

Liquor & Gaming NSW

Review of the Small Bars Legislation

City of Sydney
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City of Sydney Council Submission

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1. Executive Summary

The night-time economy is an integral part of Sydney's commercial, cultural and social fabric. The City of Sydney (the City) commends the Liquor & Gaming NSW for providing the opportunity for stakeholders to participate in this review.

Since at least 2007, including with the Late Night Trading Premises Development Control Plan, the City has advocated for and facilitated the establishment of small bar style venues with capacities up to a maximum of 120 patrons. In 2011, the City started a program to support business diversification of the night-time economy through the establishment of small bars with development consent for venues with capacity of up to 120 patrons.

In 2013, the City adopted the OPEN Sydney Strategy which aims to make Sydney at night better connected, more diverse, more inviting and safe, and more responsive to change. A vibrant and sustainable night-time economy is essential for Sydney to remain competitive and maintain its global status. The diversification of the night time economy is one of five objectives contained in the strategy and continues to be a key focus of the City.

There are approximately 128 small bar style venues (120 capacity) in the City of Sydney's local government areas. Advocacy to the NSW Government resulted in the creation of a separate small bar licence category under the (NSW) Liquor Act 2007 (the "Act"), which came into effect on 1 July 2013. However, this licence is for venues with a maximum capacity of 60 patrons (rather than 120).

The City supports the retention of a specific class of licence for small bars and recommends, in this submission, adjustments to ensure it effectively meets the needs of the industry, the expectations of the public and the objectives of the Act. At present, the capacity limit of 60 persons for a small bar licence is too restrictive, leading some small bars to apply for an on-premises (restaurant) licence even though their intended business model more closely resembles a 'small bar'. In addition, for those venues which do have a small bar licence, it means the venues are usually unable to sustain live music and performance programming on a significant scale.

The development of a safe and sustainable night-time economy can only be realised through implementation of a range of robust measures that operate together to encourage diversity and good management. The City supports the objectives of the Small Bars legislation and the retention of this policy, however, as outlined in the submission, refinements to the legislation will ensure that outcomes meeting these objectives are optimised.

Summary of recommendations

Small bar licence features and requirements

a. 60 patron limit for small bars

Recommendation 1: Change the liquor licence definition of the Small Bar licence category to increase the capacity limit from 60 to 120 patrons.

b. Authorised trading hours for small bars

Recommendation 2: Remove the restriction on trading hours for small bars in liquor freeze areas to allow standard trading hours to 2am, instead of 12 midnight.

c. Availability of extended trading hours for small bars from 10am until 5am

Recommendation 3: The availability of extended trading hours for Small Bars should be maintained, with each venue's suitability for extended hours of operation assessed on application.

d. Exemption for small bars from the community impact statement (CIS)

Recommendation 4: Continue the exemption for small bars from preparing a community impact statement.

Recommendation 5: Consider improved synchronising between the development and liquor licence assessment process, for example by allowing applicants to prepare a single Plan of Management to encompass the development consent and liquor licence aspects.

Factors affecting the uptake of small bar licences

a. Awareness of the small bar licence and its conditions

Recommendation 6: Consider providing further information on the types of business activities that a Small Bar licence holder may engage in, such as the provision of food and live music and performance, to increase awareness and potential uptake.

Recommendation 7: Reduce or remove the trading hours loading fee in the Periodic Licence Fee Scheme for small bar style venues up to 120 patron capacity.

The nature of any positive and negative impacts of the small bar legislation

a. Impacts on the risk of alcohol-related violence and anti-social behaviour

Recommendation 8: Consider research into licenced premises size and type to assess the impact on alcohol-related violence and anti-social behaviour.

b. Impacts on the prevalence of venue morphing

Recommendation 9: Change the liquor licence definition of the Small Bar licence category to increase the capacity limit from 60 to 120 patrons to contribute to a reduction in venue morphing.

2. Background

On 27 June 2016, Liquor & Gaming NSW announced a review of the small bars legislation under Clause 40 of Schedule 1 of the *Liquor Act 2007*. The Act requires a review of the small bars legislation to be undertaken after 1 January 2016 and a report tabled in Parliament before 1 January 2017.

The overarching objective of the review is to assess whether the policy objectives of the amendments made to the *Liquor Act 2007* and the regulations by the Liquor Amendment (Small Bars) Act 2013, remain valid and whether the terms of the amendments remain appropriate for securing those objectives.

The objectives of the small bars legislation are to:

1. provide clarity about what a small bar constitutes and thereby help to prevent ‘venue morphing’;
2. prompt investment in a different business model for licensed venues in NSW, encouraging more diversity in how liquor is sold and supplied and how licensed venues are operated;
3. provide incentives for operators to establish smaller, lower risk venues across NSW; and
4. help reduce the alcohol-related violence and anti-social behaviour that can be associated with larger licensed venues.

The City’s submission contains comments and recommendations about the review, and commends Liquor & Gaming NSW for providing the opportunity for stakeholders to participate.

3. Policy context

The City’s local government area (the LGA) is 26.7 square kilometres with an estimated residential population of 205,339¹ and some of the greatest residential densities in Australia. Each day, there are an estimated 1.2 million people in our local area, including residents, workers, students and visitors².

The night-time economy is an integral part of Sydney’s commercial, cultural and social fabric. Late-night trading premises are an important part of Sydney’s social and street life, and play an important role in the city’s economic growth. People who live or work in the city, as well as tourists, are attracted to these places as a result of their diversity and vitality. Late-night trading premises provide employment and jobs with flexible hours.

The City’s local area contains one of the greatest densities of late-trading licensed premises in Australia. As at March 2016³, it contains:

- 2,162 licensed premises;
- 228 can trade 24 hours;
- 638 have extended trading hours authorisations; and
- 521 trade after midnight.

¹ Estimated Resident Population (ERP) at 30 June 2015 (ABS Cat no. 3218.0 Regional Population Growth Australia, 2014-15)

² City of Sydney estimates published in the City of Sydney Council Fit For Future Submission (p.14)

³ Liquor & Gaming NSW

As Australia's global city, it is estimated that the economic output from the City of Sydney is just over \$110 billion. This represents around a third of the economic output of metropolitan Sydney, more than 20 per cent of NSW's output and more than 7 per cent of the national economic output⁴. The night-time economy makes a significant contribution to our economy; in 2014 it was estimated at \$19.025 billion, employing 31,871 people⁵.

The City recognises the important role that licensed premises play, with well-managed, safe licensed premises an integral part of any global city. There must be an appropriate balance between public safety, residential amenity and economic growth.

a. Planning controls for small bars

In December 2007, the City of Sydney's Late Night Trading Premises Development Control Plan 2007 was adopted by Council. This plan was incorporated into the current Sydney Development Control Plan 2012 (the "development control plan") upon its adoption. The development control plan was developed to help manage the potential impacts from late-night trading premises and also encourage diversity and vibrancy in the City's late night economy. There was no comprehensive planning approach to managing late night trading impacts prior to 2007.

The planning controls achieve these aims by setting flexible limits on late night trading hours, identifying areas in the City where late trading is appropriate and encouraging well managed premises by allowing extended trading following successful trial periods. The controls have assisted in the diversification of late trading, managed conflicts between incompatible uses and provided certainty to proponents and the community about appropriate trading hours and locations for late night trading premises.

The development control plan encourages vibrancy and diversity in the City's late night economy through a risk based approach that facilitates smaller, lower impact premises such as small bars. Low impact premises have less restrictive operating hours and management requirements than higher impact premises.

Small bar style premises will generally fall into the category of low impact premises, known as "Category B" premises, under the development control plan. Low impact "Category B" premises are defined under section 3.15 of development control plan and include:

- a hotel within the meaning of the Liquor Act 2007 that has a capacity of 120 patrons or less and is designated as a general bar licence;
- premises that have a capacity of 120 patrons or less where the primary purpose is the sale or supply of liquor for consumption on the premises;
- an on-premises licence within the meaning of the Liquor Act 2007;
- any premises where the owner or occupier sells or supplies liquor for consumption on the premises that is not a Category A Premises.

In comparison, High impact "Category A" premises include licensed premises such as pubs, nightclubs, and registered clubs and other premises that provide for the consumption of alcohol that have more than 120 patrons.

Generally low impact "Category B" premises such as small bars will be permitted longer trading hours than "Category A" premises at the initial development application stage. Category B premises will generally need fewer trial periods to achieve the maximum

⁴ City of Sydney estimates published in the City of Sydney Council Fit For Future Submission

⁵ TBR (2015) Australian Night Time Economy

‘extended’ trading hours. Further information can be found in Section 3.15 of the development control plan (attached).

b. Open Sydney

In 2011, the City began work on the OPEN Sydney Strategy, a vision for Sydney at night. The strategy was developed following wide consultation with the public on what they wanted for their city after dark. The strategy is grounded in a substantial body of research into Sydney’s night-time economy, including international research into best practice management.

Endorsed in 2013, the strategy forms the basis for how the City makes decisions about Sydney at night between now and 2030. The strategy includes actions for making Sydney’s night-time economy better connected, more diverse, more inviting and safe, and more responsive to change.

The City’s Cultural Strategy and Live Music and Performance Action Plan support the delivery of OPEN Sydney’s objectives for greater diversification of the night-time economy. They guide the development and growth of these key sectors to increase the diversity and amount of night-time entertainment options in Sydney.

The Live Music and Performance Action Plan, which was developed in partnership with representatives of the live music and performance industry and academics, focused on the regulation of live music. The Action Plan commits the City to regulatory reform, advocacy, research and strategic projects across four areas: development controls and noise, Building Code of Australia, liquor licensing and audience and sector development.

Having more options at night creates a safer and more balanced night-time economy in the city and village centres, which attracts a wider range of people into these precincts for different activities.

c. Liquor licensing

In late 2012, the NSW Government introduced a range of measures to tackle alcohol and drug-related crime and anti-social behaviour in Kings Cross. The Liquor Amendment (Kings Cross Plan of Management) Act 2012 supported the measures announced as part of that package. This whole-of-government approach covered liquor licensing, compliance, transport, policing and public spaces.

To encourage investment in smaller, lower risk licensed premises, the amendments introduced an exemption from the liquor licence freeze in the Kings Cross and Oxford Street Darlinghurst precincts for smaller venues with a maximum limit of 60 patrons. Such venues were considered to add to the diversity of entertainment venues on offer, and can be associated with a reduced risk of alcohol-related violence compared with larger licensed venues.

The Government indicated at the time that this exemption for small venues was a precursor to a new category of small bar licence. Until then, small bars had been required to operate under a general bar hotel licence, which could also be utilised for a nightclub or other type of licensed venue that has a focus on alcohol sales and consumption.

In February 2013, the NSW Government introduced amendments to the Liquor Act 2007 to create a new category of liquor licence for small bars. The legislation commenced on 1 July 2013.

a. 60 patron limit for small bars

In 2011 the City started a program to support business diversification of the night-time economy through the establishment of small bars. This was supported by the 2007 and 2012 development control plans, which classifies premises with capacity of up to 120 patrons, where the primary purpose is the sale of alcohol for consumption on premises, as a Category B low impact venue.

There are approximately 128 small bar style venues (120 patron capacity) in the City of Sydney. Advocacy to the NSW Government resulted in the creation of a separate small bar licence category under the (NSW) Liquor Act 2007, which came into effect on 1 July 2013. However, this licence is for venues with a maximum capacity of 60 patrons (rather than 120).

At present there are three ways in which small bar style venues can obtain a liquor licence under the (NSW) Liquor Act 2007:

- Hotel (General Bar) licence;
- On-premises (restaurant) licence (with primary service authorisation); and
- Small Bar licence (maximum patron capacity of 60 patrons).

For the period from July 2013 to May 2016 the City identified 128 licensed premises that could be characterised as small bar style premises. These premises hold the following liquor licenses:

- 21% (27 venues) operate under a Small Bar liquor licence;
- 35% (45 venues) operate under a Hotel (General Bar) licence; and
- 43% (56 venues) operate under an On-premises licence with Primary Service Authorisation.

After 10pm, City compliance staff observe that businesses with approval as a restaurant with an On-premises licence and Primary Service Authorisation tend to primarily operate as drinking venues later at night.

Anecdotal feedback from small bar style premises operators (capacities of 30 to 120) in June 2016 indicated that the majority considered themselves to be a small bar, regardless of their licence type. They considered a small bar to be a small sized venue, with an 'independent feel'. Operators talked of having a real passion for their venue and had worked to create a bar that they enjoyed themselves; a venue with a real point of difference.

The City supports a specific class of licence for small bars, however, recommends adjustments to ensure it effectively meets the needs of the industry, the expectations of the public and the objectives of the Act. At present, the capacity limit of 60 persons for a small bar licence is too restrictive, and may result in small bars applying for an on-premises (restaurant) licence even though their intended business model more closely resembles a 'bar'. If the patron capacity under the small bar liquor licence was increased to 120 and small bars were only permitted through the small bar licence, it would make the character of the premise clear to local residents from the outset of the application being made.

Small Bars in Western Australia and South Australia are licensed for a maximum capacity of 120 patrons. Consultation with the Western Australian Department of Culture and Arts and the music industry association, and South Australia's Music Development Office suggests that small bars are providing positive outcomes for the live music and performance industry in their respective states. The current capping of allowable

capacity for the small bar licence at 60 limits the impact this licence type can have in achieving the objective referred to in s 3(1)(c) of the Act (support for live music and performance). Venues of such low capacity are usually unable to sustain live music and performance programming on a significant scale. Analysis carried out in 2016 by the City of APRA live music licence data for venues in the City of Sydney was compared against liquor licence types to see what type of liquor licence live music venues operated under. There were no venues operating with both an APRA live music licence and a NSW Government Small Bar liquor licence. The overwhelming majority of venues with a live music licence operate with either a hotel licence or an on-premises licence. The expansion of the small bar licence to include venues of capacities up to 120 would increase the impact this licence category can have in achieving the stated goal of the liquor act in supporting live music and performance, as well as align with similar categories in other states.

Recommendation 1: Change the liquor licence definition of the Small Bar licence category to increase the capacity limit from 60 to 120 patrons.

b. Authorised trading hours for small bars

The authorised Small Bar liquor licence standard trading hours from midday to 2am is considered appropriate. However, the current CBD Entertainment Precinct liquor freeze restricts small bars in the city from operating beyond 12 midnight, unless further approval is sought. This restriction is inconsistent with the objective of the Act which seeks to prompt investment in a different business model and provide an incentive to operators who may wish to establish smaller, lower risk venues. This restriction creates a disincentive to business diversification and growth in these smaller, lower risk type of licenced premises in the city.

Anecdotal feedback from twenty small bar operators (capacities of 30 to 120) in June 2016 indicated that the majority of venues closed between 10pm and midnight. Feedback received from the Small Bar Association and other operators indicates the desire for flexibility in trading hours to ensure that they can manage their operating hours in a way that is responsive to opportunities and market changes.

Recommendation 2: Remove the restriction on trading hours for small bars in liquor freeze areas to allow standard trading hours to 2am, instead of 12 midnight.

c. Availability of extended trading hours for small bars from 10am until 5am

International and Australian evidence suggests a clear link between later closing times and levels of alcohol related violence.⁶ Trading hours for licensed premises are determined via the respective licensing legislation and planning consents. Many cities globally do not have 24 hour licensing. Those cities with earlier closing times for licensed venues tend to have lower levels of alcohol-related crime. However, many factors influence crime levels.

Increasing trading hours into the early morning leads to increased alcohol use and related harms. Adding or subtracting just one or two hours of trading after midnight can make a substantial difference to violence rates.⁷

Notwithstanding, we believe that it is important that Sydney, as a global city, maintains a diverse late-night economy. From 2009 there was a clear downward trend in assault

⁶ Preventative Health Taskforce (2009)

⁷ Chikritzhs and Stockwell (2002); Hadfield (2011); Kypri et al., (2011); Stockwell (2011).

for both the Kings Cross and CBD precincts. This trend accelerated following the introduction of the January 2014 liquor law reforms.⁸ The City believes a more refined approach to trading hours would achieve better outcomes to maintain a diverse night-time economy while achieving safety outcomes and reducing alcohol-related violence.

In the City, allowable trading hours for business is established by geographic areas as outlined within the development control plan. The provisions now contained in section 3.15 of the development control plan were originally developed in 2007 to assist in the management of the impacts of late-night trading premises and to protect the amenity of existing residential properties. They have been consistently and effectively implemented by the City since that time.

The development control plan outlines the following areas:

- Six (6) Late Night Management Areas (LNMA) allowing 24 hour trading, subject to consent;
- Three (3) City Living Areas allowing trading to 5am, subject to consent; and
- Fourteen (14) Local Centre Trading Areas allowing trading to 12 midnight, subject to consent.

The development control plan also establishes definitions for 'Category A - High Impact Premises' and 'Category B - Low Impact Premises'. These provide greater certainty to the community and proponents of late-night trading premises in respect to appropriate operating hours and locations. The provisions do not set out to curb or increase potential trading hours in a blanket fashion throughout the city, but allow opportunities for late-night trading hours in appropriate locations with appropriate management actions.

The development control plan is the City's guide to assessing development applications and is instrumental in determining appropriate trading hours according to land use zoning and evidence-based risk mitigation measures. The availability of extended trading hours for Small Bars from 10am to 5am is aligned with the development control plan, with each venue assessed on application

Recommendation 3: The availability of extended trading hours for Small Bars should be maintained, with each venue's suitability for extended hours of operation assessed on application.

d. Exemption for small bars from the community impact statement (CIS)

The exemption of small bars from submitting a community impact statement with a small bar liquor licence application in circumstances where development consent is required is considered appropriate by the City. The provision requiring the applicant to notify the local police and Secretary of the Department of Justice within two days of the development application is also considered appropriate.

Liquor licenses control only the manner in which alcohol is sold or supplied at a venue. A development consent restricts the manner in which a premises is used and operated, including the hours of trade. The development consent process requires assessment of community impact and involves community consultation. Current provisions within the Act acknowledge this by eliminating the need for a Community Impact Assessment to be undertaken prior to lodging the licence application; conditional upon prior development consent being obtained from council.

⁸ Menendez, P (2015)

As a liquor licence (of any type), is not issued without evidence of appropriate development consent for a premise, it could be argued that the community impact of the proposed licensed venue has already been assessed as part of the development assessment process. There are opportunities for streamlining development and liquor licence application assessments whereby they are assessed concurrently to avoid duplication, red-tape and unnecessary cost and delay in establishing a business.

The requirement for two Plans of Management to be prepared, one for the development application and the other for the liquor licence application is also a duplication. In many instances the same document is submitted for both applications and assessed separately by the Council and Liquor & Gaming NSW.

Recommendation 4: Continue the exemption for small bars from preparing a community impact statement.

Recommendation 5: Consider improved synchronisation between the development and liquor licence assessment process, for example by allowing the applicants to prepare a single Plan of Management to encompass the development consent and liquor licence aspects.

4. Factors affecting the uptake of small bar licences

a. Awareness of the small bar licence and its conditions

City staff perceive there is reasonable awareness of the Small Bar liquor licence and its specific purpose. However, it is possible that there is a misconception that a Small Bar liquor licence issued under the Act requires an identical development consent to operate as a “small bar”. This perception may lead operators to believe that if they proceed with this approach they have reduced flexibility in their business model, restricting them to operate as a small bar only. In combination with issues of patron capacity, this could be limiting the uptake of the Small Bar licence in preference for the On-premises licence with Primary Service Authorisation.

Recommendation 6: Consider providing further information on the types of business activities that a Small Bar licence holder may engage in, such as the provision of food and live music and performance, to increase awareness and potential uptake.

b. Nature of small bar licence conditions

The nature of the small bar licence conditions require review to ensure that they are securing the policy objectives of the small bars legislation. This review should include consideration of the areas for reform outlined within this submission.

Anecdotal feedback from small bar operators (capacities of 30 to 120) in June 2016 indicated a number of factors affecting uptake of the small bar licence. Many small bars hold either an On-premises (restaurant) or Hotel (General Bar) Licence, specifically seeking out these licence types for the following reasons:

- Business flexibility e.g. operating as a café or other business during the day and a small bar at night (as small bar licences preclude minors from entering the venue).
- Capacity of the venue greater than small bar licence maximum of 60 allowable patrons.

c. Costs and time associated with regulatory processes and compliance

Anecdotal feedback from small bar operators (capacities of 30 to 120) in June 2016 indicated delays were experienced in establishing their business due to a lack of co-ordination between Council, Liquor & Gaming NSW and landlords which resulted in additional costs prior to receiving any income.

This situation can apply to all liquor licence applications, and as outlined at 3.d in this submission, it demonstrates the need to align the licensing and development application processes to reduce duplication, costs, and time for all involved stakeholders.

The requirements for approval from the City for all licenced premises up to 120 patron capacity is similar, regardless of the type of liquor licence (i.e. Small Bar licence, Hotel (General Bar) licence, or On-premises (with Primary Service Authorisation) licence. Similarly, compliance and regulatory requirements are similar for all three types of premises.

The City, in its submission to the NSW Liquor Law Review (April 2016), noted its support for the continuation of the periodic liquor licence fee scheme as a mechanism to encourage good management and smaller lower impact venues. The City also recommended that consideration should be given to reviewing the trading hours loading to provide incentives for greater diversification and operation of these lower impact premises. This may include exemptions or reduced trading hours loading fees for small bars and venues that regularly program live music and performance or other positive social outcomes, subject to good management.

Recommendation 7: Reduce or remove the trading hours loading fee in the Periodic Licence Fee Scheme for small bar style venues up to 120 capacity.

5. The nature of any positive and negative impacts of the small bar legislation

a. Impacts on the risk of alcohol-related violence and anti-social behaviour

A study of Sydney's small bar style venues (120 patron capacity) was undertaken in October 2013 by Woolcott Research (attached). It found that small bars were viewed positively by customers, operators, and regulatory staff from the NSW Police, Liquor & Gaming NSW and the City of Sydney. They were considered a relaxed alternative to other licensed venues, and were overwhelmingly felt to have brought diversity to the city.

Larger pubs and bars were the most common alternative to small bar style venues, but visitors preferred the smaller venues because of the friendly, intimate atmosphere and quality of service, food and drinks.

They were considered low risk in terms of safety issues by operators, regulatory staff and customers. The majority of customers (79 per cent) said they felt safer in the local area because of the presence of small bars. Operators and regulators cited the small, intimate nature of the bars, as well as more mature patrons for their low risk of anti-social behaviour and violent incidents.

Anecdotal feedback from similar operators in June 2016, reinforces 2013 findings, that the presence of small bars was considered to make an area feel safer and more welcoming. In the absence of evidence to the contrary, there is a perception that

alcohol-related violence and anti-social behaviour is less likely to occur in or be associated with small bars. There is a need for specific research in this area to better inform decision-making and policy development.

Recommendation 8: Consider research into licenced premises size and type to assess the impact on alcohol-related violence and anti-social behaviour.

b. Impacts on the prevalence of venue morphing

City staff have observed an increasing focus on food and meal service at Small Bar and Hotel (General Bar) licensed venues. No small bars have been observed to be morphing into night clubs.

As noted in point 4a, 43% of venues operating in the city that are considered to be more closely aligned with a small bar than a restaurant, are operating as restaurants with an On-premises licence with Primary Service Authorisation. These businesses are observed by City compliance staff to primarily operate as drinking venues after 10pm.

It appears there is a direct relationship between the type of licence obtained and the prevalence of venue morphing. Anecdotally, it is considered that small bar style premises with patron capacities above 60 will often obtain the incorrect licence (On-premises with Primary Service Authorisation) due to the capacity limitations associated with the Small Bar licence. The increase in the Small Bar licence patron capacity to 120 would likely contribute to a reduction in venue morphing.

Recommendation 9: Change the liquor licence definition of the Small Bar licence category to increase the capacity limit from 60 to 120 patrons to contribute to a reduction in venue morphing.

c. Positive and negative community impacts

Sydney's small bars have been recognised globally, most recently with *The Baxter Inn* recognised as the sixth best bar globally in 2015. In a recent visit and tour of Sydney laneways and small bars by Australian capital city late night economy specialists, the professionalism of staff, the unique character of venues and the broader patron demographic were acknowledged.

6. Attachments

Sydney Development Control Plan 2012 (Section 3.15)

Small Bars Media (2012-2016)

A photograph of a modern shopping mall interior. The space is characterized by a high, glass-paneled ceiling that allows natural light to filter through. The ground floor is a wide, paved walkway where several people are walking. On the left side, there are storefronts for 'wagamama' and 'Incu'. On the right side, there are storefronts for 'freedom', 'Nü + Nán', and 'Incu'. A sign for 'level 1' is visible in the distance. The overall atmosphere is bright and modern.

Section 3

General Provisions

3 General Provisions

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Introduction

The provisions in this section apply to all development to which this DCP applies, except where it is clear that they are not relevant to a particular development type or use.

The objectives and provisions describe design outcomes for the private domain, but also set out requirements for the treatment of the public domain and public domain interface. These requirements cover landscaping, heritage, transport, access and other areas where private development can make positive contributions to high quality public domain outcomes.

The order in which the provisions appear do not represent any particular order of priority or importance. The provisions are to be read in conjunction with other sections of this Development Control Plan and Sydney LEP 2012.

3.1

Public Domain Elements

This Section includes provisions to ensure that development makes a positive contribution to the public domain.

3.1.1 Streets, lanes and footpaths

Streets, lanes and footpaths provide permanent, inalienable pedestrian and vehicle connections through the city fabric at all hours. Streets and lanes define the urban hierarchy, articulate the urban grain, provide permeability of movement and define vistas and views within and beyond the city limits. In Sydney, the alignment of streets often express the topographic and landscape structure of the city.

Objectives

- (a) Provide streets that prioritise pedestrians, cycling and transit use.
- (b) Encourage a street hierarchy that supports sustainable travel behaviour.
- (c) Provide an integrated and legible street hierarchy that is supplemented by a corresponding hierarchy for pedestrians and bike riders.
- (d) Encourage water sensitive urban design and locate utilities within the street reservation.
- (e) Ensure that lanes are retained and enhanced.
- (f) Establish the design palette for footpaths.
- (g) Provide intersections, traffic and parking lanes that naturally calm traffic.

Provisions

3.1.1.1 General

- (1) New streets, lanes and footpaths are to be constructed in accordance with the Sydney Streets Design Code.
- (2) Where new streets and lanes are required by Council, they are to be provided in the locations identified in the *Proposed streets and lanes map*.
- (3) Street trees are to be provided in accordance with the Street Tree Master Plan.
- (4) Street furniture is to be consistent with the Sydney Streets Design Code and relevant Council public domain plans.

3.1.1.2 Streets

- (1) New streets or vehicle accessways are to be designed to encourage pedestrian use. Cul-de-sacs or dead ends are to be avoided, however where required, streets leading to them must be no longer than 60m and are to be straight with a direct line of sight from adjoining public space to the deepest point.
- (2) New streets are to be located and orientated to enhance the relationship between built form, open space, views, active street frontages, pedestrian paths and the bicycle network identified in the *Cycle Strategy and Action Plan 2007-2017*.
- (3) Where feasible, new streets are to incorporate water sensitive urban design techniques such as landscaped swales to improve the quality of groundwater and water entering the waterways and tree bays.

- (4) New streets are to integrate utilities underground within the street reservation, with services located underground and in a manner that facilitates tree planting.
- (5) Traffic and parking lanes on local streets, as defined in the Street Design Code as Local Area (Type 1) are to be designed to conform with the minimum dimensions permitted by the relevant Australian Standard for Parking Facilities under part 1: off street car parking.
- (6) Provide intersections, traffic lanes and parking lanes that naturally calm traffic to 40-50m per hour on collector streets, 30km per hour on local streets and 10km per hour on laneways.

Figure 3.1
Examples of a
landscaped swale



3.1.1.3 Lanes

- (1) Existing lanes (including privately owned lanes) as shown on the *Proposed streets and lanes map* are to be retained.
- (2) Developments adjacent to lanes in Central Sydney, business zones and the mixed use zones is to:
 - (a) include active uses at ground level to encourage pedestrian activity;
 - (b) include lighting appropriate to the scale of the lane;
 - (c) enhance pedestrian access and activity;
 - (d) avoid bridges and projections over lanes which overshadow the lane, obstruct a view or vista or impede pedestrian activity at ground level;
 - (e) ensure access rights of the public and other owners of property abutting the lane; and
 - (f) provide access for service vehicles as necessary and respond in design terms to any conflict with pedestrian functions.

Figure 3.2

Active uses at the ground level in a lane, Central Sydney



3.1.1.4 Footpaths

- (1) Footpaths are to be designed:
 - (a) in accordance with the Sydney Streets Design Code;
 - (b) so that pedestrians, regardless of mobility impairments, are able to move comfortably and safely; and
 - (c) to allow planting, including trees consistent with the Street Tree Masterplan.
- (2) Streets are to include footpath extensions at corners, pedestrian refuges and mid-block zebra crossings on raised thresholds, where appropriate.
- (3) The Council may require a different design treatment for certain streets and footpaths.

3.1.2 Pedestrian and bike network

Pedestrian and bike networks increases opportunities for people to move around, maintain or improve their health and reduce the environmental and economic impacts of congestion caused by private car use. As part of *Sustainable Sydney 2030*, the City will provide a safe and attractive walking and bicycle network connecting main streets, neighbourhoods and open space. More information on cycling strategies within the City of Sydney can be found in the *Cycle Strategy and Action Plan 2007–2017*.

Refer to Section 5.2 Green Square, 5.3 Epsom Park and 5.8 Southern Employment Lands for additional provisions and supporting maps which show the preferred bike network proposed along new streets.

Objectives

- (a) Ensure that any new public pedestrian and bike links are located on nominated sites.
- (b) Ensure the pedestrian and bike network is well designed, safe, well lit, highly accessible and promotes public use.

Provisions**3.1.2.1 Bike network**

- (1) The provision of cycleways is to be consistent with the locations identified in the *Cycle Strategy and Action Plan 2007-2017*.

3.1.2.2 Through-site links

- (1) Through-site links are to be provided in the locations shown on the *Through-site links map*.
- (2) Through-site links are to be provided on sites:
 - (a) greater than 5,000sqm in area;
 - (b) with parallel street frontages greater than 100m apart, and
 - (c) where the consent authority considers one is needed or desirable.
- (3) Through-site links are to be an easement on title unless identified in a contributions plan for dedication to Council.
- (4) Through-site links are to be designed to:
 - (a) generally have a minimum width of 4m, or 6m where bike access is provided, and have a clear height of at least 6m;
 - (b) be direct and accessible to all, have a clear line of sight between public places and be open to the sky as much as is practicable;
 - (c) align with breaks between buildings so that views are extended and there is less sense of enclosure;
 - (d) be easily identified by users and include signage advising of the publicly accessible status of the link and the places to which it connects;
 - (e) be clearly distinguished from vehicle accessways, unless they are purposely designed as shareways;
 - (f) include materials and finishes such as paving materials, tree planting and furniture consistent with adjoining streets and public spaces and be graffiti and vandalism resistant;
 - (g) be clear of obstructions or structures, such as electricity substations, or car park exhaust vents;
 - (h) include landscaping to assist in guiding people along the link while enabling long sightlines; and
 - (i) be fully accessible 24 hours a day.
- (5) In retail and commercial developments through-site links may be within a building provided they are:
 - (a) between 3m and 6m in width;
 - (b) at ground level and lined with active uses;
 - (c) designed to have access to natural light from skylights in the middle of the link;
 - (d) open at each end or, where air conditioned, provide entry doors that are glazed and comprise a minimum 50% of the width of the entrance;
 - (e) publicly accessible from 6am to 10pm each day; and
 - (f) connecting streets or lanes and have a clear line of sight between entrances.

Figure 3.3
Retail through-site
links



3.1.3 Pedestrian underpasses and overpasses

Pedestrians should be offered opportunities to commute at the ground level as much as possible to promote a lively and safe public domain. Pedestrian overpasses are discouraged because they enclose public space and affect views along streets. New pedestrian underpasses will only be considered where they provide a direct connection to public transport and improve pedestrian safety.

Objective

- (a) To maximise street life and to avoid interruptions to views and vistas along streets.

Provisions

- (1) New underpasses are not encouraged unless they provide a direct connection from adjacent streets to public transport and substantially improve pedestrian safety and access.
- (2) Where an underpass is permitted:
 - (a) access to the underpass is to be provided directly from a public footpath at the street alignment to ensure public access at all times and to enhance use of the public domain (rather than reducing the space of the footpath);
 - (b) it is to be a minimum width of 4.5m and clear of all fixed obstructions; and
 - (c) it is to be activated with retail uses.

3.1.4 Public open space

Public open space makes the city liveable and attractive for residents and workers. Public open space needs to accommodate a range of recreational and cultural activities both active and passive.

It is important that public open space is connected to the existing and planned pedestrian and bike network and, where possible, linked to biodiversity corridors and water bodies.

This provision applies to land shown in Figure 1.1 *Land covered by this DCP*, except for land in Central Sydney.

This DCP identifies the areas where public open space is required. Public open space can be provided through dedication, easements or covenants. When Council requires dedication of open space, this is identified in the Section 94 Contributions Plan. Where dedication is not required, open space may need to be provided via another means such as an easement. The requirements for public open space that is to be dedicated to the Council are described in Schedule 5 Public open space dedication and design criteria.

Objectives

- (a) Provide high quality and publicly accessible open space in urban renewal areas.
- (b) Ensure the design of open space provides for a variety of both passive and active uses appropriate to the location and can respond to community needs.
- (c) Provide corridors of locally indigenous vegetation that link major open spaces and water bodies to enhance environmental quality and optimise opportunities for habitat for native flora and fauna species.
- (d) Ensure that open space is strategically located to assist with water sensitive urban design and stormwater management.

Provisions

- (1) Public open space is to be provided and designed in accordance with the *Public open space map* and in Schedule 5 Public open space dedication and design criteria.
- (2) Public open space is to accommodate a range of uses that meet the needs of the present and future residents and workers population of the City.
- (3) In relation to parks (i.e. non-linear public open space):
 - (a) 50% of the total area is to receive sunlight for 4 hours from 9am to 3pm on 21 June;
 - (b) protection from direct sun is to be available on 21 December for a minimum of 20% of the area used for passive recreation; and
 - (c) protection from strong winds is to be provided, where practicable.
- (4) Landscape design is to be high quality and create interest and character through measures such as indigenous tree species, well integrated public art, pavement design and other appropriate elements to the satisfaction of the consent authority.
- (5) Public open space is to include native vegetation that connects native fauna habitat corridors to major open spaces and water bodies.
- (6) Public open space is to be primarily soft landscaping except for civic spaces, pathways and small areas ancillary to activity areas (recreational, retail or commercial).
- (7) Public open space is to provide for deep soil planting and must not have car parking or access located underneath.
- (8) Public open space is to be irrigated with recycled water or harvested rainwater sources wherever possible.
- (9) The design of public open space is to include native drought-tolerant plants and grasses and sub-surface drip irrigation systems controlled by timers using soil moisture or rainfall sensors.
- (10) Pervious paving is to be generally used for low traffic and pedestrian areas.

- (11) Landscape design is to be compatible with flood risk. Dense planting, fences and walls are not to be located within a floodway.
- (12) Landscaping, plant species and structures such as walls are to be designed and constructed to withstand temporary flood inundation.
- (13) Dedicated children's playgrounds are to be fenced to the satisfaction of the consent authority.
- (14) Public spaces are to have clearly defined pedestrian entries and movement routes, appropriate seating, and zones for activities that are clearly defined and encourage use.
- (15) Public open space is to be accessible from a variety of points within the wider public domain and located along major existing or proposed pedestrian and cycleways throughout the area.
- (16) Where land use zoning permits, buildings that directly adjoin public open space are to contain predominantly active uses for the full extent of the ground floor (where practicable). Refer to Section 3.2.3 Active frontages for more details.
- (17) Public open space is to be designed to be safe and secure for all users by providing:
 - (a) open sightlines and landscaping that allows high levels of public surveillance;
 - (b) a clear distinction between private and public open space;
 - (c) lighting in accordance with Council's Lighting Design Code and designs out any potential 'hiding spots'; and
 - (d) legible entrances to encourage public use of the open space.

Figure 3.4
Public open space,
Sydney Park



3.1.5 Public art

Public art is a defining quality of dynamic, interesting and successful cities. The City recognises the cultural and economic benefits by integrating public art into the urban fabric. Well-integrated ecologically sustainable public art is encouraged in new development. Ecologically sustainable public art can be embedded into essential infrastructure to carry out vital processes for new development such as stormwater treatment, water collection and the generation of power in creative and innovative ways.

Developers, architects, landscape architects and artists should be involved in producing public artworks. The *City of Sydney Guidelines for Public Art in Private Development* will assist developers to provide high quality artworks that benefit the City and businesses, residents, tourists and visitors.

Developers should refer to these guidelines when planning a development so that public art is integrated into the fabric of the building and the public domain.

Objectives

- (a) Increase the number and improve the quality of public artworks in private developments.
- (b) Promote sustainability through public art in new development.
- (c) Ensure that public art is an integrated and cohesive part of new development.
- (d) Deliver essential infrastructure in creative and innovative ways through the use of public art.
- (e) Recognise former uses through interpretive public art.

Provisions

- (1) Integrate public art in essential ecological sustainable infrastructure.
- (2) A detailed Public Art Strategy is to be submitted with a site specific DCP or a Stage 1 DA (refer to clause 7.22 of the *Sydney LEP 2012*),
- (3) Public Art is to be provided in accordance with the *City of Sydney Guidelines for Public Art in Private Development* and the *Public Art Policy* (available at www.cityofsydney.nsw.gov.au).

Figure 3.5
An example of
public art in private
development,
Australia Square



3.1.6 Sites greater than 5,000sqm

Streets define the size, flexibility and permeability of new urban blocks. For large sites 5000sqm and above an appropriate street pattern will ensure a fine grain, highly connected urban place. The emphasis on fine grain urban form is consistent with *Sustainable Sydney 2030* and will lead to liveable, attractive and diverse urban renewal areas.

The following provisions do not apply to development in Central Sydney as defined in Section 2 Locality Statements.

Objectives

- (a) Provide a 'fine grain' to the urban structure.
- (b) Improve pedestrian, bike and vehicular access, permeability and connectivity through large sites.
- (c) Establish a clear hierarchy of public streets that are well connected to the existing street network.
- (d) Improve access and visibility to public open spaces.
- (e) Provide a clear public address for all buildings within a development.
- (f) Introduce a range of complimentary uses and housing types.
- (g) Ensure high quality public art is included in all publicly accessible open spaces.

Provisions

- (1) New streets, lanes and footpaths are to be designed in accordance with the provisions within Section 3.1 Public Domain Elements.
- (2) Introduce through-site links, narrow building frontages and limiting the length and size of street blocks.
- (3) Street blocks are not to exceed 120m in length. Where site frontages exceed 120m, new public streets are to be introduced.
- (4) New streets are to be located to align and connect with the surrounding street network, maximising connectivity and creating view corridors.
- (5) Lanes, shared ways or through-site links are to be provided at breaks between buildings.
- (6) The layout of the development is to provide legible and publicly accessible through-site links.
- (7) Development on sites greater than 5,000sqm is to provide a range of complimentary uses and housing types, including single storey apartments, garden apartments, and maisonette apartments or terrace houses.
- (8) At least 5% of the total dwellings on a 5,000sqm or larger site are to be terrace houses or maisonette apartments.
- (9) A Public Art Strategy is to be submitted with a Site Specific DCP or Stage 1 DA and is to describe the public art proposed for the development and be consistent with the City of Sydney Guidelines for Public Art in Private Development.

3.2

Defining the Public Domain

3.2.1 Improving the public domain

Private development plays an important role in defining an attractive, interesting and culturally diverse public domain. Development is to protect sunlight to parks and streets and high quality views to the built and landscape features. Part 6, Division 3 of *Sydney LEP 2012* includes particular requirements for sun access to nominated public places in Central Sydney.

Refer to the Public Art Policy and Guidelines for Public Art in New Development.

Objective

- (a) Enhance the public domain by ensuring adequate sun access to publicly accessible spaces and protecting significant views from public places.

Provisions

3.2.1.1 Sunlight to publicly accessible spaces

- (1) Overshadowing effects of new buildings on publicly accessible open space are to be minimised between the hours of 9am to 3pm on 21 June.
- (2) Shadow diagrams are to be submitted with the development application and indicate the existing condition and proposed shadows at 9am, 12 noon and 2pm on 14 April and 21 June. If required, the consent authority may request additional detail to assess the overshadowing impacts.

3.2.1.2 Public views

- (1) Buildings are not to impede views from the public domain to highly utilised public places, parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments including public statues, sculptures and art.
- (2) Development is to improve public views to parks, Sydney Harbour, Alexandra Canal, heritage buildings and monuments by using buildings to frame views. Low level views of the sky along streets and from locations in parks are to be maintained.

3.2.2 Addressing the street and public domain

A person's experience of the city will be formed by the public domain as well as private developments which adjoin the public domain. It is important that development adjacent to the public domain be attractive, comfortable, safe, functional and accessible for all. The public domain and pedestrian environment should be characterised by excellence in design, high quality materials and well integrated public art.

Objectives

- (a) Ensure that development contributes to the activity, safety, amenity and quality of streets and the public domain.
- (b) Present appropriate frontages to adjacent streets and public domain in terms of scale, finishes and architectural character.
- (c) Provide legible and accessible entries from the street and the public domain.

- (d) Reinforce street edge conditions that significantly contribute to the characteristics of a heritage conservation area.
- (e) Reinforce Central Sydney's strong definition of streets and the public domain aligned with property boundaries.
- (f) Ensure that in areas outside of Central Sydney new development relates to neighbouring buildings that define the street and public domain.
- (g) Minimise and ameliorate the effect of blank walls (with no windows or entrances) at the ground level.

Provisions

- (1) Buildings are to be designed to positively address the street.
- (2) Buildings are to be designed to maximise the number of entries, visible internal uses at ground level, and include high quality finishes and public art to enhance the public domain.
- (3) Development that exposes the blank side of an adjoining building or has a party wall to the public domain is to be designed with a visually interesting treatment of high quality design applied to that wall.
- (4) Ground floor tenancies and building entry lobbies on sites not flood affected are to:
 - (a) have entries at the same level as the adjacent footpath or public domain;
 - (b) have finished floor levels between 0-1.0m above or below the adjacent footpath or public domain entry;
 - (c) provide opportunities for direct surveillance of the adjacent street or public domain at maximum intervals of 6m; and
 - (d) be elevated up to 1.0m above ground level for privacy for ground floor residential uses.
- (5) Car parking areas at ground level are to be screened by active uses to a minimum depth of 6m from the facade visible to the street or public domain.
- (6) Basement parking areas and structures:
 - (a) in Central Sydney, must not protrude above the level of the adjacent street or public domain;
 - (b) in other areas, must not protrude more than 1.0m above the level of the adjacent street or public domain. Where they are visible, basement structures and vent grills are to be integrated into the building and landscape design. Ventilation grills are to block views into basement areas and, in appropriate locations, be screened by landscaping in garden beds with a minimum soil plan depth of 1m.
- (7) Residential developments:
 - (a) are to have a street address and provide a direct line of sight from a street to the principal common building entry or entries. Where a development comprises a number of buildings with a variety of orientations, a major part of the overall development is to face the street;
 - (b) are to be designed and laid out so that every 6m a dwelling, communal space or other high use space provides opportunities for direct surveillance of the adjacent street or public domain; and
 - (c) are to provide individual entries directly from the street to any ground floor dwellings next to the street.

- (8) Lanes are to be fronted by entries to dwellings, retail and/or commercial uses where practicable.
- (9) Align breaks between buildings with nearby streets, lanes and pedestrian links to enable view connections.
- (10) In village centres, new buildings are to be built to the street alignment or property boundary except where:
 - (a) the site is adjacent to or setback from a heritage item. In this case, the new building is to have setbacks to maintain the heritage curtilage or setting of the item as identified in the Statement of Significance;
 - (b) the development contributes an appropriate active public space at the street frontage;
 - (c) the development involves only the refurbishment of an existing building; or
 - (d) the site is an Opportunity Site as identified in *Sydney LEP 2012*.
- (11) On sites outside village centres that are greater than 1,500sqm, the consent authority may allow open space at the street frontage if:
 - (a) the public can access and use the open space;
 - (b) the open space is directly fronted by active uses at ground level;
 - (c) the design, landscaping and furnishing satisfies the consent authority; and
 - (d) the space does not reduce the activity on adjoining streets or the public domain and enhances the character of surrounding areas.

3.2.3 Active frontages

A diverse range of activities should be provided at street level to reinforce the vitality and liveliness of the public domain.

Active frontages to streets are encouraged so activities within buildings can positively contribute to the public domain. Such uses include retail, customer service areas, cafes and restaurants, and other uses that involve pedestrian interest and interaction. Outdoor dining areas may also contribute to active street frontages in appropriate circumstances.

A well designed street frontage is important for pedestrian amenity and includes attractive building entries, window displays, display cases, artworks, well detailed architecture, facade modulation, clear glazed windows, and recessed visually permeable security screens.

Objectives

- (a) Ensure ground floor frontages are pedestrian oriented and of high design quality to add vitality to streets.
- (b) Provide fine grain tenancy frontages at ground level to street frontages.
- (c) Provide continuity of ground floor shops along streets and lanes within Central Sydney and other identified locations.
- (d) Allow for active frontages in other non-identified locations to contribute to the amenity of the streetscape.
- (e) Encourage frequent building entries that face and open towards the street.

Provisions

- (1) Active frontages are to be provided in the locations nominated on the *Active frontages map*.
- (2) Active frontages are to contribute to the liveliness and vitality of streets by:
 - (a) maximising entries and display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction. Generally, active frontages on the ground floor of a property boundary are to be provided in accordance with Table 3.1 Ground floor active frontages;
 - (b) minimising blank walls (with no windows or doors), fire escapes, service doors, plant and equipment hatches;
 - (c) providing elements of visual interest, such as display cases, or creative use of materials where fire escapes, service doors and equipment hatches cannot be avoided.
 - (d) in Central Sydney, providing three floors of retail (basement, ground and first floor) in the blocks bounded by George, Market, King and Castlereagh Streets as shown in Figure 3.7 *Central Sydney retail core*. Where this is not practicable, the design of new buildings should enable the conversion of these floors to retail at a later stage; and
 - (e) providing a high standard of finish and appropriate level of architectural detail for shopfronts.
- (2) Generally, a minimum of 70% of the ground floor frontage is to be transparent glazing with a predominantly unobstructed view from the adjacent footpath to at least a depth of 6m within the building.
- (3) Generally, foyer spaces are not to occupy more than 20% of a street frontage of a building in Central Sydney and no more than 8m of a street frontage elsewhere.
- (4) Active frontages are to be designed with the ground floor level at the same level as the footpath.
- (5) Driveways and service entries are not permitted on active frontages, unless there is no alternative.
- (6) Enclosed glazed shopfronts are preferred to open shopfronts, except for food and drink premises which are encouraged to provide open shopfronts.
- (7) Security grilles may only be fitted internally behind the shopfront and are to be fully retractable and at least 50% transparent when closed.
- (8) Through-site links or arcades are to have a clear width of 3-6m and a minimum clear height of 1.5 times the width or 6m, whichever is greater.

Figure 3.6

Active frontages,
Crown Street, Surry
Hills



Table 3.1: Ground floor active frontages

Location	Within Central Sydney		Outside Central Sydney	
	Nominated on the Active Frontages Map	Not nominated on the Active Frontages Map	Nominated on the Active Frontages Map	Not nominated on the Active Frontages Map
Minimum active frontage proportion at each public domain frontage	5m or 80% of each public domain frontage (whichever is the greater)	5m or 70% of each public domain frontage (whichever is the greater)	5m or 80% of each public domain frontage (whichever is the greater)	
Uses on public domain frontage	Entries or display windows to shops and/or food and drink premises	Entries or display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction.	Entries or display windows to shops and/or food and drink premises or other uses, customer service areas and activities which provide pedestrian interest and interaction.	No requirement under this provision.
Minimum preferred "grain" of tenancies	15-20 separate tenancy entries per 100m	10-14 separate tenancy entries per 100m	10-14 separate tenancy entries per 100m	
Preferred max. average ground floor tenancy width	6.0m	10.0m	10.0m	
Provide Awnings	Fixed awnings	Fixed or retractable	Fixed awnings	
Active uses through site link (arcade) required	For properties with 2 street/lane frontages both greater than 45m in length	No requirement	As identified	

The following table should be used as a general guide when designing the ground floor of a building. To create an attractive public domain and encourage high levels of pedestrian activity between destinations and attractions, the City's preferred design of ground floors for all uses are **Grade A – Active** and **Grade B – Friendly**.

Table 3.2: Ground floor design

Grade A — Active	Small units, many doors (15 – 20 doors per 100 m) Large variation in function No blank walls and few passive units Lots of character in facade relief Primarily vertical facade articulation Good details and material
Grade B — Friendly	Relatively small units (10 – 14 doors per 100 m) Some variation in function Few blind and passive units Facade relief Many varied details
Grade C — Mixture	Large and small units (6 – 10 doors per 100 m) Modest variation in function Some blind and passive units Modest facade relief Few details
Grade D — Boring	Large units, few doors (2 – 5 doors per 100 m) Almost no variation in function Many blind or uninteresting units Few or no details
Grade E — Inactive	Large units, few or no doors (0 – 2 doors per 100 m) No visible variation in function Blind or passive units Uniform facades, no details, nothing to look at

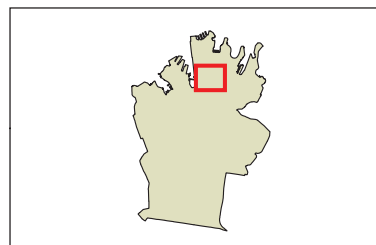
Source: Adapted from Jan Gehl's *Cities for People* 2010

Figure 3.7

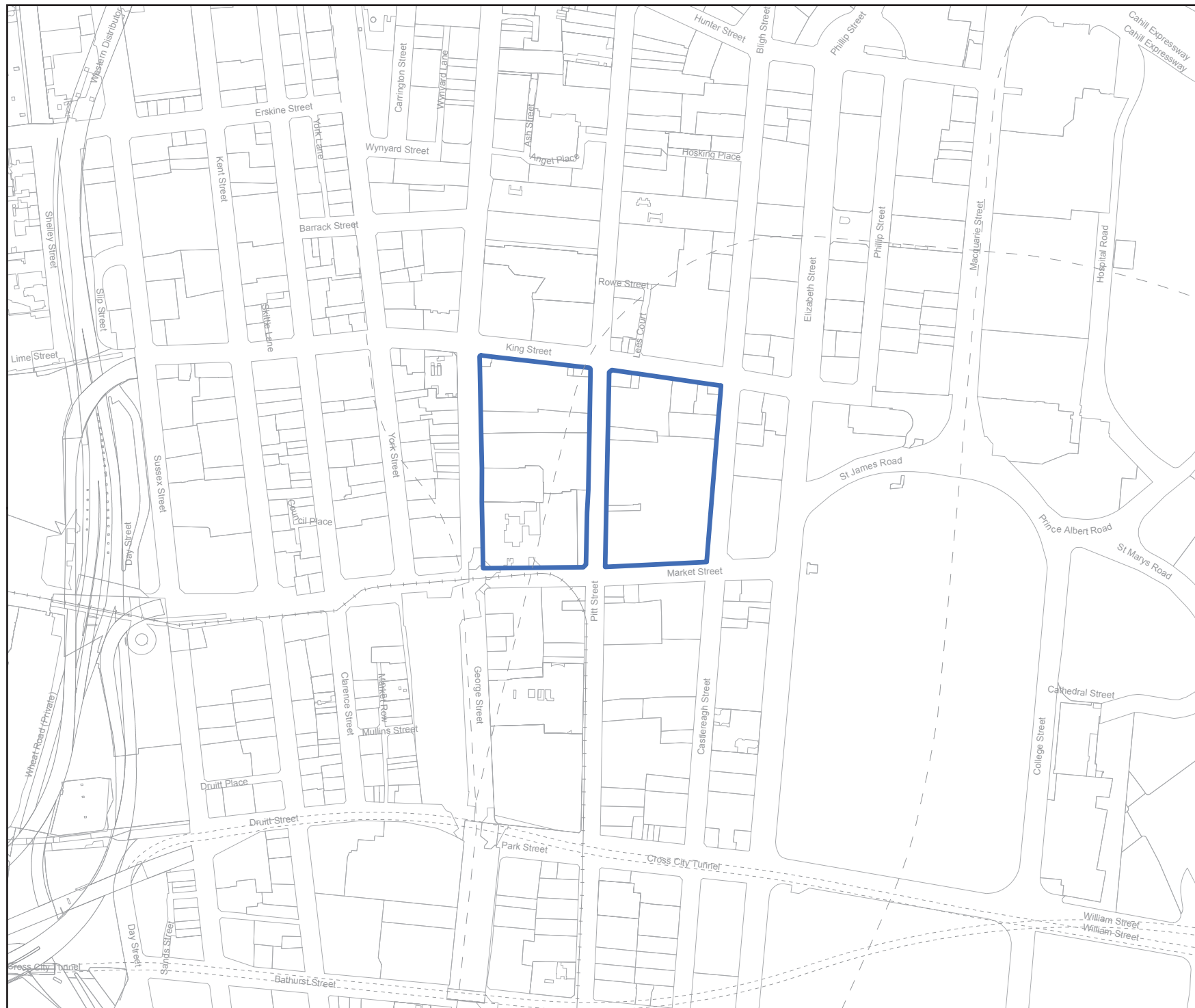
Central Sydney retail core map

Legend

- Retail core
- Land excluded from this DCP



0 100 m



3.2.4 Footpath awnings

Awnings are important for the amenity and attractiveness of streets. They provide protection from the weather and if designed well create visual interest.

It is important to provide continuous weather protection on footpaths. Awnings are the preferred form of weather protection. Appropriately designed awnings create attractive pedestrian environments and ensure clear visibility on the footpath.

Refer to the relevant Schedule 4 Projections over or into public roads.

Objective

- (a) Encourage footpath awnings to enhance pedestrian amenity and provide weather protection.

Provisions

- (1) An awning over the footpath is to be provided in the locations nominated on the *Footpath awning and colonnades map*.
- (2) New awnings are to be compatible with the scale of host and adjacent buildings and the architectural features of the host building.
- (3) Where an awning is to be provided, it is to be provided along the full extent of the street frontage of the building or for the part along the main entry or with ground floor retail or commercial uses.
- (4) Awnings where provided are to be located between the ground and first floors to maximise weather protection. The height of an awning may vary between 3.2m and 4.2m above the footpath. The height of the awning must ensure continuity in appearance with adjacent awnings and to relate to any distinctive features of the building.
- (5) An awning may be introduced where it reinstates a previous awning.
- (6) Where there is no existing continuity of awnings on buildings within the same block on the same side of the street, or there would be a major adverse impact on the consistency of development within a heritage conservation area, awnings are not permitted.
- (7) Reconstruction or renovation of existing awnings must retain any significant fabric, for example pressed metal soffits.
- (8) Awnings on corner buildings are to wrap around the corner.
- (9) Lighting fixtures are to be recessed into the awning. All wiring and conduits are to be concealed.
- (10) Where signs are to be included on the awning they are to be consistent with the overall design of the awning and with Section 3.16 Signage and advertising.
- (11) Gutters are to be concealed from the footpath. Downpipes are to be fully concealed within or recessed into the ground floor frontage of the building.
- (12) Generally, awnings are to be cantilevered, non-trafficable and consistent with either Figure 3.9 *Traditional awning design* and/or Figure 3.10 *Contemporary awning design*.
- (13) On sloping streets awnings are to be stepped in height with a maximum difference of 700mm between each section of the awning.
- (14) Awning width is to be between 2m and 3.6m with the final width being determined to:
 - (a) maximise weather protection;
 - (b) match adjoining awnings;

- (c) give a minimum setback of:
 - (i) 1m from the face of the kerb to accommodate smartpoles™ utility poles and vehicles in the kerbside lane; and
 - (ii) 1.5m from the face of the kerb to accommodate street trees.
- (15) Cut out segments in awnings are not acceptable.
- (16) The depth of the fascia is not to exceed 700mm with the preferred depth less than 350mm.
- (17) Awnings are to have a maximum slope of 5 degrees for roofs and soffits and a roof slope towards the building so that gutters and downpipes are not required at the street edge.
- (18) The conversion of awnings to verandahs or balconies is generally not permitted.
- (19) Steeply sloped, arched or barrel vaulted awnings are not permitted.

Figure 3.8

The design of awnings should contribute to the attractiveness of the street

**Figure 3.9**

Traditional awning design

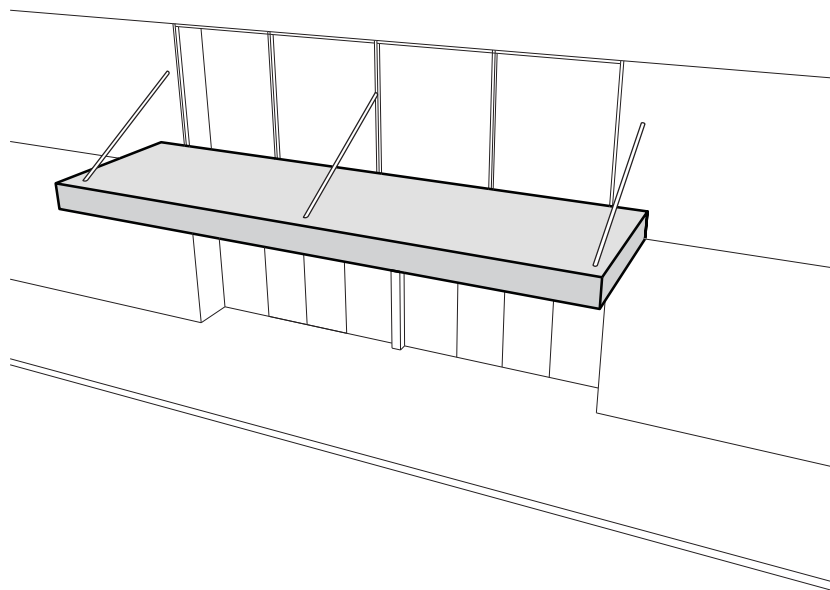
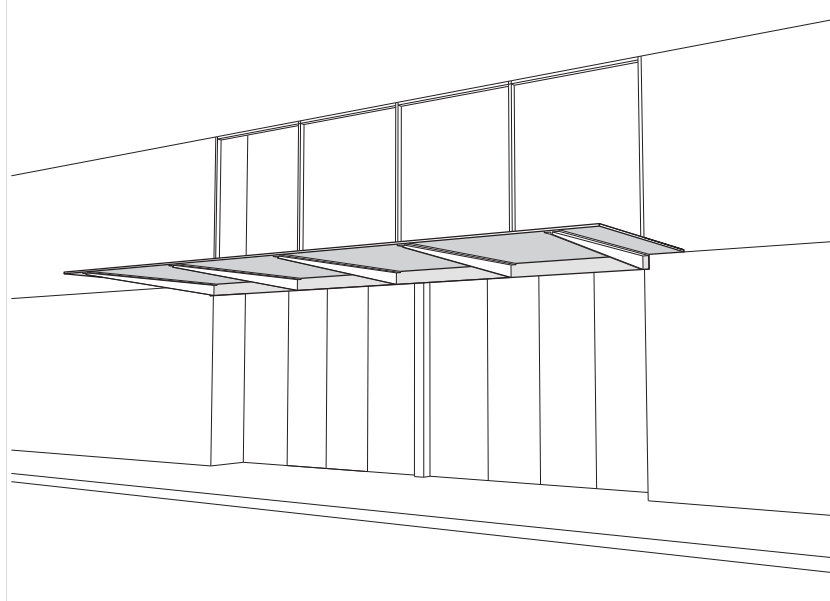


Figure 3.10
Contemporary
awning design



3.2.4.1 Awnings with posts and balconies

- (1) Awnings that include posts or are trafficable are acceptable where they reinstate former awnings of that configuration and can satisfy contemporary public safety requirements.
- (2) Design the structure so that the awning is self-supporting in the event of removal of a corner post or any other single post. Details of the verandah design are required to be certified by a structural engineer and submitted with the development application.
- (3) Reinstatement of posted verandahs is to be based on physical and documentary evidence. A posted verandah may be reinstated only where it reinforces the heritage significance of a heritage item or building in a Heritage Conservation Area.
- (4) Posted verandahs are to be designed so that the awning is self supporting in the event of the removal of a corner post or any other single post. Details of the verandah design are required to be certified by a structural engineer and submitted with the development application.
- (5) Applications for these awnings are to be supported by documentation based on physical and documentary evidence demonstrating that:
 - (a) the building originally had a similar awning and its reinstatement reinforces the heritage significance of the existing building or heritage conservation area;
 - (b) the design replicates the original awning or, where there is insufficient documentation, is based on reference to details of similar awnings from that period; and
 - (c) modifications to the structure and materials to meet current safety standards or to adopt a contemporary interpretation will not result in an adverse impact on the overall character and, where relevant, heritage significance of the property.
- (6) Where the building is a heritage item, the supporting documentation to be provided is to be in the form of a Conservation Management Plan.

3.2.4.2 Other awning types

- (1) Fabric canopies (including retractable canopies) may be acceptable:
 - (a) for cafes, food outlets and hotels where awnings are not required or in streets without a consistent awning line, particularly in areas adjacent to parks and public spaces; and
 - (b) on heritage buildings originally designed without awnings provided there is no impact on the heritage significance of that building.
- (2) Skylights within fixed awnings:
 - (a) are to be less than one third of the awning width;
 - (b) are to be glass;
 - (c) are to be clear or very lightly tinted or patterned in a durable finish, such as a fritted or seraphic glass finish, to mask dirt, dust and wind blown debris; and
 - (d) are not required to be continuous. The length of glazed portions is to correspond to the architectural design of the ground floor by aligning skylights with ground floor entries, windows or columns.
- (3) Fully glazed awnings are generally not acceptable.

3.2.5 Colonnades

Colonnades may be appropriate in exceptional circumstances for weather protection where they can extend along the entire street frontage of a street block, or for pedestrian amenity where they provide a sunlit environment for active pedestrian use including outdoor dining.

Objective

- (a) Discourage the provision of colonnades, except in exceptional circumstances.

Provision

- (1) Colonnades are generally not permitted as they obscure views of retail frontages and separate street frontage activity from the street.
- (2) The consent authority may allow colonnades where:
 - (a) they are continuous for an entire street block;
 - (b) they are designed with finely proportioned vertical elements; and
 - (c) they provide a high level of visual and physical access to shopfronts.
- (3) The consent authority may allow existing colonnades to be used for active uses, generally where the colonnade is discontinuous.

3.2.6 Wind effects

These provisions apply to all buildings over 45m high and other development where Council requires wind effects to be considered.

Windy conditions can cause discomfort and danger to pedestrians and downdraughts from buildings can inhibit the growth of street trees. Conversely, moderate breezes can enhance pedestrian comfort and disperse vehicle emissions and air-conditioning plant exhausts. The useability of open terraces on buildings also depends on comfortable conditions being achieved.

The shape, location and height of buildings are to be designed to satisfy wind criteria for public safety and comfort at ground level.

Objective

- (a) Ensure that new developments satisfy nominated wind standards so as to maintain comfortable conditions for pedestrians and encourage the growth of street trees.

Provisions

- (1) A wind effects report is to be submitted with a development application for buildings higher than 45m and for other buildings at the discretion of the consent authority. The report is to be prepared by a suitably qualified engineer and is to:
 - (a) be based on wind tunnel testing, which compares and analyses the current wind conditions and the wind conditions created by the proposed building;
 - (b) report the impacts of wind on the pedestrian environment at the footpath level within the site and the public domain;
 - (c) provide design solutions to minimise the impact of wind on the public and private domain; and
 - (d) demonstrate that the proposed building and solutions are consistent with the provisions of this DCP.
- (2) Development must not create a ground level environment where additional generated wind speeds exceed:
 - (a) 10 metres per second for active frontages as shown on the *Active frontages map*; and
 - (b) 16 metres per second for all other streets.
- (3) New developments are to incorporate design features that will ameliorate existing adverse wind conditions so that the criteria above are achieved.
- (4) Building design is to minimise adverse wind effects on recreation facilities and open spaces within developments.
- (5) Balconies are to be designed to minimise wind impacts and maximise useability and comfort through recessed balconies, operable screens, pergolas and shutters.
- (6) Balconies must be recessed on building over 45m where possible.

3.2.7 Reflectivity

Reflective materials used on the exterior of buildings can result in undesirable glare for pedestrians and on occupants of other buildings and potentially hazardous glare for motorists.

Objectives

- (a) Minimise the reflection of sunlight from buildings to surrounding areas and buildings.
- (b) Ensure that building materials do not lead to hazardous, undesirable or uncomfortable glare to pedestrians, motorists or occupants of surrounding buildings.

Provisions

- (1) A Reflectivity Report that analyses potential solar glare from the proposed building design may be required for tall buildings.
- (2) Generally, light reflectivity from building materials used on facades must not exceed 20%.

- (3) For buildings in the vicinity of arterial roads/major roads and Sydney Airport, proof of light reflectivity is required and is to demonstrate that light reflectivity does not exceed 20%.

3.2.8 External lighting

The external lighting of buildings can enhance the character of buildings at night and enliven an area. However, external lighting can create light pollution, increase energy use and greenhouse gas emissions and affect residential amenity. Often, it is more appropriate to highlight certain architectural features of a building rather than floodlighting entire facades.

Objectives

- (a) Encourage appropriate external lighting of buildings that adds to the architectural character of the building.
- (b) Minimise light spill to the sky.

Provisions

- (1) Generally, external lighting of buildings is discouraged to avoid light pollution and the unnecessary consumption of energy and generation of greenhouse gas emissions, unless there is particular and justifiable merit in illuminating a building.
- (2) Applications for decorative lighting or for the illumination of building facades, billboards or roof tops (accessible or inaccessible) are required to include a photomontage or computer modelling to illustrate the visual effect of the proposal, including the visual effect of any associated structure during the day.
- (3) External light fixtures are to be integrated with the architecture of the building.
- (4) The visual effects of external lighting must contribute to the character of the building, surrounds and skyline.
- (5) The external lighting system must be energy efficient and subject to appropriate times of operation.
- (6) External lighting must not reduce the amenity of residents in the locality.
- (7) External lighting must not negatively impact areas of habitat for local fauna.
- (8) External lighting must minimise the light spill into the night sky.
- (9) LED down lighting is preferred over up lighting to minimise light pollution.
- (10) The following decorative lighting techniques are inappropriate:
 - (a) bud-lights and similar festoon lighting on buildings which detract from the architectural qualities of the building;
 - (b) broad floodlighting of facades from large light sources located separate to the building; and
 - (c) up lighting of flag poles and banner poles.

3.3

Design Excellence and Competitive Design Processes

This section contains objectives and provisions to guide design excellence and fine grain urban form in significant development. All buildings contribute to the urban and public domain character of a city. It is important that design excellence is a fundamental consideration in the assessment of development applications.

In recognition of the additional cost of a competitive design process, a successful design competition that achieves design excellence can be awarded additional building height or floor space of up to 10% or one floor whichever is the greater.

The following DCP provisions complement Clause 6.21 under the *Sydney LEP 2012* and must be read in conjunction with the *City of Sydney Competitive Design Policy* and the *Model Competitive Processes Brief*.

The City of Sydney contains a number of urban renewal areas and large development sites. Within these areas it is important that development achieves high design quality standards and design variety. The following objectives and provisions aim to achieve design excellence through the application of competitive design processes.

Refer to Section 3.1.10 Sites greater than 5,000sqm and Section 3.3.8 Site specific development controls plans and Stage 1 development applications.

Objectives

- (a) Ensure high quality and varied design through the use of competitive design processes for large and prominent developments.
- (b) Ensure development individually and collectively contributes to the architectural and overall urban design quality of the local government area.
- (c) Encourage variety in architectural design and character across large developments to provide a fine grain which enriches and enlivens the City's public realm.

Provisions

3.3.1 Competitive design process

- (1) In accordance with Clause 6.21(5) of the *Sydney LEP 2012* any of the following development is subject to a competitive design process:
 - (a) buildings greater than 55m in Central Sydney and greater than 25m outside of Central Sydney;
 - (b) development having a capital value of more than \$100,000,000;
 - (c) development in respect of which a development control plan is required to be prepared under Clause 7.22 of the *Sydney LEP 2012*;
 - (d) development for which the applicant has chosen such a process.
- (2) The competitive design process must be undertaken in accordance with the *City of Sydney Competitive Design Policy* and using the *Model Competitive Processes Brief*.

- (3) The competitive design process is to be undertaken in accordance with a Design Excellence Strategy approved by Council as part of an associated site-specific DCP or concepts stage development application (Stage 1 Development Application); and
- (4) The competitive design process is to be undertaken before the detailed Stage 2 Development Application is submitted.

3.3.2 Design excellence strategy

- (1) The Design Excellence Strategy is to define:
 - (a) the location and extent of each competitive design process, where each competitive design process is to be limited to a single development site or street block;
 - (b) the type of competitive design process(es) to be undertaken: an open or invited architectural design competition or competitive design alternatives;
 - (c) the number of designers involved in the process(es);
 - (d) how fine grain and contextually varied architectural design is to be achieved across large sites;
 - (e) whether the competitive design process is pursuing additional floor space or height;
 - (f) options for distributing any additional floor space or height which may be granted by the consent authority for demonstrating design excellence through a competitive design process;
 - (g) the target benchmarks for ecologically sustainable development.

3.3.3 Award for design excellence

- (1) In accordance with Clause 6.21(7) of the *Sydney LEP 2012*, the consent authority may grant up to 10% additional floor space or height to a building where design excellence is achieved through a competitive design process.

3.3.4 Awarding additional height

- (1) Additional height available under Clause 6.21(7) of the *Sydney LEP 2012* must be located on the building which is to be subject to the competitive design process.
- (2) Awarding additional height is at the discretion of the consent authority and is dependent on achieving design excellence with the additional height included in the design.

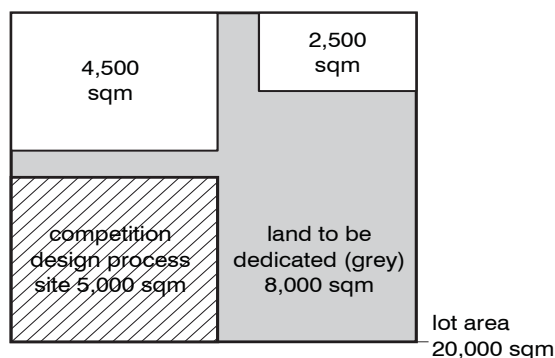
3.3.5 Awarding additional floor space

- (1) Additional floor space available under Clause 6.21(7) of the *Sydney LEP 2012* will be pro-rated by the area covered by the competitive design process, as a proportion of the total developable site area.

$$\text{Additional floor space bonus (\%)} = \{ \text{Competitive design process site area} / (\text{Lot area} - \text{Land to be dedicated area}) \} \times 10$$

For example, if a competitive design process covers half the developable site area, then the maximum additional floor space will be up to 5%.

A further example is shown below:



A competitive design process undertaken on the hatched site would result in a maximum floor space bonus of up to:

$$\{5,000\text{sqm} / (20,000\text{sqm} - 8,000\text{sqm})\} \times 10 = 4.17\% \text{ floor space bonus}$$

- (2) Awarding additional floor space is at the discretion of the consent authority and is dependent on achieving design excellence and the capacity of the developable site area to absorb the additional floor space without environmental impacts.

3.3.6 Distribution of additional floor space

- (1) In distributing any additional floor space within the site area covered by the competitive design process, the following considerations must be appropriately addressed:
 - (a) Site and context analysis;
 - (b) Public domain layout, including levels, uses, access and circulation, dedications and hierarchy of spaces;
 - (c) Built form massing and dimensioned envelopes;
 - (d) Overshadowing analysis;
 - (e) Stormwater management strategy;
 - (f) Traffic management and servicing strategy, parking numbers and location;
 - (g) Ecologically sustainable development strategies and benchmark commitments (including connection to green infrastructure); and
 - (h) Heritage impact statement.

3.3.7 Public art

- (1) A public art strategy prepared by a suitably qualified person consistent with the *City of Sydney's Guidelines for Public Art in Private Development* is to inform the competitive design process and where appropriate, be included in the competition brief.

3.3.8 Site specific development control plans and stage 1 development applications

A site specific development control plan or a stage 1 development application is required under Clause 7.20 of *Sydney LEP 2012* for certain categories of development. The development control plan must address the issues set out in Clauses 7.20 (4) and 6.21 Design Excellence of *Sydney LEP 2012*.

- (1) The following documentation is to be provided as part of a site specific development control plan application:
 - (a) Site, context and development options analysis;
 - (b) Public domain layout including levels, uses, access and circulation and dedications;
 - (c) Built form massing and dimensioned envelopes;
 - (d) Distribution of uses and floor space areas;
 - (e) Overshadowing analysis;
 - (f) Stormwater management strategy;
 - (g) Traffic management and servicing strategy and parking numbers and location;
 - (h) Ecologically sustainable development strategies and benchmark commitments (including connection to green infrastructure);
 - (i) Heritage impact statement;
 - (j) Design excellence strategy;
 - (k) Landscape concept plan;
 - (l) Public art strategy; and a
 - (m) Staging plan.
- (2) The site, context and development options analysis is to document at least three different and realistic site development options and is to provide an analysis of each option.
- (3) A design excellence strategy is to be provided that defines:
 - (a) the location and extent of each competitive design process, where each competitive design process limited to a single development site or street block.
 - (b) the type of competitive design processes to be undertaken: an architectural design competition, open or invited; or competitive design alternatives;
 - (c) the number of designers involved in the processes;
 - (d) how fine grain and contextually varied architectural design is to be achieved across large sites; and
 - (e) options for distributing any additional floor space area which may be granted by the consent authority for demonstrating design excellence through a competitive design process.
- (4) A detailed Public Art Strategy, prepared by a suitably qualified person and consistent with the *City of Sydney Guidelines for Public Art in Private Development* is to be submitted with a Stage 1 DA or Site Specific DCP.

3.4

Hierarchy of Centres, City South

The following objectives and provisions apply to all development within the Green Square Town Centre Primary Trade Area as shown on Figure 3.12 *Hierarchy of centres, City South*.

The City has established a hierarchy of planned centres to ensure the orderly and economic development of Green Square and the southern areas of the LGA. Green Square Town Centre will be the highest-order centre and the heart of the City South. The planned centres will accommodate more dense forms of residential development, jobs, shops, entertainment, community facilities, access to public transport and new public spaces. The benefits of a centres planning approach in the southern areas are:

- Fewer trips by private vehicle.
- The creation of engaging public spaces and focal points for communities.
- Competitive, sustainable environments for local businesses.
- Public investment in public transport, open spaces and community facilities can be focussed in centres, where it will have maximum community benefit.

To realise this vision, it is essential that new, larger retail development is clustered in the planned centres. Shops are major attractors of business and people, and will form a key component of the planned mixed-use centres.

The City commissioned the Green Square and Southern Areas Retail Study (2008) to inform land use controls for the centres. The Retail Study recommended a hierarchy of centres, based on how much retail floor area will be supported by the forecast population in 2021. To achieve these centres, the Retail Study recommends larger retailers, like supermarkets, must primarily be located in higher order centres. Outside of planned centres, retail development should be limited to smaller shops with a maximum floor area of 1,000sqm which provide convenience shopping opportunities within walking distance of homes and workplaces.

Figure 3.11

Local village, Danks Street, Waterloo



Definitions

Minor retail development means a single shop or retail tenancy that has a gross floor area of 1,000sqm or less.

Major retail development means a single shop or retail tenancy with a gross floor area greater than 1,000sqm.

Full-line supermarket means a supermarket with a full range of goods, including packaged groceries, fresh meat, bakery and deli department, fresh fruit and vegetables and frozen foods, that has a gross floor area greater than 2,500sqm. Full-line supermarkets are classified as 'shops' under the *Sydney LEP 2012* definition.

Small supermarket means a supermarket with a reduced range of groceries and food that has a gross floor area less than 2,500sqm. Small supermarkets are classified as 'shops' under the *Sydney LEP 2012* definition.

Discount supermarket means a supermarket that does not have a full range of groceries and food and where the products are sold for less than they are typically sold for at full-line supermarkets. Discount supermarkets are classified as 'shops' under the *Sydney LEP 2012* definition.

For the purposes of this Section, discount supermarkets and small supermarkets are also considered to be either minor retail development or major retail development, depending on the gross floor area of the discount supermarket or small supermarket.

Clause 7.23 of the *Sydney LEP 2012* complements this strategy by limiting the gross floor area for shops and markets outside of planned centres to 1000sqm. Clause 7.23 seeks to limit the size of individual tenancies and not the total amount of retail floor space on a site.

Objectives

- (a) Encourage a viable and successful hierarchy of centres in the City South area.
- (b) Promote the Green Square Town Centre as the primary retail, community and entertainment centre in the City South area.
- (c) Ensure that major retail development is located within the planned centres where it will have maximum community benefit, result in fewer trips by private vehicle and create competitive, sustainable environments for local business.
- (d) Provide adequate and appropriate retail development to meet the needs of existing and future workers and residents.
- (e) Create a hierarchy of centres that will protect and support public investment.
- (f) Promote centres as the appropriate location for entertainment uses, attractions, community facilities and services, public domain improvements and public transport improvements.
- (g) Ensure that retail development in the City South area does not have an adverse impact on one or more centres, either on its own or cumulatively with recent applications or developments, or undermine the viability of any centre or its role in the economic and social life of the community.

Provisions

3.4.1 Land use

- (1) Where appropriate, major retail development is to be located within the major centre, the local villages and small village identified in the *Hierarchy of Centres, City South map*.

- (2) Minor retail development is permissible outside of centres provided it does not have a negative impact on the viability and economic role of the planned centres in the Southern areas retail hierarchy map and where it will result in a net community benefit.
- (3) Retail development in centres is to be consistent with the function and appropriate retail use of that centre in Table 3.3 Desired character of centres.
- (4) Additional neighbourhood centres may be permissible in locations where the applicant can demonstrate that there will be no significant impact on the viability or vitality of the hierarchy of centres described in Table 3.3 Desired character of centres.
- (5) Appropriate minor retail development outside of centres is to activate the public domain and provide for convenient shopping opportunities within walking distance of homes and workplaces.
- (6) Bulky goods development is to be located fronting O'Riordan Street where it is consistent with the zoning controls. Smaller bulky goods retailers, for example homewares stores, are best located in or adjoining the Green Square Town Centre and the local villages.

Table 3.3: Desired character of centres

Centre	Function	Appropriate retail uses
Major centre The Green Square Town Centre	The primary retail, commercial and community centre in the City South area. The range of retail and entertainment uses found in the Green Square Town Centre is to be greater than other centres and it should be the most highly-visited and vibrant centre.	A full range of retail uses aimed at attracting regional visitors, including full-line supermarkets, department stores, discount supermarkets, cinemas, markets, specialty shops, fashion, comparison shopping, homewares, convenience shops, fresh food, cafes, restaurants and bars.
Local villages Victoria Park Danks Street Ashmore Estate	Existing and future local village centres will meet local daily shopping in denser residential areas. These centres are to be accessible via public transport and bikeways and be supported by services and open space.	A reduced range of retail uses providing for the local area, including one full-line supermarket, one discount supermarket, specialty stores, homewares, convenience retailers, fresh food, cafes, restaurants and bars.
Small Village Botany Road, Rosebery	The small village will continue to service the convenience retail needs of local residents and workers. Additional specialty shops and services in this location will consolidate the small village as demand increases.	Retail uses that do not provide for a full range of groceries and food, but includes one small supermarket, specialty stores, convenience retailers, fresh food, cafes, restaurants and bars.
Neighbourhood Centre Dalmeny Avenue, Rosebery Future locations to be determined by demand	<p>A neighbourhood centre is a group of more than three neighbourhood shops that provide convenience shopping within walking distance of homes and workplaces. They should not provide so wide a range of groceries and food that people do not need to visit a village centre or the major centre.</p> <p>New neighbourhood centres may be developed where they are consistent with other planning controls and will not significantly detract from other centres. A neighbourhood centre is to be provided with minimal car parking spaces.</p>	<p>Approximately five neighbourhood shops, including delicatessens, hairdressers, newsagents, cafes and other specialty or food retailers.</p> <p>small supermarkets (that are also minor retail development) may be appropriate in neighbourhood centres where they are consistent with other controls and planning strategies.</p>

3.4.2 Economic impact assessment

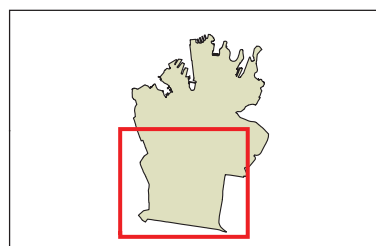
- (1) Where a proposed retail development is inconsistent with the appropriate retail uses described in Table 3.3 Desired character of centres, the consent authority may require the applicant to prepare an economic impact assessment to demonstrate that the proposed development is consistent with:
 - (a) the function of that centre as described in Table 3.3 Desired character of centres;
 - (b) the objectives of this Section; and
 - (c) wider planning strategies.
 - (2) Where a new neighbourhood centre is proposed the consent authority may require the applicant to prepare an economic impact assessment to demonstrate that the proposed development is consistent with:
 - (a) the function and appropriate retail uses of a neighbourhood centre as described in Table 3.3 Desired character of centres;
 - (b) the objectives of this section; and
 - (c) wider planning strategies.
 - (3) An economic impact assessment is to contain the information outlined in the City of Sydney's Practice.
- Note:** Retail Development in the Southern Area: Preparing Economic Impact Assessments.
- (4) In the preparation of economic impact assessments, applicants are to use the *Green Square and Southern Areas Retail Study* (2008) and subsequent updates for the Green Square Trade Area.

Figure 3.12

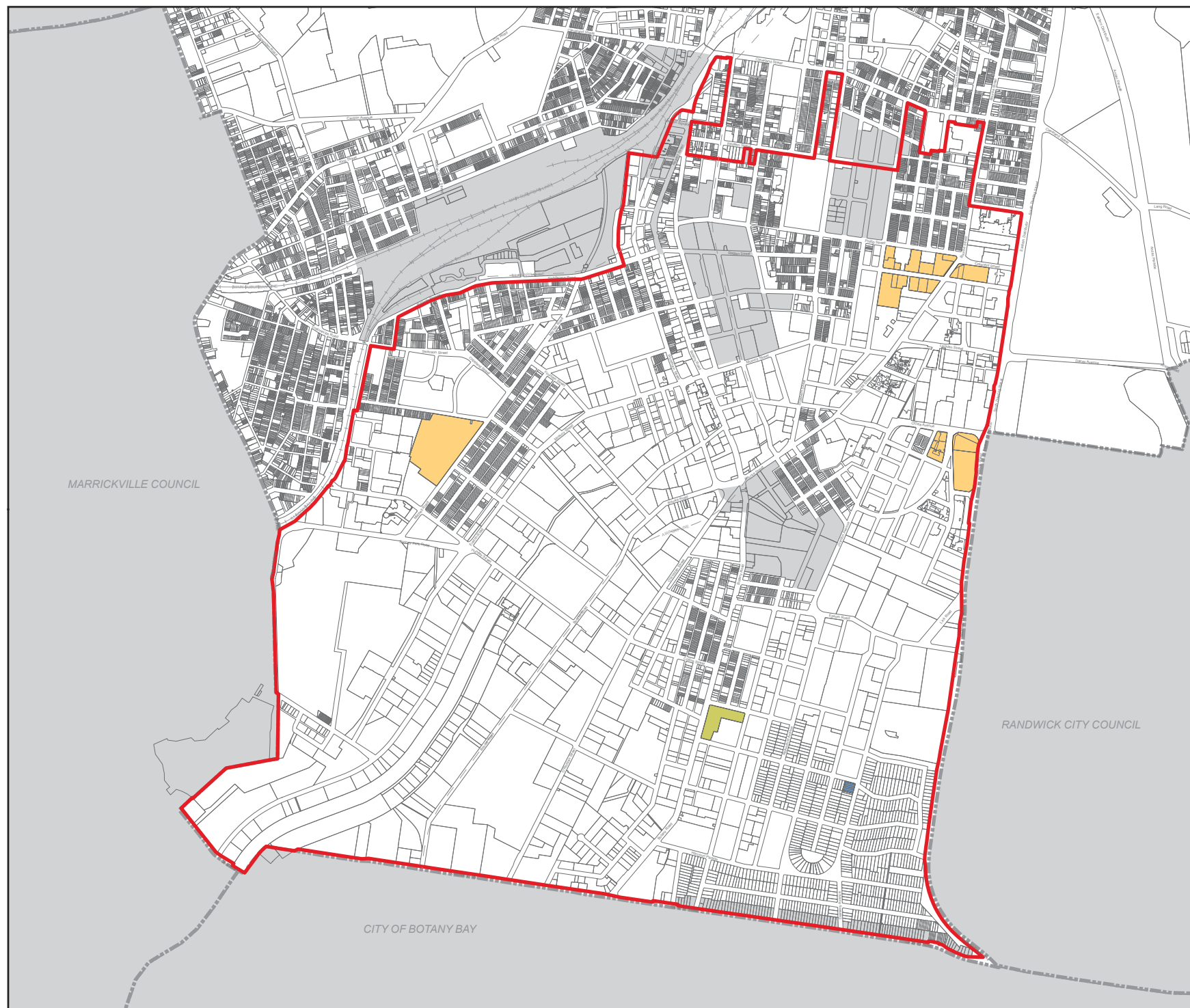
Hierarchy for centres, city south map

Legend

- Green Square Town Centre Primary Trade Area
- Local Village Centre
- Small village centre
- Neighbourhood centre
- Land excluded from this DCP



0 500 m



3.5

Urban Ecology

3.5.1 Biodiversity

This Section applies to all development that will affect existing habitat, or involves landscaping. Other policies that apply to biodiversity management in the City of Sydney include the Greening Sydney Plan, Urban Forest Strategy, the Urban Tree Management Policy, the Street Tree Master Plan, the Register of Significant Trees and the Park Tree Management Plans as well as the Urban Ecology Strategic Action Plan and Landscape Code when they are complete.

Objectives

- (a) Protect existing habitat features within and adjacent to development sites.
- (b) Improve the diversity and abundance of locally indigenous flora and fauna species across the LGA.

Provisions

- (1) Development is to be consistent with the Street Tree Master Plan, Park Tree Management Plans and the Landscape Code.
- (2) Existing habitat features including cliff lines, rocky outcrops, waterbodies, trees, shrubs and groundcover vegetation are to be retained.
- (3) New habitat features including trees, shrubs and groundcover vegetation, waterbodies, rockeries and green roofs and walls are to be included, wherever possible.
- (4) Link and enhance existing and potential biodiversity corridors wherever possible.
- (5) Landscaping is to comprise a mix of locally indigenous tree, shrub and groundcover species as outlined in City's Landscape Code. Where this is not possible it is preferred that plants native to Australia are used.
- (6) Shrubs are to be densely planted and trees are to be well-spaced, as outlined in the City's Landscape Code.

3.5.2 Urban vegetation

Urban vegetation is all of the trees and other vegetation found in our commercial and residential areas, along our streets and in our parks. This vegetation is one of the City's most important assets, with benefits ranging from reducing air pollution, managing stormwater, providing natural habitat for birds and other wildlife to enhancing our quality of life and reducing the heat of urban spaces. Vegetation will become increasingly valuable in the face of climate change. Maintaining and supplementing existing vegetation can help mitigate climate change, by absorbing carbon dioxide, and adapt to it, by helping to cool the City.

These provisions do not apply to Central Sydney.

Objective

- (a) Ensure that tree canopy cover is considered in all development and provided appropriately in each development.

Provisions

- (1) Development applications are to include a Landscape Plan, except where they are for single dwellings, terraces and dual occupancies.
- (2) Provide at least 15% canopy coverage of a site within 10 years from the completion of development.
- (3) Appropriate plant species are to be selected for the site conditions with consideration given to trees providing shade in summer and allowing sunlight in winter, or to provide habitat. Appropriate tree species include any tree (excluding noxious weed trees) that are not prone to drop fruit, seedpods, gumnuts, branches, sap and or bark.
- (4) Locally indigenous species are to be used where possible and in accordance with the City's Landscape Code.
- (5) Understorey plantings comprising locally-indigenous shrubs and groundcovers are encouraged.
- (6) Provide soft landscaping between 1.5m and 3m in plan depth to the perimeter of ground level car parking areas to screen the car parking area from the street and integrate with streetscape planting.
- (7) One tree per 4 car spaces is to be provided within ground level parking areas in addition to perimeter planting. This planting is to:
 - (a) be planted in bays with a minimum dimension of 2m and soil depth of 1m unencumbered deep soil. The bays are to be provided with a raised kerb barrier and native ground cover planting;
 - (b) be planted in soil with a suitable rooting volume for the required number of trees;
 - (c) use trees that develop a clean trunk height greater than 4.5m and a crown canopy of at least 50sqm to provide adequate shade and vehicle clearance;
 - (d) improve pedestrian amenity;
 - (e) not to hinder the visibility of either drivers or pedestrians, with open sightlines maintained between parking areas, public streets and paths;
 - (f) not conflict with lighting and services; and
 - (g) break up large areas of impervious surfaces.
- (8) Car parking areas and access aisles should be designed, surfaced and graded to reduce run-off, allow stormwater to be controlled within the site, and provide for natural infiltration of stormwater runoff through landscaping.

3.5.3 Tree management

The following objectives and provisions apply to all development that may have an impact on the health or structural stability of a tree and are to be read in conjunction with Clause 5.9 of the *Sydney LEP 2012*.

Clause 5.9 of the *Sydney LEP 2012* does not apply to trees on land vested in the Royal Botanic Gardens and Domain Trust or the Centennial Park and Moore Park Trust.

Other policies that apply to the management of trees in the City of Sydney include the Urban Tree Management Policy, Urban Forest Strategy, Street Tree Master Plan, and Park Tree Management Plans and Register of Significant Trees. These are available at www.cityofsydney.nsw.gov.au.

Schedule 8 Tree Management provides information about notifications of proposals to remove a tree from Council's Register of Significant Trees and arborist's reports.

Definitions

Imminently dangerous includes but is not restricted to obvious instability of the root system, evidence of soil heave or cracking, loss of structural roots, root decay, storm damage and structural defects that are imminently hazardous, such as splitting branches.

Objectives

- (a) Establish the trees to which Clause 5.9 Preservation of trees or vegetation of the *Sydney LEP 2012* applies.
- (b) Ensure the protection of trees within and adjacent to development sites.
- (c) Maximise the quality and quantity of healthy tree canopy coverage across the LGA.

Provisions

- (1) A permit or development consent is required to ringbark, cut down, top, lop, prune, remove, injure or wilfully destroy a tree that:
 - (a) has a height of 5m or more; or
 - (b) has a canopy spread of over 5m; or
 - (c) has a trunk diameter of more than 300mm, measured at ground level; or
 - (d) is listed in the Register of Significant Trees.
- (2) Under Clause 5.10 of the *Sydney LEP 2012*, development consent is required for certain activities affecting a tree which is a heritage item or a tree within a heritage conservation area. However, this requirement may be waived if
 - (a) the criteria in clause 5.10(3) of the *Sydney LEP 2012* are satisfied; and
 - (b) the work relates to a tree or activity to which provision (1) does not apply.
- (3) Provision (1) does not apply to a tree of the following species that is less than 10m in height:
 - (a) *Cinnamomum camphora* (Camphor Laurel);
 - (b) *Celtis sinensis* (Chinese Hackberry);
 - (c) *Celtis occidentalis* (American Nettle Tree);
 - (d) *Erythrina x sykesii* (Coral Tree); and
 - (e) *Liquidambar styraciflua* (Liquidambar).
- (4) Provision (1) does not apply to any tree of the following species:
 - (a) *Ailanthus altissima* (Tree of Heaven);
 - (b) Bamboo sp (all species and cultivars);
 - (c) Citrus sp (all varieties);
 - (d) *Cotoneaster* sp (Cotoneaster);
 - (e) *Ficus elastica* (Rubber Tree);
 - (f) *Gleditsia triacanthos* – not cultivars (Wild Honey Locust);
 - (g) *Lagunaria patersonia* (Norfolk Island Hibiscus);

- (h) *Ligustrum* sp (Privet);
 - (i) *Melia azedarach* (White Cedar);
 - (j) *Morus* species (Mulberry);
 - (k) *Musa* species (Banana);
 - (l) *Olea europaea* var. *Africana* (African Olive);
 - (m) *Robinia pseudacacia* –not cultivars (False Acacia);
 - (n) *Salix babylonica* (Willow);
 - (o) *Schefflera actinophylla* (Umbrella Tree); and
 - (p) *Syagrus romanzoffianum* (Cocos Palm).
- (5) A permit or development consent to prune a tree on private land in accordance with provision (1) is not required provided the pruning:
- (a) provides clearances consistent with the Guideline for tree pruning, and where the branch size is less than the diameter size detailed in Table 3.4; and
 - (b) does not remove more than 5% of a trees canopy; and
 - (c) does not damage or affect the health or structural stability of the tree; and
 - (d) is undertaken in accordance with the relevant Australian Standard for the Pruning of Amenity Trees, using a qualified Arborist (minimum Australian Qualification Framework (AQF) Level 2 Arboriculture).

Table 3.4: Guideline for tree pruning

Location	Height to which pruning is permitted	Maximum diameter of branch which may be pruned
Major Arterial Roads	4.5m above the kerb	100mm
Local Roads	2.5m over a parking lane and 4.5m above the kerb	100mm
Council pedestrian paths	2.5m above the footpath	100mm
Buildings	1m above any approved building, measured from the surface of the structural component, such as a wall or roof on the building's edge	50mm
Domestic power or Telecommunication lines	Must be 0.5m minimum and 1m maximum clearance from the service line	50mm

Note: Branch size is measured from the point of attachment to another branch or the trunk.

- (6) In relation to Clauses 5.9(5) and (6) of *Sydney LEP 2012*, to satisfy Council that the tree is dead, dying or a risk to human life or property, the applicant is to:
- (a) record the tree's condition; identify the risk a tree may pose; and provide a statement that verifies that the works undertaken will be or were the minimum necessary to manage the risk; and
 - (b) a report from a qualified arborist (Minimum AQF Level 3 Arboriculture) is to be provided to Council prior to works taking place, or immediately following the works.

3.6

Ecologically Sustainable Development

In NSW, *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* (BASIX SEPP) mandates provisions that aim to reduce consumption of mains-supplied potable water, reduce emissions of greenhouse gases and improve thermal comfort in all residential development. The BASIX SEPP sets the minimum standards that a development is to achieve. The BASIX SEPP also mandates that a DCP cannot include provisions which require a development to exceed its minimum standards. However, where voluntarily proposed, Council encourages development to exceed minimum BASIX scores. Council does not require a development to achieve a score under any other building rating tool.

Section J of the Building Code of Australia also contains mandatory requirements for the design of building envelopes and fixtures to minimise energy use.

On 21 September 2009, Council resolved to appoint the international engineering and design firm ARUP to develop a Decentralised Energy Master Plan for renewable energy. ARUP will look at a range of renewable means of generating electricity and methods to implement it. The Plan will become the roadmap to converting 25-30 per cent of the City's electricity use from coal-generated electricity to renewable sources.

The City is also preparing a Combined Cooling, Heat and Power (Tri-generation) Master Plan (CCMP) for the LGA. The plan will detail specific information about the locations, size and scale of a network of tri-generation plants.

Ultimately the "Green Infrastructure Master Plans" will provide a framework for the City's future sustainability targets. Once the Master Plans are in place, this DCP will be amended accordingly in order to respond to the matters contained in them. Heating, ventilation and cooling systems are to be designed and constructed to enable connections to and maximise the use of local CCHP or CHP networks.

Applicants are advised that on 1 November 2010, a Mandatory Commercial Building Disclosure program commenced. This program has been prepared by the Federal Government's Department of Climate Change and Energy Efficiency and aims to ensure that credible and meaningful energy efficiency information is available to purchasers and lessees of large commercial office space. This program applies to commercial buildings with a net lettable floor area of 2,000sqm or more and requires owners to disclose energy efficiency information to purchasers and lessees when the space is to be sold, leased or subleased. More information is available from the Australian Government Department of Climate Change and Energy Efficiency.

Council encourages all applicants to implement the principles of ecologically sustainable development (ESD) in the proposed development. Implementing the principles of ESD means that the development will be designed and constructed so that it complies with the following objectives:

- (a) Greenhouse gas emissions will be reduced.
- (b) The use of cogeneration and tri-generation systems will be increased.
- (c) Energy that is used will be renewable and low carbon.
- (d) Potable water use will be reduced.
- (e) Development can adapt to climate change.
- (f) Waste will be reduced.
- (g) Recycling of waste and use of products from recycled sources will be increased.

- (h) Indoor environmental quality will be improved.
- (i) The environmental impact from building materials will be reduced through reduction, re-use and recycling of materials, resources and building components.
- (j) The biodiversity will be improved.

From time to time Council may provide guidelines or other relevant information that will assist applicants to implement the principles of ESD.

In the absence of comprehensive government standards and building rating tools which can be used to assess the environmental performance of buildings, Council encourages applicants to use an environmental building rating tool, such as Green Star or any similar rating tool, to demonstrate the environmental performance of a proposed development.

Applicants should contact the operator of the rating tool, such as the Green Building Council of Australia, if they wish to obtain a certified rating. Where an applicant voluntarily proposes achieving a Green Star or other building tool rating Council will apply a condition of development consent that requires the development to obtain the certified rating that was nominated by the applicant.

Objectives

- (a) Apply principles and processes that contribute to ecologically sustainable development (ESD).
- (b) Reduce the impacts from development on the environment.
- (c) Reduce the use of resources in development and by development over its effective life.
- (d) Reduce the cause and impacts of the urban heat island effect.
- (e) Increase the resilience of development to the effects of climate change.
- (f) Ensure that greenhouse gas emissions will be reduced.
- (g) Increase the use of cogeneration and tri-generation systems.
- (h) Replace intensive carbon power sources with low carbon and renewable energy.
- (i) Reduce the use of potable water.
- (j) Ensure that development can adapt to climate change.
- (k) Ensure that waste will be reduced.
- (l) Increase the use of products from recycled sources.
- (m) Improve indoor environmental quality.
- (n) Reduce the environmental impact from building materials through reduction, re-use and recycling of materials, resources and building components.
- (o) Improve the biodiversity.

Provisions

3.6.1 Energy efficiency in non residential developments

- (1) Development is to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of glazing, natural ventilation, appropriate use of thermal mass and external shading, including vegetation.

- (2) Lighting for streets, parks and any other public domain spaces provided as part of a development should be energy efficient lighting such as LED lighting.
- (3) In multi-tenant or strata-subdivided developments, electricity sub-metering is to be provided for lighting, air-conditioning and power within each tenancy or strata unit. Locations are to be identified on the development plans.
- (4) Electricity sub-metering is to be provided for significant end uses that will consume more than 10,000 kWh/a.
- (5) Car parking areas are to be designed and constructed so that electric vehicle charging points can be installed at a later time.
- (6) Where appropriate and possible, the development of the public domain should include electric vehicle charging points or the capacity for electric vehicle charging points to be installed at a later time.

3.6.2 Water efficiency in non-residential development

- (1) All new water fittings and fixtures such as showerheads, water tap outlets, urinals and toilet cisterns, in all non-residential development, the public domain, and public and private parks are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.
- (2) Generally, rainwater tanks are to be installed for all non-residential developments, including major alterations and additions that have access to a roof form from which rainwater can be feasibly collected and plumbed to appropriate end uses.
- (3) Where a non-residential building, the public domain, a public or private open space or a community facility is serviced by a dual reticulation system for permitted non-potable uses such as toilet flushing, irrigation, car washing, fire fighting and certain industrial purposes, the development is to be connected to the system.
- (4) Generally, water used for irrigation of public and private open space is to be drawn from reclaimed water or harvested rainwater sources. Possible sources include harvested stormwater, treated greywater and wastewater and water from a decentralised local network.
- (5) Separate meters are to be installed for each individual tenancy in commercial or retail buildings over 5,000sqm, such as separate tenant areas within a shopping centre.
- (6) Separate meters are to be installed for the make-up lines to cooling towers, swimming pools, on the water supply to outdoor irrigation, and other major uses.
- (7) Where cooling towers are used they are to be connected to a:
 - (a) recirculating cooling water loop; and
 - (b) conductivity meter so that the blow down or bleed off system in a cooling tower can be automated based on conductivity. This ensures that the water is being re-circulated an optimum number of times before being discharged to the sewer.
- (8) Cooling towers are discouraged where they are a single pass cooling system.

3.6.3 Photovoltaic solar panels

- (1) The use, location and placement of photovoltaic solar panels is to take into account the potential permissible building form on adjacent properties.
- (2) Where possible proposals for new buildings, alterations and additions and major tree plantings are to maintain solar access to existing photovoltaic solar panels having regard to the performance, efficiency, economic viability and reasonableness of their location.

3.6.4 Wind turbines

- (1) Wind turbines are not to cause the following LAeq levels to be exceeded in any nearby residential development (with windows closed):
 - (a) in any bedroom in the building—35 dB(A) at any time between 10pm and 7am;
 - (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.
- (2) Wind turbines are:
 - (a) not to involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent;
 - (b) to be clear from power lines in accordance with the requirements of the relevant electricity authority;
 - (c) not to affect the structural integrity of the building;
 - (d) not to detract from the significance of a heritage item or a heritage conservation area; and
 - (e) to be installed in accordance with manufacturer's specifications.

3.6.5 Materials and building components

- (1) Paints and floor coverings with low levels of volatile organic compounds (VOC) and low formaldehyde wood products are to be used where possible.
- (2) Where possible, use building materials, fittings and finishes that:
 - (a) have been recycled;
 - (b) are made from or incorporate recycled materials; and
 - (c) have been certified as sustainable or 'environmentally friendly' by a recognised third party certification scheme.
- (3) Design building components, including the structural framing, roofing and facade cladding for longevity, adaptation, disassembly, re-use and recycling.
- (4) Reduce the amount of materials used in the construction of a building wherever possible. Examples of potential methods include:
 - (a) exposing structures to reduce the use of floor, ceiling and wall cladding and finishes;
 - (b) naturally ventilating buildings to reduce ductwork;
 - (c) providing waterless urinals to reduce piping and water use;
 - (d) using prefabricated components for internal fit outs; and
 - (e) providing only one bathroom for every two bedrooms in residential developments.

3.7

Water and Flood Management

Terms used in this section are consistent with the NSW Floodplain Development Manual 2005.

Objectives

- (a) Ensure an integrated approach to water management across the City through the use of water sensitive urban design principles.
- (b) Encourage sustainable water use practices.
- (c) Assist in the management of stormwater to minimise flooding and reduce the effects of stormwater pollution on receiving waterways.
- (d) Ensure that development manages and mitigates flood risk, and does not exacerbate the potential for flood damage or hazard to existing development and to the public domain.
- (e) Ensure that development above the flood planning level as defined in the *Sydney LEP 2012* will minimise the impact of stormwater and flooding on other developments and the public domain both during the event and after the event.
- (f) Ensure that flood risk management addresses public safety and protection from flooding.

Note: A number of flood studies are currently underway. New development will be required to conform to the flood studies once endorsed by Council.

Provisions

3.7.1 Site specific flood study

- (1) When required by Clause 7.15 of *Sydney LEP 2012*, a site-specific flood study is to be prepared by a suitably qualified and experienced hydrologist in accordance with the NSW Floodplain Development Manual 2005, the NSW Coastal Planning Guideline: Adapting to Sea Level Rise, NSW Coastal Risk Management Guide: Incorporating Sea Level Rise Benchmarks In Coastal Risk Assessments and the NSW Flood Risk Management Guide: Incorporating Sea Level Rise Benchmarks In Flood Risk Assessments.
- (2) The site-specific flood study is to include, but not be limited to:
 - (a) a detailed topographical survey that defines flow paths, storage areas and hydraulic controls; and
 - (b) flood modelling that uses appropriate hydrological and hydraulic techniques and incorporates boundary conditions.
- (3) The site-specific flood study is to show pre-development and post-development scenarios, and at a minimum is to include the following information:
 - (a) water surface contours;
 - (b) velocity vectors;
 - (c) velocity and depth product contours;
 - (d) delineation of flood risk precincts; and
 - (e) flood profiles for the full range of events for total development including all structures and works (such as revegetation and physical enhancements).

- (4) The site-specific flood study is to assume the 'worst case scenario' conditions for blockages to pipes, culverts and other infrastructure, such that:
 - (a) kerb inlets are assumed to be 50% blocked;
 - (b) sag pits are assumed to be 100% blocked; and
 - (c) culverts and bridges with an open area less than six metres, measured on the diagonal, are assumed to be 50% blocked.

3.7.2 Drainage and stormwater management

These provisions are supported by the *Stormwater management map*. The map identifies the catchments with specific stormwater management requirements and also those areas where stormwater is required to be integrated with open space.

- (1) A local drainage management plan is required for development on sites of:
 - (a) 1,000sqm or more in the Fowler's Creek catchment area and drains to Johnston's Creek as shown on the *Stormwater management map*; or
 - (b) 1,800sqm or more in other catchments.
- (2) The Local Drainage Management Plan is to address:
 - (a) the hydrology of the locality and its relationship to the drainage system;
 - (b) the distribution of soil types and the scope for on-site infiltration;
 - (c) any expected rise in ground water level due to development;
 - (d) the role of the principal landscape components on the site for water conservation and on-site detention;
 - (e) the scope for on-site stormwater detention and retention, including collection of water for re-use;
 - (f) how any detrimental impacts on the existing natural hydrology and water quality are proposed to be minimised;
 - (g) how pedestrian safety is to be ensured; and
 - (h) integration of drainage management responses and open space areas.
- (3) A suitably qualified engineer with experience in drainage design is to assess the site drainage requirements for the proposed development, and prepare the required local drainage management plan in accordance with the provisions of this DCP.
- (4) Development on sites identified in the *Stormwater management map*, are to provide on-site stormwater detention within open space areas.
- (5) Drainage systems are to be designed so that:
 - (a) on a site with an area less than or equal to 1,000sqm:
 - (i) stormwater flows up to the 20% annual exceedance probability event are conveyed by a minor drainage system; and
 - (ii) stormwater flows above the 20% annual exceedance probability event are conveyed by a major drainage system;

- (b) on a site with an area greater than 1,000sqm:
 - (i) stormwater flows up to the 5% annual exceedance probability event are conveyed by a minor drainage system; and
 - (ii) stormwater flows above the 5% annual exceedance probability event are conveyed by a major drainage system.
- (6) The development proposal must demonstrate how the major drainage system addresses any site-specific conditions and connects to the downstream drainage system.
- (7) Major drainage systems are to be designed so that ensures that public safety is not compromised.
- (8) Minor flows from a development site are not to be discharged to the kerb if direct connection to an existing stormwater pipe is available, unless it can be demonstrated there is sufficient capacity within the existing gutter and the flow velocity and depth within the gutter will remain below 400mm.
- (9) Where the proposed development is located on a floodplain, high level overflows are permitted for roof drainage systems where the overflow is set above the 1% annual exceedance probability level.
- (10) Connection to existing stormwater infrastructure are not to reduce the capacity of that infrastructure by more than 10%. The development proposal is to show the level of impact on the existing stormwater infrastructure as a result of the proposed new connection.
- (11) The post development run-off from impermeable surfaces (such as roofs, driveways and paved areas) is to be managed by stormwater source measures that:
 - (a) contain frequent low-magnitude flows;
 - (b) maintain the natural balance between run-off and infiltration;
 - (c) remove some pollutants prior to discharge into receiving waters;
 - (d) prevent nuisance flows from affecting adjacent properties; and
 - (e) enable appropriate use of rainwater and stormwater.
- (12) Post-development stormwater volumes during an average rainfall year are to be:
 - (a) 70% of the volume if no measures were applied to reduce stormwater volume; or
 - (b) the equivalent volume generated if the site were 50% pervious, whichever results in the greater volume of detention required.
- (13) Stormwater detention devices are to be designed to ensure that the overflow and flowpath have sufficient capacity during all design rainfall events, discharge to the public stormwater system without affecting adjoining properties, and are free of obstructions, such as fences.
- (14) Where filtration and bio-retention devices are proposed, they are to be designed to capture and provide temporary storage for stormwater.
- (15) Car parking areas and access aisles are to be designed, surfaced and graded to reduce run-off, allow stormwater to be controlled within the site, and provide for natural infiltration of stormwater runoff through landscaping.

3.7.3 Stormwater quality

- (1) Development of a site greater than 1,000sqm must undertake a stormwater quality assessment to demonstrate that the development will achieve the post-development pollutant load standards indicated below:
 - (a) reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%;
 - (b) reduce the baseline annual pollutant load for total suspended solids by 85%;
 - (c) reduce the baseline annual pollutant load for total phosphorous by 65%; and
 - (d) reduce the baseline annual pollutant load for total nitrogen by 45%.
- (2) The stormwater quality assessment is to be prepared by a suitably qualified engineer with experience in water sensitive urban design (WSUD) and include:
 - (a) modelling of pollutant load standards with an industry standard water quality model;
 - (b) the design of WSUD measures used to achieve the post-development pollutant load standards; and
 - (c) maintenance schedules of any proposed WSUD measure that requires maintenance or full replacement including the likely recycling or disposal location of any wastes that may be generated.
- (3) Development on a site with an area less than 1,000sqm is to be designed so that the flow of pollutants from the site due to stormwater is reduced.

3.7.4 Additional provisions for commercial and industrial properties

- (1) Development proposals for service stations, motor showrooms, vehicle repair stations and vehicle body repair workshops are to capture all stormwater up to the 3 month average recurrence interval event within the site to reduce the risk of stormwater pollution caused by spilled contaminants. The critical duration storm for the property and the 24 hour duration storm should be analysed.
- (2) Drainage and waste disposal is to be conducted to the levels specified by the NSW Environmental Protection Authority.

3.7.5 Water re-use, recycling and harvesting

- (1) Development proposals that seek to re-use water runoff from paved surfaces for irrigation and wash down purposes are to incorporate measures into the design of the development that will treat the water to ensure that it is fit for this purpose. These measures are to clean the water to exclude contaminants such as litter, sediment and oil.

3.8

Subdivision, Strata Subdivision and Consolidation

The subdivision and consolidation of land can have long term effects on the economic performance and urban form of the City.

As the City grows, older properties that have been strata titled, particularly commercial and industrial properties, can create a barrier to achieve new higher density and more sustainable development. Therefore, Council generally discourages the strata subdivision of commercial and industrial development.

The consolidation of sites is discouraged where it obscures the original subdivision patterns, removes pedestrian and bike links, or does not allow for the interpretation of the historical subdivision pattern. Proposals to consolidate adjoining buildings should ensure that the resulting rhythm and form of the building continues to be compatible with the characteristic form of the area or streetscape.

Objectives

- (a) Ensure lot sizes and street frontages can support the desired building type and use and achieve internal spaces appropriate to their function.
- (b) Encourage fine grain subdivision for large sites in urban renewal areas.
- (c) Allow for the interpretation of an original, historically significant subdivision pattern in new development.
- (d) Ensure that strata subdivision does not inhibit conservation works and adaptive re-use of heritage items.
- (e) Ensure the long-term provision of rent controlled affordable housing by prohibiting the subdivision of individual dwellings in affordable housing projects.

Provisions

3.8.1 General

- (1) New allotments are to be regular in shape, with an orientation and alignment that enables future buildings to face the street and optimise solar access to buildings.
- (2) The strata titling of commercial and industrial development and affordable housing is discouraged.
- (3) Within a strata or community title subdivision, parking spaces and spaces used for other purposes for example, storage, that are associated with an individual unit are to be included in the same strata allotment as the unit.
- (4) Visitor car spaces and loading spaces are to be designated as common property in a strata subdivision.
- (5) Landscaping, communal open space, access areas, service areas and directory board signage, where not part of an individual unit in a strata subdivision, are to be designated as common property.

3.8.2 Subdivision and lot consolidation affecting heritage items or in heritage conservation areas

- (1) Subdivision (including strata) or lot consolidation is not to occur where the original subdivision pattern is still in evidence and contributes to the significance of the heritage item or heritage conservation area.
- (2) Applications for subdivision or lot consolidation are to demonstrate that:
 - (a) the setting of the heritage item or contributory building on the site, or within the vicinity, is not compromised; and
 - (b) the relationship between the heritage item or contributory building and associated features such as landscaping trees, fences, and outbuildings is retained.

3.9

Heritage

Heritage planning aims to ensure that the significant elements of the past are appropriately managed and respected by new development. Heritage conservation does not preclude change but rather responds to different constraints and opportunities.

This DCP is consistent with the Australia International Council on Monuments and Sites (ICOMOS) Charter for Conservation of Places of Cultural Significance (The Burra Charter).

These provisions are based on the underlying principles that:

- Change should be based on an understanding of heritage significance; and
- The level of change should respect the heritage significance of the item or area.

The intention of these provisions is to ensure that decisions about change are made with due regard to heritage significance, and that opportunities to improve the understanding and appreciation of this significance are taken.

A list of heritage practitioners can be found on the website of the Heritage Branch, NSW Department of Planning at www.heritage.nsw.gov.au.

Heritage items, contributory, neutral and detracting buildings are identified on the *Building contributions map*.

Objectives

- (a) Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance.
- (b) Enhance the character and heritage significance of heritage items and heritage conservation areas and ensure that infill development is designed to respond positively to the heritage character of adjoining and nearby buildings and features of the public domain.

Provisions

3.9.1 Heritage Impact Statements

- (1) A Heritage Impact Statement is to be submitted as part of the Statement of Environmental Effects for development applications affecting:
 - (a) heritage items identified in the *Sydney LEP 2012*; or
 - (b) properties within a Heritage Conservation Area identified in *Sydney LEP 2012*.
- (2) The consent authority may not grant consent to a development application that proposes substantial demolition or major alterations to a building older than 50 years until it has considered a heritage impact statement, so as to enable it to fully consider the heritage significance of a building and the impact that the proposed development has on the building and its setting.
- (3) A Heritage Impact Statement is to be prepared by a suitably qualified person, such as a heritage consultant. Guidelines for the preparation of Statements of Heritage Impact are available on the website of the Heritage Branch, NSW Department of Planning at www.heritage.nsw.gov.au.

- (4) The Heritage Impact Statement is to address:
 - (a) the heritage significance of the heritage item or the contribution which the building makes to the heritage significance of the heritage conservation area;
 - (b) the options that were considered when arriving at a preferred development and the reasons for choosing the preferred option;
 - (c) the impact of the proposed development on the heritage significance of the heritage item, heritage items within the vicinity, or the heritage conservation area; and
 - (d) the compatibility of the development with conservation policies contained within an applicable Heritage Conservation Management Plan or Conservation Management Strategy, or conservation policies within the Sydney Heritage Inventory Report.
- (5) Where the site adjoins another local government area, the Heritage Impact Statement is to address the potential impact on adjoining or nearby heritage items or heritage conservation areas in the adjoining local government area.
- (6) Where the development application proposes the full or substantial demolition of a heritage item, or a contributory building within a heritage conservation area, the Heritage Impact Statement is to:
 - (a) demonstrate why the building is not capable of retention or re-use;
 - (b) include a statement from a quantity surveyor comparing the cost of demolition to the cost of retention if the demolition is recommended primarily on economic grounds;
 - (c) include a report by a suitably qualified structural engineer if the demolition is proposed on the basis of poor structural condition; and
 - (d) include a pest inspection report if the building is a weatherboard building.
- (7) When giving consent to the full or partial demolition of a heritage item, a building in a heritage conservation area, or a building older than 50 years, Council may require photographic recording of the building as a condition of consent.

3.9.2 Conservation Management Plans

Definition

A Conservation Management Plan (CMP) is a comprehensive document which identifies the heritage significance of a place and should be prepared in accordance with the NSW Heritage Manual published by the NSW Heritage Office, the Australian ICOMOS Burra Charter Process and the Conservation Plan by J.S Kerr, which is available from the NSW National Trust. The Conservation Management Plan is to also consider compliance with any recommended management policies contained in the Heritage Inventory Report for the property or heritage conservation area.

Provisions

- (1) A conservation management plan prepared by a suitably qualified heritage practitioner for development applications is required for the following:
 - (a) a change of use of a heritage item of State heritage significance;
 - (b) any alteration to the fabric or setting of a heritage item of State heritage significance which requires consent;

- (c) an award of heritage floor space under *Sydney LEP 2012*; or
 - (d) substantial alterations and or additions to a heritage item considered by the Council to be of high local significance, unless the consent authority determines that it is not required.
- (2) The conservation management plan is to include:
 - (a) the investigation of the physical and documentary evidence of the heritage item;
 - (b) a comparative analysis and curtilage assessment;
 - (c) assessment of the significance of the heritage item;
 - (d) the investigation of the constraints and opportunities for the item including the owner's needs and resources, and external constraints;
 - (e) conservation policies which address the following:
 - (i) conservation of the fabric and setting of the heritage item;
 - (ii) appropriate uses of the heritage item;
 - (iii) appropriate ways to interpret the significance of the heritage item;
 - (iv) management of the heritage item;
 - (v) guidelines for future development; and
 - (f) priorities for instigation of conservation policies.
- (3) In certain cases, the consent authority may accept a conservation management strategy in place of a conservation management plan for heritage items of local significance. A conservation management strategy is to be prepared in accordance with the format prepared by the NSW Office and Environment and Heritage.

3.9.3 Archaeological assessments

- (1) An archaeological assessment is to be prepared by a suitably qualified archaeologist in accordance with the guidelines prepared by the NSW Office and Environment and Heritage.
- (2) For development proposals in Central Sydney, refer to the *Central Sydney Archaeological Zoning Plan* to determine whether the development site has archaeological potential.
- (3) An archaeological assessment is to be submitted as part of the Statement of Environmental Effects for development applications affecting an archaeological site or a place of Aboriginal heritage significance, or potential archaeological site that is likely to have heritage significance.
- (4) An archaeological assessment is to include:
 - (a) an assessment of the archaeological potential of the archaeological site or place of Aboriginal heritage significance;
 - (b) the heritage significance of the archaeological site or place of Aboriginal heritage significance;
 - (c) the probable impact of the proposed development on the heritage significance of the archaeological site or place of Aboriginal heritage significance;
 - (d) the compatibility of the development with conservation policies contained within an applicable conservation management plan or conservation management strategy; and

- (e) a management strategy to conserve the heritage significance of the archaeological site or place of Aboriginal heritage significance.
- (5) If there is any likelihood that the development will have an impact on significant archaeological relics, development is to ensure that the impact is managed according to the assessed level of significance of those relics.

3.9.4 Development of sites of State heritage significance or containing more than one heritage item

- (1) This provision applies to development that will introduce major changes to a heritage item identified in Schedule 5 of the *Sydney LEP 2012* as being of State heritage significance or to a site containing more than one heritage item, if the development involves:
 - (a) demolition that will result in a reduction of the building envelope of the heritage item by more than 35%;
 - (b) an increase in the size of the building envelope of the heritage item by more than 20%; or
 - (c) building over more than 20% of a heritage item's building footprint within the airspace above the item, but not within the airspace next to the item.
- (2) When considering an application for development to which this provision applies, the consent authority is to:
 - (a) appoint a committee that includes heritage professionals to examine and advise on the merits of the proposal;
 - (b) be satisfied that that committee has followed an appropriate public process for the purpose of that examination; and
 - (c) consider the advice of the committee, but is not bound by the advice of the committee.

3.9.5 Heritage items

Development in the vicinity of a heritage item can have an impact upon the heritage significance of the item. The determination of the setting of a heritage item should consider the historical property boundaries, significant vegetation and landscaping, archaeological features, and significant views to and from the property.

Objective

- (a) Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item.

Provisions

- (1) Development affecting a heritage item is to:
 - (a) minimise the extent of change to significant fabric, elements or spaces;
 - (b) use traditional techniques and materials where possible unless techniques and materials can offer substantial conservation benefits;
 - (c) enable the interpretation of each of the significant values of the item through the treatment of the item's fabric, spaces and setting;
 - (d) provide a use compatible with its significance and which with any changes proposed, including any BCA upgrade or the introduction of services will have minimal impact on significant fabric, elements or spaces;

- (e) the provision of on-site interpretation, or a combination of each of these measures;
 - (f) not reduce or obscure the heritage significance of the item; and
 - (g) be reversible where necessary so new work can be removed with minimal damage, or impact to significant building fabric.
 - (h) be consistent with an appropriate Heritage Conservation Management Plan, Conservation Management Strategy, or policy guidelines contained in the Heritage Inventory Assessment report for the item;
 - (i) ensure that any changes to the original/significant room configuration is evident and can be interpreted; and
 - (j) respect the pattern, style, dimensions or original windows and doors.
- (2) Development should enhance the heritage item by removing unsympathetic alterations and additions and reinstating missing details, building and landscape elements, where physical or documentary evidence is available.
- (3) Alterations and additions to buildings and structures and new development of sites in the vicinity of a heritage item are to be designed to respect and complement the heritage item in terms of the:
- (a) building envelope;
 - (b) proportions;
 - (c) materials, colours and finishes; and
 - (d) building and street alignment.
- (4) Development in the vicinity of a heritage item is to minimise the impact on the setting of the item by:
- (a) providing an adequate area around the building to allow interpretation of the heritage item;
 - (b) retaining original or significant landscaping (including plantings with direct links or association with the heritage item);
 - (c) protecting, where possible and allowing the interpretation of archaeological features; and
 - (d) Retaining and respecting significant views to and from the heritage item.

3.9.6 Heritage conservation areas

Buildings and sites within heritage conservation areas are identified on the *Building contributions map* as being contributory, neutral or detracting to the character and heritage significance of the heritage conservation area.

The contribution of these buildings is based on studies carried out by heritage consultants for the City.

New development in heritage conservation areas must be designed to respect neighbouring buildings and the character of the area, particularly roofscapes and window proportions. Infill development should enhance and complement existing character but not replicate heritage buildings.

- (1) Development within a heritage conservation area is to be compatible with the surrounding built form and urban pattern by addressing the heritage conservation area statement of significance and responding sympathetically to:
- (a) topography and landscape;
 - (b) views to and from the site;

- (c) significant subdivision patterns and layout, and front and side setbacks;
 - (d) the type, siting, form, height, bulk, roofscape, scale, materials and details of adjoining or nearby contributory buildings;
 - (e) the interface between the public domain and building alignments and property boundaries; and
 - (f) colour schemes that have a hue and tonal relationship with traditional colour schemes.
- (2) New infill buildings and alterations and additions to existing buildings in a heritage conservation area are not to be designed as a copy or replica of other buildings in the area, but are to complement the character of the heritage conservation area by sympathetically responding to the matters identified in (1)(a) to (e) above.
 - (3) Infill development is not to include garages and car access to the front elevation of the development where these are not characteristic of the area.
 - (4) Development within a heritage conservation area is to be consistent with policy guidelines contained in the Heritage Inventory Assessment Report for the individual conservation area.

Figure 3.13
Infill development
Iglu Central,
Chippendale
(student
accommodation)



3.9.7 Contributory buildings

Contributory buildings are buildings that make an important and significant contribution to the character and significance of the heritage conservation area. They have a reasonable to high degree of integrity and date from a key development period of significance of the heritage conservation area. They are buildings:

- from a significant historical period and are highly or substantially intact; or
 - from a significant historical period and are altered yet recognisable and reversible.
- (1) Contributory buildings are to be retained unless the consent authority determines the replacement is justified in exceptional circumstances.

- (2) Alterations and additions must not significantly alter the appearance of principal and significant facades of a contributory building, except to remove detracting elements.
- (3) Alterations and additions to a contributory building are to:
 - (a) respect significant original or characteristic built form;
 - (b) respect significant traditional or characteristic subdivision patterns;
 - (c) retain significant fabric;
 - (d) retain, and where possible reinstate, significant features and building elements, including but not limited to original balconies and verandahs, fences, chimneys, joinery and shop front detailing;
 - (e) remove unsympathetic alterations and additions, including inappropriate building elements;
 - (f) use appropriate materials, finishes and colours; and
 - (g) respect the pattern, style and dimensions of original windows and doors.
- (4) Where an addition to the building is proposed, significant external elements are to be reinstated.
- (5) Foyers or other significant interior features, including hallway detailing, panelling and significant staircases, designed to be visible from the street, are to be retained especially where they form part of the building's contribution to the character of the heritage conservation area.

Figure 3.14
Single storey
contributory
buildings, Glebe



3.9.8 Neutral and appropriate infill buildings

Neutral buildings are buildings that do not contribute nor detract from the significant character of the heritage conservation area.

Neutral buildings are:

- From a significant historical period, but altered in form, unlikely to be reversed;
- sympathetic contemporary infill; or
- from a non-significant historical period but do not detract from the character of the Heritage Conservation Area.

- (1) Demolition of neutral buildings will only be considered where it can be demonstrated that:
 - (a) restoration of the building is not reasonable; and
 - (b) the replacement building will not compromise the heritage significance of the heritage conservation area.
- (2) Where demolition of a neutral building is allowed, a photographic record of the building may be required to be submitted to the City.
- (3) Alterations and additions to a neutral building are to:
 - (a) remove unsympathetic alterations and additions, including inappropriate building elements;
 - (b) respect the original building in terms of bulk, form, scale and height;
 - (c) minimise the removal of significant features and building elements; and
 - (d) use appropriate materials, finishes and colours that do not reduce the significance of the Heritage Conservation Area.

3.9.9 Detracting buildings

Detracting buildings are buildings that are intrusive to a heritage conservation area because of inappropriate scale, bulk, setbacks, setting, design or materials. They do not represent a key period of significance and detract from the character of a heritage conservation area.

- (1) Development on sites containing detracting buildings is to improve the contribution of the site to the character of the heritage conservation area.
- (2) Alterations and additions to, or redevelopment of, detracting buildings are to:
 - (a) remove inappropriate elements or features that are intrusive to the heritage significance of the heritage conservation area; and
 - (b) respect the prevailing character of the area and street in terms of bulk, form, scale and height.

3.9.10 Building materials for heritage items and buildings within heritage conservation areas

- (1) Where residential flat buildings have foyers or other significant interior features, including hallway detailing, panelling and significant staircases, that are designed to be visible from the street, these are to be retained.
- (2) Existing face brickwork and stone walls are not to be coated, rendered or painted.
- (3) Original materials are to be retained, unless it can be demonstrated that significant deterioration has occurred and repair is not practical. Any replacement should be with similar materials.
- (4) New materials are to complement the colour, finishes and proportion of existing materials on the building and be identifiable as new on close inspection without detracting from the character and heritage significance of the building.
- (5) Development along King Street, Newtown and certain properties adjacent is to be consistent with the King Street and Enmore Road Paint Scheme, available on the City's website, www.cityofsydney.nsw.gov.au.
- (6) Solar water heater storage tanks, ventilators, wind generators, air conditioning units, satellite dishes and antennae and the like, are not to be located on the principal roof plane of heritage items or contributory items in heritage conservation areas.

- (7) Solar collector or photovoltaic panels may be located on buildings in a heritage conservation area. Where solar collector or photovoltaic panels are proposed on the principal roof plane of a contributory building in a heritage conservation area, the panels are to be removable, parallel to the pitch of roof and preferably integrated with the roof. The panels must make minimal intrusive change to significant roof fabric.

3.9.11 Conservation of public domain features in heritage conservation areas

- (1) The following elements of streets, lanes, parks and other areas of the public domain are to be retained if they contribute to the heritage significance of the heritage conservation area:
- (a) evidence of early road surfaces and associated features;
 - (b) stone kerbing, guttering and paving;
 - (c) sandstone steps and retaining walls;
 - (d) street furniture;
 - (e) cast iron letterboxes;
 - (f) signposts;
 - (g) light posts;
 - (h) original pavement lights;
 - (i) fences;
 - (j) railings;
 - (k) trachyte or sandstone; and
 - (l) milestones and ward markers.
- (2) The removal of significant public domain features will only be considered if their retention in situ is not feasible and has been demonstrated in a Heritage Impact Statement.
- (3) If significant public domain features are to be removed, they are to be replaced in one of the following ways:
- (a) detailed and made of materials to match the period and character of the street or park in which they are located; or
 - (b) a contemporary interpretation of traditional elements.

Figure 3.15
Significant public domain elements:
Ward boundary marker, Cardigan Street and El Alamein fountain



3.9.12 Reduction of rising damp and salt attack in buildings constructed prior to 1920

Older masonry buildings without an effective damp proof course can suffer rising damp leading to deterioration of the walls. A well ventilated subfloor can reduce rising damp. Replacing a timber floor with a concrete floor on the ground level will cause rising damp and damage to the building. Further information can be found in the publication '*Attack and Rising Damp*' by David Young available on the NSW Heritage Office website at: http://www.heritage.nsw.gov.au/docs/HVC014_Salt_Damp_tech_guide_FA_web.pdf

Provision

- (1) Where a heritage item or a building within a heritage conservation area constructed prior to 1915 has no damp proof course, the ventilated sub floor space must be retained to avoid potential damage caused by rising damp and migrating salts. Concrete slabs laid directly on the ground are not permitted within such buildings, including verandahs, or as paving slabs laid adjacent to external walls.

3.9.13 Excavation in the vicinity of heritage items and in heritage conservation areas

Excavation beneath, adjacent to, or in front of early buildings has the potential to adversely impact on their structural integrity. Understanding the nature of construction of all structures on the site and neighbouring sites and the ground conditions is necessary to assess the effects of excavation.

Provisions

- (1) Excavation beneath, or adjacent to heritage items and/or buildings in heritage conservation areas will only be permitted if it is supported by both a Geotechnical Engineering report and a Structural Engineering report.
- (2) Excavation will not be permitted if:
 - (a) it will occur under common walls and footings to common walls, or freestanding boundary walls, or under any other part of adjoining land, and
 - (b) it will occur under or forward of the front facade.

3.9.14 Heritage inventory assessment reports

The City maintains a database of Heritage Inventory Assessment Reports for heritage items and heritage conservation areas. The report includes a description of the item or area. Statement of Heritage Significance and Recommended Management provisions. Heritage Inventory Assessment Reports are available by contacting the City or online through the NSW Heritage Office at: www.heritage.nsw.gov.au.

Provision

- (1) Development to a heritage item or within a heritage conservation area or special character area is to be consistent with the policy guidelines contained within the Heritage Inventory Assessment Report.

3.10

Significant Architectural Building Types

3.10.1 Warehouses and industrial buildings older than 50 years

The City has a variety of warehouses and industrial buildings including Victorian, Federation, and Interwar periods. These different architectural periods result in various built form characteristics and detailing.

Central Sydney, Haymarket, Chippendale, Pyrmont, Ultimo and Surry Hills have examples of Federation and pre-war, interwar and post-war warehouses. These often draw inspiration from Romanesque architecture and feature arched windows and sandstone trimmings. Federation warehouses are typically utilitarian in character and often have simple cubic or rectangular forms reinforced with vertical brick piers terminating in arches and articulated bays at regular intervals.

The following objectives and provisions relate to alterations and additions to warehouse buildings that are heritage items on Schedule 5 of the *Sydney Local Environmental Plan 2012*, draft heritage items or are located within a Heritage Conservation Area

Objectives

- (a) Conserve warehouse and industrial buildings older than 50 years and ensure that alterations, additions and adaptive re-use maintain the legibility of the historic use.
- (b) Encourage the conservation of existing warehouse buildings and fabric and ensure that alterations and additions are sympathetic in scale and style to the existing building.

Provisions

- (1) Alterations and additions are to be supported by a report, prepared by a suitably qualified and practising engineer, certifying that the works will not jeopardise the structural integrity of the building.
- (2) Alterations and additions are to maintain significant fabric and building elements.
- (3) A proposed change of use must not compromise the significant fabric and building elements.
- (4) A proposed increase in floor space outside the existing building envelope is not permitted where it would compromise the significant fabric and building elements.
- (5) The provision of car parking within the existing building is not an acceptable justification for creating additional storeys above the height of the existing roof.
- (6) Where scope exists for a roof addition, it is to be complementary to, rather than dominate the original building; be simple in form; and able to be distinguished as new work.
- (7) Additional storeys or roof additions must not result in the removal of the original roof structure where that roof is an essential component of the original building form.

- (8) Alterations and additions are to:
 - (a) retain the essential geometric form of the existing building when viewed from the public domain; and
 - (b) complement the materials and articulation of existing façade elevations, including distinguishing features that occur at regular intervals.
- (9) The original or significant pattern of windows and openings is to be retained.
- (10) All original window frames, sashes and lights are to be retained on prominent elevations and on secondary elevations where considered critical to the significance of the building.
- (11) Work to the facade is to:
 - (a) retain original and significant elements and finishes including catheads, hoists and face brick detailing;
 - (b) reinstate or restore missing original elements;
 - (c) remove detracting elements;
 - (d) minimise new elements; and
 - (e) not obscure original elements.
- (12) Street level doors, gates or grilles should, where possible be set back a minimum of 200mm from the external face of the building, if not, detailed in a manner that makes them recessive.
- (13) External awnings, hoods and other overhanging devices are not to be attached to the building façades where they detract from the overall building form.
- (14) Face brick and sandstone must not be rendered, painted or otherwise coated.
- (15) Existing floor levels are to be maintained. Mezzanine or loft areas may be acceptable where they have minimal heritage impact, including on any significant structure and significant views into the interior.
- (16) Any internal subdivision and change to the layout of floor areas such as the creation new units, is to respect the existing pattern of windows and openings and have minimal heritage impact including on significant structure and views into the interior.
- (17) Significant original elements, fabric and features that are characteristic of the former use of the building are to be:
 - (a) retained;
 - (b) generally not obscured by new elements; and
 - (c) where retained, be adapted to meet contemporary needs or safety standards, alterations must be reversible and minimal, where possible.
- (18) Active street frontages in the form of a retail or studio space are encouraged to help screen visible car park levels and ventilation openings. Detracting blank street walls are to be avoided at street level.
- (19) Active frontages are to be integrated into the existing fabric to ensure that entrances and display windows do not alter the regularity of façade elements or compromise the external appearance.
- (20) Where existing or amalgamated sites contain significant buildings of a different character, form, size and finish which reflect former uses, this difference is to be retained.

- (21) Existing painted signs that relate to the history of the building, or to the surrounding area are to be retained and kept visible where possible.
- (22) Development proposals that relate to warehouse and industrial buildings with courtyards are to:
 - (a) retain the courtyard at its existing size, with:
 - (i) the buildings defining the courtyard and opening onto the courtyard at all levels; and
 - (ii) the courtyard remaining open to sky (although a glazed roof structure may be acceptable if it does not obscure views in and out);
 - (b) maximise opportunities for active uses within the buildings defining the courtyard and within the courtyard itself; and
 - (c) preserve original vertically aligned openings to the courtyard and replace later unsympathetic openings with reconstructed original or similarly proportioned openings.

Figure 3.16

An example of a warehouse that has been adaptively re-used



3.10.2 Weatherboard buildings older than 50 years

The following objectives and provisions relate to alterations and additions to weatherboard buildings that are heritage items under Schedule 5 of the *Sydney LEP 2012* or are located within a Heritage Conservation Area.

Weatherboard buildings are important because they are among the oldest buildings in the City and demonstrate particular aspects of 19th and early 20th century life. Weatherboard buildings contribute to the character of the streets in which they are located and to the diversity of housing stock. They are now rare in the City.

Weatherboard buildings are typically modest in scale and simple in design. Alterations and additions should maintain this characteristic and be compatible with the scale of the original building.

Objectives

- (a) Ensure alterations and additions maintain significant fabric and building elements of weatherboard buildings.
- (b) Ensure modifications to weatherboard buildings are sympathetic in scale and style to the existing building.

Provisions

- (1) Alterations and additions to weatherboard buildings are to:
 - (a) retain the general form and scale of the building, its setting and relationship with the street;
 - (b) be compatible with the scale of the original building;
 - (c) retain early building elements, fabric, finishes and detailing;
 - (d) remove building elements and fabric that are intrusive later additions; and
 - (e) incorporate new materials that are complementary in form and detailing to the design and heritage values of the building.
- (2) Additional decorative details that are not part of the original building character are not permitted to weatherboard buildings.
- (3) The addition of storeys above the existing significant timber framed buildings is not permitted.
- (4) Replacement weatherboards must match the profile of original weatherboards, where evidence of this exists. Where no evidence exists, replacement weatherboards should be of a profile typical of the period and style of the building.
- (5) Where permission is sought to demolish a weatherboard building, the applicant will need to demonstrate, with independent documentary evidence, that the building has little significance or that retention of the building is no longer viable for either structural or pest management reasons.

Figure 3.17

A single storey weatherboard dwelling and a two storey weatherboard terrace



3.10.3 Pubs and hotels older than 50 years

Pubs and hotels often date from several periods of construction and significant elements can therefore be associated with different periods of a building's history and can show the evolution of drinking practices and laws. A number of pubs and hotels in the City have contemporary and later additions designed by prominent architects in high quality contemporary styles.

Objectives

- (a) Ensure that alterations, additions and change of use of pubs and hotels:
 - (i) retain significant fabric and building elements from all periods of construction; and
 - (ii) provide for the ongoing use primarily as pubs and hotels.

Provisions

- (1) Alterations and additions are to maintain significant fabric and building elements including:
 - (a) external design details such as wall tiles, wall signs and advertising, awnings, pressed metal and patterned awning soffits, balconies and verandahs, doors, windows and joinery;
 - (b) internal design details such as bars, ceiling details, fireplaces, bathroom tiling and fittings, joinery;
 - (c) wall tiles, or external face brickwork or stonework are not to be painted over or otherwise obscured; and
- (2) Street verandahs, balconies and post-supported awnings should only be constructed where there is documentary or physical evidence of an early verandah, balcony, or post-supported awning attached to the building.
- (3) New colours schemes are to reflect the most significant design period of the building.

3.10.4 Significant Shopfronts

Many of the City's Heritage Conservation Areas are characterised by their significant retail shopfronts and facades. As well as being important individually, such shopfronts often contribute to the important character of the street and area. It is particularly important to understand the style and period of the shopfront, particularly where this forms part of a significant row or streetscape. Materials and detailing should be appropriate to the predominant style and period, and avoid the use of materials that were unavailable during the significant period of development.

Objective

- (a) Encourage the retention of original, early significant shopfronts and ensure the design of street frontages is not detrimental to the aesthetic quality of the street.

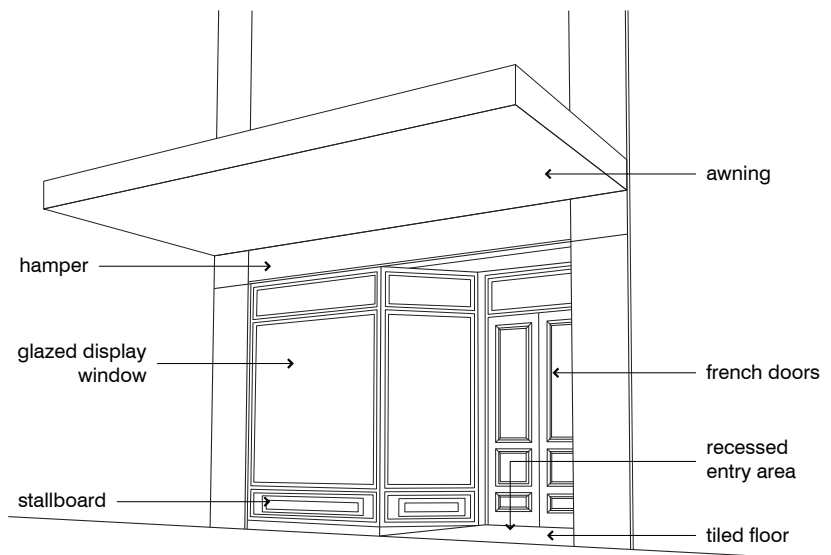
Provisions

- (1) Alterations and additions to significant shopfronts within heritage conservation areas must not compromise the heritage significance.
- (2) New shopfronts within heritage conservation areas may be contemporary in style, but respond to the characteristic elements of traditional and significant shopfronts in the street, such as facade and fenestration detailing, engaged columns, pilasters or mullions and the typical narrow frontage width.
- (3) New street verandahs or balconies on infill development are to complement the streetscape rather than replicate traditional forms, materials and embellishments.
- (4) Where original shopfronts or facades within heritage conservation areas have been altered, significant contributory detailing and other characteristic elements are to be reinstated where there is evidence of the original style or detailing on the building or within the row or group.

- (5) Shopfronts are not to be introduced into traditional residential terrace properties where the change would have a detrimental impact on the heritage significance of a heritage item or heritage conservation area.
- (6) Where there is evidence of early suspended awnings, such as original suspension points and suspension devices, these are to be retained or reinstated.

Figure 3.18

Typical building elements within early shopping strips



3.10.5 Public and community buildings older than 50 years

Public and community buildings include churches, schools, hospitals and community halls. Current and former public and community buildings often provide a landmark within an area or streetscape and may have social and aesthetic significance in addition to their built form character and detailing.

Objectives

- (a) Ensure alterations, additions and change of use of current and former public and community buildings:
 - (i) are sympathetic to the existing fabric and design of the building and do not compromise its particular qualities from all periods of construction;
 - (ii) allow for and encourage, the ongoing public or community use for which the building was constructed;
 - (iii) retain significant fabric and building elements; and
 - (iv) retain significant internal features and spaces.

Provisions

- (1) Alterations and additions to current and former public and community buildings are to retain:
 - (a) significant external fabric or building elements including original design details like lead lighting, doors, windows and joinery;
 - (b) significant internal fabric and building elements including original design details, structural elements associated with roofing, fixed joinery, galleries, lighting and fixtures; and
 - (c) sufficient evidence of the significant internal layout to enable interpretation.

GENERAL PROVISIONS

- (2) External stone and face brickwork are not to be painted over or otherwise obscured.
- (3) New colour schemes are to reflect the most significant design period of the building.

Figure 3.19
Glebe Town Hall is an example of an early community building



3.11

Transport and Parking

This section contains provisions for managing the transport and parking needs of the city so that the environmental and economic impacts of private car use can be managed. The provisions also encourage walking, cycling, public transport and car sharing.

Schedule 7 Transport, parking and access of this DCP is to be read with this section. It contains information on how to prepare reports required by this section, including Transport Impact Studies, Parking and Access Reports, Green Travel Plans and Transport Access Guides.

This section is to be read in conjunction with the parking Clauses under *Sydney LEP 2012* (refer to Part 7 Local Provisions – General, Division 1 Car parking ancillary to other development of the LEP).

Objectives

- (a) Ensure that the demand for transport generated by development is managed in a sustainable manner.
- (b) Ensure that bike parking is considered in all development and provided in appropriately scaled developments with facilities such as change rooms, showers and secure areas for bike parking.
- (c) Establish requirements for car share schemes for the benefit of people living and or working within a development.
- (d) Design vehicle access and basement layouts and levels to maximise pedestrian safety and create high quality ground level relationships between the building and the public domain.
- (e) Provide accessible car parking.

Provisions

3.11.1 Managing transport demand

‘Managing transport demand’ refers to the measures taken which minimise the need to travel and the length of trips, particularly by car, and encourages travel by the most sustainable mode of transport.

Applicants are to refer to *Sydney LEP 2012* for maximum on-site car parking rates and for the associated *Land Use and Transport Integration* (LUTI) and *Public Transport Accessibility Level* (PTAL) Maps.

- (1) A Transport Impact Study is required to address the potential impact of the development on surrounding movement systems where the proposed development is:
 - (a) a non-residential development equal to or greater than 1,000sqm GFA;
 - (b) car park with more than 200 spaces;
 - (c) for 25 or more dwellings; or
 - (d) in the opinion of the consent authority, likely to generate significant traffic impacts.

- (2) Commercial development is to include initiatives to promote walking, cycling and the use of public transport, through the submission of a Green Travel Plan, where the estimated peak trip generation is greater than or equal to:
 - (a) 100 vehicles per hour for non-residential development; or
 - (b) 50 vehicles per hour for residential development within Green Square and shown as Category A on the *Land Use and Transport Integration Map*; or
 - (c) 60 vehicles per hour for residential development within Green Square and shown as Category B or C on the *Land Use and Transport Integration Map*; or
 - (d) is likely to generate significant traffic impacts according to Council.
- (3) A Transport Access Guide and a strategy for the future availability of the Guide to residents, employees and visitors of a development is to be prepared for all developments except:
 - (a) individual dwelling houses and dual occupancies;
 - (b) residential flat buildings of less than 25 units;
 - (c) individual businesses and services in existing shopping strips and retail centres;
 - (d) developments having a floor area of less than 1,000sqm GFA; and
 - (e) businesses employing less than 10 staff.

3.11.2 Car share scheme parking spaces

Car share scheme means car share scheme as defined in *Sydney Local Environmental Plan 2012*.

These provisions apply to development that provides parking spaces for exclusive use by an organised car share scheme (car share parking spaces).

Land Use and Transport Integration (LUTI) Map means the *Sydney LEP 2012 Land Use and Transport Integration Map*.

Public Transport Accessibility Level (PTAL) Map means the *Sydney LEP 2012 Public Accessibility Level Map*.

Land in accessibility category A, B or C is shown on the *LUTI Map* and land in accessibility category D, E or F is shown on the *PTAL Map*.

- (1) Car share parking spaces are to be provided in addition to the maximum number of car parking spaces permitted in the development.
- (2) The minimum number of on-site parking spaces to be made available for car share scheme vehicles is to be provided according to the following rates:
 - (a) residential development, other than dwelling houses and dual occupancies, on land shown on the *Land Use and Transport Integration (LUTI) Map* in the *Sydney LEP 2012* as:
 - (i) Category A - 1 per 50 car spaces provided;
 - (ii) Category B - 1 per 60 car spaces provided; or
 - (iii) Category C - 1 per 90 car spaces provided.
 - (b) office premises, business premises or retail premises on land shown on the *PTAL Map* in the *Sydney LEP 2012* as:
 - (i) Category D - 1 per 30 car spaces provided;
 - (ii) Category E - 1 per 40 car spaces provided; or
 - (iii) Category F - 1 per 50 car spaces provided.

- (3) Clearly marked plans identifying the location of all car share parking spaces must be submitted with the development application.
- (4) All car share parking spaces are to be:
 - (a) publicly accessible 24 hours a day seven days a week;
 - (b) located together;
 - (c) located near and with access from a public road and integrated with the streetscape through appropriate landscaping where the space is external; and
 - (d) clearly designated by signs as being for car share scheme use.
- (5) Car share parking spaces located on private land are to be retained as common property by the Owners Corporation of the site and not to be sold or leased to an individual owner or occupier at any time.

3.11.3 Bike parking and associated facilities

- (1) All development is to provide on-site bike parking designed in accordance with the relevant Australian Standards for the design criteria of bike parking facilities.
- (2) Bike parking spaces for new developments are to be provided in accordance with the rates set out in Table 3.5 On-site bike parking rates, except where:
 - (a) an apartment in a residential building has a basement storage area on title that is large enough to accommodate a bike and is no smaller than a Class 1 bike locker, then additional bike parking for that apartment is not required; and
 - (b) a proposed use is not included in Table 3.5 On-site bike parking rates, an applicant is to provide bike facilities to accommodate Council's mode share target for trips by bike as described in the *Cycle Strategy and Action Plan 2007-2017*.

Note: The minimum number of bike parking spaces is to be rounded up to the nearest whole number if it is not a whole number.

Table 3.5: On-site bike parking rates

Proposed use	Residents/Employees	Customer/Visitors
Residential		
Residential accommodation	1 per dwelling	1 per 10 dwellings
Tourist and Visitor Accommodation		
Hotel or motel accommodation or serviced apartment	1 per 4 staff	1 per 20 rooms
Backpackers accommodation	1 per 4 staff	1 per 10 beds
Commercial		
Office premises or business premises	1 per 150sqm GFA	1 per 400sqm GFA
Bulky goods premises	1 per 600sqm GFA	1 per 1,000sqm GFA
Shop, Restaurant or cafe	1 per 250sqm area	2 plus 1 per 100sqm over 100sqm GFA
Shopping centre	1 per 200sqm GFA	1 per 300sqm sales GFA

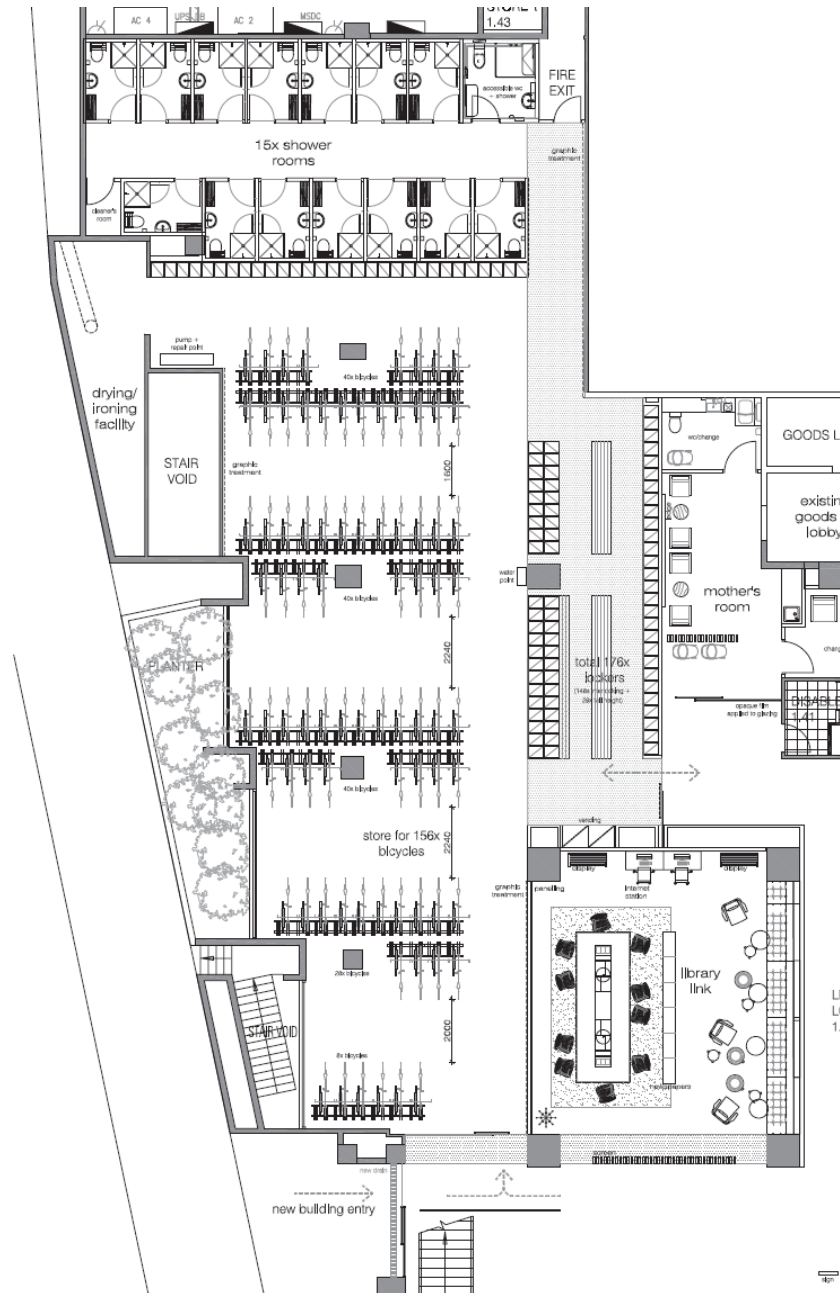
Proposed use	Residents/Employees	Customer/Visitors
Pub	1 per 100sqm GFA	1 per 100sqm GFA
Entertainment facility	-	Greater of 1 per 15 seats or 1 per 40sqm GFA
Place of public worship	-	Greater of 1 per 15 seats or 1 per 40sqm GFA
Industry		
Industry or warehouse or distribution centre	1 per 10 staff	-
Community		
Child care centre	1 per 10 staff	2 per centre
Medical centre, Health Consulting rooms	1 per 5 practitioners / professionals	1 per 200sqm GFA
Tertiary educational institution	1 per 10 staff and 1 per 10 students	-
Swimming pool	1 per 10 staff	2 per 20sqm of pool area
Library	1 per 10 staff	2 plus 1 per 200sqm GFA
Art gallery or museum	1 per 1000sqm GFA	1 per 200sqm

- (3) Secure bike parking facilities are to be provided in accordance with the following:
 - (a) Class 1 bike lockers for occupants of residential buildings;
 - (b) Class 2 bike facilities for staff/employees of any land use; and
 - (c) Class 3 bike rails for visitors of any land use.
- (4) Where bike parking for tenants is provided in a basement, it is to be located:
 - (a) on the uppermost level of the basement;
 - (b) close to entry/exit points; and
 - (c) subject to security camera surveillance where such security systems exist.
- (5) A safe path of travel from bike parking areas to entry/exit points is to be marked.
- (6) Access to bike parking areas are to be:
 - (a) a minimum of 1.8m wide to allow a pedestrian and a person on a bike to pass each other and may be shared with vehicles within buildings and at entries to buildings);
 - (b) accessible via a ramp;
 - (c) clearly identified by signage; and
 - (d) accessible via appropriate security or intercom systems.
- (7) Bike parking for visitors is to be provided in an accessible on-grade location near a major public entrance to the development and is to be signposted.
- (8) For non-residential uses, the following facilities for bike parking are to be provided at the following rates:
 - (a) 1 personal locker for each bike parking space;
 - (b) 1 shower and change cubicle for up to 10 bike parking spaces;

- (c) 2 shower and change cubicles for 11 to 20 or more bike parking spaces are provided;
- (d) 2 additional showers and cubicles for each additional 20 bike parking spaces or part thereof;
- (e) showers and change facilities may be provided in the form of shower and change cubicles in a unisex area in both female and male change rooms; and
- (f) locker, change room and shower facilities are to be located close to the bike parking area, entry and exit points and within an area of security camera surveillance where there are such building security systems.

Figure 3.20

Example of bike parking and associated facilities planned for Town Hall House with parking for 80 bikes, 104 lockers and 15 showers and a drying and ironing room



3.11.4 Vehicle parking

- (1) Where the development comprises a land use not specified in the *Sydney LEP 2012*, the proposed rate of car parking provision is to be justified via a Parking and Access Report.
- (2) For residential buildings, car parking spaces are to be allocated to dwelling units in accordance with parking rates in the *Sydney LEP 2012* and are to be a part lot to a dwelling unit in a strata plan so that they remain connected to the dwelling.
- (3) All visitor spaces are to be grouped together in the most convenient locations relative to car parking area entrances, pedestrian lifts and access points and are to be separately marked and clearly sign-posted.
- (4) Development applications are to indicate how visitor parking is to be accessed, including arrangements for access into a secure area if proposed.
- (5) New developments are to achieve high quality ground level relationships between the buildings and all public domain interfaces even where this will result in inefficient basement car parking layouts including: spilt basement levels or additional excavation.
- (6) Where a residential development proposes less than the maximum number of car parking spaces permissible under *Sydney Local Environmental Plan 2012*, the reduction in the number of spaces should be shared proportionally between resident parking spaces and visitor parking spaces.
- (7) Development proposing less than the maximum number of parking spaces permissible under *Sydney Local Environmental Plan 2012* must adjust the number of visitor parking spaces in accordance with the reduction of total car parking spaces.

3.11.5 Car parks under the public domain

- (1) Underground car parks are not permitted under public domain areas required for dedication to Council, except for tunnels that connect two or more car park areas as this reduces the number of vehicular entry and exits at the street level.
- (2) If site constraints result in a car park being located under a public street or lane, the following criteria will apply:
 - (a) only common areas such as circulation space or unallocated visitor parking spaces are to be located below the street or lane; and
 - (b) ownership of the street or lane by the City shall be in stratum above the water-proofing membrane, and to a minimum depth of 1m for clearance for services as measured from the road levels approved by Council.

3.11.6 Service vehicle parking

- (1) Separate parking spaces for service vehicles are to be provided in accordance with Schedule 7 Transport, parking and access, and are not to be shared with parking provided for any other purpose. Service vehicle parking spaces, including spaces for bike couriers are to be:
 - (a) located near vehicle entry points and near lifts;
 - (b) clearly designated and signposted for service vehicles only;
 - (c) screened from the street where possible; and

- (d) located completely within the boundary of the site, clear of parked vehicles; and clear of through traffic.
- (2) Parking spaces for service vehicles are not to be used for other purposes such as storage of goods and equipment.

3.11.7 Motorbike parking

- (1) Parking spaces for motorbikes are to be included in the allocation of car parking and provided according to parking rates in Schedule 7 Transport, parking and access.

3.11.8 Bus parking

- (1) Where the proposed land use is a hotel, factory outlet store or another use that attracts persons arriving or leaving by bus, a development application is to include a Parking and Access Report which assesses the provision of bus set-down and parking.
- (2) Parking spaces for buses are to be provided in addition to other parking requirements.
- (3) Bus parking is to be provided in accordance with the rates in Schedule 7 Transport, parking and access, and in addition to other parking requirements.
- (4) If the consent authority considers that the proposed arrangements for passenger pick-up and set-down by buses will lead to undesirable on-street traffic and parking conditions, the development may be restricted by a condition of consent from receiving buses.
- (5) The use of on-street space for passenger pick-up and set-down may be possible in exceptional circumstances if off-street provision is impractical or detrimental to pedestrian amenity and urban design. Any proposed use of on-street space for passenger pick-up and set-down should be discussed at an early stage with Council and may require the agreement from the Sydney Traffic Committee.

3.11.9 Accessible parking

- (1) Accessible car parking spaces for people with a mobility impairment are to be included in the allocation of car parking for a development and provided in accordance with the rates specified in Schedule 7 Transport, parking and access.
- (2) Accessible parking is not required in car parking areas where a parking service is provided and direct access to any of the car parking spaces is not available to the general public or occupants.
- (3) For residential development, accessible car parking spaces are to be allocated to adaptable units, or as visitor parking. Accessible car parking spaces allocated to adaptable dwelling units are to form part of the lot of the associated adaptable unit in the strata plan.

3.11.10 Vehicle access for developments greater than 1000sqm GFA

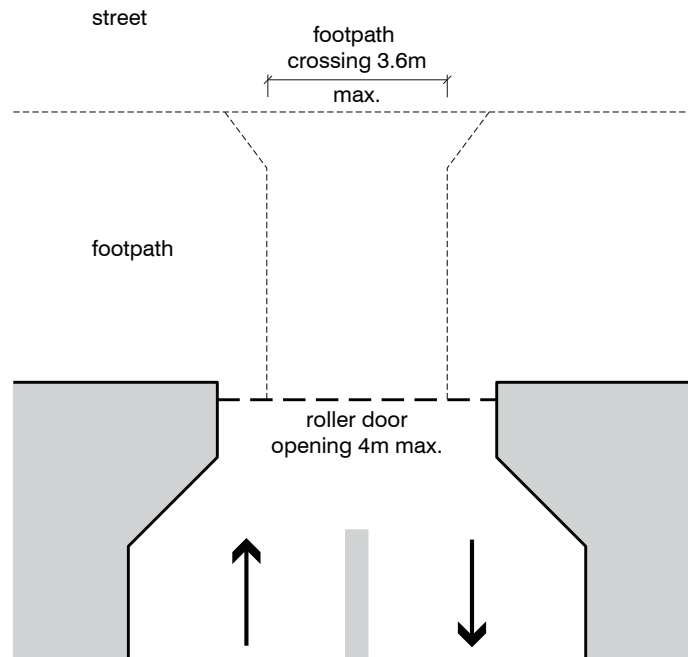
- (1) For developments equal to or greater than 1,000sqm GFA, vehicle access to a site is to be located so the safety of those using the access and the street is not likely to be compromised. Vehicle access is not to be located in the following locations:
 - (a) within 10m of an uncontrolled intersection, including intersections with laneways;

- (b) within 25m of the property boundary adjacent to a signalised intersection;
- (c) within 60m of the approach side of an intersection on a state road and within 30m on its departure side;
- (d) within 12m of a 'stop' or 'give way' sign or hold line at intersections;
- (e) opposite a busy side road for a distance of 6m beyond the alignment of the property boundaries adjacent to that side road;
- (f) opposite a busy driveway for a distance of 6m beyond the alignment of the driveway edges;
- (g) within 15m of the alignment of an intersection where the proposed vehicle access is to be used by service vehicles;
- (h) within 30m of the alignment of an intersection where the proposed vehicle access is used by service vehicles to access 3 or more loading spaces;
- (i) where there is insufficient 'weaving' distance to or from a nearby road that could be used by traffic generated by the development;
- (j) within 2m of other access driveways or within 1m of any common boundary, except where access is off a laneway; and
- (k) within 20m of the approach to, and 10m of the departure from an existing or proposed pedestrian crossing.

3.11.11 Vehicle access and footpaths

- (1) Vehicle access points are restricted in places of high pedestrian activity identified on the *Pedestrian priority map*.
- (2) Where a driveway is proposed across a major pedestrian thoroughfare or footpath, additional safety measures may be required including a parking attendant or signals to manage access. The driveway is to cross the footpath at footpath level.
- (3) Car parks are to be designed so that vehicles do not queue or reverse across pedestrian crossings or footpaths.
- (4) Parking and driveway crossovers are to be designed to minimise impact on existing street trees and to maximise opportunities for new street tree plantings.
- (5) Walking routes through car parks with more than 150 car spaces are to be clearly delineated with appropriate markings, pedestrian crossings and signposting.
- (6) Vehicular access is to be designed to give priority to pedestrians and cyclists by continuing the type of footpath material and grade.
- (7) Wherever practicable, vehicle access and egress is to be a single crossing with a maximum width of 3.6m over the footpath, and perpendicular to the kerb alignment as shown in Figure 3.21 *Vehicle crossing layout*.

Figure 3.21
Vehicle crossing
layout



- (8) Subject to urban design, heritage and streetscape considerations, access is to be designed to avoid reversing movements into or out of a public street for all developments other than dwelling houses. If necessary, a mechanical turntable may need to be installed to achieve this requirement.
- (9) On-site parking may be refused where the required access arrangements would have an adverse impact on on-street parking.
- (10) Where possible adjoining developments are to share or amalgamate vehicle entry and exit points. Internal on-site signal equipment is to be used to allow shared access.
- (11) Direct access to a designated arterial or sub-arterial road is not permitted wherever an alternate access can be provided.
- (12) Where rear lane access is achievable, car parking is to be designed to be accessed from the rear lane only.
- (13) Where vehicular access to parking is not accessed from the laneway it is to be located on a secondary street.
- (14) Where there is no parking on an original lot and off-street parking is not characteristic, vehicle access from the street is not allowed.
- (15) Service vehicle access is to be combined with parking access and provided in accordance with other controls for vehicular access in this DCP.

3.11.12 Tandem, stacked and mechanical parking areas

Definitions

Mechanical parking installations means mechanical car stackers, car lifts and turntables.

Stacked parking means sharing a parking space vertically through use of a mechanical car stacker.

Tandem parking means two or more vehicles sharing a parking space at the same level configured nose to tail.

Provisions

- (1) Where development includes a mechanical parking installation, such as car stackers, turntables, car lifts or another automated parking system, the development application is to include a Parking and Access Report.
- (2) Access to mechanical parking installations is to be in accordance with the relevant Australian Standards.
- (3) Tandem or stacked parking will only be permitted where:
 - (a) each tandem or stacked parking arrangement is limited to a maximum of two spaces;
 - (b) the maximum parking limit for spaces is not exceeded;
 - (c) they are not used for service vehicle parking;
 - (d) the spaces are attached to the same strata title in residential buildings and small commercial or retail developments;
 - (e) in residential buildings and serviced apartments, they are used for tenant parking only;
 - (f) in commercial or retail development, they are used for staff parking only; and
 - (g) the manoeuvring of stacked vehicles is able to occur wholly within the premises.
- (4) Mechanical parking installations will be considered for developments involving the adaptive re-use of existing buildings where site or building constraints prevent standard parking arrangements and no inconvenience arises from their use.
- (5) Mechanical parking installations, tandem or stacked parking are not to be used for visitor parking or parking for car share schemes.
- (6) The minimum length of a tandem space is to be 10.8 m.

3.11.13 Design and location of waste collection points and loading areas

- (1) Waste collection and loading is to be accommodated within new development in one of the following ways, in order of preference:
 - (a) in the building's basement; or
 - (b) at grade within the building in a dedicated collection or loading bay; or
 - (c) at grade and off street within a safe vehicular circulation system where in all cases vehicles will enter and exit the premises in a forward direction.

Consideration will only be given to less preferable options if the consent authority is satisfied the preferred options are unreasonable.

- (2) The waste collection and loading point is to be designed to:
 - (a) allow waste collection and loading operations to occur on a level surface away and vehicle ramps; and
 - (b) provide sufficient side and vertical clearance to allow the lifting arc for automated bin lifters to remain clear of any walls or ceilings and all ducts, pipes and other services.
- (3) Vehicle access for collection and loading will provide for:
 - (a) a 9.25m Council garbage truck and a small rigid delivery vehicle;

- (b) minimum vertical clearance of 4.0 metres for residential development or else 3.8m clear of all ducts, pipes and other services, depending on the gradient of the access and the type of collection vehicle;
 - (c) collection vehicles to be able to enter and exit the premises in a forward direction. Where a vehicle turntable is necessary to meet this requirement, it is to have a capacity of 30 tonnes;
 - (d) maximum grades of 1:20 for the first 6m from the street, then a maximum of 1:8 with a transition of 1:12 for 4m at the lower end;
 - (e) a minimum driveway width of 3.6m; and
 - (f) a minimum turning circle radius of 10.5m.
- (4) For multi-unit residential buildings and multi-storey commercial buildings, it is preferable for the collection and loading point to be inside the building, for example, in an underground car park, as this reduces noise impact on surrounding residents.
 - (5) Where vehicle access is via a ramp, design requirements for the gradient, surface treatment and curved sections are critical and must be analysed at an early stage in the design process.

3.11.14 Parking area design

- (1) In Central Sydney, basement parking areas and structures must not protrude above the level of the adjacent street or public domain.
- (2) Vehicle ramps must not be visible from the public domain and are to be located inside the building.
- (3) Car parking areas are to:
 - (a) be well lit, visible, and avoid hidden and enclosed areas to allow for casual surveillance;
 - (b) include, mirrors or similar devices where hidden and enclosed areas such as staircases and lift lobbies cannot be avoided;
 - (c) be well ventilated and provide natural rather than mechanical ventilation where practicable; and
 - (d) be subordinate in appearance to the main building.
- (4) Car parking spaces are not to be located in areas used for the manoeuvring of service vehicles.
- (5) Where parking is at ground level, it is to be:
 - (a) located to the rear or side of buildings and not visible from the street and public domain;
 - (b) incorporated into the building and screened by other uses; and
 - (c) designed with materials, details, proportions and landscaping to complement the building and adjoining buildings.

3.11.15 Public car parking in Central Sydney

To discourage commuter car parking and provide short stay car parking in Central Sydney, a fee structure and restriction on hours of use is to apply to public car parking. Both the restricted hours of use and the fee structure support the efficient use of spaces for people within Central Sydney for retail, recreation and cultural activities and discourage commuter parking. The implementation of the fee structure alone is not acceptable.

- (1) Approval for the operation of a public car park will include the following conditions:
- (a) the car park is not to be accessible to vehicles between 5.30am and 9.30 am Monday to Friday, other than on public holidays, unless access during this period is, in the opinion of the consent authority, warranted in the circumstances of the case; and
 - (b) between 9.30am and 6.00pm Monday to Friday, other than on public holidays, the car park is to have in place at least the following fee structure to discourage long stay parking:

1 st to 4 th hours of parking:	n* per hour
5th hour of parking and each hour thereafter:	Greater than or equal to 1.5n per hour

* where n equals the hourly rate determined by the public car park operator. The value of n may increase for each subsequent hour but it may not decrease.

3.12

Accessible Design

The City of Sydney is committed to creating an inclusive and accessible city. The City recognises that by improving access to the built environment for people with a disability there are wider community benefits as a result of the increased opportunities for people with a disability to participate. This DCP aims to provide non-discriminatory, equitable and dignified access for everyone in the City. It also aims to ensure that new dwellings cater for the needs of elderly people and people who have a disability.

The Access Guideline provides advice to building owners and applicants and references relevant standards from the Building Code of Australia (BCA) and Australian Standards relevant to equitable access and adaptable housing.

The City encourages applicants to use the Universal Housing Guidelines which provide best practice examples of accessible design. Applicants should also refer to the Disability Discrimination Act 1992 (DDA) which ensures areas accessible to the public are also accessible to people with a disability for new and existing buildings.

Objectives

- (a) Ensure that the public domain of new development provides equitable and safe and legible access for everyone.
- (b) Provide equitable access and facilities for all people to all new development and upgraded or intensified uses in existing buildings.
- (c) Provide a reasonable proportion of residential units in multi-unit developments which are designed to be flexible and easily modified to cater for occupants with an existing or progress disability.
- (d) Encourage consideration of access issues early in the development design process.
- (e) Establish adaptable dwelling standards for easy modification to cater for occupants with a disability.
- (f) Raise awareness and understanding of access issues for people with disability through investigation of best practice.

Provisions

3.12.1 General

- (1) All development must comply with the following: all Australian Standards relevant to accessibility; the Building Code of Australia access requirements; and *Disability Discrimination Act 1992*. Complex developments where compliance is proposed through alternative solutions must be accompanied by an Access report prepared by a suitably qualified access professional.
- (2) The provision of equitable access is to have minimal impact on the significant fabric and setting of heritage items and of contributory buildings within heritage conservation areas; and be reversible.
- (3) Where heritage impact is used as a reason for not providing equitable access in accordance with this Section, evidence is to be provided that no suitable alternatives for access are available.

- (4) Encroachment onto public land to achieve access requirements is generally not permitted except when:
 - (a) access by other means will result in a substantial loss of original fabric of a heritage-listed property impacting on the heritage significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available; or
 - (b) the proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available.
- (5) Access for pedestrians and vehicles are to be separated.
- (6) Access arrangements are to be:
 - (a) integral with the overall building and landscape design and not appear as 'add-on' elements or as of secondary importance;
 - (b) as direct as possible; and
 - (c) designed so that a person does not need to summon help.
- (7) Required egress routes in residential development are to allow for safe escape for persons with a disability including, but not limited to, waiting space on landings within fire stairs and provision of accessible egress paths from ground floor apartments.

3.12.2 Adaptable dwelling mix

Adaptable housing is designed to enable easy modification in the future for occupation and visitation by people with a disability or people who may acquire a disability gradually as they age. Design criteria for adaptable housing are set out in the relevant Australian Standards.

- (1) Adaptable dwellings are to be spread amongst all unit sizes to accommodate various household sizes.
- (2) Adaptable dwellings are to be provided in all new development in accordance with the following rates:

Total number of dwellings	Number of adaptable dwellings to be provided
Between 0 and 7	Nil
Between 8 and 14	1 dwelling
Between 15 and 21	2 dwellings
Between 21 and 29	3 dwellings
30 or more	15% of total dwellings

3.13

Social and Environmental Responsibilities

3.13.1 Crime prevention through environmental design

Objective

- (a) Provide a safe environment and minimise opportunities for criminal and anti-social behaviour.

Provisions

- (1) Active spaces and windows of habitable rooms within buildings are to be located to maximise casual surveillance of streets, laneways, parking areas, public spaces and communal courtyard space.
- (2) In commercial, retail or public buildings, facilities such as toilets and parents rooms are to be conveniently located and designed to maximise casual surveillance to facility entries.
- (3) Minimise blind-corners, recesses and other external areas that have the potential for concealment or entrapment.
- (4) Building entries are to be clearly visible, unobstructed and easily identifiable from the street, other public areas and other development. Where practicable lift lobbies, stairwells, hallways and corridors should be visible from the public domain.
- (5) Ground floors of non-residential buildings, the non-residential component of mixed use developments, and the foyers of residential buildings, are to be designed to enable surveillance from the public domain to the inside of the building at night.
- (6) Pedestrian routes from car parking spaces to lift lobbies are to be as direct as possible with clear lines of sight along the route.
- (7) Where dwelling units have individual main entries directly from a public space, the entry is to include a clearly defined transitional space between public and private areas.
- (8) Building details such as fencing, drainpipes and landscaping are to be designed so that illegitimate access is not facilitated by the opportunity for foot or hand-holds, concealment and the like.

3.13.2 Air quality for development near the Cross City Tunnel

Objective

- (a) Ensure potential air quality impacts from the Cross City Tunnel plume of emissions are considered in the assessment of a development.

Definitions

Sensitive receptor means a location where people are likely to work or reside and may include a dwelling, school, hospital, office or public recreational area. An air quality impact assessment should also consider the location of known or likely future sensitive receptors.

Provisions

- (1) These following provisions apply to development that:
 - (a) has a building height relative to distance from the Cross City Tunnel ventilation stack as nominated in Table 3.6 Development near the Cross City Tunnel ventilation stack;
 - (b) may, in the opinion of the consent authority, have an adverse impact on air quality of any sensitive receptor, including neighbouring buildings and/or any area open to air due to the developments potential to disperse the plume of emissions from the Cross City Tunnel ventilation stack; or
 - (c) may be adversely impacted in terms of the effect of the emissions from the Cross City Tunnel ventilation stack on occupants of the development.
- (2) The consent authority is to consider:
 - (a) the impact of the development on the occupants of other existing and future development and people using a place open to the public due to the potential of the development to disperse the plume of emissions from the Cross City Tunnel ventilation stack;
 - (b) the likely impact of emissions from the Cross City Tunnel ventilation stack on occupants of the proposed development;
 - (c) whether the concentration of emissions at any sensitive receptor exceeds the Air Quality Goal of 246ug/m³ of NO₂ due to emissions from the Cross City Tunnel;
 - (d) an Air Quality Impact Assessment Report which:
 - (i) has been prepared by a suitably qualified person in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales*, published by the Department of Environment and Climate Change in 2005 and any relevant Council guideline or the *Air Quality Assessment Process – Cross City Tunnel: Protocol to Address Provisions of Condition of Approval 247* (Roads and Traffic Authority 11 February 2008); and
 - (ii) identifies the predicted concentration of Nitrous Oxide at all sensitive receptors; and
 - (iii) includes an assessment of the matters outlined in sub-clauses (a) through to (c).

Table 3.6: Development near the Cross City Tunnel Ventilation Stack

Distance of development from Cross City Tunnel ventilation stack in metres	Height of proposed development above ground level Proposed building height in metres
0 – 50	greater than 25
50 – 100	greater than 30
100 – 150	greater than 40
150 – 200	greater than 50
200 – 250	greater than 60
250 – 300	greater than 70
300 – 400	greater than 90
400 – 500	greater than 100

3.13.3 Social Impact

A Social Impact Assessment may also be required for development applications proposing significant residential development, hazardous or offensive uses, major infrastructure, community and recreational uses, large medical facilities, educational facilities, and some business premises. At the discretion of Council, the preparation of a Social Impact Assessment may be required for any development.

Objective

- (a) Ensure that development applications are accompanied by sufficient information so that social issues and impacts resulting from development can be adequately assessed.

Provisions

- (1) The following development types will generally be required to submit a comprehensive Social Impact Assessment Report with a development application for:
 - (a) a group home where the proposal is for a new premise accommodating more than 15 people, alterations and additions which will increase the capacity to more than 15 people or a change of use from a group home;
 - (b) health services facilities that provide specialist drug, alcohol or mental health rehabilitation services where the proposal is for a new premises, alterations and additions that would increase the intensity of the premise by more than 50%, or change of use from the premise;
 - (c) places of public worship where the proposal is for a new premises greater than 250sqm GFA or alterations and additions that would increase the size of the premises to greater than 250sqm GFA;
 - (d) new social housing development of 20 or more units; and
 - (e) strata subdivision of low cost rental housing with 6 or more units.
- (2) Where a Social Impact Assessment is not required, social impacts are to be addressed in the Statement of Environmental Effects (SEE) accompanying a development application. At a minimum, the Statement of Environmental Effects is to consider:
 - (a) the potential social impacts;
 - (b) the scale of those impacts;
 - (c) the likely extent of those impacts including when and where they might occur;
 - (d) outcomes of any discussions with affected people or groups; and
 - (e) any measures to maximise the positive impacts and eliminate or minimise negative impacts.

3.14

Waste

The *City of Sydney's Policy for Waste Minimisation in New Developments 2005* provides indicative waste and recycling generation rates for various uses. The Policy also establishes the design and construction specifications for waste storage areas, and the typical dimensions of collection vehicles. A location for waste collection and storage should be investigated at an early stage in the design process, including the need to accommodate collection vehicles on-site.

In 2010 the City of Sydney commenced the preparation of an Alternative Waste Facility business case and an Automated Waste Collection Master Plan. New development will be required to be consistent with the direction of these documents when available.

Objectives

- (a) Reduce the amount of construction and demolition waste going to landfill.
- (b) Reduce amount of waste generated in the operation of a development from going to landfill.
- (c) Ensure waste from within developments can be collected and disposed in a manner that is healthy, efficient, minimises disruption to amenity, and is conducive to the overall minimisation of waste generated.

Provision

3.14.1 Waste management plans

- (1) A waste management plan is to be submitted with the Development Application and will be used to assess and monitor the waste management process within a development. The waste management plan is to be consistent with the *City of Sydney Policy for Waste Minimisation in New Developments 2005*.

3.14.2 Construction and demolition waste

- (1) The waste management plan is to address construction and demolition waste and include:
 - (a) details regarding how waste is to be minimised within a development;
 - (b) estimations of quantities and types of materials to be re-used or left over for removal from the site;
 - (c) details regarding the types of waste and likely quantities of waste to be produced;
 - (d) a site plan showing storage areas away from public access for reusable materials and recyclables during demolition and construction and the vehicle access to these areas;
 - (e) details of reusing or recycling methods for waste either on-site or off-site;
 - (f) targets for recycling and reuse;
 - (g) nomination of the person responsible for ensuring targets are met and the person responsible for retaining waste dockets from facilities appropriately licensed to receive the development's construction and demolition waste;

- (h) confirmation that all waste going to landfill is not recyclable or hazardous; and
- (i) measures to reuse or recycle at least 80% of construction and demolition waste, either on site or diverted for reuse and recycling with receipts sufficient to demonstrate the target will be achieved.

3.14.3 Collection and minimisation of waste during occupation

- (1) The waste management plan is to address the generation of waste from the occupants of the development and include:
 - (a) plans and drawings of the proposed development that show the location and space allocated to the waste management facilities;
 - (b) nomination of the waste collection point for the site;
 - (c) identification of the path of access for users and collection vehicles;
 - (d) details of the on-going management of the storage and collection of waste, including responsibility for cleaning, transfer of bins between storage areas and collection points, maintenance of signage, and security of storage areas; and
 - (e) where appropriate to the nature of the development, a summary document for tenants and residents to inform them of waste management arrangements.
- (2) Waste incineration devices are not permitted.
- (3) Development is to include sufficient space in kitchens and other areas where waste might be generated for the separation of waste into recyclables, waste to landfill and organics for composting or worm farming.

3.15

Late Night Trading Management

The aim of this section is to assist in the management of the impacts of late night trading premises on the sites and neighbourhoods in which they are located, and to protect the amenity of existing residential properties.

The City's night-time economy is an integral part of its commercial, cultural and social fabric. Late night trading premises are an important part of Sydney social and street life and playing an important role in the City's economic growth. People who live or work in the City as well as tourists are attracted to these places as a result of their diversity and vitality. Late night trading premises can also provide employment and jobs with flexible hours.

The following provisions will provide greater certainty to the community and proponents of late night trading premises in respect to appropriate operating hours and location. The provisions do not set out to curb or increase potential trading hours in a blanket fashion throughout the City, but allow opportunities for late night trading hours in appropriate locations and with appropriate management actions.

The provisions also identify a constrained range of operating hours for late night trading in areas within a predominantly residential context and allow more flexible extended trading hours for premises located in places where adverse amenity impacts on residential neighbourhoods are likely to be lower and are considered capable of being adequately managed.

Late trading hours are considered by the City of Sydney Council to be a privilege. Late trading hours will only be approved in circumstances where an ongoing commitment to good management is evident through a series of successful trial periods. It is particularly important for proponents of 'high impact' late night trading premises to demonstrate responsible management over time. This commitment should be demonstrated both at the application stage and throughout the history of the operation of the premises.

Late night trading area character statements and guidelines for preparing plans of management and premises management checklists are included in Schedule 5 and should be referred to when preparing your application.

Generally, late night trading areas are places within the City of Sydney that already or have historically been characterised by late night trading and related activity, for example Kings Cross. Longer trading hours may be permitted where it is considered that this character can be reinforced or where there is capacity for more late night uses to operate with acceptable amenity impacts resulting from any new late night activity.

Definitions

Category A - High Impact Premises means any of the following premises:

- (i) a hotel within the meaning of the *Liquor Act 2007* that is not designated as a general bar licence;
- (ii) a hotel within the meaning of the *Liquor Act 2007* that has a capacity of more than 120 patrons and is designated as a general bar licence;
- (iii) an on-premises licence within the meaning of the *Liquor Act 2007* where the primary business or activity carried out on the premises is that of a nightclub with a capacity of more than 120 patrons;
- (iv) a club within the meaning of the *Liquor Act 2007*;

- (v) a premises that has a capacity of more than 120 patrons where the primary purpose is the sale or supply of liquor for consumption on the premises; or
- (vi) premises that are used as a karaoke venue where the owner or occupier sells or supplies liquor for consumption on the premises.

Category B – Low Impact Premises means any of the following premises:

- (i) a hotel within the meaning of the *Liquor Act 2007* that has a capacity of 120 patrons or less and is designated as a general bar licence;
- (ii) premises that have a capacity of 120 patrons or less where the primary purpose is the sale or supply of liquor for consumption on the premises;
- (iii) an on-premises licence within the meaning of the *Liquor Act 2007*;
- (iv) any premises where the owner or occupier sells or supplies liquor for consumption on the premises that is not a Category A Premises; and
- (v) any other commercial premises which in the opinion of the Council may impact on the amenity and safety of a neighbourhood resulting from its operation at night. This may include such premises as restaurants, 'BYO' premises, cafes, theatres, karaoke venues, convenience stores, takeaway food shops and the like.

Note: Category A and Category B Late night trading premises do not include sex industry premises.

Base hours are the standard range of trading hours that a late night trading premises is entitled to if an application is approved.

Extended hours mean trading hours that may be approved above base hours on a trial basis.

Outdoor areas are any areas that are not considered an enclosed place within the meaning described in the *Smoke-free Environment Regulation 2007*.

Patron capacity means the maximum number of patrons permitted in a development consent. Outdoor seating is included in patron capacity calculations.

Objectives

- (a) Identify appropriate locations and trading hours for late night trading premises.
- (b) Ensure that late night trading premises will have minimal adverse impacts on the amenity of residential or other sensitive land uses.
- (c) Ensure that a commitment is made by operators of late night trading premises to good management through the monitoring and implementation of robust plans of management.
- (d) Encourage late night trading premises that contribute to vibrancy and vitality, as appropriate for a Global City.
- (e) Encourage a broad mix of night time uses with broad community appeal that reflect the diverse entertainment and recreational needs of people who work and live in the City of Sydney as well as people who visit the City.
- (f) Encourage a diversity of night-time activity in defined areas.
- (g) Prevent the proliferation of poorly managed high impact late night premises.
- (h) Ensure that new late night trading premises do not reduce the diversity of retail services in an area.
- (i) Ensure that applications are accompanied by sufficient information so that proposals for late night trading premises can be fully and appropriately assessed.

- (j) Provide the possibility of extensions of trading hours for premises where they have demonstrated good management during trial periods.
- (k) Encourage premises with extended trading hours that are of a type that do not operate exclusively during late night hours and may be patronised both day and night.
- (l) Ensure that appropriate hours are permitted for outdoor trading; and
- (m) Ensure a consistent approach to the assessment of applications for premises seeking late night trading hours.

Provisions

3.15.1 General

- (1) These provisions apply to applications made under Part 4 of the *Environmental Planning and Assessment Act 1979* which includes development applications and applications to review a determination or modify a consent.
- (2) These provisions apply to applications for new and existing Category A and Category B premises that:
 - (a) seek approval for trading hours between 10pm and 7am the following day;
 - (b) currently trade between 10pm and 7am the following day, and seek refurbishment, additions or extensions that will result in an intensification of an existing use;
 - (c) seek an extension or renewal of trial trading hours as prescribed in this section of the DCP; or
 - (d) seek approval for outdoor trading beyond 8pm.

Note: These provisions are not retrospective and do not derogate from existing consents.

3.15.2 Late night trading areas

- (1) These provisions identify a hierarchy of three late night trading areas located throughout the City of Sydney. Late night trading areas are described in Schedule 3 Late night trading and identified on the Late night trading areas map and include:
 - (a) Late Night Management Areas;
 - (b) City Living Areas; and
 - (c) Local Centre Areas.
- (2) Notwithstanding the above, all proposals for Category A premises located outside of the late night trading areas will be subject to the requirements of these provisions.
- (3) Proposals for late night trading premises that are either not located within or are not category A premises outside of the late night trading areas will be assessed on their individual merit with consideration given to relevant matters as outlined in 3.15.3 of these provisions as well as Section 79C of the *Environmental Planning and Assessment Act 1979*, *Sydney LEP 2012* and any other applicable planning instruments or policies.

3.15.3 Matters for consideration

These matters for consideration provide the basis for a consistent approach to the determination of appropriate trading hours and create greater certainty for the community and proponents of late night trading premises.

Once these factors are taken into consideration, late night trading hours may be permitted in appropriate circumstances, particularly in areas within the City that already exhibit a vibrant night-time character, as opposed to parts of the City that are predominantly residential in character where amenity impacts can be the greatest and most difficult to manage.

- (1) Appropriate trading hours for late night trading premises will be determined by taking into account a number of issues which include, but are not limited to:
 - (a) the location and context of the premises, including proximity to residential and other sensitive land uses and other late night trading premises;
 - (b) the specific nature of the premises, that is a pub, nightclub, restaurant, or other similar premises and the proposed hours of operation;
 - (c) the existing hours of operation of surrounding business uses;
 - (d) the size and patron capacity of the premises;
 - (e) the impact of the premises on the mix, diversity and possible concentration of late night uses in the locality;
 - (f) the likely operation of the proposal during day time hours;
 - (g) submission of a plan of management that demonstrates a strong commitment to good management of the operation of the business, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain;
 - (h) the diversity of retail services within an area and the impact of a late night trading proposal on this diversity;
 - (i) measures to be used for ensuring adequate safety, security and crime prevention both on the site of the premises and in the public domain immediately adjacent to, and generally surrounding, the premises; and
 - (j) the accessibility and frequency of public transport during late night trading hours.

3.15.4 Trading hours and trial periods

These provisions identify base and extended trading hours within the three late night trading areas and for Category A premises located outside of these areas.

Approvals for late night trading premises will be limited in time to enable Council to assess the ongoing management performance of a premise and its impacts on neighbourhood amenity. These trial periods allow Council the flexibility to review the conditions on development consents and respond to such things as changes in the late night character of a neighbourhood and changes in management.

- (1) Base and extended hours that apply to particular late night trading areas are identified in Table 3.7 Late night trading hours.
- (2) Any extended hours that are beyond base hours will be subject to a trial period.
- (3) Extended trading hours beyond base hours may be permitted at the initial application stage, but only where the Council has determined that the premises have been or will be well managed, including compliance with a Plan of Management.

- (4) At the completion of a trial period a new application must be lodged to either renew existing trial hours or to seek an extension of trading hours.
- (5) Premises seeking extended trading hours may be permitted up to two additional operating hours per trial period if a previous trial period is considered by the Council to have been satisfactory.
- (6) Trial periods may be permitted up to the following durations:
 - (a) First trial – 1 year;
 - (b) Second trial – 2 years;
 - (c) Third and subsequent trials – 5 years.
- (7) Once the full range of extended trading hours is reached an application must be lodged every 5 years to renew trading hours.
- (8) Applications for a renewal or extension of trial trading hours should be lodged within 30 days of the expiry period and applicants will be allowed a period of 'grace' from the termination of the trial period until the new application has been determined. During this period, the premises may continue to trade during existing approved trial hours.
- (9) If an application is not lodged within 30 days from the expiry of the trial period, then approved trading hours will revert to base trading hours.
- (10) A renewal or extension of trading hours that are subject to a trial period may only be permitted if Council is satisfied that a late night trading premises has demonstrated good management performance and compliance with a plan of management, or premises management checklist, following the completion of a satisfactory trial period.
- (11) If the Council determines that a trial period has been unsatisfactory then trading hours will revert to the base late night trading hours or whatever hours have been approved as the maximum trading hours prior to the commencement of this DCP. Council will consult with an applicant prior to making such a determination.

Table 3.7: Late night trading hours

		Category A - High Impact Premises		Category B - Low Impact Premises	
		Indoor areas trading hours	Outdoor areas trading hours	Indoor areas trading hours	Outdoor areas trading hours
Late night management areas	Base hours	6am to 12am	10am to 10pm	6am to 2am	8am to 10pm
	Extended hours	24 hours	10am to 1am	24 hours	8am to 1am
City living areas	Base hours	7am to 11pm	10am to 8pm	7am to 1am	9am to 8pm
	Extended hours	7am to 5am	10am to midnight	7am to 5am	9am to 12am
Local centre trading areas	Base hours	10am to 10pm	10am to 8pm	8am to 11pm	10am to 8pm
	Extended hours	10am to 12am	10am to 10pm	8am to 12am	10am to 10pm
All other category A premises	Base hours	10am to 10pm	10am to 8pm		
	Extended hours	10am to 12am	10am to 10pm		

3.15.5 Plans of management and category B premises management checklists

Where the Council is of the opinion that proposals for late night premises have the potential to impact adversely on amenity and neighbourhood safety, applicants are required to prepare and submit with their application Plans of Management that include verifiable data and actions.

3.15.5.1 Preparation

Plans of Management are to include information about the operational and contextual aspects of a premises, for example locality description, security numbers, noise emission and trading hours, as well as details about what actions will be taken to ensure that premises will be responsibly managed, for example, crowd control procedures, noise minimisation and waste management.

This will ensure that proponents of late night trading premises have considered and addressed any potential impacts that may arise from their operation during late night hours, as well enabling the Council to effectively assess any impacts of a proposal. It is the responsibility of the licensee to facilitate a well run and managed premises and display sensitivity about the impact of the premises on the liveability of neighbourhoods.

- (1) A Plan of Management, prepared in accordance with the guidelines in Schedule 3 Late night trading, is required to accompany an application for the following late night trading premises:
 - (b) new Category A Premises;
 - (c) existing Category A Premises that seek a renewal or extension of existing approved trading hours;
 - (d) existing Category A Premises that seek extensions, additions or refurbishment which will lead to an intensification of that use;
 - (e) existing Category B Premises that seek extensions, additions or refurbishment which will result in the premises becoming a Category A premises; and
 - (f) applications for outdoor trading on the same lot as a Category A or Category B Premises.
- (2) In the main, applications for Category B Premises are required to provide a Category B Premises Management checklist in accordance with the guidelines in Schedule 3 Late night trading.
- (3) The operators of late night trading premises are required to review their Plan of Management or Category B Premises Management Checklist following every trial period and make revisions necessary to maintain a level of amenity and safety in the vicinity of the premises which is at an acceptable community standard.
- (4) Council may request that an applicant provide further information in addition to the minimum requirements listed in Schedule 3 Late Night Trading in their Plan of Management or Category B Premises Management Checklist where it is considered necessary. Additional information may be either in the form of a formal Plan of Management, or where requested by Council, a letter that addresses a specific matters of concern particular to the proposal, for example, security provision, noise, waste management and staffing.

3.15.5.2 Monitoring and Review

At the termination of a trial period, applicants should consider changes in the nature of the operation that have occurred during the operation of a premises that have given rise to unforeseen impacts on the amenity of the area or have been the basis for a substantiated complaint made to Council or the State licensing authority against the premises.

In reviewing a Plan of Management at the termination of a trial period, it will be necessary for this information. This should be in the form of a new Plan of Management which includes a statement of revisions of the previous Plan of Management, if any are required to accompany an application for a renewal or extension of trading hours so that Council can determine whether adequate steps have been taken to resolve any problems that may have arisen from the operation of the premises during a trial period.

The Council will undertake its own review of the level of compliance with the Plan of Management and whether the current operation has been successful on any application to extend a trial period or on any review. The matters considered by Council will include, but not be limited to:

- (i) consideration of complaints to Council and the State licensing authority under the *Liquor Act 2007*;
- (ii) an assessment of inspections by Council Officers during trial periods; and
- (iii) consideration of Police complaints.

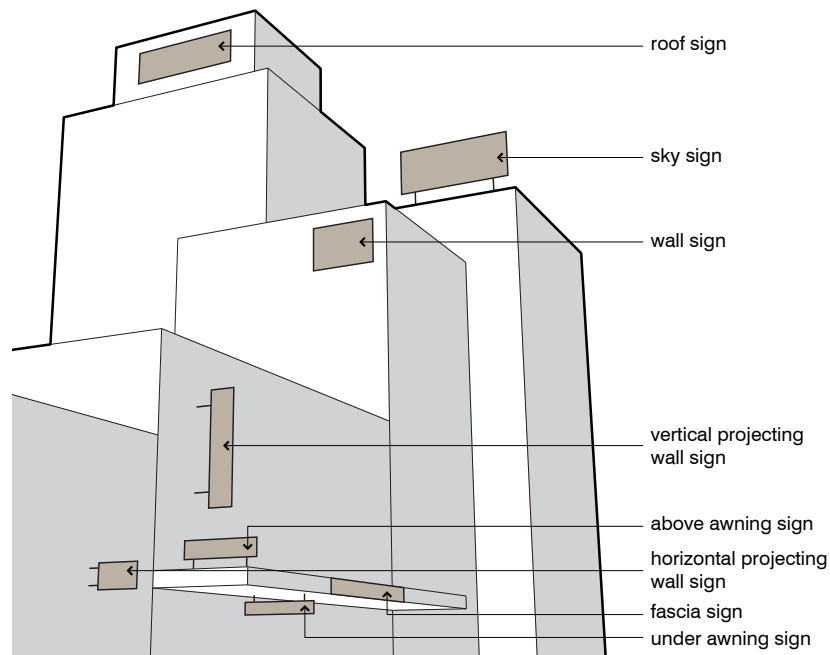
3.16

Signage and Advertising

This section aims to protect the significant characteristics of buildings, streetscapes, vistas and the city skyline. These provisions are also intended to encourage well-designed and well-positioned signs which contribute to the vitality and legibility of the City of Sydney and respect the amenity of residents and pedestrians and the safety of motorists.

Figure 3.22

Sign Types which may be permitted



Objectives

- (a) Encourage well designed and suitably located signs which:
 - (i) achieve a high level of design quality;
 - (ii) complement the architectural design and use of buildings and the character of streetscapes;
 - (iii) do not contribute to a cumulative visual clutter on and around buildings; and
 - (iv) do not detrimentally impact on the skyline, streetscape and residential amenity.
- (b) Require an integrated approach for multiple signs on new buildings, major refurbishments of existing buildings, and heritage items.
- (c) Provide particular controls for nominated signage precincts.

Provisions**3.16.1 Signage strategy**

- (1) A signage strategy may be required to be submitted with a development application for any new building proposing multiple signs.
- (2) Signs are to be consistent with the approved signage strategy applying to the site.

3.16.2 Period of consents and changes to signs

- (1) For building name signs, development consents are limited to up to three years. Applications for renewal in the form of a Section 96 Application to modify the original consent or a new development application can be lodged up to 6 months before the expiration of a development consent.
- (2) A new consent is required for a proposal to change the dimensions or increase the illumination or potential impact of an existing sign.

3.16.3 General requirements for signs

- (1) Stratum or strata subdivision for the purposes of creating separate lots for signage is not permitted.
- (2) Signs are to be designed and located in a manner that:
 - (a) relate to an approved use on the site;
 - (b) is compatible in scale and integrated with the architectural design of the building;
 - (c) does not conceal architectural features;
 - (d) ensures corporate colours, logos and other graphics are compatible with the architecture, materials, finishes and colours of the building and the streetscape;
 - (e) take into account the impacts on nearby buildings, streets and existing signs to ensure they do not create unacceptable visual clutter;
 - (f) allow the main facades of buildings from the first floor to the rooftop or parapet to be uncluttered and generally free of signage;
 - (g) considers the appearance of the sign and any supporting structure, and concealing cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline;
 - (h) complies with Australian Standards for accessibility;
 - (i) has a minimal projection from a building;
 - (j) does not advertise or promote products or services, for example the logos or brands of products such as soft drinks, brewers, photographic film, etc, other than the products related to the approved use of the premises or site irrespective of whether that product or service is sold or available on the site; and
 - (k) is not be supported from, hung from or placed on other signs.

Note: Appropriate dimensions can be achieved by restricting signs to architectural grid locations or panels to ensure architectural elements remain the dominant feature of the facade.

- (3) Signs painted on or applied to the roof of a building are not permitted.
- (4) Existing signs on buildings and on heritage items that may have heritage value must be retained where appropriate, preferably in their original location. Existing signs may include many other types of signs including signs written in pavements, tile work, lead lighting and windows, signs painted on walls or raised in lettering in rendering.

3.16.4 Illumination and animation of signs

- (1) Illumination (including cabling) of signs is to be concealed, integral with the sign, or provided by means of carefully designed and located remote or spot lighting.
- (2) External lighting of signs is to be down lighting and focused directly on the sign and is to minimise the escape of light beyond the sign. Up lighting of signs is not permitted.
- (3) Animated signs are generally discouraged but may be appropriate on a temporary basis in association with special events of a community, religious or cultural nature.
- (4) Excessive or special illumination schemes expressly designed for the purpose of promoting the business, activity or product, both on and within buildings, including windows and doorways and sites, are not permitted.

3.16.5 Number of business and building identification signs

- (1) The maximum number of business and building identification signs generally permitted on building elevations, subject to compliance with all other provisions relating to signs, are:
 - (a) three building name signs including:
 - (i) a maximum of two signs with no more than one sign per elevation near the roof or parapet; and
 - (ii) one at or near the building's major entry;
 - (b) one under awning sign, or where there is no awning, one projecting wall sign for each ground floor tenant with a street frontage. Some flexibility may be allowed for premises with multiple tenancies with a street frontage, provided that under awning signs are at least 3m apart; and
 - (c) one sign above the entry of a ground floor tenant with a street frontage, in the form of a top hamper sign.

3.16.6 Location and design of building identification signs

- (1) To improve visual amenity, signs are generally discouraged on the upper parts of buildings. The only signs permitted at or near roof level or near the parapet are building name signs which may only be located in the following places:
 - (a) at the pedestrian entry to the building, generally in an appropriate part of the facade above and in the vicinity of the entry doors; and
 - (b) at the building parapet or on the walls of a rooftop plant room, but only where the sign will not cover or obscure parts of the building that are significant elements of the building's architectural design.

- (2) Building name signs:
 - (a) are to be restricted to a small element within the architectural fenestration projections of the building and are preferably logos. Building name signs may contain the corporate logo of a significant tenant or owner, but only if the design of the logo achieves a high degree of compatibility with the architectural design, materials, finishes and colours of the building;
 - (b) are not permitted on heritage items of local or state significance, where the building name sign will affect the significance or visual integrity of the building;
 - (c) are only to be allocated to a significant tenant of the building or its owner where the tenant or owner occupies the largest amount of floor space within the building relative to other tenants or occupants; and
 - (d) are not to be sold or leased for commercial advertising in the guise of a building name sign.
- (3) A building name sign is not permitted within 500m of the lot boundary of a building that has a building name sign of the same name, company or logo, unless considered otherwise by the consent authority.
- (4) Commercial names or advertising are not to be used for naming residential or predominantly residential buildings.
- (5) Building name signs are not to contain any text other than the name of the building, significant tenant or owner.
- (6) The building must not have additional structures supporting signs.
- (7) Signs at or near roof level are to:
 - (a) be no higher than one typical floor of the building, and are to be in scale with the plant room wall upon which the sign is affixed;
 - (b) not be positioned on glazed portions of the building elevations, regardless of whether or not that glazing is a window or is wall cladding;
 - (c) be composed of individual letters fixed to the building and not placed on any backing material; and
 - (d) where placed on a building component, such as a plant room wall or louver panel, be of a height and size to suit the scale and proportion of that building component.
- (8) Sky signs are not permitted.

3.16.7 Suspended under awning signs

- (1) Suspended under awning signs must achieve a high level of design quality.
- (2) A minimum separation distance from the centre of an under awning sign to another under awning sign is to be 3m.

3.16.8 Above awning signs

- (1) Above awning signs are not permitted.

3.16.9 Projecting ground level wall signs

- (1) If illuminated, a projecting ground level wall sign must not have a backlit white background.
- (2) Horizontally oriented projecting wall signs will only be considered where the sign matches other approved and appropriately designed and located signs, and has an appropriately designed bracket.

- (3) No projecting signs of any kind including flags and banners, whether temporary in nature or not, are to be placed between an awning and the footpath.

3.16.10 Non projecting ground level wall signs

- (1) Non projecting ground level wall signs are to:
 - (a) be located above the public entrance to a shop or premises and any adjacent window;
 - (b) be limited to one sign per frontage of the shop or premises;
 - (c) have a maximum height of 600mm, an area of 1sqm and relate to the horizontal proportions of the shop or premises door or window above which it is located; and
 - (d) project no more than 150mm from the shop or premises face to the outside edge of the sign.
- (2) A small wall plaque up to 0.1sqm next to a shop or premises face is permitted.
- (3) Non projecting ground level wall signs are not permitted on frontages without a public entry.

3.16.11 Wall signs between first floor and parapet

- (1) Projecting wall signs between the first floor and parapet are only permitted on non-heritage items in the Chinatown and Haymarket, Darlinghurst Road and William Street signage precincts as shown on the Signage precincts map. These signs are to be:
 - (a) located at the lower levels of the building and not mounted on any canopies or awnings;
 - (b) of a height that relates to the architecture of the building and does not exceed two storeys in vertical dimensions;
 - (c) limited to a horizontal projection from the building of no more than 1m; and
 - (d) limited to one per street frontage.

3.16.12 Painted wall signs

- (1) Painted wall signs may be permitted on blank side elevations of existing buildings if the consent authority is of the opinion that the sign improves the elevation of the building.

3.16.13 Other business and building identification signs

- (1) Other business and building identification signs not specified in this section may be considered provided that the sign demonstrates design excellence, is of an appropriate size and location, and meets the overall objectives for signs.
- (2) Banners, flags and other fabric signs are generally not appropriate for business and building identification signs and are more suitable for promoting temporary special events of a community, religious or cultural nature.

3.16.14 Signs on industrial sites and bulky goods premises

- (1) One freestanding common tenancy sign is permitted on each street frontage and is to be provided only where the main building is set back by a minimum of 3m from the street alignment.
- (2) Street frontages in excess of 20m in length may increase the size of the free standing sign of that frontage by 3sqm for each 20m of street frontage.
- (3) One business identification sign is permitted per industrial unit.

3.16.15 Signs on heritage items

- (1) Signs on heritage items are to:
 - (a) be consistent in design to the architectural form of the building to which it is attached;
 - (b) be designed and installed in a sympathetic manner to any existing signs on the heritage item;
 - (c) be appropriately located on the building and not obscure significant components or distinguishing features of the building;
 - (d) be of a high standard of materials and construction; and
 - (e) be of a compatible design and style, including colours, images and lettering.
- (2) Signs located between the first floor level and the parapet of a building are only permissible where it can be demonstrated that such a location is appropriate for the building and the street.
- (3) Internally illuminated signs are only permissible where they are a reconstruction of an original significant sign or where it can be demonstrated that it is an important aspect of the heritage significance.
- (4) Externally illuminated signs are only permissible where the design of the sign achieves a high degree of compatibility with the heritage item, lit from concealed or discrete energy efficient sources or cabling and conduits are completely concealed and do not involve the intervention or damage to significant fabric.
- (5) The name of a heritage item, and whether or not that name is significant, is to be considered before allowing the building name sign to be changed.
- (6) Installation on heritage items is to be carried out in a reversible manner without damage to significant fabric. Where signs are attached to stone or brick walls, they are to be attached in such a way that any fixings are put only into mortar joints and not the stone or brick.
- (7) Existing signs on heritage items and existing buildings where they have heritage value are to be retained, preferably in their original location. Any new sign is to be designed to be complementary and sympathetic to the original heritage sign.
- (8) Corporate colour schemes are to be modified to fit within the heritage character of the building.

3.16.16 Signs in heritage conservation areas

- (1) Signs are to be compatible with the heritage significance of the area, constructed from high quality materials such as bronze, brass and stainless steel, and should generally not be constructed predominantly from plastics, such as coloured or clear acrylic.
- (2) Signs are to be highly compatible with the architecture and materials of the building, and respectful and not detracting from the residential amenity of an area where the heritage conservation area's dominant use is residential.

3.16.17 Commercial advertising signs

- (1) Generally, commercial advertising signs and billboard signs are not permitted. In exceptional circumstances they may be permitted where:
 - (a) the sign directly supports the commercial viability of a significant building tenant or use in or near the building supporting the sign such as signs advertising attractions at cinemas or theatres);
 - (b) the sign is advertising a civic or community event in the City of Sydney area;
 - (c) the signs are consistent with the provisions for signage in this DCP;
 - (d) the number of existing signs on the site and in the vicinity do not cumulatively create unacceptable visual clutter;
 - (e) the sign can be considered as public art in accordance with the City's policies in relation to public art;
 - (f) the corporate markings, logos, branding or similar is not more than 5% of the total sign area; and
 - (g) the sign is adjacent to a high quality well integrated temporary public art program, is consistent (in line with the *City of Sydney Guidelines for Public Art in Private Developments*) in a publicly accessible area and takes up less than 5% of the total area available for public art. Install the sign after the public art work has been installed.
- (2) Commercial advertising signs on street furniture, other than on Council furniture are not permissible unless undertaken in accordance with the Footways dining policy.

3.16.18 Advertising panels on construction hoardings

- (1) The consent authority may grant consent for advertising panels on construction hoardings and panels where they will contribute to civic infrastructure, provide community information and be of a high standard of design. For signs on hoardings (including building wrap signs) refer to the *City of Sydney Hoardings Policy* (www.cityofsydney.nsw.gov.au).

3.16.19 Signage precincts

- (1) The design and location of signs on buildings or sites identified in the *Signage precincts map* is to be in accordance with the provisions of this DCP including those for each precinct.

3.16.19.1 Millers Point, Wynyard Park and Lang Park, York St and Wentworth Avenue East signage precincts

- (1) Signs are to be:
 - (a) small in size and limited in number;
 - (b) if illuminated, not be an internally illuminated light box;
 - (c) compatible with the character of surrounding buildings;
 - (d) compatible with the heritage significance of items and the conservation area; and
 - (e) constructed from high quality materials appropriate to the context, including timber and metals, such as bronze and brass.

3.16.19.2 Circular Quay signage precinct

- (1) Signs must:
 - (a) have regard to any advertising control of adjacent areas administered by the Sydney Harbour Foreshore Authority (SHFA) or the NSW Department of Planning and Infrastructure;
 - (b) if illuminated, not be an internally illuminated light box;
 - (c) be visually interesting and respond to the significant role of Circular Quay as a public gathering space; and
 - (d) avoid visual clutter in the area having regard to the need for any transport and way-finding signs.

3.16.19.3 College Street East, Macquarie Street, Bridge Street and Macquarie Place, Sydney Square, Sydney Town Hall, St Andrew's Cathedral, Railway Square and Martin Place signage precincts

- (1) Signs must:
 - (a) if illuminated, not be internally illuminated light boxes;
 - (b) be constructed from high quality materials, such as bronze, brass and stainless steel, and not be constructed from predominantly plastics, such as coloured or clear acrylic;
 - (c) be compatible with the architecture of the supporting building particularly its materials, and be an integral part of the building;
 - (d) consist of individual letters where fixed directly to the face of a building;
 - (e) have a minimal projection from the elevation of a building with projecting signs generally not permitted;
 - (f) be compatible with the use of supporting buildings or adjoining buildings;
 - (g) be responsive to the role of the area as a public gathering space for civic events of national importance;
 - (h) not detract from the heritage significance of a building or precinct;
 - (i) avoid visual clutter of the area particularly in regard to transport and way finding signs; and
 - (j) be simple and minimal depending on the activities and uses within each building.
- (2) The number of signs permissible on each building is to be specified by the Council subsequent to a comprehensive analysis of the proposed signs and context.

3.16.19.4 Pitt Street Mall signage precinct

- (1) Signs must:
 - (a) be visually interesting and respond to the significant role of Pitt Street Mall as a retail area and a public gathering space;
 - (b) be integrated with the architecture of the building;
 - (c) not be internally illuminated light boxes unless under awning signs;
 - (d) be restricted in the number of signs for each building to minimise visual clutter; and
 - (e) be compatible with legibility within the Mall.
- (2) Directory boards and wayfinding signs are to be located at street level and be considered in the context of existing signs in the public and private domain.

Figure 3.23
Signage, Pitt Street
Mall



3.16.19.5 Haymarket and Chinatown signage precinct

- (1) Signs are to:
 - (a) be projecting signs of vertical proportions where this does not conflict with the heritage significance of the building;
 - (b) be integrated with building features and sensitive to the existing character of buildings;
 - (c) be in English and Chinese, where this is in keeping with the use of the building;
 - (d) use traditional Chinese colours, where this is in keeping with the use of the building; and
 - (e) be illuminated, and may include animation, where this does not conflict with the heritage significance of the building.

Figure 3.24
Signage,
Camperdown



3.16.19.6 Darlinghurst Road signage precinct

- (1) Signs are to:
 - (a) be visually interesting and consistent with the significant role of Darlinghurst Road as an entertainment precinct;
 - (b) be integrated with the building features and sensitive to the existing character of the buildings;
 - (c) be imaginatively designed illuminated and animated signs to contribute to the character of the area may include neon, in interesting and aesthetic shapes and, where appropriate, a similar character of illuminated or animated signage as per any previous signage.
- (2) Illuminated or animated signs may be required to be retained where, in the opinion of the consent authority, they make a positive contribution to the streetscape.
- (3) Illuminated or animated signs are not permitted above awning level on a heritage item.

Figure 3.25
Signage,
Darlinghurst Road

**3.16.19.7 Oxford Street signage precinct**

- (1) Signs are to be:
 - (a) visually interesting and respond to the significant role the area as a gateway to the City of Sydney; and
 - (b) illuminated where this does not conflict with the significance of a heritage item.

3.16.19.8 William Street signage precinct

- (1) Signs are to be integrated with the architecture of the building and illuminated where this does not conflict with the significance of the heritage item.
- (2) Signs are to be visually interesting and respond to the significant role of William Street as a retail area.
- (3) Signs may be a projecting type with vertical proportions where existing lawful signs of this type exist and where this does not conflict with the heritage significance of the building.

3.16.19.9 King Street, Newtown signage precinct

- (1) Signs are:
 - (a) to be located within bays created by facade articulation, and compatible with the geometry and proportion of these bays;
 - (b) not to obscure important architectural features;
 - (c) not be located above the cornice lines of parapets;
 - (d) not to be located on rooftops of buildings; and
 - (e) to be at least 700mm from the alignment of the 'string of pearl' under awning lights.
- (2) The number of signs on the building facade, excluding under awning signs is limited to one per lessee or owner.
- (3) Hanging (i.e. bracketed) signs are limited to one below the awning per lessee/owner.
- (4) One sign is permitted on a side wall, which may be floodlit but not illuminated.
- (5) Where the building is face brick, a sign may not be painted directly onto the brickwork. A face plate of maximum thickness of 5mm must be used.
- (6) Signs which are part of a unique work of art must not incorporate direct advertising of products, services or company names and logos.
- (7) Colours used for signs are to complement the Heritage Colour Scheme for King Street and Enmore Road, which is contained within the *Main Street Heritage Paint Scheme for King St, Newtown, Enmore Rd, Enmore*.

3.16.19.10 The Rocks signage precinct

Refer to Schedule 6 Signage in the Rocks which provides detailed guidelines on requirements for signage in this precinct. This includes permissible types of signage for each area within the precinct.

- (1) Signs must:
 - (a) respond sympathetically to the heritage significance of the building, the streetscape and The Rocks precinct;
 - (b) be constructed using traditional materials that are characteristic of The Rocks, for example metal sheet, painted masonry, painted or stained wood or engraved metal plaque;
 - (c) employ a colour palette which respects the building and its surrounds and does not include fluorescent tones;
 - (d) be a simple reference to the name or use of the tenancy and avoid references to products, third parties and other off-site business names;
 - (e) not be internally illuminated light boxes or neon;
 - (f) be fixed using unobtrusive and reversible fixings which do not damage the fabric of the building;
 - (g) be a contemporary interpretation of traditional signage and of the highest standard of design and fabrication; and
 - (h) use English as the primary language although small non-English text may be used to assist tourism.

3.17

Contamination

Objective

- (a) Minimise the risk to human and environmental health on land contaminated by past uses.

Provisions

- (1) Each development application is to include information sufficient to allow Council to meet its obligation to determine whether development should be restricted due to the presence of contamination.

Note: These obligations are outlined in State Environmental Planning Policy No.55 at the time of adoption of this plan.

Sydney small bars media coverage

2016

The Daily Telegraph

Small bars a big thing among Sydney's chic set

Ashleigh Gleeson

June 24, 2016



dailytelegraph.com.au/news/nsw/small-bars-a-big-thing-among-sydneys-chic-set/news-story/47656b579f7bd4e46044e2ef9e4b5dd5

SMH

Clover Moore wants exemptions for live-music venues, top bars from lockout laws

3 April 2016



ousands of people marched in Sydney against the lockout laws last month. *Photo: Peter Rae*

smh.com.au/nsw/clover-moore-wants-exemptions-for-livemusic-venues-top-bars-from-lockout-laws-20160403-gnx2kn.html

Taste, Daily Telegraph

Cover story: The best bar food in Sydney

5 April 2016

April 5, 2016 11:13am



dailytelegraph.com.au/lifestyle/food/sydney-taste/the-best-food-bars-in-sydney/news-story/5f8ba4beb78f091572489f6666f1a814

Time Out Sydney

The best bars in Sydney

All the bars you should be drinking in this year

By Emily Lloyd-Tait Posted: Saturday March 5 2016



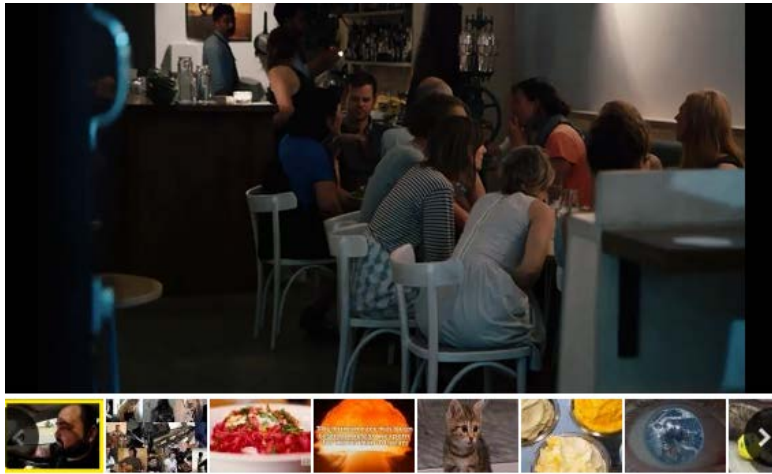
timeout.com/sydney/bars/the-best-bars-in-sydney

Huffington Post

Exploring Sydney's Bar Scene

Emily Verdouw *HuffPost Australia*

25 Nov, 2016



The reduction in the cost of liquor licences in Sydney has seen the city littered with a variation of small bars.

huffingtonpost.com.au/2015/11/25/sydney-small-bars_n_8605244.html

D'Marge

14 Best New Sydney Bars You Have To Try In 2016



• • • • •

BURROW BAR, SYDNEY

Burrow Bar is Sydney's latest small bar, a hidden basement in the heart of the city to escape the hustle and bustle and 'unlock nostalgic sensations' with cocktails, craft beers, boutique spirits and wine.

dmarge.com/2016/03/best-new-sydney-bars-2016.html

2015

Executive Style, Fairfax magazine

Have Sydney small bars stolen Melbourne's crown?

Robert Simonson

Oct 14 2015



Hidden away down a Sydney backstreet, The Baxter Inn has been named in the world's top 10 bars for the last couple of years. *Photo: Domino Postiglione*

executivestyle.com.au/have-sydney-small-bars-stolen-melbournes-crown-gk59na#ixzz4ELzkgGL3

Good Food, SMH

Sydney small bars with a difference

By Amy Cooper

April 28 2015



Made to fit: (seated, from left) proprietors Justin Marmot, Louka Marmot and Adam Hofbauer at Shirt Bar. *Photo: Rob Homer*

goodfood.com.au/drinks/sydney-small-bars-with-a-difference-20150423-1mrInj.html

Broadsheet

The Best Bars in Sydney 2015



The Temperance Society

The Best Bars of 2015 Checklist

From cocktail-and-cheese bars in Summer Hill, to swanky rooftop bars overlooking the harbour, this year has seen plenty of new drinking spots open in Sydney. Here are the best of the bunch to drink up and drink well.

<https://www.broadsheet.com.au/sydney/guides/2015-bar-checklist>

2014

SMH

Safer Sydney: small bar owners back liquor-licence reforms 21 Jan 2014



incentive: Daniel McManus suggests improving the system by properly rewarding venues that promoted a better drinking culture. Photo: Dean Sewell

<http://www.smh.com.au/nsw/safer-sydney-small-bar-owners-back-liquorlicence-reforms-20140120-314wa.html#ixzz2sRLIZSXE>

Size doesn't matter for Sydney's top small music venues

11 September 2014



till going strong: The Newsagency at Marrickville. Photo: Wolter Peeters

entertainment/music/size-doesnt-matter-for-sydneys-top-small-music-venues-20140909-10dvy0.html

2013

The Journal

Sydney turning to 'small bar' movement

31 July 2013

WHEN MARTIN O'SULLIVAN opened his small Grasshopper bar in Sydney's awkwardly-named Temperance Lane three years ago, his friends thought it was madness.

What would entice drinkers down a tiny lane into a basement last inhabited by a printing business when there were plenty of lively pubs and beer barns nearby?

"Everyone thought I was a nut case," he says.

But in the ever-thirsty city the Grasshopper has flourished, at the vanguard of an explosion in small bars after a change in liquor licensing laws allowed a move away from the traditional large pub to intimate drinking holes.

"It's about the cultural change, because pubs



Inside the Grasshopper 'boutique' bar in Sydney.

thejournal.ie/sydney-small-bar-pub-drinking-australia-995803-Jul2013/

Concrete Playground

The Sydney CBD's Ten Best Small Bars Feb 27, 2013

Sydney's CBD is packed with hidden, intimate **small bars**. Here's where to find the best of 'em.



concreteplayground.com/sydney/food-drink/drink/the-sydney-cbds-ten-best-small-bars/

2012

Life, The Australian

Surge in Sydney small bars

21 January 2012



Martin O'Sullivan, at The Grasshopper in Sydney's CBD, says business shows no signs of letting up. Picture: Ross Schultz Source: The Australian

<http://www.theaustralian.com.au/life/surge-in-small-bars/story-e6frg9zo-1226249625164>

SMH

It's Cheers all round for the bar tsars who think small

9 April 2012



Owner of York Stitch Bar on York Street, Sydney, Christophe Lehoux pours a "Skinny Love". Photo:

smh.com.au/entertainment/restaurants-and-bars/its-cheers-all-round-for-the-bar-tsars-who-think-small-20120408-1wjm3.html

Executive Style, Fairfax

Small bars, big deal

9 March 2012



executivestyle.com.au/small-bars-big-deal-1ulcw