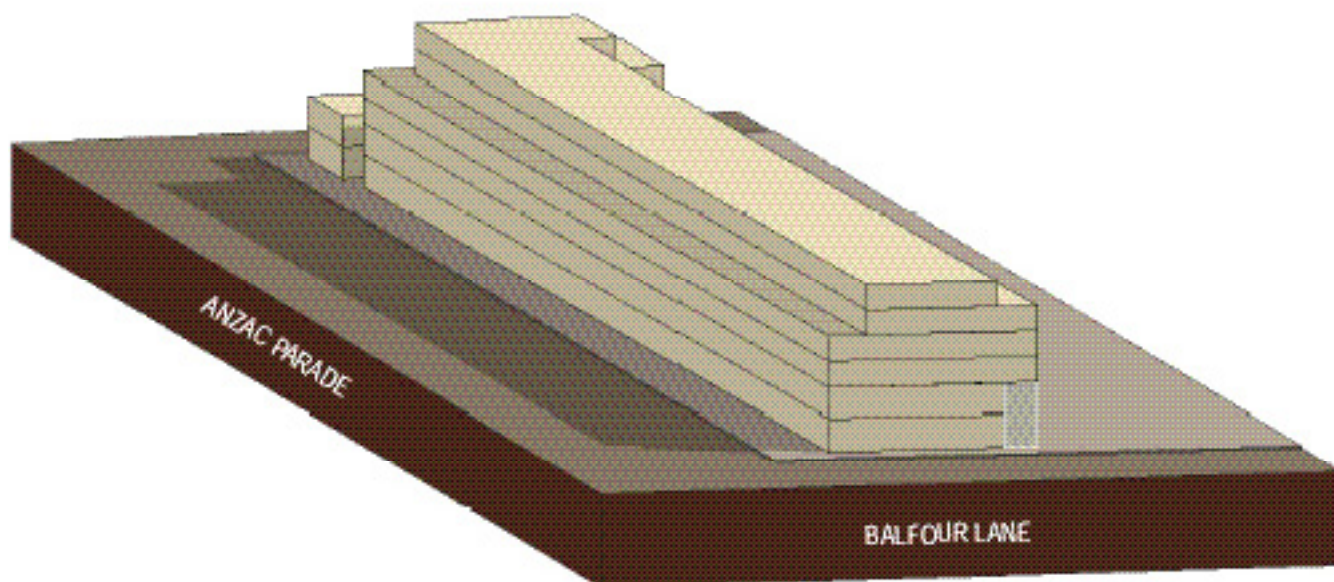
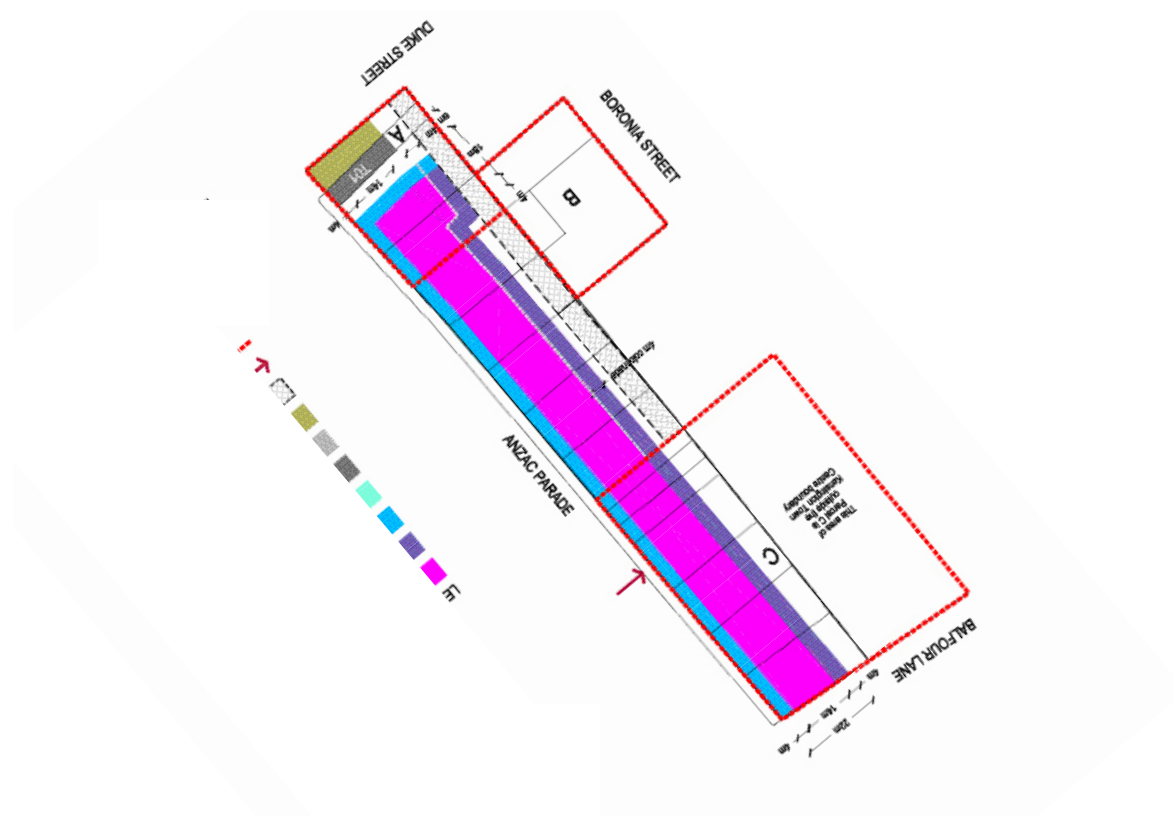
Defined Parcel B represents a site currently used as private carparking. Unless this Parcel is incorporated into a neighbourhood supermarket shopping centre or a specialist concept retailer, residential ~~2G~~ **R3 height** controls will ~~continue to~~ apply provided that the existing amount of commercial parking is replaced as part of any redevelopment, and a 7 metre wide pedestrian connection (permanently open to the public) is created between Boronia Street and Anzac Parade to improve the permeability of this long block.

Defined Parcel C represents Peters of Kensington, which is the subject of an existing Development Approval. In the event that this approved Development does not occur, and a new application is submitted for the same use under the controls of this Plan:

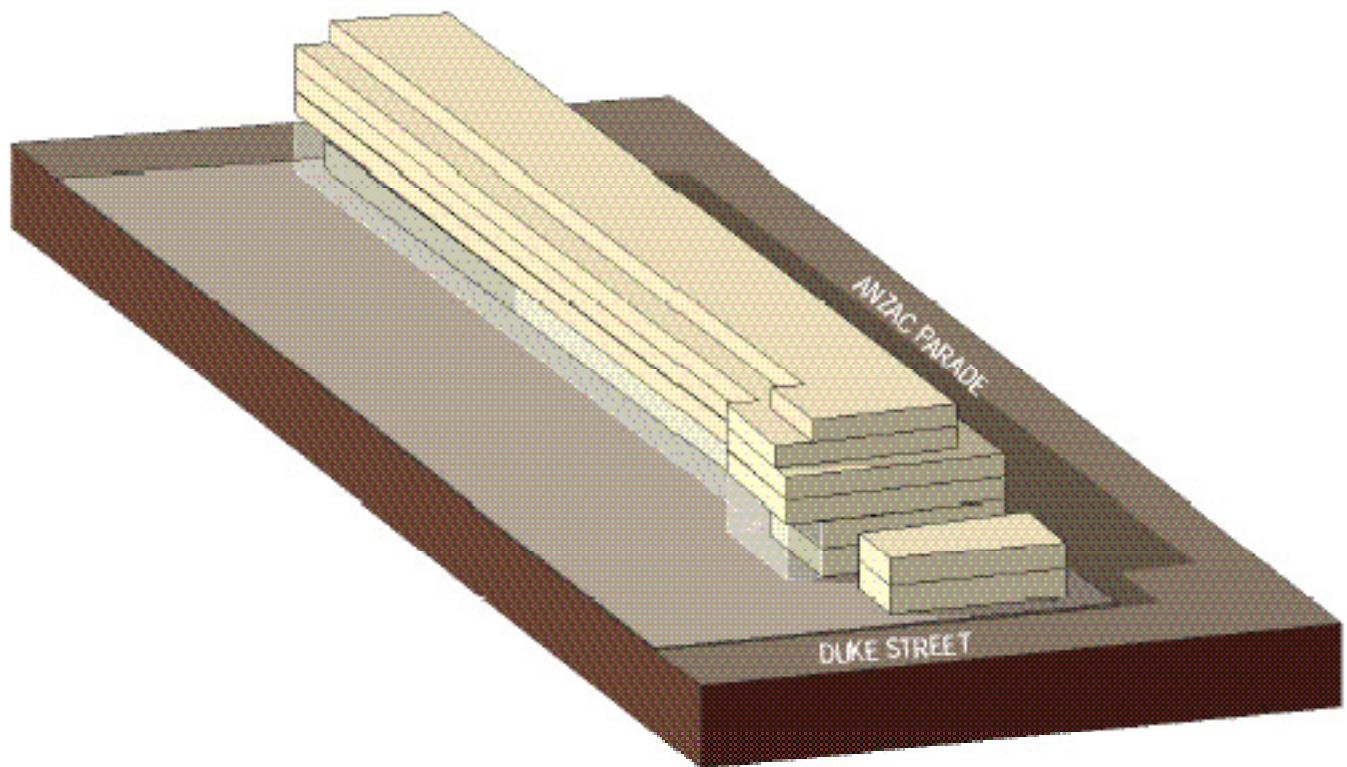
- i.
- ii. Retail uses may be provided at Ground, Storey 1 and Storey 2;
The Envelope may extend to the rear (western boundary) wherever the topography means it is effectively below ground level;
- iii. The Balfour Lane facade must present an active edge to the Lane, at a human scale; and
- iv. Anzac Parade entry to parking must be well integrated into the street, with inviting, active edges.

Block 10: Duke Street to Balfour Lane

Building Envelope Viewed from Balfour Lane/Anzac Corner



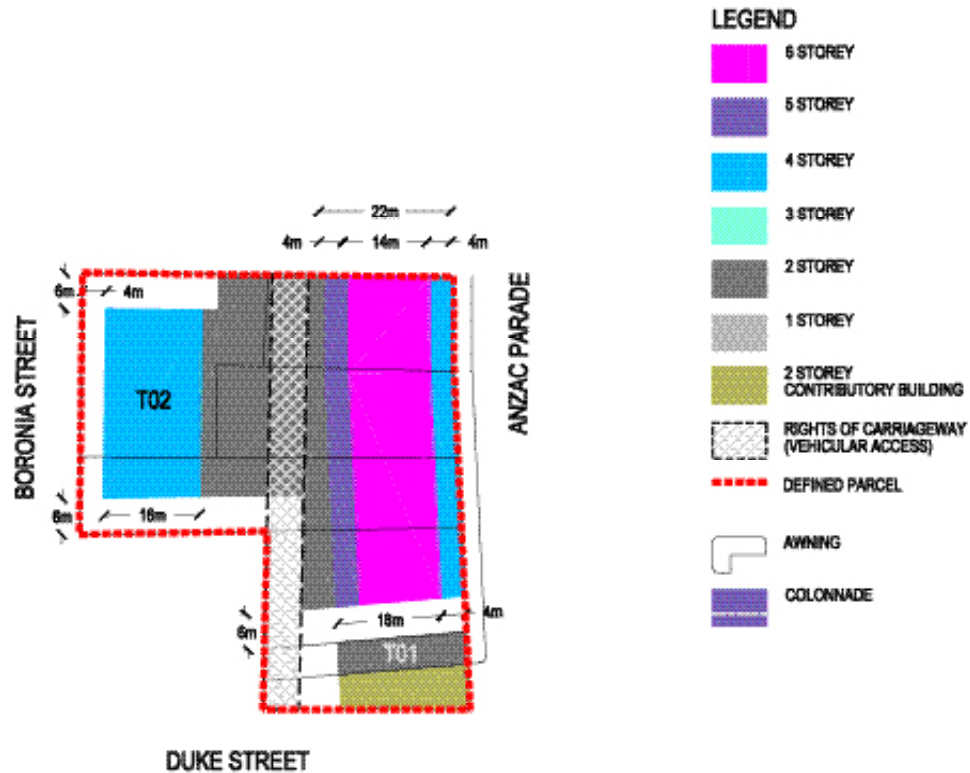
Building Envelope Viewed from Balfour Lane/Anzac Corner



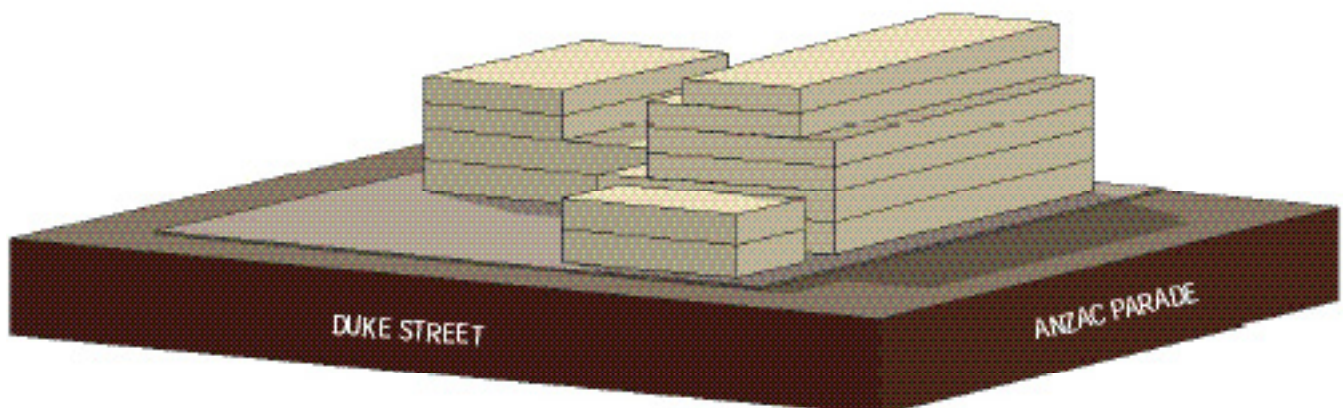
ANZAC PARADE

Block 10: Duke Street to Balfour Lane

Alternative Layout: Neighbourhood Supermarket Shopping Centre

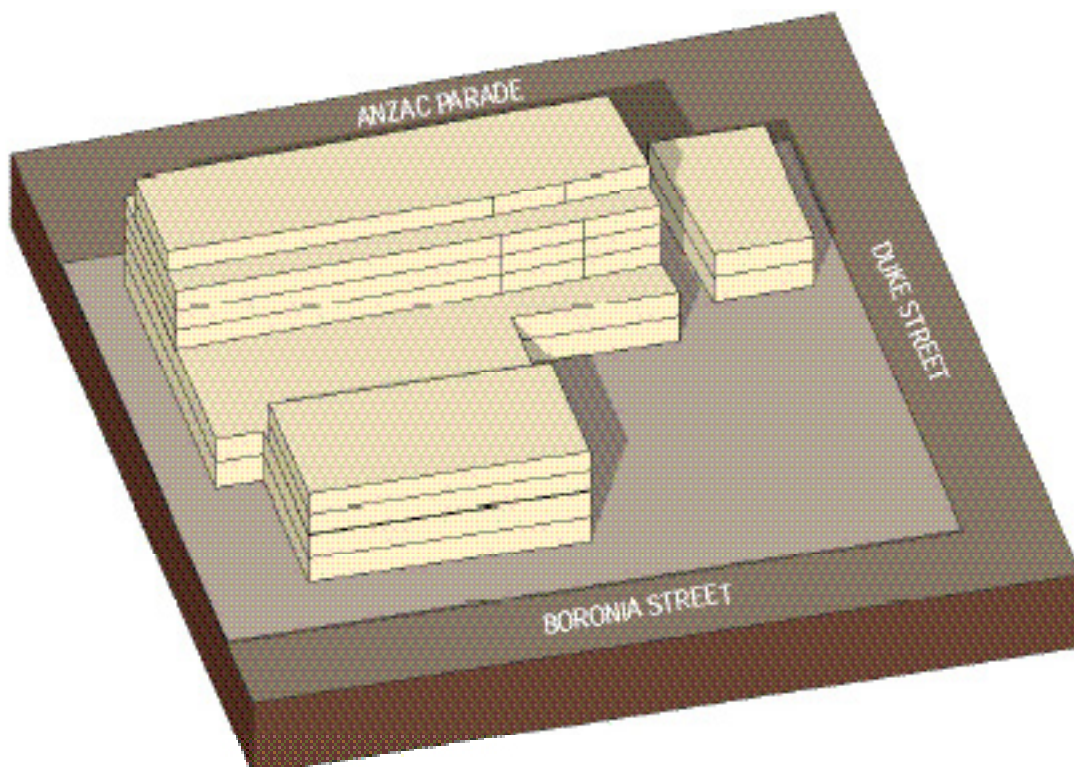
**BLOCK 10 (a): PROPOSED LAYOUT - SUPERMARKET CENTRE**

not to scale

Duke Street to Balfour LaneNeighbourhood Supermarket Shopping Centre Alternative
Building Envelope Viewed from Duke Street

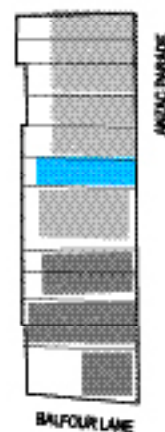
Block 10: Duke Street to Balfour Lane

Neighbourhood Supermarket Shopping Centre Alternative
Building Envelope Viewed from Boronia Street

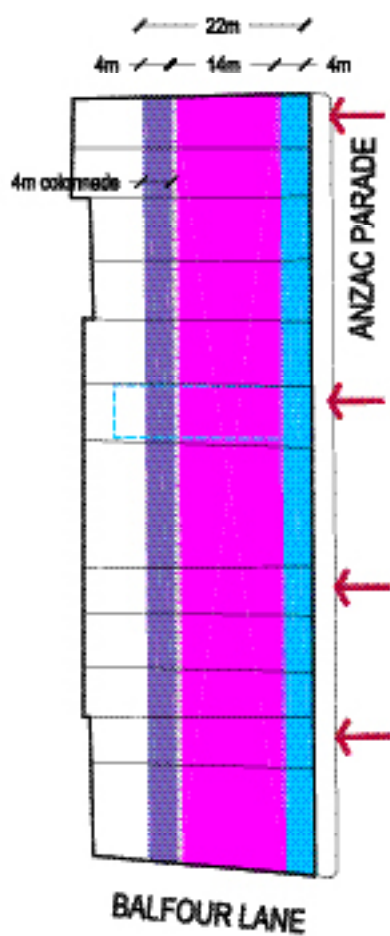


4.3.11 Block 11

Balfour Lane north to Town Centre boundary



BLOCK 11: EXISTING LAYOUT



BLOCK 11: PROPOSED LAYOUT

not to scale

LEGEND

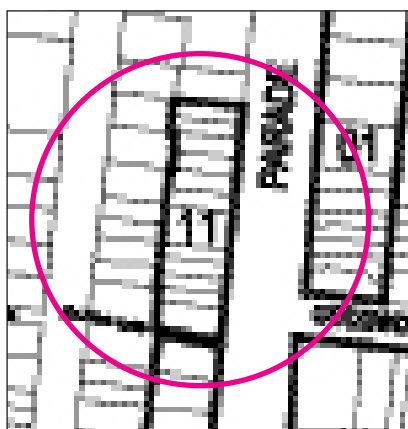
- 6 STOREY
- 5 STOREY
- 4 STOREY
- 3 STOREY
- 2 STOREY
- 1 STOREY
- VEHICULAR ACCESS
- AWNING
- COLONNADE
- STRATA TITLE UNLIKELY TO CHANGE

Block 11: Balfour Lane north to ~~Town~~ Centre boundary

This Block currently has no opportunity for new access via a Rights of Carriageway. It currently features 7 driveways crossing the Anzac Parade footpath.

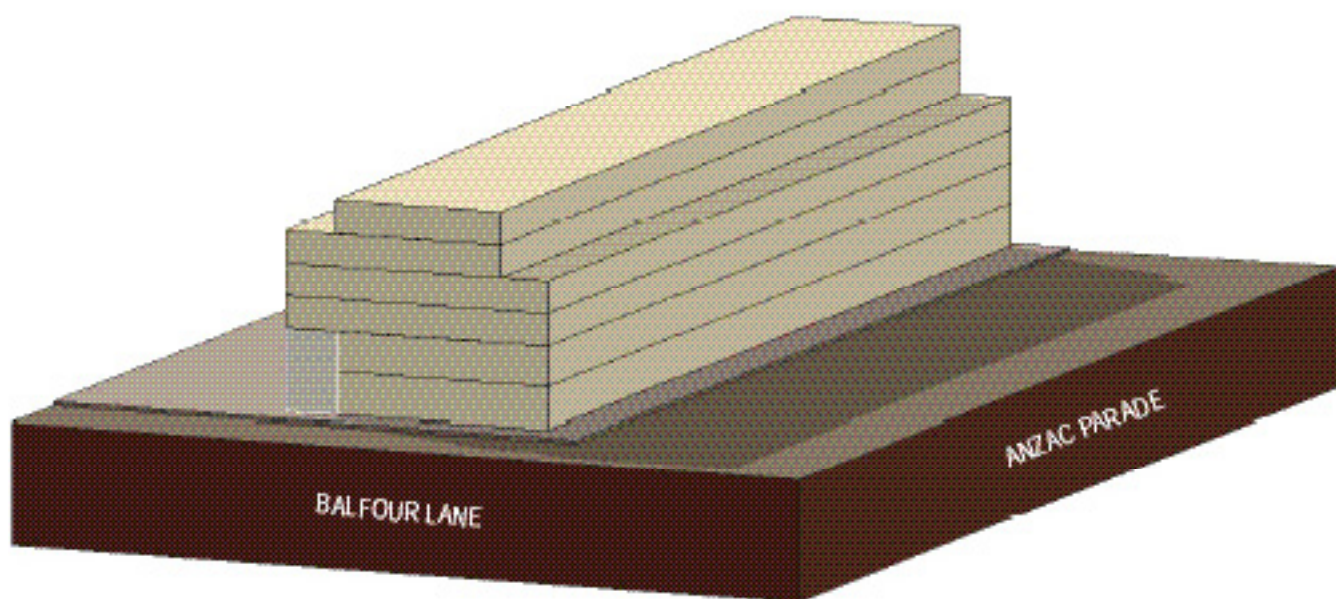
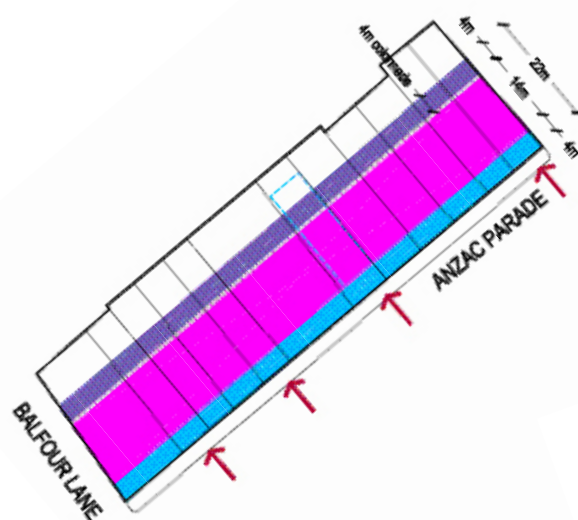
New development will reduce these crossings from 7 to a maximum of 4. New driveway crossings will be 2-way, an improvement on the current situation which sees vehicles reversing out from driveways into Anzac Parade.

This Block includes a strata-titled residential flat building unlikely to change.



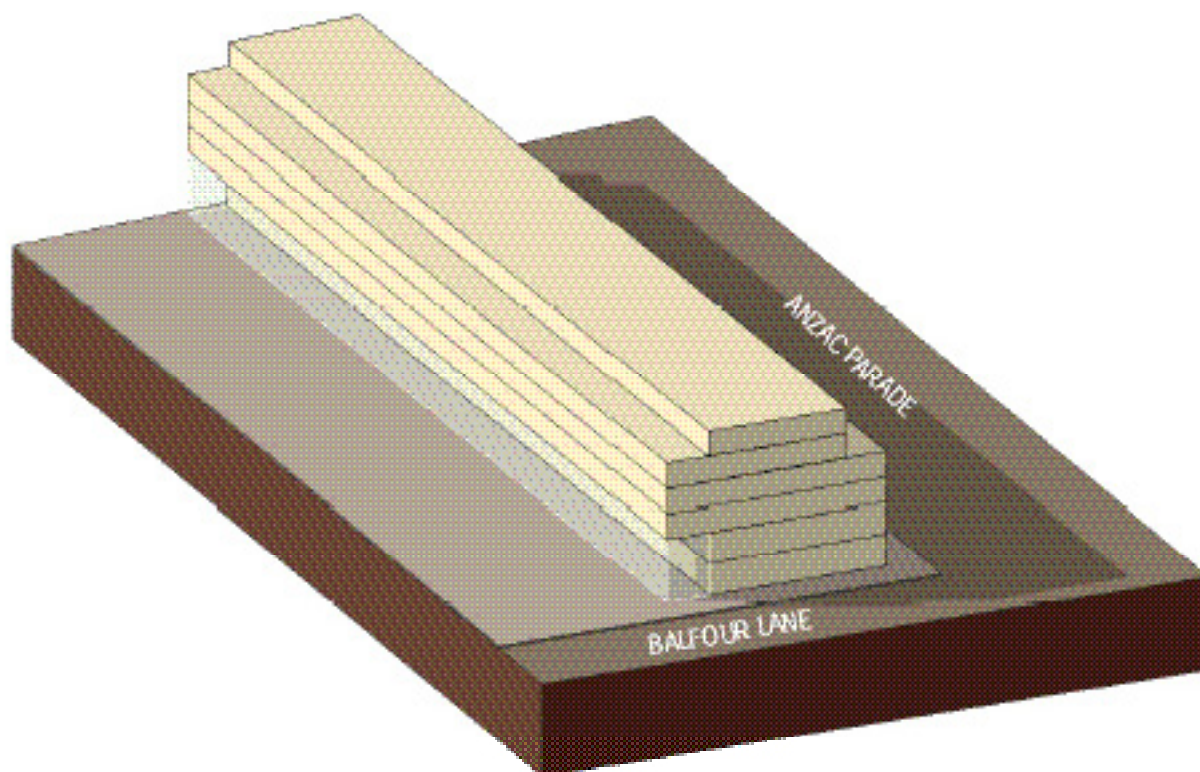
Block 11: Balfour Lane north to ~~Town~~ Centre boundary

Building Envelope Viewed from Anzac Parade

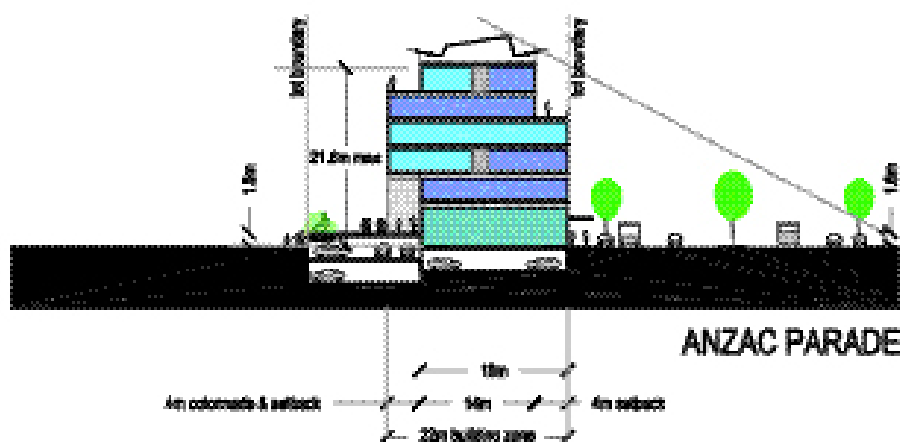


Block 11: Balfour Lane north to ~~Town~~ Centre boundary

Building Envelope Viewed from Rear

~~Balfour Lane north to Town Centre boundary~~

Section West to East Looking North



4.4 Accessibility

Self care, Mobility and Communication

According to the Australian Bureau of Statistics, in 1998, 3.6 million people in Australia had a disability (19% of the total population). Of those with a disability, 87% (3.2 million) experienced specific restrictions in core activities, schooling or employment.

Self care, mobility and communication are fundamentally important activities underlying all aspects of everyday life. Most people with a disability (78%, or 15% of the total population) were restricted in one or more of these core activities.

As the overall population ages, more and more of us will experience restrictions in our daily lives. New development must be designed for people with disabilities.

Objectives

To ensure that all residents and visitors, including wheelchair users and those with a disability, are able to easily reach and enter all publicly accessible parts of a building, including retail stores, buildings, communal areas and apartment lobbies.

Controls ~~Performance~~ Criteria

- i. Achieve building/retail/commercial entrances which are flush with the footpath/external ground level or provide a suitably ramped alternative.
- ii. Provide appropriate access and facilities as set out in Australian Standard AS 1428 (parts 1 & 2).
- iii. Use appropriate gradients and materials, including slip resistant materials, tactile surfaces and contrasting colours.

4.5 Access & Parking

4.5.1 Access for Vehicles - Rights of Carriageway

Roads and Maritime Services ~~Traffic Authority~~ has advised that new vehicular access to developments fronting Anzac Parade will not be permitted via Anzac Parade. Vehicular access for land within the ~~Town~~ Centre should be via alternate roads such as rear lanes and side streets.

The narrow width of lots, the lack of rear lanes, and current land ownership patterns makes this quite difficult. As the **RMS** ~~RTA~~ will not permit new vehicular access to developments fronting Anzac Parade it is necessary to make provision for alternate means of access. Due to the configuration of blocks, and current development patterns, rear lane access and direct access from side streets is only available in limited circumstances. Rather than force the dedication of laneways as public roads as part of redevelopment, this Plan is formulated on the basis of the creation of co-ordinated development within blocks, with access gained from side streets via Rights of Carriageway.

The timing and order of development of land in the ~~Town~~ Centre, particularly land fronting Anzac Parade, will depend on market forces and the ability of land owners to successfully negotiate with adjoining property owners to achieve reciprocal Rights of Carriageway created under Section 88B of the Conveyancing Act 1919. These Rights of Carriageway will allow **below ground** (semi-basement or basement) access across adjoining properties for owners, residents, staff, visitors, customers and service vehicles.

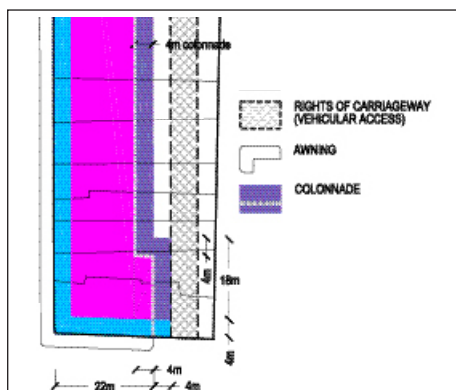
Given requirements for minimum site frontages and areas for redevelopment, the reciprocal Rights of Carriageway should result in interconnected semi-basement and basement car parking (not tunnels). Effectively, those driving along the Rights of Carriageway will experience the common everyday experience of driving through a carpark.

The location of below ground (basement or semi-basement) Rights of Carriageway is indicated on the Block by Block Controls.

Basement and semi-basement carparks in the ~~Town~~ Centre will be interconnected, and those using the Rights of Carriageway are likely to feel they are driving through a single basement or semi-basement carpark.

Opportunities exist for individual owners to join together to either sell their land for a single coordinated development or to develop together in a coordinated fashion. For example, a mixed-use retail/residential development could be developed as a Strata Titles or Community Titles scheme with any common access way being part of the Common Property of the scheme, rather than a Right of Carriageway.

Applicants should note that if an individual owner within a development block refuses to grant a Right of Carriageway to benefit adjoining properties then a legal avenue exists under Section 88K of the Conveyancing Act 1919 for an aggrieved land owner to commence proceedings in the Supreme Court to seek an order of that Court granting the right of access across an adjoining property in circumstances where such access is necessary for the reasonable development of such land.



Objectives

- To achieve vehicular access to land within the ~~Town~~ Centre via driveways from side streets and below ground Rights of Carriageway privately negotiated by adjoining property owners or from co-ordinated access within the development.
- To facilitate traffic management in the ~~Town~~ Centre.
- To minimise the number of vehicle access points and maintain traffic flow.
- To maximise retail frontages and streetscape presentation.
- To maximise pedestrian safety.

Controls ~~Performance Criteria~~



- Unless otherwise indicated on the Block by Block Controls, direct vehicular access **must not occur via** ~~from~~ Anzac Parade ~~is not permitted~~.
- Provide 6 metre wide two way vehicle access via existing rear lanes, new below ground rear Rights of Carriageway or side streets as indicated on the Block by Block Controls.
- Negotiate with adjoining property owners to achieve below ground Rights of Carriageway in the locations indicated on the Block by Block Controls.
- Provide driveways and below ground rear Rights of Carriageway which are a minimum of 6 metres in width.
- Design driveways to basement and semi-basement parking to minimise visual impact on the street and maximise pedestrian safety. Setback any garage doors from the street alignment.
- Design driveway ramps and entrances to mitigate against any potential for flooding.
- Do not locate access ways to basement or semi-basement driveways adjacent to the doors or windows of habitable rooms.
- Submit, as part of the **DA** ~~Development Application~~, evidence of adjoining property owners' agreement to the rear Right of Carriageway.
- If agreement cannot be reached, submit evidence that an action under Section 88K of the Conveyancing Act 1919 has commenced in the Supreme Court.
- Alternatively, submit evidence that rear access forms part of the Common Property of a Strata Titles or Community Titles scheme.

4.5.2 On-site parking

New development within the **Town** Centre will be constrained unless applicants can provide adequate on-site parking, which will relieve existing or potential pressure on residential streets.

Excavation to achieve underground parking is constrained by the **Town** Centre's high water table. Semi-basement parking, where the carpark roof is slightly above ground, can reduce excavation costs and minimise the impact on the water table.

Semi-basement parking also has the potential to provide a podium for landscaped open space at the rear of new development.

An outlook over a landscaped open space will be more pleasant for residents and neighbours than an outlook over a surface parking area, as well as creating opportunities to achieve appropriate levels of development within the Town Centre.

Special care is appropriate when underground car parking areas are situated on a floodplain. These structures can fill rapidly if floodwater commences flowing down the basement access ramp, with significant risk to life and property. A risk management approach should be adopted that includes a consideration of the full range of possible flooding.

Wherever modelling techniques are used to identify potential flooding impacts, model selection should consider the complexity of existing and future flow patterns. Model extents should have regard to computational stability at the boundary, and the need to identify possible effects on flooding upstream and downstream of the immediate site of the proposal.



☒ *An outlook over surface parking is not the desired outcome for Town Centre residents*



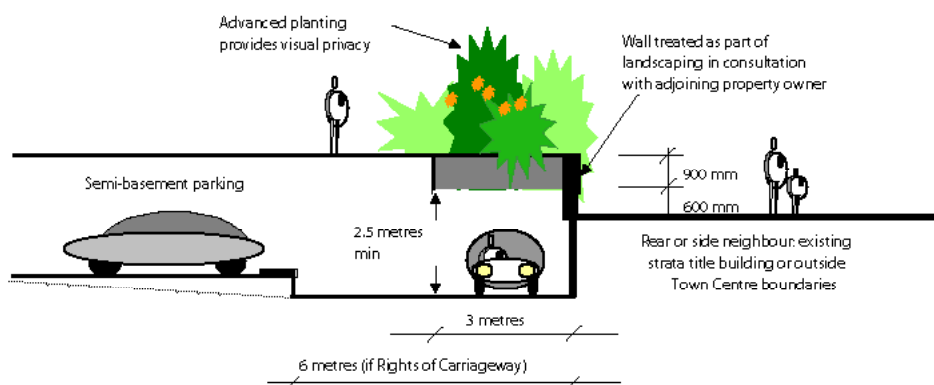
✓ *A landscaped view is more pleasant than a view of surface parking.*

Objectives

- To provide on site parking for commercial users, residents and visitors.
- To ensure that on-site parking does not significantly affect the groundwater system.
- To ensure that carparking access and garaging do not dominate the street or the site.
- To integrate parking facilities with the overall site planning and maximise on-site open space.
- To ensure that development makes adequate provision for service and delivery vehicles, including access circulation, manoeuvring, safety and headroom.

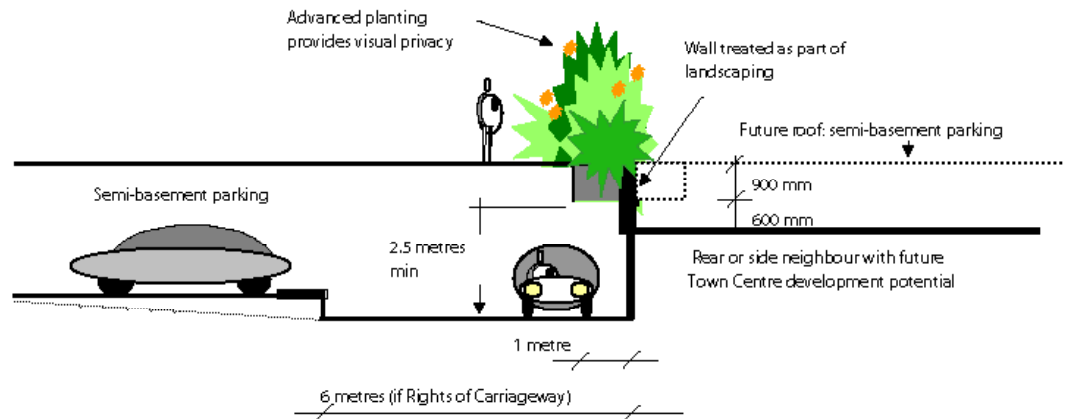
Controls ~~Performance Criteria~~

- i. Comply with the provisions contained in the section on Traffic, Parking and Access in Part B of this DCP.
- ii. Tandem or stack parking (maximum two spaces) **may be suitable** ~~is permitted~~ where these spaces are attached to the same strata title comprising a single apartment, subject to the maximum parking limit applying.
- iii. Council may consider:
 - a limited number of stack parking spaces (maximum two spaces) for staff parking associated with retail uses; and
 - stack parking spaces (maximum two spaces) for other non-residential purposes subject to suitable management arrangements such as valet management of those spaces.
- iv. Incorporate parking within and/or beneath the building. No on-site parking is to be provided on a street frontage nor as surface parking external to the building.
- v. Design parking to ensure pedestrian safety.
- vi. Provide on-site Bicycle Parking in accordance with **Section B8: Traffic, Access and Parking** ~~Randwick City Council Development Control Plan: Parking:~~
- vii. Carparking areas may be designed as semi-basement car parking provided that:
 - The roof is not more than 1.5 metres above ground level;
 - The roof is landscaped as Communal and/or Private Open Space;
 - The design results in building frontages that are level with the street.
- viii. Where the roof to a semi-basement carpark abuts with a street frontage, ensure that the roof is no higher than 900mm above ground level, measured across any sloping frontage.
- ix. Where a semi-basement carpark is built to the boundary of an adjoining property outside the ~~Town~~-Centre boundary, or built to the boundary of a strata title building unlikely to change, provide advanced planting in a 3 metre setback from that boundary, to achieve visual privacy, as shown in the following diagram.



Performance Criteria

- x. Where a semi-basement carpark is built to the boundary of an adjoining property with future **Town** Centre development potential, provide advanced planting in a 1 metre setback from that boundary, to



- xi. achieve visual privacy, as shown in the following diagram. Where the semi-basement carpark adjoins the footpath, provide soft or hard landscaping to finish the 1.5 metre wall to that footpath, to achieve an attractive streetscape edge, as shown in the following

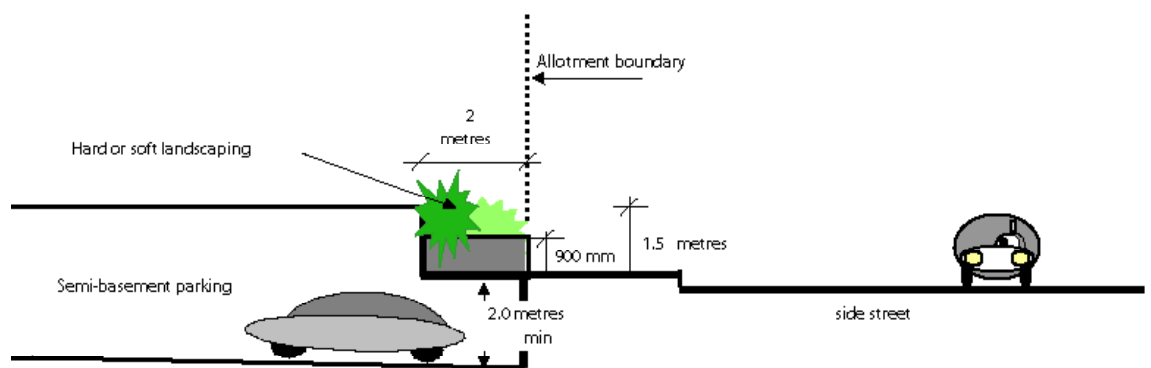


diagram. Alternatively, this area may be used for suitably ramped access.

- xii. Include natural ventilation to basement and semi-basement carparking. Integrate ventilation design into the façade of the building, or parking structure, treating it with appropriate features such as louvres, well-designed grilles, planting or other landscaping elements.
- xiii. Ensure that all new walls adjacent to vehicular crossings are lowered to a height of 600mm above the internal driveway level or splayed 1.5 metre by 1.5 metre so that the driver of a stopped vehicle 2 metres behind the street boundary line can observe pedestrians up to 2 metres from the crossings.
- xiv. Submit a Traffic and Parking Analysis prepared by a suitably qualified Traffic Engineer.

4.6 Buildings - Exterior

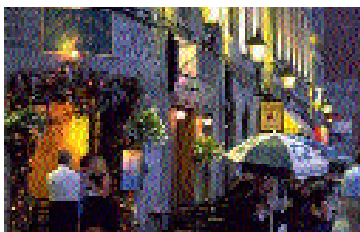
4.6.1 Active Frontages

An active ~~Town~~-Centre relies on: local residents who provide demand for local goods and services; street level retail and commercial activities which enliven the street by day and by night; interactivity between commercial uses and the public domain; choices of access; good presentation; safety and comfort; and sociability.

Active frontages have a positive influence on the safety and security of an area, by providing casual surveillance and by improving the perception of safety. People are more inclined to walk along pleasant, active streets.

Objectives

- To provide a walkable environment, with visual interest and a feeling of security.
- To provide a range of uses to engage and activate the street and contribute to the economic viability of the ~~Town~~-Centre as a whole.
- To maximise building openings and minimise the extent of blank walls on to the street, especially at ground level.



Controls ~~Performance Criteria~~

- i. Provide continuous retail frontage on the ground floor within the Core Retail Precinct.
- ii. Maximise street level activity, for example by wrapping shopfronts around corners.
- iii. Minimise blank walls at ground level. Allow for visual interest such as retail display cases on the external face of fire escapes, service doors and equipment hatches.
- iv. Maximise glazing for retail uses, but break large glazed shopfronts into discrete sections.
- v. Do not use opaque or reflective glass on the ground floor.
- vi. Use grilles or transparent security shutters with a minimum of 70% transparency on retail frontages. Solid shutters are not permitted.
- vii. Entrances to internally orientated shopping or commercial arcades, and the arcades themselves, must be a minimum of 7 metres wide.

4.6.2 Awnings

Awnings improve the shopping experience by providing weather protection and by creating a pedestrian scale. They play a role in sheltering passengers waiting at bus stops and travelling to and from bus stops.

Awnings also offer a good opportunity to create architectural detail and contribute to the character of the street.

Objectives

- To provide shelter and amenity for pedestrians on public streets.
- To reinforce an existing coordinating feature of the **Town** Centre.
- To provide continuity in the streetscape.

Controls ~~Performance Criteria~~

- Provide continuous street frontage awnings to all new development, to the extent indicated on the Block by Block Controls. Generally awnings should be 3 metres deep.
- Setback awnings a minimum of 600mm from the kerb.
- Align new awnings with the general alignment of existing awnings in the street.
- Design awnings to be complimentary, one with another.
- Cantilever awnings from the buildings with a minimum soffit height of 3.5 metres.
- Use under-awning lighting, to improve public safety.
- Canvas blinds along the street edge are permitted. Signage on blinds is not permitted.
- Colonnades are not permitted along Anzac Parade frontages.
- When Reconstructing existing awnings of Contributory Buildings, follow the principles of the Burra Charter.



New awnings aligned with existing

4.6.3 Building Entrances

Entrances define the threshold between the public street and private areas within the building. They are usually part of the building, as well as part of the external space. Entrances may lead into a common entry or directly into the private space of an apartment from the street.

Objectives

- To create entrances which provide identifiable, desirable residential amenity.
- To orient visitors.

Controls ~~Performance Criteria~~

- i. Provide clearly identifiable, sheltered, well lit and safe spaces to enter the building, meet and collect mail.
- ii. Achieve clear lines of transition between the public street, the shared private, circulation spaces and apartments.
- iii. Provide visual connections between the internal and external spaces of building entrances.
- iv. Provide clear lines of sight between one circulation space and the next.
- v. Design entrances and associated circulation spaces of an adequate size, having particular regard to the movement of furniture between public and private spaces.
- vi. Provide separate entrances, where possible, for pedestrians and vehicles, commercial and residential occupants, and ground floor apartments.



4.6.4 Facade Composition and Articulation

Since the majority of people experience buildings from the outside, facades have an important role to play in the perception and feeling of a place. The role applies not only to individual buildings but also to a collection of buildings within a street.

Visual interest in many older buildings is derived from: the articulation of the façade into horizontal divisions of bottom, middle and top; balcony and fenestration details; proportions and spaces; and 'modelling' of the surface through detail and relief.



The Vision for the Kensington ~~Town~~ Centre as a grand boulevard requires and deserves this attention to detail and relief in the design of facades for new development. As a rule of thumb, detail and articulation should enable a resident to readily identify his or her apartment from street level, outside the building. However, 'gimmicky' attempts to achieve detail through random placement of colours and elements are not suitable.

The process of development along Anzac Parade will sometimes leave party walls exposed where new development abuts existing, lower buildings. Care must be taken to ensure that any exposed party walls are not left as stark, blank walls until adjoining development occurs.



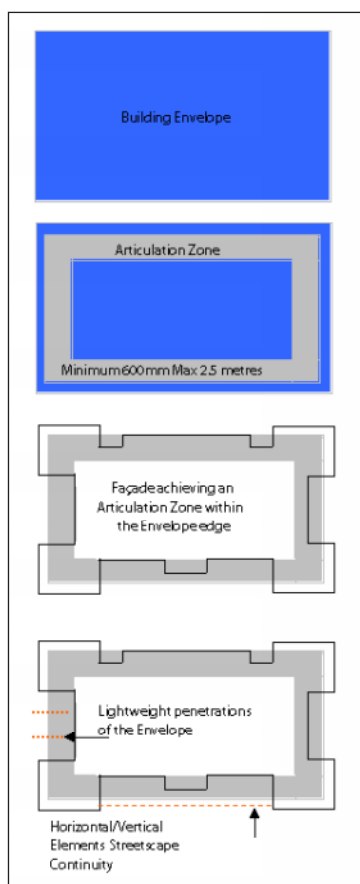
Objectives

- To ensure that new developments have well articulated and harmonious facades which define the public domain.
- To ensure that building exteriors reinforce the character and continuity of the ~~Town~~ Centre streetscape.
- To ensure that the process of development achieves a consistently attractive streetscape.
- To achieve a 'human scale' within the ~~Town~~ Centre.

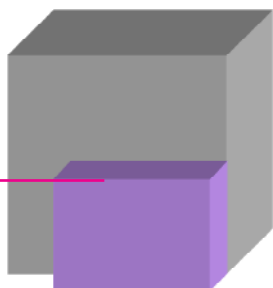
Controls ~~Performance Criteria~~

- Ensure that each building has a unique identity.
- Design buildings to address the street, but ensure that rear and side facades also provide visual interest to the street and surrounding neighbours.
- Compose the façade with an emphasis on vertical elements.
- Adopt a modular form, ideally one which reflects the underlying narrow built form of Contributory Buildings (6 - 8 metres). Use vertical elements such as vertically proportioned windows, exposed party walls, attached piers, vertical balustrades, attached columns or fins to express this modulation and rhythm, particularly for the top of the building. Use horizontal elements such as roofs, parapets, balconies and balustrades, eaves lines, string courses, cornices and door/window heads to align the building with its neighbours.
- Provide architectural features which give a 'human scale' to the building, particularly at street level.





Do not leave
exposed party
walls blank of
colour,
modulation
and articulation



- vi. Ensure that the façade expresses a tripartite arrangement which clearly indicates a bottom, middle and top related to the overall proportion of the building. Generally, the bottom will read as the area below the awning, and the top will read as the uppermost, setback storeys.
- vii. Use proportions sympathetic with Contributory Buildings in the ~~Town~~ Centre.
- viii. Incorporate design characteristics such as: projecting fins; corbelling and string courses; balconies with variable materials and finishes; 'punctuated walls' with visually recognisable patterns, decorative features, rhythm and texture; and a variable colour palette to achieve façade modulation and articulation.
- ix. Use windows of vertical proportion. Pure proportions such as squares and 'Golden Sections' (see *Definitions and page 97*) may be appropriate when used in a vertical context.
- x. Ensure that the composition of a building façade or a series of facades forms a rhythm that complements and is harmonious with the streetscape.
- xii. Achieve an Articulation Zone with a minimum depth of 600mm and a maximum depth of 2.5 metres through physical articulation of the facade.
- xii. Incorporate balconies and terraces into the Articulation Zone. For more information see 'Private Open Space' on page 126.
- xiii. To maintain continuity of facades along the streetscape, lightweight structures such as sunshading devices may extend to the Building Envelope Line.
- xiv. To enhance the articulation, lightweight structures, sunshading devices, or horizontal and vertical architectural elements including balconies may penetrate the Building Envelope (but not the property line) by a maximum of 600mm.
- xv. Avoid curtain walling, large expanses of glass and large expanses of concrete as these do not create well articulated and harmonious facades.
- xvi. Where new development leaves exposed party walls adjacent to existing, lower buildings, improve the appearance of the exposed section of the party wall with colour, modulation, and articulation. Windows may be incorporated on the understanding that they are likely to be covered, over time, by adjoining development.

4.6.5 Materials and Finishes

The ~~Town~~ Centre currently comprises a haphazard palette of materials, finishes and colours.

New development is expected to achieve a high standard of architectural character, to improve the overall presentation and appearance of the streetscape. Older buildings not yet ready for redevelopment are encouraged to re-invigorate their presentation by refurbishment consistent with standards for new development.

Objectives:

To achieve a stylish, coherent streetscape

Controls ~~Performance Criteria~~

~~Comply with colours, finishes and materials identified in the Randwick City Council Kensington Town Centre Style Guide.~~ (note: not prepared)

- i. Utilise high quality and durable materials and finishes.
- ii. Use pastel or earthy colour schemes and avoid corporate and bright colours.
- iii. The following materials are preferred:
Dry pressed face bricks and/or coloured rendered brickwork
Light weight material may be considered above the fourth storey;
Plain Glass windows; and
Window frames to achieve a solid appearance
- iv. The following materials are incompatible:
- Large wall tiles;
- Rough textured render and or bagged finish;
- Polished metal and curtain walls; and
- Reflective glass.
- v. Avoid large expanses of any single material to facades.



Combining different materials and finishes in a co-ordinated palette can achieve pleasing results

4.6.6 Outdoor Dining

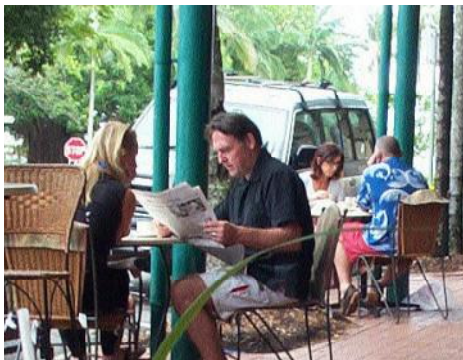
Outdoor dining areas create street level interest and variation to enrich the visual experience of pedestrians. They create opportunities to meet friends and observe the liveliness of the ~~Town~~ Centre. The State Transit Authority notes that the use of footpaths for this type of social interaction can improve the use of public transport by increasing passive surveillance of waiting passengers and adding to their feelings of personal safety. Careful placement of outdoor dining furniture will ensure that conflicts are not created with access to bus stops.

Objectives

- To encourage a lively streetscape.
- To provide opportunities for social interactions.
- To increase passive surveillance of the street whilst ensuring good access to bus stops.

Controls ~~Performance Criteria~~

- Comply with the provisions in **D4:** Footpath Dining and Trading ~~within Part D of this DCP.~~
- Incorporate outdoor dining in café and/or restaurant developments.
- Provide lighting and/or heating for evening and night-time use.
- Allow 2.0 metre clear walkway between the shopfront and outdoor seating.
- Provide planter boxes or another suitable treatment to define the area at the kerb line.

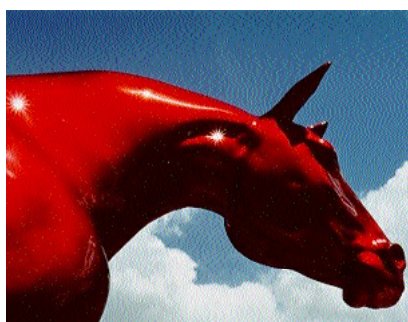


4.6.7 Public Art

Public art brings the vision and talent of artists out of galleries and museums to the local community. Public art installations can include paving treatments, lighting design, sculpture, fencing design, decorative elements of electrical and engineering work, and themed landscaping and planting works.

Public art can celebrate local heritage, explore community cultural identity and set the mood for city spaces. It can be a functional means of making design elements such as seating, paving, bus shelters and other street furniture visually appealing.

Public art projects are sometimes designed to include participation by the local community in the design or making of certain elements.



Five appropriate public art themes have been identified for the ~~Town~~ Centre:

- The thematic journey along Anzac Parade;
- The culture of racing;
- The university associations with youth culture and learning;
- Everyday life; shopping; meeting friends; going to school; and
- The local ecosystem and environmental themes, including the historic values of the Centennial Parklands.

Council encourages and supports the implementation of public art projects that reflect these themes.

Objectives

To reinforce the cultural identity of the Kensington ~~Town~~ Centre.

- To enhance the pedestrian environment.

To better define orientation points within the ~~Town~~ Centre.

To facilitate the implementation of public art projects as detailed in the Kensington ~~Town~~ Centre Public Domain Improvements Strategy.

- To encourage artworks that are integrated into the broader development and planning.
- To avoid stand-alone projects that fail to address the locality, its history and its culture.

Controls ~~Performance Criteria~~

- i. Refer to the Kensington ~~Town~~ Centre Public Domain Improvement Strategy. Works identified in this Strategy have been included in the Section 94 Works Program. Development will be levied monies relating to specific material public benefit as identified in Council's s94 Contributions Plan.
- ii. Where relevant, applicants will be required to provide local area improvements, including public art, in lieu of Section 94 monies. This work will be carried out in consultation with and to the satisfaction of Council.



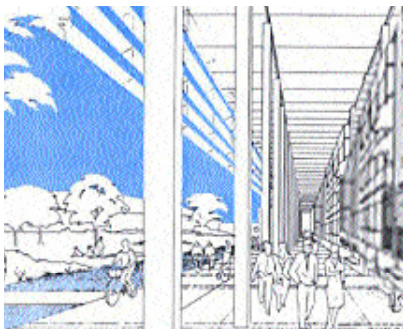
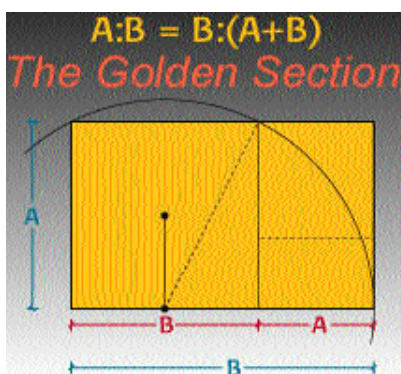
4.6.8 Rear Colonnades

The slim building footprints required by this Plan could reduce the incentive to articulate the rear facades of Anzac Parade buildings. Rear colonnades provide the opportunity to stagger internal spaces on residential levels, increasing the options available to apartment designers and increasing the ability to design an articulated rear facade.

Rear colonnades also provide opportunities for separate access to residential apartment lobbies, reducing the need to provide access from Anzac Parade.

Objectives

- To provide opportunities to maximise retail frontages.
- To soften the appearance of rear façades by achieving building articulation.
- To maximise opportunities for communal and/or private open space at ground level and private open space on upper residential levels.
- To maximise design flexibility for residential levels.



Controls Performance Criteria

- Include rear colonnades where shown in the Block by Block Controls.
 - Design rear colonnade dimensions using the proportions of the Golden Section 1:1.618. *(See diagram at left, and Definitions)*
 - For Anzac Parade development, design a rear colonnade 4 metre wide, and approximately 6.7 metres clear height.
 - For Transitional development design a rear colonnade 3.5 metre wide, and approximately 5.7 metres clear height.
 - Design and treat colonnades as communal open space.
 - Do not orient the back door or service areas of retail/commercial spaces onto colonnades.
 - Consider the use of colonnades as access points to residential apartment entry lobbies.
 - Ensure that colonnades are well-lit, safe and landscaped areas.
 - Connect colonnades to streets and between interconnecting adjacent buildings to provide continuous pedestrian flow. Security access may be provided at the street entries.
- Generally, the dimensions between columns should reflect the Golden Section proportion. *(note: duplication of ii)*
- Where all parking is provided at basement rather than semi-basement level, Council may consider a rear colonnade 3 metres wide and 4.8 metres clear height, subject to design.

4.6.9 Roof Forms

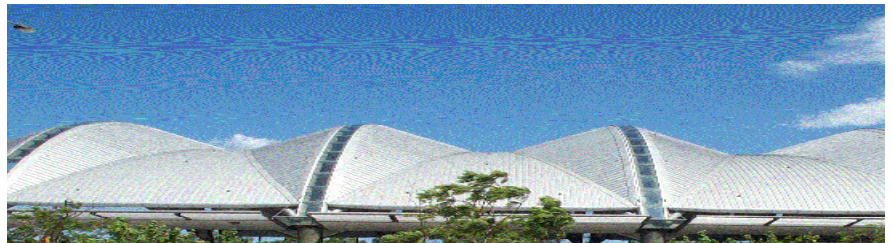
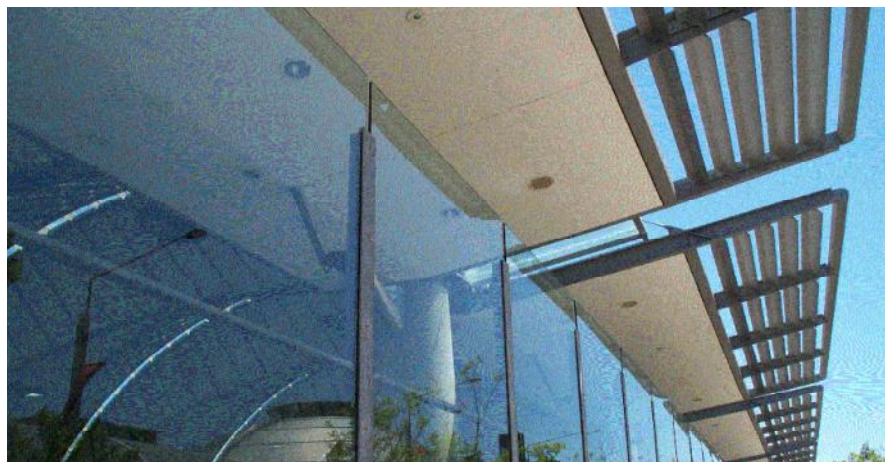
The maximum building height in the Kensington ~~Town~~ Centre specifically refers to the 'underside of the topmost ceiling' rather than the uppermost area of the roof. This control is designed to encourage a range of roof forms and parapets which can contribute to the skyline or silhouette of the ~~Town~~ Centre.

Objectives

- To achieve design excellence in roof forms which contribute to the existing character of the centre.

To add visual interest to the ~~Town~~ Centre skyline when viewed from street level or surrounding key vantage points.

✓ Roof forms should add visual interest to the ~~Town~~ Centre skyline



Controls ~~Performance Criteria~~

- i. Wholly contain lift over-runs and service plants within roof structures or roof lines.
- ii. Minimise the bulk and mass of roofs and their potential for overshadowing.
- iii. Design roofs to generate an interesting skyline and enhance views from adjoining developments.
- iv. Relate roofs to the size and scale of the building, the building elevation, and the three dimensional building form.
- v. Consider providing landscaping and appropriately shaded areas on flat roofs.
- vi. Avoid attic windows and dormer windows in the roof.



Service structures should not be visible from the street.

Avoid domestic roof forms, those that imitate Historic styles, and predominantly flat roofs



Well-designed roofs can sometimes create opportunities for habitable spaces, as well as opportunities to conceal mechanical structures such as lift overruns and service plants.

4.6.9(a) Habitable Roof Space

The environmentally sustainable crossover style apartments encouraged by this Plan rely on limited corridors and lift lobbies which will generally occur on the 3rd and 6th storeys. Unless well designed, this could generate development proposals with unsuitably small apartments on the upmost storey. Habitable roof spaces connected to the spaces below by internal stairs could be a viable design option provided they are designed within an interesting roof form and are not regarded by applicants as an opportunity to achieve an additional storey in the development.

Objectives

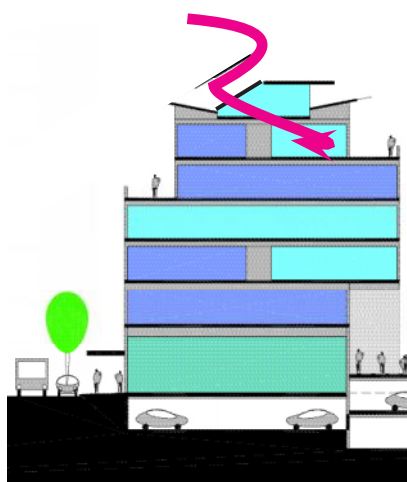
- To provide for a comprehensive mix of apartment types by creating opportunities for the design of larger apartments on the upmost storey.
- To provide opportunities for efficient apartment design within the constraints of environmental sustainability.
- To ensure that habitable roof spaces and roof plant and service areas are not visible from adjoining public roads or private property.
- To ensure that habitable roof spaces are a result of roof forms rather than 'pseudo' storeys.



Habitable roof spaces can optimise the effectiveness of crossover style apartment layouts, providing an 'attic' style space connected to an apartment on the topmost storey.

Controls ~~Performance Criteria~~

- DAS** ~~Development Applications~~ which propose habitable roof spaces will be submitted to a Design Review Panel for assessment of the design merit of the whole application. The Design Review Panel will be selected by Randwick City Council.
- Connect habitable roof space to an apartment below.
- Demonstrate that proposed habitable roof spaces optimise apartment mix and layout and assist to achieve dual aspect apartments with natural ventilation.
- Demonstrate that the total floor area devoted to habitable roof space does not exceed 40% of the floor below.
- Wholly contain habitable areas within the roof space.
- Ensure that, when viewed from an adjoining public road or private property, the roof form (including habitable roof, associated private open space or plant and service areas) has the appearance of a roof and not an additional storey or an extension of the external vertical facade.
- Design windows to habitable roof spaces as an integral element of the roof i.e. avoid attic and dormer windows.
- A continuous flat roof with habitable space within it will be regarded as a pseudo storey and will not be approved.
- Submit perspectives prepared by a suitably qualified person (Architect, town planner, etc) showing front and rear elevations of the development viewed from the ground level across the street at the frontage and at least 30 metres from the building footprint at the rear, to provide clarification that any habitable roof space does not appear as an additional storey. These perspectives should be computer generated and submitted in disc form to enable Council to check accuracy.



4.6.10 Solar Access, Overshadowing & Natural Daylight

Solar access is a major determinant of personal environmental comfort. Good passive solar design offers a resource and financial benefit by reducing the need for artificial heating and cooling. New development must also recognise that existing adjacent buildings require reasonable access to sunlight for living spaces, and private and public open spaces.

Objectives

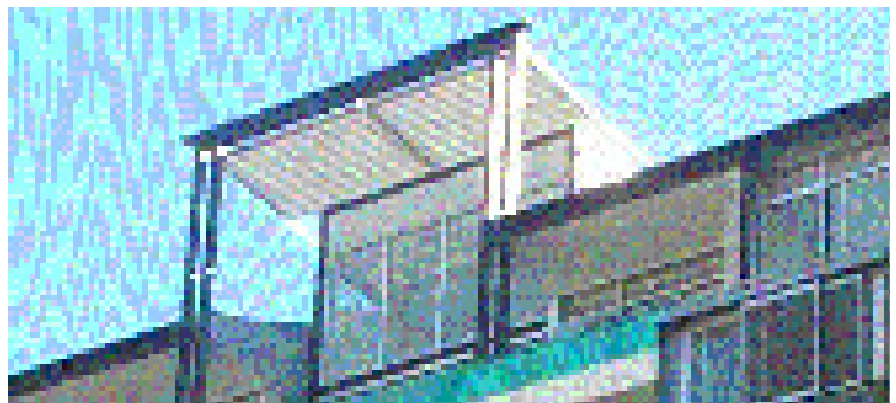
- To minimise the negative impact of overshadowing on the internal and outdoor areas of neighbouring buildings.
- To optimise solar access to habitable rooms and to minimise the need for artificial lighting during daylight hours.
- To retain the amenity of the public domain by maximising solar access.

Controls Performance Criteria

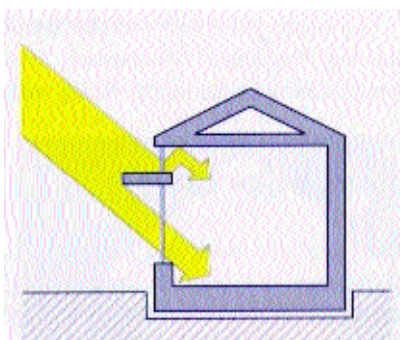
- Maintain sunlight access to private and public open spaces and habitable rooms of adjoining development for at least 3 hours between 9 am and 3.00 pm on 21 June. If existing sunlight access to adjoining development is already below this level, maintain whatever exists.
- Ensure that building layouts facilitate good solar access to both internal and external living spaces e.g. ideally locate living areas to the north and service areas to the south and west of the development.
- Maximise any northerly aspect and optimise the number of north facing windows. Shade north facing windows with roof eaves, verandahs or balconies, awnings or other horizontal shading devices.
- Provide adjustable shade devices suitable for lower sun angles (e.g. louvres/blinds) to openings on the eastern and western facades.



Adjustable shade devices can provide architectural interest as well as optimising solar access.



- v. Incorporate appropriately designed double glazed or energy efficient glass skylights and clerestory windows to improve daylight levels wherever possible.
- vi. Do not use skylights as the only source of daylight and/or natural ventilation for habitable rooms.
- vii. Light shelves (horizontal surfaces incorporating window openings which reflect light into the ceiling of the interior) are recommended for buildings which exceed 14 metres in depth.
- viii. Do not use coloured/opaque glass as a shading device.
- ix. Provide maximum daylighting to entrance lobbies, living spaces, corridors, kitchens, bathrooms and open spaces.
- x. Protect roof terraces with shade cloth, planting, pergolas and/or vergolas.
- xi. Ensure that living spaces of at least 75% of apartments in any new development receive a minimum of 3 hours of sunlight between 9am and 3pm on 21 June, unless existing overshadowing prevents this.
- xii. Submit shadow diagrams prepared by a suitably qualified person (Architect, Engineer, Town Planner etc) indicating the extent of overshadowing of apartments within the development, of adjoining development, and of public and communal open space, with each **DA Development Application**.



Light shelves are horizontal surfaces that can bounce light through windows into the ceiling of the interior.

4.6.11 Street Corners

Buildings on street corners are important both in terms of 'way finding' and 'place making'. Well defined corners assist pedestrians to orient and define their own position within a precinct.

Objectives

- To ensure that corner buildings, which by their location are often highly visible, are well designed and respond to the different characteristics of the streets they address.
- To strengthen the way-finding attributes of corner properties, highlight the location of intersections, and define a clear skyline.

Controls ~~Performance Criteria~~

- Generally the preferred design outcome for an Anzac Parade street corner will include a certain element of 0 metre setback for the upper storeys. The depth of this corner element will vary from Block to Block as a result of design.
- Emphasise verticality at corners, if possible by concentrating the tallest portion of the building on the corner itself. Utilise design devices such as increased wall heights, splayed corner details, increased height, expression of junction of building planes and other architectural features to reinforce the way finding attributes of street corners.
- Design corners to add variety and interest to the street and clarify the street hierarchy.
- Present each frontage of a corner building as a main street frontage.



4.6.12 Visual Privacy

Visual privacy should protect every resident's ability to carry out private functions within all rooms and private open spaces, without compromising the functionality of the outlook, ventilation, and solar access of those private spaces.

When coupled with measures to achieve acoustic privacy, buildings should offer a high quality of residential amenity.

Objectives

- To minimise the direct overlooking of internal and external living areas through: site layout and building layout; location of windows and balconies; design of windows; and use of screening devices.
- To ensure adequate visual privacy to residential developments in the Town Centre and to associated private open space.

Controls ~~Performance Criteria~~

- i. Organise the layout of spaces within the building to achieve visual privacy.
- ii. Unless otherwise indicated on the Block by Block Controls, orient primary openings on all developments to the front and rear of the building i.e. towards the street and the rear open space. Minor openings (to non-habitable rooms, secondary bedrooms, kitchens etc in accordance with BCA standards) are permitted along sides of buildings.
- iii. Where the separation between buildings is less than 12 metres, use screening devices such as louvres and opaque glass to maximise privacy.
- iv. Where possible, locate uses with similar privacy needs close to each other within the building.
- v. Design windows and balconies to minimise overlooking into neighbouring apartments, balconies and buildings. Balcony and balustrade design must consider privacy from the street by day and by night, and material should achieve privacy whilst allowing light, air and views.
- vi. Offset windows from one building to another building to minimise overlooking.



Design windows and balconies to minimise overlooking.

4.7 Buildings - Interior

4.7.1 Acoustic Privacy

Acoustic privacy, or sound insulation within and between buildings, should be designed in from an early stage. When coupled with measures to achieve visual privacy, buildings should offer a high quality of residential amenity.

Objectives

To ensure adequate acoustic privacy to residential developments in the Town Centre and to associated private open space.

Controls ~~Performance Criteria~~

- i. Design the internal layouts of apartments and the location of courtyards, terraces/balconies and openings to minimise noise transmission.
- ii. Locate active areas within an apartment towards external noise sources (e.g. streets), and orientate quiet areas away from noise sources.
- iii. Use storage or circulation within apartments to buffer noise from adjacent apartments, mechanical services, and corridors/lobbies.
- iv. Minimise noise emissions from all mechanical services and plant rooms by using sound attenuation devices and acoustic rated walls, doors and openings.
- v. Minimise the amount of party (shared walls) with other apartments.
- vi. Build residential buildings so that the repeatable maximum L_{Aeq} (1hour)
 - in naturally ventilated buildings does not exceed: 35dB(A) between 10:00pm and 7:00pm in sleeping areas when the windows are closed, and 45db (A) in windows open condition; *and* 45dB(A) in living areas (24 hours) when the windows are closed, and 55dB(A) in the windows open condition.
 - when doors and windows are shut and mechanical ventilation or air conditioning is operating does not exceed: 38dB(A) between 10:00pm and 7:00pm in sleeping areas; *and* 46dB(A) in living areas (24 hours).
- vii. Use construction techniques that pay good attention to sealing air gaps around doors and windows exposed to noise; use acoustic materials wherever possible; use acoustic ventilation devices; and use thicker window glass, operable screened balconies or double glazing.
- viii. Minimise the noise impacts associated with: goods and service delivery; waste and garbage collection; and active uses such as restaurants and cafes.
- ix. Comply with BCA requirements for acoustic control of airborne noise and impact noise between apartments.
- x. Submit a noise and vibration assessment addressing appropriate measures to minimise potential noise and vibration impacts for any proposed residential development (for a model consultant brief refer to the RMS Environmental Noise Management Manual).
- xi. Refer to EPA (1999) 'Environmental Criteria for Road Traffic Noise'.

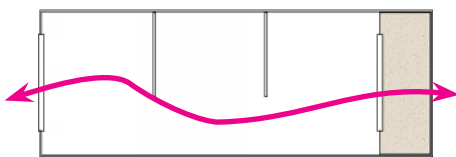
4.7.2 Apartment Layout

The floor plan layout of residential apartments is the primary design tool for achieving environmental sustainability in terms of natural ventilation and daylight access, and residential amenity in terms of apartment quality.

The quality of the apartment relates to the efficiency of the layout, its environmental qualities, and the social interactions which can be accommodated within it.

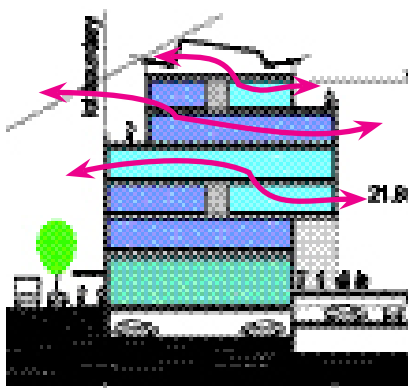
An efficient apartment layout should minimise circulation space and be easily furnished. Circulation by stairs, corridors and through rooms should be as short and direct as possible. Room proportions should allow comfortable layout of furniture.

Slim building floor plans and dual aspect apartments provide better sunlight and daylight access and cross ventilation than deep floor plans or single orientation apartments.



Unimpeded air flow through an apartment is an essential design criteria. Cross-through apartments are the simplest way to achieve a dual aspect

Dual aspect can be achieved in a number of different ways



Crossover apartments minimise corridors and lifts as well as achieving natural ventilation

Dual aspect apartments can be achieved in a number of ways. 'Cross-through apartments' on a single level extend for the full building depth and have window and door arrangements allowing unimpeded air movement through the full depth of the apartment. Cross-through apartments are sometimes known as single-loaded apartments, to distinguish them from the housing styles of the past, when long corridors with doors 'double-loaded' on either side led to apartments with a single aspect.

'Crossover' apartments are split or multi-level apartments with at least one level extending for the full building depth.

Objectives

- To ensure that new residential development in the **Town** Centre achieves high levels of Environmental Sustainability.
- To ensure that apartment layouts are efficient and have high standards of amenity for residents.

Controls ~~Performance Criteria~~

- Achieve apartments with dual aspect, to allow the direct flow of air from one side of the apartment to the other.
- Use a variety of apartment styles to maximise natural ventilation and access to natural daylight, including:
 - Cross-through apartments
 - Split-level apartments
 - Crossover apartments, which minimise corridors and lift lobbies but provide a dual aspect for natural ventilation
- Design apartments to contain minimal circulation areas, ensure comfortable and flexible furniture layouts, promote sunlight access and control, promote daylight penetration, allow for natural cross ventilation, allow for visual and acoustic privacy, and be flexible to suit the requirements of residents.

4.7.3 Apartment Mix

According to the Australian Bureau of Statistics (Australian Year Book 2001), over the past few decades Australian society has undergone many social changes that have altered the way people live.

People are marrying later and couples are having fewer children. The increase in divorces since changes in the divorce laws in 1975 has led to more one-parent families. Proportionally more people are living alone, either by choice or as a result of divorce, separation or widowhood. Older persons, left alone after the death of their partner, contribute significantly to the numbers of single person households.

The mix of apartments should reflect these social changes.

Serviced apartments and student accommodation, which are residential style buildings catering for longer stay visitors, should have a comparable level of amenity to residential buildings so that any subsequent conversion of serviced apartments to permanent residential stock is not constrained by poor amenity.

Objectives

- To provide a mix of apartment types and size to accommodate a range of household types.

Controls ~~Performance Criteria~~

- Provide a mix of Studios, 1 Bedroom, 2 Bedroom and 3 or more Bedroom apartments.
- Provide a mix of layouts and sizes, and consider the design needs of those who work from home.
- Ensure that Studios and 1 Bedroom apartments comprise no more than 40% of the total number of apartments.
- Design commercial uses to permit future adaptation to, and flexibility for, residential uses.
- Design serviced apartments and student accommodation to permit future adaptation to conventional apartments in terms of mix, amenity, and all other design provisions of this Plan. In particular:
 - For serviced apartments, two interconnecting 1 Bedroom apartments, or a 1 Bedroom Apartment interconnecting with a Studio apartment, may be considered as a 2 Bedroom apartment provided both apartments are accessible from a shared private lobby. Such an arrangement must be defined as a single strata apartment.
 - For student accommodation, a standard apartment with multiple bedrooms may be designed in such a way that certain bedrooms are separately keyed, in order to satisfy fluctuations in occupancy demand.

- vi. Applicants should note that any proposals for student accommodation:
 - should be accompanied by an operational management plan prepared by an appropriately qualified Social Planner or equivalent; and
 - will be submitted for review to an organisation with expertise in the provision of this type of housing e.g. Association to Resource Co-operative Housing or the Office of Community Housing.
- vii. Ensure that ground floor apartments comprise a mix of apartment types, where gardens, adaptability and accessibility are more easily achieved for elderly people, families with children, or people living with disabilities.

4.7.4 Apartment Size

According to the Australian Bureau of Statistics (Year Book Australia, 2001), Australian families are becoming smaller, yet new dwellings are getting larger. This apparent contradiction in trends reflects a change in housing standards and aspirations combined with changes in people's living arrangements.

Objectives

- To provide a high quality living environment for all residents, including smaller families and those who wish to live in studio style simplicity.
- To ensure room sizes are adequate for their function.
- To achieve room sizes consistent with the Residential Flat Design Code minimums.

Controls ~~Performance Criteria~~

- Comply with the following minimum Apartment Sizes:

Apartment Type	Area m ²
Studio	40
One bedroom cross-through	50
One bedroom cross over	55
Two bedroom corner	80
Two bedroom cross-through	90
Two bedroom crossover	90
Two bedroom corner with study	120
Three bedroom	125
For each additional bedroom above 3, an additional	20

- Minimum Apartment Areas exclude Private Open Space.
- Comply with the following minimum Apartment Widths:
 - Studios: 3.5 metres clear internal width
 - 1, 2 and 3 Bedroom apartments: 4.5 metres clear internal width
 - Crossover/cross through apartments more than 18 metres deep: 4 metres clear internal width
- Comply with the following minimum Room Dimensions:
 - Main Bedrooms: 12 sqm, with the shortest wall being 3.0m long.
 - Other Bedrooms: 9 sqm, with the shortest wall being 2.5m long.
 - Living rooms: 15 sqm, with the shortest wall being 3.5m long.
 - Dining rooms: 9 sqm, with the shortest wall being 2.5m long.
- Demonstrate that a studio has the potential to be combined with another apartment to form a larger apartment.
- Submit scale drawings which indicate the furniture layouts of each of the different apartment sizes and styles with every DA.

4.7.5 Building Use

An essential element of the ~~Town~~ Centre vision is that it becomes a vibrant mixed use precinct, with residential, retail and commercial uses in new development. ~~Planning NSW Practice Notes for Improving Transport Choice~~ NSW Planning guidelines for integrated land use and transport planning identify that the co-location of many compatible uses will reduce car travel and increase walking, cycling and public transport use. Locally, traffic congestion will be reduced, air quality improved, and accessibility maximised.

Objectives

To achieve a vibrant and viable mixed use ~~Town~~ Centre

Controls ~~Performance Criteria~~

Comply with the following unless otherwise specified in the Block by Block Controls:

- i. Development fronting Anzac Parade & Doncaster Ave
 - Ground Floor: Retail and Commercial uses
 - Storey 2: Commercial and Residential uses (retail uses if justified by an economic impact/assessment study of the Kensington ~~Town~~ Centre)
 - Storeys 3 and above: Residential uses
- ii. Transitional Development fronting other streets

Ground Floor: Commercial uses (retail uses if justified by an economic impact/assessment study of the Kensington ~~Town~~ Centre)

 - Storeys 2 and above: Residential uses
- iii. Transitional Development not fronting any street
 - All storeys: Residential uses
- iv. Mews Style Development
 - Ground Floor: Retail/Commercial and Residential uses
 - Storeys 2 and above: Residential uses
- v. Contributory Buildings
 - Ground Floor: Retail and Commercial uses
 - Storey 2: Retail/Commercial and Residential uses



4.7.6 Floor to Ceiling Heights

High ceilings, which facilitate light and a sense of space, are important features of well-designed residential apartments. In the **Town Centre**, where a variety of uses are encouraged at ground and first floor, higher ceilings enable buildings to respond, over time, to demand for alternate uses.

Objectives

- To facilitate natural day lighting and natural ventilation throughout buildings.
- To increase the 'sense of space' in residential apartments.
- To provide maximum flexibility for alternate uses at ground and second storeys.
- To allow building elevations to respond to the street context.
- To ensure that buildings are well-proportioned and aesthetically pleasing.

Controls ~~Performance Criteria~~

- Determine the appropriate overall height (measured to the underside of the topmost ceiling) as a response to the Site Analysis.
- Unless otherwise indicated on the Block by Block Controls, comply with the following tables, which indicate the minimum and maximum: floor to ceiling; ceiling space and floor slab; and floor to floor heights required to achieve the appropriate overall building height as a relationship between storeys and height.

TABLE 1: TRANSITIONAL DEVELOPMENT NOT FRONTING ANZAC PARADE

			Minimum Building Height to underside of Topmost ceiling	Maximum Building Height to underside of Topmost ceiling
Floor to ceiling	2.7	Floor to Floor	15.9 Storey 5	2.7 Floor to Floor 17.1 Storey 5
Ceiling space & floor slab	0.2	↓		0.6 ↓
Floor to ceiling	2.7	2.9	13 Storey 4	2.7 3.3
Ceiling space & floor slab	0.2			0.6
Floor to ceiling	2.7	2.9	10.1 Storey 3	2.7 3.3
Ceiling space & floor slab	0.2			0.6
Floor to ceiling	2.7	2.9	7.2 Storey 2	2.7 3.3
Ceiling space & floor slab	1			1
Floor to ceiling	3.5	4.5	3.5 Grd/Storey 1	3.5 4.5
			15.9 Metres Minimum Height	17.1 Metres Maximum Height

TABLE 2: ANZAC PARADE, DONCASTER AVE & MEWS STYLE DEVELOPMENT

			Minimum Building Height to underside of Top most ceiling	Maximum Building Height to underside of Top most ceiling
Floor to ceiling	2.7	Floor to Floor	25.2 Storey 8	2.7 Floor to Floor 27.4 Storey 8
Ceiling space & floor slab	0.2	↓ 2.9		0.2 24.5 Storey 7
Floor to ceiling	2.7		22.3 Storey 7	2.7 2.9 21.6 Storey 6
Ceiling space & floor slab	0.2	2.9		0.2 18.3 Storey 5
Floor to ceiling	2.7		19.4 Storey 6	2.7 3.3 15 Storey 4
Ceiling space & floor slab	0.2	3.3		0.6 11.7 Storey 3
Floor to ceiling	2.7		16.5 Storey 5	2.7 3.5 8.2 Storey 2
Ceiling space & floor slab	0.2	3.5		0.6 4.5 Grd/Storey 1
Floor to ceiling	2.7		13.6 Storey 4	2.7 4.5
Ceiling space & floor slab	0.2	4.5		
Floor to ceiling	2.7		10.7 Storey 3	
Ceiling space & floor slab	0.8			
Floor to ceiling	2.7		7.2 Storey 2	
Ceiling space & floor slab	1.0			
Floor to ceiling	3.5		3.5 Grd/Storey 1	

25.2 Metres Minimum Height

27.4 Metres Maximum Height

- iii. Ensure that no storey has a greater floor to ceiling/floor to floor height than the storey below.
- iv. Council may consider an increase in the maximum Floor to Ceiling height of residential storeys, provided that:
 - the increase is offset by a corresponding decrease in ceiling space and slab thickness, in order to ensure that the maximum height (as a relationship of height and storeys) is not exceeded;
 - and

the resulting Built Form still reflects the proportions of the Building Envelopes specified in the Block by Block Controls i.e. 3:5, 4:6, 5:8.

4.7.7 Garden or Ground Floor Apartments

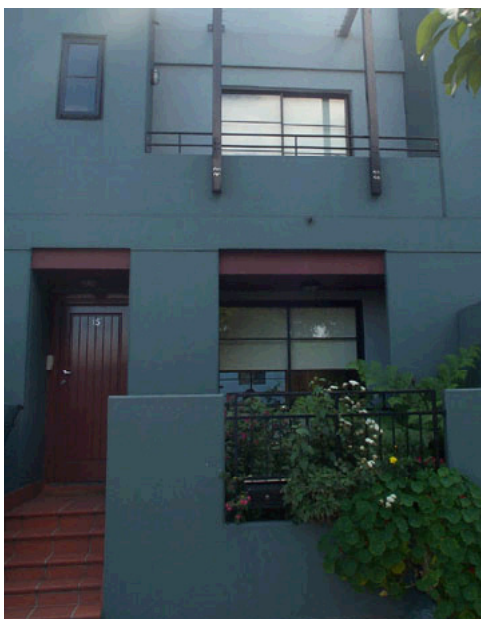
Garden or Ground Floor Apartments can fulfil lifestyle choices, for example by providing families with direct access to communal open space from private open spaces, as well as being able to easily provide direct access to the street for those whose physical condition requires this.

Objectives

- To maximise opportunities for safe streets, with active and useful street edges.
- To ensure that ground floor spaces are useable, safe and well maintained.
- To optimise the advantages of apartments on the ground floor.

Controls ~~Performance Criteria~~

- i. Provide ground floor apartments with access to, or an address to, the street.
- ii. Ensure privacy from the street by incorporating a level change (minimum of 1 metre) between the footpath and the internal ground floor of the apartment. Achieve equity of access despite the level change.
- iii. Design street facing windows to ensure privacy from the street.
- iv. Clearly define private and public spaces.
- v. Provide maximum flexibility for future alternate uses by complying with Floor to Ceiling Height Controls.



4.7.8 Home Offices

According to the Australian Bureau of Statistics, in June 2000 almost one million Australians worked all or most of their hours at home, or had an arrangement with their employer to work at home. Almost half (49%) of all persons employed at home were female. Some 76% were 35 years of age and over, and 38% of persons employed at home were self-employed. For males employed at home the most common occupation groups were managers and administrators (35%) and professionals (28%), while females were most likely to be employed at home as professionals (23%), and advanced clerical and service workers (21%).

People working from home can contribute to the economy and life of the ~~Town~~ Centre. They can generate demand for business supplies and services, lunches, and pleasant places to meet colleagues or clients. They can contribute to safety initiatives by providing casual surveillance during the day, when other residents are working away from home.

Small home offices and workplaces forming part of a residential apartment, are encouraged.

Objectives

- To contribute to the economic growth of the ~~Town~~ Centre and achieve a diverse local workforce.
- To achieve an active and lively ~~Town~~ Centre by promoting 24 hour use.
- To promote less frequent use of motor vehicles.
- To improve personal and property security by maximising casual surveillance of the street.
- To provide opportunities for less mobile people to make economic progress.

Controls ~~Performance Criteria~~

- i. Design home office areas to minimise conflict with domestic activities.
- ii. Clearly identify the home office area, ideally by designing it so that it can be closed off from the rest of the apartment.
- iii. Give special consideration to home office needs including storage, additional telephone and electrical capacity, and task lighting.
- iv. Note that activities undertaken in home offices should not impact negatively on other residents in terms of noise, odour, traffic generation, appearance or other amenity.

4.7.9 Stairs, Lifts and Corridors

Common circulation spaces within a building set the tone for residential amenity. Well designed circulation spaces such as stairs, lifts and corridors can make the difference between a building which feels like a permanent 'home' and a building which feels institutional.

The narrow buildings envisaged for the ~~Town~~ Centre should result in multiple circulation points, if dual aspect, cross-ventilated apartments are to be achieved.

Objectives

To provide adequate, safe and pleasant circulation spaces in which people can easily circulate.

Controls ~~Performance Criteria~~

- i. Maximise the amenity of circulation spaces by providing generous spaces e.g. high ceilings, wide corridors.
- ii. Provide at least one lift to service no more than forty (40) apartments over the full rise of the building.
- iii. Optimise security by grouping apartments to a maximum of ten (10) around a common lobby. Council may consider a variation in the maximum number of units per floor where the applicant can demonstrate that a high level of amenity of the common lobby, corridors and units is achieved.
- iv. Provide natural daylight to circulation spaces wherever possible.
- v. Use attractive materials with robust finishes.
- vi. Optimise the number of vertical circulation points and minimise the number of apartments per corridor.
- vii. Ensure that no apartment is more than 12 metres away from a lift.
- viii. Ensure that corridors are wide enough to allow two people walking in opposite directions, each carrying luggage or shopping parcels, to comfortably pass each other without disturbance.
- ix. Consider separate open stairs and or lifts to 2nd storey commercial spaces.

4.7.10 Storage

High quality living spaces should include adequate space to store the types of items which contribute to people's enjoyment of life.

Objectives

To provide storage for everyday household items within easy access of the apartment, including storage for sporting, leisure, fitness and hobby equipment.

Controls ~~Performance Criteria~~

- i. Provide accessible and adequate storage facilities at the following rates per apartment:
 - Studio apartments- 6 cubic metres
 - 1 Bedroom apartments- 8 cubic metres
 - 2 Bedroom apartments- 10 cubic metres
 - 3+ Bedroom apartments- 12 cubic metres
- ii. Provide at least 50% of this storage facility within the apartment, accessible from either a hall or a living space. The remaining 50% may be provided in a secured area remote from the apartment.

4.8 Open Space

4.8.1 Communal Open Space

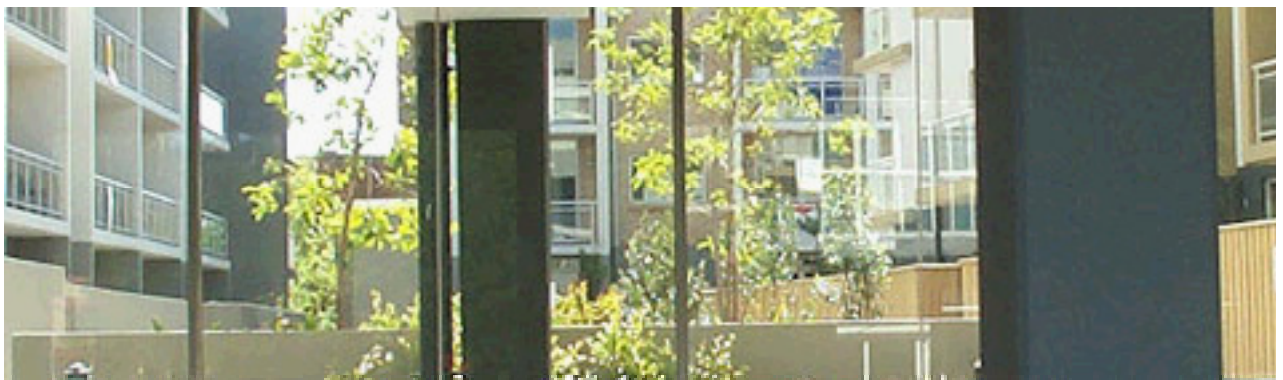
Communal open spaces are those spaces within the site that are accessible to and benefit all residents and users.

Objectives

- To ensure that every development of more than 2 apartments has access to an area of communal open space of sufficient size and quality to enhance the development's livability.
- To provide residents with passive and active recreational opportunities.
- To provide an area on site that enables soft landscaping and deep soil planting.
- To enable the longer term creation of combined communal open space.

Controls ~~Performance Criteria~~

- Maximise ground level communal open space.
- Locate communal open spaces so they form a focus of the development and provide a landscape buffer between buildings.
- Avoid fragmenting communal open space into multiple spaces.
- Design communal open spaces as spaces which provide a pleasant outlook for residents.
- Ensure that communal open spaces facilitate solar access to apartments, whilst providing visual privacy between them.
- Reduce glare through the careful design of hard surfaces and landscaping.



Well landscaped communal open spaces can provide pleasant outlooks from commercial areas as well as from residences.

4.8.2 Landscape Treatment

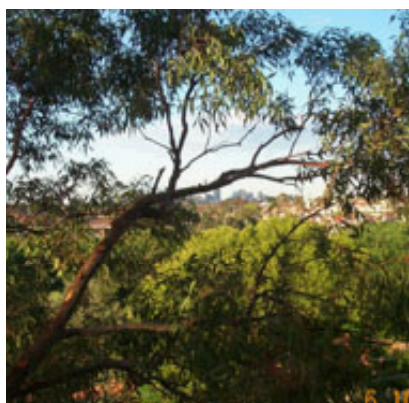
Landscaping has the potential to contribute to the character and visual quality of the ~~Town~~ Centre. Increasing the extent of planting bed and the area of unpaved surface will help to integrate new development into its surrounds.

Objectives

- To add value to quality of life in new developments by assisting and improving privacy, outlook and views.
- To reduce stormwater quantity and improve its quality.
- To improve the micro-climate and solar performance within new development.
- To improve urban air quality.
- To provide shade from the elements.
- To enable the longer term creation of combined communal open space.

Controls ~~Performance Criteria~~

- i. Retain existing, and incorporate new, indigenous trees, shrubs and ground covers where appropriate/possible.
- ii. At property boundaries, substitute soft landscape treatment for fencing. Ensure that planting is advanced, to provide visual privacy where necessary.
- iii. Use plant material and pavements that integrate the development with the adjoining area and are consistent with the Kensington ~~Town~~-Centre Public Domain Improvement Strategy.
- iv. Maximise deep soil zones to provide for substantial landscaping.
- v. Use landscape design to improve the energy and solar efficiency of apartments and the microclimate of private open spaces. Use mechanisms such as:
 - Tall cylindrical-shaped trees in row planting to shade low-angle sun on the eastern and western sides of apartments;
 - Trees that do not cast shadows over solar collectors at any time of the year;
 - Deciduous trees to shade windows & open space areas in summer; and
 - Evergreens placed well away from buildings so they do not block the winter sun.
- vi. Ensure that vegetation:
 - Is in scale with the development;
 - Comprises a diversity of local native plant species to improve native fauna habitat and assist to reduce water consumption;
 - Relates to the street planting and the streetscape;
 - Relates to the building form;
 - Is robust and easily maintained;
 - Creates private gardens to ground floor apartments;
 - Facilitates stormwater infiltration by the use of permeable surfaces; and
 - Reduces overland flow.
- vii. Consider gardens on rooftop Communal or Private Open Space to assist improve insulation and minimise runoff.
- viii. Submit a landscape plan prepared by a qualified landscape architect.



4.8.3 Private Open Space

Private outdoor open spaces include areas of paving or planting either at ground level or above. Roof gardens over built structures, terraces, balconies and roof terraces are all considered as private outdoor open space, providing they are connected to an apartment. Whether they are enclosed, recessed within walls or roofs, projecting without or outside roofs, walls or columns, or partially recessed/partially projecting, private open spaces will generally be situated within the Articulation Zone, although some may penetrate it.

Objectives:

- To ensure that every apartment has access to a private, useable and functional open space directly off main internal living spaces.
- To contribute to the articulation buildings.

Performance Criteria

Unless otherwise indicated on the Block by Block Controls:

- Whether at ground or above, provide at least one balcony/terrace for each apartment, directly accessible from the main living area (the main balcony).

Ensure that the main balcony extends the living space by being sufficiently well proportioned to accommodate a dining table and chairs, with additional space for flower boxes or potted plants.

- Ensure that the main balcony has a minimum depth of 2.5 metres, & a minimum area of:
 - 6 sq metres for a Studio/One Bedroom apartment
 - 10 sq metres for a Two/Three Bedroom apartment
 - 15 sq metres for Four/more Bedroom apartment

- Assist visual privacy by recessing and/or partially enclosing the main balcony.

- Ensure that additional balconies have a minimum depth of 1.5 metres and a minimum width of 2.1 metres.

- Juliet balconies are appropriate for the rear of Contributory Buildings. They may be considered in lieu of additional balconies for Mews Style Development, and in lieu of some additional balconies for other development.

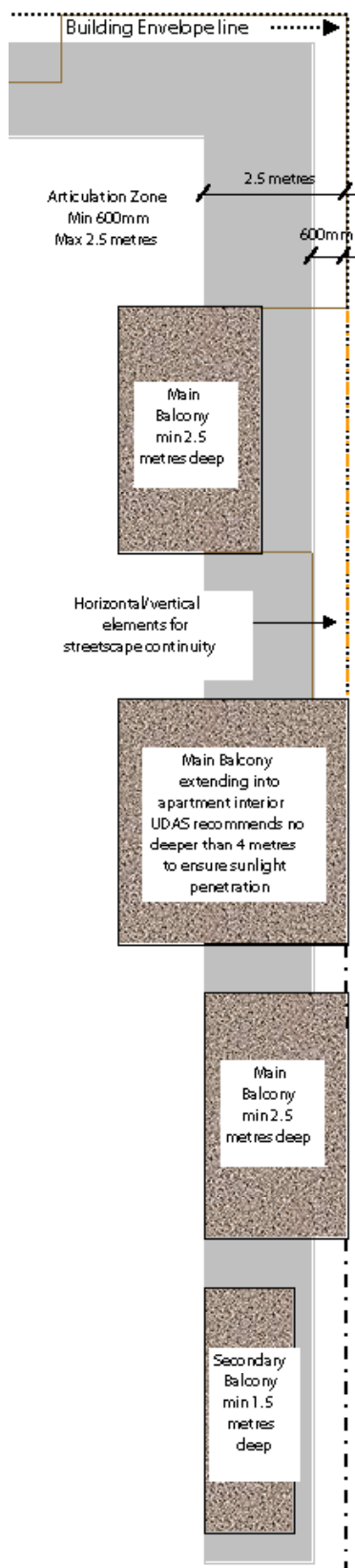
- Orientate balconies to maximise solar access. Ensure that the longer dimension of any balcony is outward facing to maximise light penetration into the interior of each apartment.

- Ensure that the undersides of balconies are well designed and provide a pleasing appearance from the street.

- Take advantage of views and any natural features, and improve community safety by allowing surveillance over the street and other public areas, but minimise the overlooking of adjoining apartments.

- Include sunscreens, pergolas, shutters, and operable walls to enhance design and livability, e.g. to reduce road noise impacts.

- Ensure that balconies are not designed for building maintenance purposes only, nor designed so deep that they stop sunlight entering the lower apartments in the building.



4.9 Safety & Security

4.9.1 Safer by Design

It is an accepted Crime Prevention principle that physical environments can be designed to positively influence human behaviour. The NSW Police Service provides 'Safer by Design' training and advice, based on the strategies of Crime Prevention Through Environmental Design (CPTED).

Territoriality: People protect their own territory. Fences, pavement treatments, art, signs, good maintenance, and landscaping are some physical ways to define ownership. Identifying intruders is much easier in a well-defined space.

Natural Surveillance: Criminals don't want to be seen. Landscaping and lighting can be planned to avoid 'hiding places' and enable residents, neighbours and people passing by to see who is entering or leaving a building.

Activity Support: Encouraging legitimate activity in public spaces helps discourage crime. Any activity that gets people out and interacting - shopping, eating, sitting in a public space, - helps prevent crime.

Access Control: Properly located entrances, exits, fencing, landscaping, and lighting can direct both foot and automobile traffic in ways that discourage crime.

A well maintained property contributes to community safety by signalling that it is a 'territory' which its owners and inhabitants are willing to protect.

Objectives

- To ensure that the development, and the precinct as a whole, is safe and secure for residents and visitors.
- To encourage transparency - the ability to clearly see what is happening on the street and in the areas between the street and the building.
- To maximise casual surveillance - the ability to overlook the street and footpath from windows or balconies.
- To ensure that the building and the site can be cleaned and easily maintained.

Controls ~~Performance Criteria~~

- i. Design buildings to clearly define the progression from public through to private space.
- ii. Encourage ground level apartments to enter directly from the street rather than through a common foyer.
- iii. Orientate entrances towards the public street and ensure visibility between entrances, foyers and the street.
- iv. Provide direct and well-lit access between carparks and apartments, between carparks and lift lobbies, and to all apartment entrances.

- v. Consider providing separate access for residents in mixed use buildings.
- vi. Provide views over communal and public open space.
- vii. Provide views of common internal areas, including lobbies and foyers, hallways, recreation areas and carpark, wherever relevant.
- viii. Design out blind or dark alcoves which might conceal intruders, especially in areas near lifts, stairwells, and entries and within carpark.
- ix. Provide clear lines of sight and well-lit routes throughout the development.
- x. Provide appropriate levels of illumination for all common areas.
- xi. Illuminate carpark entrances to levels higher than the minimum acceptable standard.
- xii. Consider audio and video intercom and/or key card access systems.
- xiii. Use materials and design detailing that ensure long life and ease of maintenance.
- xiv. Design windows that can be cleaned from inside the building.
- xv. Manually operated (rather than mechanical) systems such as blinds, sun shades, pergolas and curtains will be highly regarded.
- xvi. Where mechanical systems are suggested, ensure they have manual backup systems.

Submit a formal Crime Risk Assessment with every Development Application comprising 20 or more new apartments. (for more information contact NSW Police Service Safer by Design Team or go to www.police.nsw.gov.au)

Definitions

~~To be updated with Draft RLEP definitions~~

Acoustic Privacy refers to the measure of sound between dwellings, and between external and internal spaces.

Articulation Zone refers to the area in which architectural movement and modulation should vary the notional Building Envelope.

Apartment (synonymous with 'dwelling' as defined in Randwick City Council's LEP 2012 ~~1998~~) means a room or suite of number of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile residence.

Block refers to a group of subdivided lots, the edge of which is bound by public roads, and in some cases, public roads and public open space.

Building Envelope means a three dimensional shape within which a development must fit. It defines the limits for the siting and height of any buildings.

Building Height is calculated as the height measured vertically from ground level to the underside of the ceiling of the topmost floor.

Building Footprint means the area of land measured at finished ground level that is enclosed by the external walls of a building.

Building Zone refers to the base of the Building Envelope.

Communal Open Space ~~(synonymous with 'Landscaped Areas' Randwick City Council LEP 1998)~~ defines useable shared open space for the recreation and relaxation of all residents of a development.

Defined Parcel means a collection of allotments outlined in red on the Block by Block Controls, for which specific Design and Development controls apply, including in some instances minimum or maximum site amalgamations required for development to occur.

Environmentally Sustainable Development is development that uses, conserves and enhances the community's resources so that ecological processes are maintained and the total quality of life, now and in the future, can be increased.

The Golden Section or Golden Mean (1: 1.618) is a ratio that is present in the growth patterns of many things - e.g. the spiral formed by a shell or the curve of a fern. Architects and artists have used the Golden Section for centuries, to determine pleasing proportions.

Gross Floor Area means the sum of the areas of each level of a building where the area of each level is taken to be the area within the outer face of the external enclosing walls, excluding:

- columns, fins, walls, shading devices, awnings, balconies and any other elements, projections or works outside the general lines of the outer face of the external wall; *and*
- lift towers, cooling towers, machinery and plant rooms, air-conditioning ducts; *and*
- associated car parking and any internal vehicular or pedestrian access to that parking, *and*
- space for the loading and unloading of goods.

Ground Level is calculated as an average of levels across the allotment frontage.

Habitable room or space means a room used for normal domestic activities, and includes:

- a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room and sunroom but excludes:
- a bathroom, water closet, pantry, walkin wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Impervious surface is material that does not allow water to pass through to the soil below.

Juliet balcony means a small projecting balcony, generally ornamental or only large enough for one person standing.

Living area means a room used for normal domestic activities excluding non-habitable rooms and bedrooms.

Lot or allotment refers to an individual parcel of sub-divided land.

Private Open Space means an area of land or of a building suitable for the private outdoor living activities of the occupants of one apartment, and directly accessible from a living area of that apartment.

Public Open Space means land used, or intended for use, for recreational purposes by the public.

Roof terrace means a space, open to the sky, created on the roof of a lower level portion of the building. Roof terraces may be designed as Private Open Space or as Communal Open Space.

SEPP means State Environmental Planning Policy.

Setback means a defined physical distance between the Envelope edge and: certain boundaries; certain buildings; and certain rooms in adjacent buildings.

Storey means a floor within a building, but not including:

- a roof or part of a roof, used as an uncovered garden, terrace or deck;
- useable or habitable roof space; or
- semi-basement or basement parking.

Semi-basement parking refers to a car parking area partially accommodated underground. The roof to this space (top of the slab) must not be greater than 1.5 m above ground level.

Useful Reference Materials

Crime Prevention Through Environmental Design

Crime Prevention and the Assessment of Development Applications,
Performance Criteria under Section 79C of the Environmental Planning
Assessment Act, 1979
Planning NSW (formerly Department of Urban Affairs & Planning).

Heritage Conservation

The Australia ICOMOS Burra Charter, www.icomos.org
Randwick Heritage Study, Randwick City Council
Centennial Parklands Conservation Management Plan

Demography

Census 2001 data for Kensington Postal Area.
Australian Bureau of Statistics

Energy Efficiency

Energy Smart Homes Policy
Sustainable Energy Development Authority (SEDA).

Floodplain Management

NSW Government Floodplain Management Manual (2001)
NSW Government Bookshop

Return on Investment

The Design Dividend, research paper
Property Council of Australia
www.propertyoz.com.au

Student Housing

Demand and Type: Kensington Campus Masterplan 2002
University of New South Wales.

Transport and Access

Integrating Land Use and Transport, Improving Transport Choice:
Guidelines for Planning and Development
Planning NSW, Roads and Traffic Authority & Transport NSW

Centennial Parklands Transport Access and Parking Plan

Urban Housing Design

Better Urban Living - Performance Criteria for Urban Housing in NSW,
Planning NSW.

Residential Flat Design Pattern Book
Urban Design Advisory Service and NSW Government Architect.
www.patternbook.nsw.gov.au

Residential Flat Design Code
Planning NSW Urban Design Advisory Service www.planning.nsw.gov.au

Waste Management:

Waste Planning in Multi-Unit Dwellings - Best Practice Design
Performance Criteria, *Inner Sydney Waste Board.*