

Ku-ring-gai Council

**986 Pacific Highway and
5 Suakin Street, Pymble**

Development Control Plan No. 52

Adopted: 26 August 2003

Effective: 14 November 2003

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1. Introduction

1.1 Name of DCP

This plan is known as Draft Development Control Plan No. 52 – 986 Pacific Highway and 5 Suakin Street, Pymble.

1.2 Where does this DCP apply?

This DCP applies to 986 Pacific Highway and 5 Suakin Street, Pymble, being Lot 1 in Deposited Plan 830320, as shown on Figure 1.

1.3 Commencement date

This DCP was adopted by Council on 26 August 2003 and took effect from 14 November 2003.

1.4 Aims of the DCP

The aims of this DCP are to:

1. Ensure that development on the site does not dominate the surrounding development and locality, by encouraging development that harmonises with and contributes to the treed landscape.
2. Ensure that sufficient landscaping is provided to contribute to the conservation and replenishment of the tree canopy of the site, including locally occurring native species suited to the site.
3. Conserve and protect endangered species (flora and fauna), the natural topography and other geographical and environmental features of the site.
4. Achieve **ecologically sustainable development**.
5. Ensure appropriate provision is made for the drainage, retention, detention, and treatment of stormwater in order to minimise impacts on neighbours, watercourses, trees and other elements of the built and natural environment.
6. Protect and minimise the impact of development on adjoining properties, particularly residential development to the north, and the natural environment.
7. Provide detailed provisions to guide development on the site.

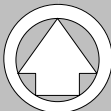
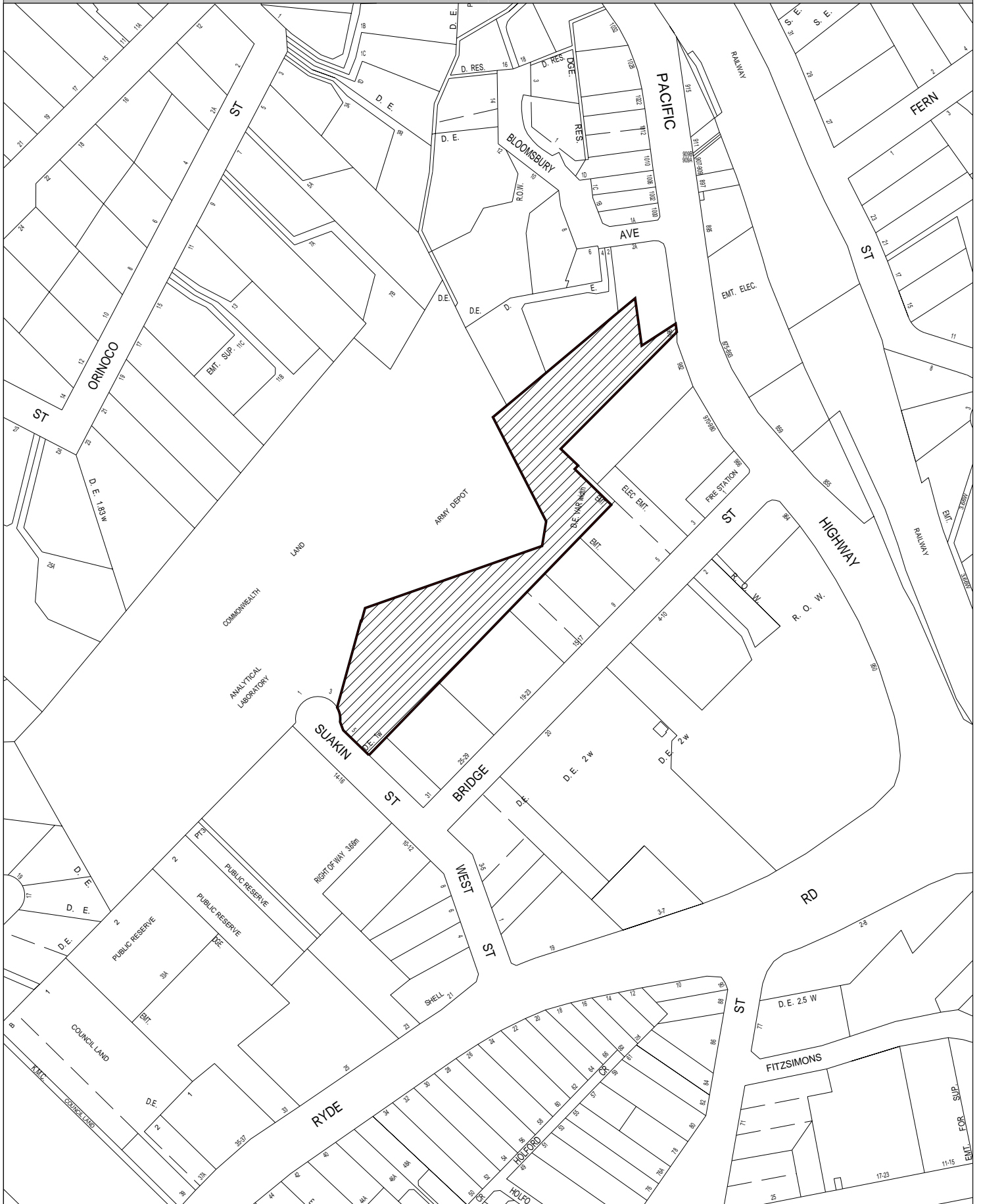
1.5 How does this DCP relate to other Council instruments and policies?

This DCP complements the statutory requirements in the *Ku-ring-gai Local Environmental Plan No. 197* and *Ku-ring-gai Planning Scheme Ordinance 1971* (as amended), by providing detailed provisions to be considered when assessing applications for development at 986 Pacific Highway and 5 Suakin Street, Pymble.

It should be read in conjunction with all other relevant DCPs, Council policies and other State Environmental Planning Policies and Regional Environmental Plans, referred to in Section 1.6.

LOCATION SKETCH

986 PACIFIC HIGHWAY & 5 SUAKIN STREET, PYMBLE



SCALE: 1:3000

DATE: 11-03-2003



SUBJECT LAND



1.6 Decision making process

1.6.1 Matters to be considered

Where applicable the following will be considered in addition to the requirements of this DCP in the assessment of a development application:

- ▶ The aims and objectives of the Environmental Planning and Assessment Act 1979;
- ▶ Section 79C, Environmental Planning and Assessment Act, 1979;
- ▶ In the case of integrated development, the requirements of other legislation relevant to the application (see other legislation referred to in the glossary definition for Integrated Development);
- ▶ Section 5A, Threatened Species Conservation Act 1995;
- ▶ Protection of the Environment Operations Act. 1997;
- ▶ Relevant State Environmental Planning Policies and Regional Environmental Plans;
- ▶ “Planning for Bushfire Protection” (PlanningNSW, December 2001);
- ▶ Ku-ring-gai Planning Scheme Ordinance 1971;
- ▶ Ku-ring-gai Local Environmental Plan No. 197;
- ▶ Council Development Control Plans, including but not limited to:
 - DCP 40 Construction and Demolition Waste Management;
 - DCP 43 Car Parking for Developments in Ku-ring-gai Council Area;
- ▶ Council policies, codes and guidelines, including but not limited to:
 - Stormwater Management Manual (December 1993), or subsequent stormwater management development control plan;
 - Landscape Management Policy 1996;
 - Cities for Climate Protection Greenhouse Action Plan; and,
 - Environmental Management System Policy and
- ▶ Submissions received from the public and referral authorities.

1.6.2 Community involvement

Public participation and community consultation are an essential part of the planning and development process. To allow community involvement in the development process, Ku-ring-gai Council has adopted a Notification Policy for development applications which provides details on:

- ▶ Who will be directly notified by mail of a development proposal;
- ▶ Applications which will not be notified; and
- ▶ The form and content of notification.

A copy of the Notification Policy is available from Council.

Neighbouring residents, businesses and land users, since they are most likely to be affected by a development, should be consulted early in the project as part of the design stage. Early consultation and discussion can lead to better acceptance of a proposal.

Where neighbours have a concern they should lodge a submission with Council, particularly if the development is deficient with regard to any of the assessment criteria outlined in this DCP. These assessment criteria include the effect of the proposed development on neighbour amenity (such as overshadowing, building bulk and privacy issues) and streetscape. Those considering making a submission may first wish to discuss the matter with a Council Development Control Officer (DCO).

All submissions made in response to a development proposal should state the name and address of the person making the submission. If the submission is an objection, the grounds for objection must be clearly stated and reasons given. Council is obliged to consider all submissions received but must balance the reasonable rights of competing interests in reaching a determination.

2. Site Analysis & Statement of Environmental Effects

2.1 Site Analysis and Statement of Environmental Effects – their interrelationship

A Site Analysis comprises a series of drawings with explanatory notes accompanied by other material (eg reports and photographs) to convey the nature of a site, the immediate locality and the broader environment. It is an essential first step in the design process for a development proposal and later will be used during the assessment period.

The objective of a site analysis is to provide a mechanism whereby the characteristics of a site and its locality can be identified and incorporated into the design process, to ensure high quality appropriate landscaping and development that is sensitive to the local environment. Plans for landscaping (which include suitable tree types and their locations), drainage (including the location of OSD) and building design (including the position, form and scale of development that can appropriately be accommodated on a site) are the three main outcomes that are derived from the site analysis.

A Statement of Environmental Effects (SEE) is an interrelated document demonstrating that a proposed design solution as submitted, has fully considered the Site Analysis and the applicable legislative framework. This framework includes the Environmental Planning and Assessment Act 1979, the Ku-ring-gai Planning Scheme Ordinance and Council's adopted development control plans and policies covering development aims, criteria and design suggestions.

2.2 Components of the Site Analysis

A site analysis is to include the following:

- ▶ Site Plan to scale (1:200 preferred) giving site dimensions, area and “true” north (12.5° West of Magnetic North).
- ▶ Contours at 1 metre intervals and/or spot levels; topographic features (eg. rock ledges, watercourses).
- ▶ Location of existing trees over 5 metres in height and/or 4 metres in canopy spread including species, trunk location and diameter at 1.5m above existing ground level, height, canopy spread and spot levels at base. Existing screen planting and other plantings of significance, including species, height, trunk location, canopy spread and spot levels at base.
- ▶ Other existing significant vegetation (eg endangered or rare species and gardens of heritage significance).
- ▶ Location of existing trees on adjoining properties, within 10 metres of the development site property boundaries, including species, trunk location and diameter at 1.5m above existing ground level, tree heights, canopy spread and spot levels at base.
- ▶ Prevailing wind directions.
- ▶ Easements for electricity, drainage and other services, rights of footways burdening or benefiting the site or adjacent site, and services within site and nature strip including poles, pits etc.
- ▶ Existing means of stormwater drainage and detention systems.

- ▶ Soil type(s) and depths, which influence selection of landscaping species.
- ▶ Location of any heritage and archaeological items.
- ▶ Location and height of existing buildings/structures on the site and paths, paving, driveways, retaining walls, fences, street crossings and kerbs/gutters.
- ▶ The visual character of the street and the built form of adjacent and nearby developments; including the architectural and landscape context with particular reference to bulk, scale and spatial relationships eg. setbacks and level of openness (streetscape issues).
- ▶ Views to and from the site (both pleasant and unpleasant).
- ▶ The relative locations and levels of the floors, eaves and ridges of adjoining buildings.
- ▶ Location of residential neighbours' private open space (ground and upper levels); windows and doors facing the subject site or otherwise closely related (eg at right angles to subject site) where solar access, privacy (visual and aural) and bulk are likely to become issues (eg overshadowing on a property immediately to the south of subject site). The above windows and doors should be shown in both plan and elevation.
- ▶ Features of other adjoining non-residential properties including driveways, external car parking areas, balconies and outdoor recreation areas.
- ▶ Extent and location of any environmentally sensitive areas including high erosion and slip areas; adjacent public open space and bushland reserves; land with a high bushfire hazard; land containing endangered ecological communities and species (flora and fauna); SEPP 19 Bushland and land within 40 metres of a watercourse.

The extent of the information to be provided in the Site Analysis should reflect the complexity and magnitude of a proposal and its likely impacts eg environmental and neighbour amenity.

2.3 Components of the Statement of Environmental Effects

The EP&A Act 1979 (Section 79C) requires that all development applications demonstrate consideration of environmental issues. The Statement of Environmental Effects is the document required to address these issues and provides evidence of measures to be taken to minimise any negative impacts of the development. The development application plans are to be in accord with the SEE and the legislative framework and during the design process need to be regularly tested against the standards and criteria contained in this DCP.

A professionally prepared and presented SEE will be required with all development applications that, amongst other matters, includes the principles of design used to achieve the aims and objectives of the DCP and satisfy the assessment criteria and design requirements, and demonstrates that:

- ▶ The tree types incorporated in the landscape plan are suited to the site and adequately contribute to the conservation of the tree canopy and biodiversity of Ku-ring-gai.
- ▶ Careful consideration has been given to solar access principles and energy efficiency.
- ▶ Other specific Council policies, codes and guidelines have been adequately addressed where they impact on the proposal.
- ▶ Mitigation measures have been incorporated where negative environmental effects are identified.

Where a design may not be able to fully or optimally satisfy all the assessment criteria and development standards established in this DCP, then any deviations must be identified and justified.

3. Site Planning & Environmental Considerations

3.1 Site Planning

Site planning is necessary to ensure the development:

- ▶ Enhances and complements Ku-ring-gai's established landscape character; and
- ▶ Enhances and responds to the site, streetscape and locality.

Site planning informs the design process by providing a site analysis plan (for existing development) to guide the design, location and orientation of any proposed buildings and landscaping. After completing the site analysis plan (for existing development) and prior to preparing the design for development it is necessary to prepare a site analysis plan (for proposed development). This plan takes account of the site analysis, environmental constraints, planning controls and preferred design concept.

Note: Site analysis plans must be included with all development applications.

3.2 Environmental Considerations

3.2.1 Objectives

1. To conserve the biological diversity of the site by retaining and supplementing remnant native vegetation and fauna habitat.
2. To contribute to the landscape character of the site and ensure that the natural environment is not dominated by the built form.
3. To discourage fragmentation of, and encourage the development of linkages between the existing tree canopy on the site.
4. To respect the natural topography.
5. To protect and improve the endangered Blue Gum High Forest and Sydney Turpentine Ironbark Forest ecological communities and threatened species under the Threatened Species Conservation Act 1995.
6. To protect and improve the ecological environment within and along nearby watercourses.
7. To manage stormwater drainage and run-off problems and potential water pollution issues.
8. To protect and enhance neighbourhood and visual character.
9. To implement best practice methods in regards to energy efficiency on the site.
10. To prevent land contamination through efficient site management practices.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

3.2.2 Tree preservation

The proposed development should be designed and located so as to retain and minimise disturbance to as many existing trees on the site as possible.

Existing trees on the site and their priority for retention are shown in Figure 2.

The proposed development should also be designed and located so as to minimise disturbance to existing trees located on adjacent properties.

This shall be achieved by:

- ▶ Positioning buildings, driveways, car parking areas and other structures outside the canopy spread of existing significant trees on and off the site;
- ▶ Avoiding cut and fill beneath the canopy spread of existing trees on and off the site;
- ▶ Avoiding adverse changes to the water table.

An Arborist Report prepared by a qualified and experienced Arborist will be required to be submitted with a development application where it is proposed to remove trees that are identified in Figure 2 as having priority or consideration for retention.

When retaining trees the root system, canopy spread, size, age and condition (health) of the tree needs to be considered. Proposed works beneath the canopy spread of trees should be avoided.

A Tree Protection Bond may be required on significant trees.

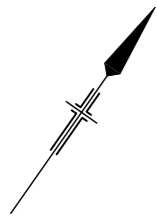
3.2.3 Remnant native bushland

Remnant native bushland on the site must be protected and preserved in recognition of its:

- ▶ Value as part of the natural heritage;
- ▶ Habitat value;
- ▶ Aesthetic value; and
- ▶ Value as a recreational, educational and scientific environmental resource.

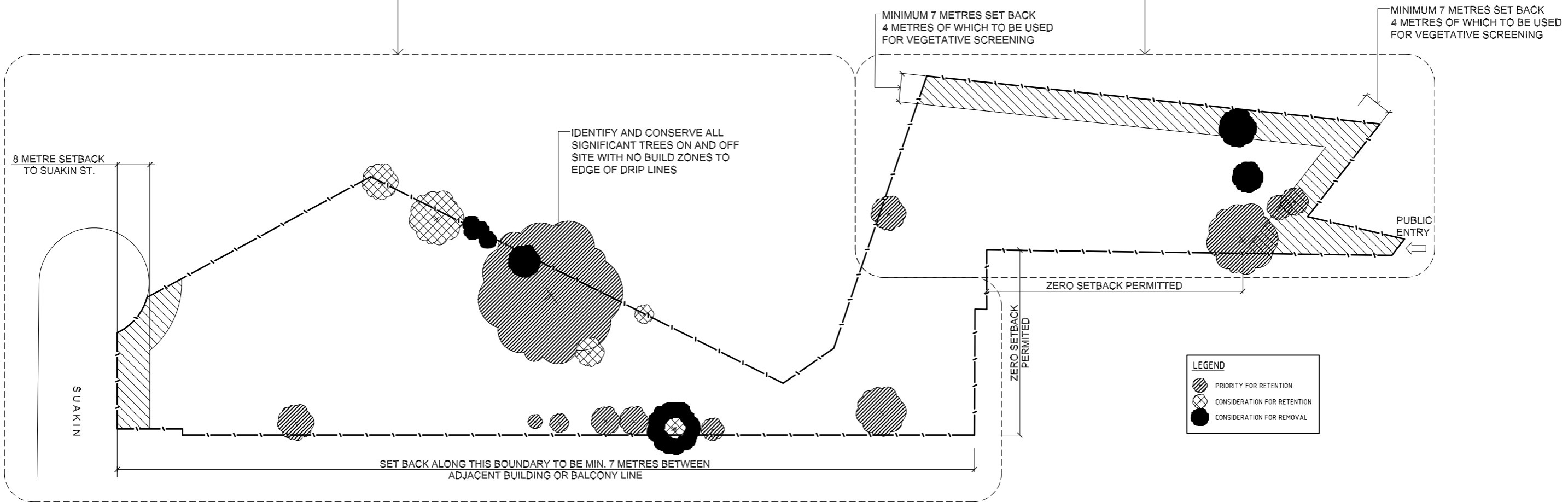
This shall be achieved by:

- ▶ Minimising disturbance to remnant native bushland;
 - ▶ Preventing run-off from the proposed development from entering the adjoining bushland, and
 - ▶ Continual Weed management.
-



OPERATIONAL ZONE

ADMINISTRATIVE ZONE



LEGEND

- PRIORITY FOR RETENTION
- CONSIDERATION FOR RETENTION
- CONSIDERATION FOR REMOVAL

SITE PLAN

No.	Revision	Checked	Approved	Date	M/Film

NOTE - INDICATES SIGNATURES ON ORIGINAL ISSUE OF DRAWING OR LAST REVISION OF DRAWING

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Title	FIGURE 2 SITE CONTROLS
Size	A1
Drg. No.	21-11700-A01
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ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

3.2.4 Biodiversity

To conserve **biodiversity** the proposed development should:

- ▶ Protect and enhance remnant native vegetation and wildlife which relies upon it for food and shelter;
- ▶ Identify and consider threatened species, populations, ecological communities and their habitats;
- ▶ Recognise the potential and value of preserving local seed banks in the soil in-situ.

This shall be achieved by:

- ▶ Creating a buffer zone between development and remnant habitat to conserve landscape and habitat;
- ▶ Preserving local seed banks in the soil and avoid the introduction of foreign soils.

Note: If threatened species, populations or ecological communities, or their habitats are potentially located on a development site, then an 8-part Test (under Section 5A of the Environmental Planning and Assessment Act 1979) will be required to be completed by a qualified and experienced person (in accordance with Division 2 of Part 6 of the NSW Threatened Species Conservation Act 1995).

3.2.5 Bushfire hazard

The site is identified as bushfire prone on Council's Bushfire Prone Land Map. Buildings shall therefore be sited to minimise potential bushfire hazard.

Deep soil landscaping must ensure that species to be planted act to minimise bushfire hazard.

This shall be achieved by locating the proposed buildings to ensure that an appropriate Asset Protection Zone (APZ) is provided, the size of the APZ is determined by the level of bushfire hazard on or adjacent to the site, slope and building construction and design.

Plantings on the site shall be predominantly native and indigenous. A dense shrub layer should be avoided.

Development is to comply with the relevant provisions of the Planning NSW document "Planning for Bushfire Protection December 2001".

3.2.6 Natural landscape

Development shall not unreasonably intrude or otherwise impact upon the natural features in the landscape, particularly on ridge-tops, rock formations, water courses, sloping sites, vegetation or bushland either located on-site or on adjoining property

This shall be achieved by:

- ▶ Preserving existing natural features;
- ▶ Designing to reflect the slope of the land. It is desirable to leave steeply sloping parts of the site in their natural state;
- ▶ Considering the height, colour and roof pitch of the proposal to ensure the proposal does not dominate the surrounding area.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

3.2.7 Operational noise

Development on the site shall limit the impact of operational noise on surrounding land uses.

A noise impact assessment shall be prepared in accordance with the NSW EPA's Industrial Noise Policy and submitted as part any development application for the site.

4. Design Elements

The following design elements provide guidance on a wide range of matters and requirements that need to be considered and provided for in the early stage of the design and development process.

Each of the six design elements has three components:

- ▶ A set of objectives;
- ▶ Assessment criteria; and
- ▶ Design requirements.

The "objectives" specified for each design element represent the outcomes that Council wishes to achieve.

The "assessment criteria" represent a means of assessing whether the desired outcomes will be achieved. The assessment criteria contained in this DCP provide both prescriptive and performance based requirements. Consideration will be given to how well each of these criteria (where relevant) has been addressed by the applicant or designer when determining an application under this plan.

The "design requirements" have been included in certain areas, prescribing the minimum standards by which the application will be evaluated.

4.1 Streetscape

4.1.1 Objectives

1. To ensure that development is sensitive to the landscape setting, environmental conditions and established character of the street and locality.
2. To ensure that the appearance of new development on the site is of high visual quality, enhances the streetscape and complements good quality surrounding development.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.1.2 Public domain and communal spaces

Development should provide a positive contribution to the public domain and all areas shared by the community.

This shall be achieved by ensuring that development:

- ▶ Is of an appropriate scale retaining consistency with the surrounds when viewed from the street, public domain or adjoining development; and
 - ▶ Integrates built form and soft landscaping (gardens and trees) within the tree canopy that links the public and private domain throughout the locality.
-

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.1.3 Integrating streetscape character

The site represents an important transition between commercially-zoned properties to the south-east, south and south-west, and the residentially-zoned properties to the north.

Development should therefore recognise the unique responsibility to ensure that the visual, scenic and environmental qualities of the locality are maintained.

This should be achieved by:

- ▶ Carefully integrating development into the existing landscape through the site planning process and avoiding tall and bulky structures;
 - ▶ Choosing external colours and finishes that are sensitive to the site and locality;
 - ▶ Retaining significant landscape and vegetation elements;
 - ▶ Considering views to the site as well as from the site; and
 - ▶ Softening visual impact by extensive landscaping including larger trees and shrubs endemic to the region.
-

4.2 Building form

4.2.1 Objectives

1. To ensure that the bulk, scale and height of the proposed development do not dominate the natural landscape, existing streetscape, nor adversely impact on the tree canopy vista.
2. To ensure that building bulk, height, location and footprint provide for sufficient deep soil landscape area for planting and retention of large canopy trees.
3. To ensure that there is adequate separation between development on the site and adjoining development to reduce overlooking and overshadowing.
4. To protect reasonable neighbour amenity including visual and acoustic privacy particularly in regard to living areas and private open space of residential dwellings, and outdoor recreation areas of commercial properties.
5. To encourage well designed, attractive and site responsive buildings.
6. To achieve consistency with the principles of ecologically sustainable development.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.2.2 Siting of buildings and structures

The site is irregular in shape which imposes a number of constraints for siting of buildings and structures.

Buildings and structures are to be sited to minimise impact on surrounding properties while allowing for efficient utilisation of land.

The upper part of the site (the **administrative zone**), near the Pacific Highway and adjoining residential development, is to be used for administrative purposes. Noise-generating operational uses are to be located on the lower part of the site (the **operational zone**), near Suakin Street and adjoining commercial development. See Figure 2.

Buildings in the **administrative zone** are to address the Pacific Highway, with a defined public entrance. Landscaping is to complement this public entrance.

Create a series of buildings on the site, rather than one continuous building down the site.

Buildings, particularly those in the **administrative zone**, are to be oriented to the north for solar access and efficient energy performance.

4.2.3 Building setbacks

Development should be appropriately located on site to:

- ▶ Ensure the amenity of neighbouring properties is maintained or enhanced;
- ▶ Allow for the provision of landscaping and provide room for additional tree plantings to grow to maturity;
- ▶ Facilitate solar access;
- ▶ Protect significant vegetation;
- ▶ Facilitate efficient use of the site;
- ▶ Minimise bushfire hazard by preserving an "Asset Protection Zone" (where development is adjacent to high bushfire hazard areas); and

Side setbacks to residentially-zoned land should allow for significant landscaping to provide visual screening, having regard to the need to minimise bushfire hazard.

Building Line (Front Setback)

The minimum setback to Suakin Street is 8 metres.

Buildings are not to be erected within the access handle to the Pacific Highway.

Side Setbacks

Side setbacks are illustrated in Figure 2.

Setbacks to residentially-zoned land to the north shall be a minimum of 7 metres. Within this 7 metre setback, the first 4 metres adjacent to residential properties is to be landscaped appropriately to provide vegetative screening while minimising bushfire hazard. The remaining 3 metres is to be a fuel free zone, and can be used for vehicle circulation.

Zero setbacks are permitted to 982 Pacific Highway.

A minimum setback of 7 metres is to be maintained from existing adjoining buildings on Bridge Street, including balconies.

Setbacks to the Commonwealth property to the north-west are to be determined by identifying all significant trees on and off the site, with no buildings or structures to be erected within the canopy spread of these trees.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

Limit potential impacts of electric and magnetic fields (EMF) emitted from the neighbouring electricity substation.

Consultation is to take place with Energy Australia to ensure that the proposed development on the site would satisfy any recognised guidelines for safe human exposure to EMF emanating from the substation at 982 Pacific Highway. This evidence must be presented as part of any development application for the site.

4.2.4 Floor space ratio (FSR)

Floor space ratio is the **total floor space area** of the building expressed as a ratio to the site area.

The FSR for the site is 1:1.

The maximum permissible FSR is subject to site constraints and the design objectives of this DCP and so may not be fully realised.

The FSR control has the intention to:

- ▶ Ensure the scale of new development is not excessive and relates well to the local context and streetscape; and
- ▶ Limit the bulk of new development so that it does not dominate the treed landscape of the locality and there is sufficient space on the site for the provision of an adequate number of medium to large trees.

4.2.5 Height of buildings

The intention of the building **height** control is to:

The maximum **height** of buildings in the **operational zone** is 15 metres, measured from **existing ground level** to the highest point on the building.

The maximum **height** of buildings in the **administrative zone** is 12 metres, measured from **existing ground level** to the highest point on the building.

- ▶ Limit the **height** of buildings so that they do not dominate the treed landscape;
- ▶ Limit the extent of overshadowing and visual and aural intrusion on adjoining properties, particularly adjoining residential dwellings;
- ▶ Maintain compatibility with adjoining buildings; and
- ▶ Provide for a variation in building heights across the site having regard to the characteristics of adjoining development.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.2.6 Relationship with adjoining residential dwellings

Development should avoid the creation of an overbearing effect upon adjoining residential development in order to:

- ▶ Maintain the relative scale relationship between buildings; and
- ▶ Encourage increased setback with increased height.

This shall be achieved by:

- ▶ Ensuring appropriate side setbacks and landscaping are incorporated in the design; and
- ▶ Compliance with a **building height plane** projected at an angle of 30° from a point 1.5 metres above **existing ground level** at the boundary of the land with a residential zone, up to the maximum height of 12 metres.

4.2.7 Roof line

All buildings on the site are to have pitched roofs, to integrate with the surrounding residential development.

Pitched roofs are to be provided to all buildings. The minimum roof pitch is 12.5°. Broad eaves are to be provided.

Flat roofs and box gutters are not permitted.

4.2.8 Built-upon area

Development should maintain a reasonable proportion of the site as deep soil landscaping to ensure that the landscape character of the locality is maintained or enhanced. Requirements for deep soil landscaping are specified in Section 5.3.2.

The maximum permissible **built-upon area** is 75% of the site area.

4.2.9 Design

Development should be sympathetic in scale and mass to surrounding development.

Development should incorporate architectural relief and modulation of facades to avoid a bulky appearance.

This shall be achieved by the following:

- ▶ No unrelieved walls in excess of 18 metres in length. Windows, brick features and painting are not considered to be relief;
 - ▶ Where walls exceed 4 metres in height, no unrelieved walls in excess of 12 metres are permitted;
 - ▶ Substantial articulation of wall recesses;
 - ▶ Incorporating variations in elevations to provide visual interest to buildings; and
 - ▶ The use of appropriate horizontal elements such as planter boxes, particularly on the external face of above-ground car parking areas.
-

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.2.10 Solar access

The design and siting of development should:

- ▶ Maintain a reasonable level of solar access to windows and outdoor recreation areas of adjoining properties;
- ▶ Provide a reasonable level of solar access to internal work areas of the development; and
- ▶ Provide sun protection with the use of sun shading devices and by placement of appropriate canopy trees.

This shall be achieved by:

- ▶ Maintaining a minimum 7 metres setback from adjoining office buildings, including balconies;
- ▶ Careful siting and orientation of buildings;
- ▶ The careful placement of deciduous or tall high canopy trees.

Shadow diagrams must accompany development applications.

4.2.11 Energy efficiency

The proposed development should be energy efficient.

Development should adopt passive energy principles in site layout and building design and provide:

- ▶ A northerly orientation for work areas;
- ▶ Natural light to internal work areas;
- ▶ The benefits of thermal mass;
- ▶ Access to winter sun and summer shade by appropriate location of windows and shading elements, eg trees;
- ▶ Cross ventilation;
- ▶ Controls or measures to prevent unnecessary heat gain or loss and therefore minimise artificial heating and cooling;
- ▶ Solar water heating; and
- ▶ Careful selection and location of trees and shrubs around the curtilage of buildings.

All administration/office buildings are to achieve a minimum 4.5 star rating under the Australian Building Greenhouse Rating scheme.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

4.2.12 External finishes

The colour and surface finish of external building materials should minimise the overall visual impact of new development and be sympathetic to the surrounding locality and blend with the natural environment.

This shall be achieved by:

- ▶ Use of a variety of building materials to articulate elevations and avoid monolithic appearance of structures;
 - ▶ A maximum of 80% of any external wall elevation to be metal cladding;
 - ▶ Use of colours and building materials that are in keeping with the surrounding native vegetation. Extensive use of bright or primary colours is not permitted; and
 - ▶ Use of non-reflective glass on buildings.
-

4.2.13 Construction for bushfire hazard

As the site is identified as being bushfire prone, building design and construction materials must adopt measures to minimise potential hazard.

This shall be achieved through the incorporation of specific design techniques, for example:

- ▶ Fixed windows screened with external non-corrosive metal wire screens or fitted with toughened, laminated or safety glass;
- ▶ Eaves enclosed with the fascia sealed;
- ▶ Non-combustible roof cladding such as metal sheet or tile;
- ▶ Fully sarked roof with an approved flame retardant material;
- ▶ Leaf-proof guttering or designs without gutters;
- ▶ Provision of water tanks, sprinkler systems and pumps.

Development must comply with Australian Standard AS 3959 Construction of Buildings in Bushfire Prone Areas.

4.2.14 Building materials

Consideration should be given to the life-cycle of products used (that is, the cradle-to-grave impacts across the design life of structures).

Use raw materials that will have a minimal impact on the natural environment during their growth, extraction, use and disposal. For example:

- ▶ Avoid treated timbers for internal use; and
- ▶ Use plantation rather than old growth timbers.

Design should include ecologically sustainable principles.

Building materials used are to have “low embodied energy”.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.2.15 Signage

Signage is to be designed to be compatible with the adjoining built and natural environment.

Any proposed signage should be in scale with signage on adjacent properties and of lower dominance to the scale of built form.

4.3 Open space and landscaping

4.3.1 Objectives

1. To maintain or enhance the predominant tree canopy of the site and surrounding locality.
2. To enhance the viability of bio-diversity within Ku-ring-gai by having a proportion of planting in new development that provides biolinkages between bushland reserves and by retaining remnant vegetation and wildlife habitats.
3. To encourage replanting of locally occurring native plant species from locally collected seed.
4. To facilitate the transpiration of groundwater to the atmosphere by planting suitable canopy trees.
5. To achieve effective management of stormwater drainage and run-off .

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.3.2 Deep soil landscaping area

The area of the site that is not built upon shall be maximised to:

- ▶ Provide deep soil landscaping;
- ▶ Avoid the creation of drainage and run-off problems; and
- ▶ Allow for screen planting between buildings on and off the site.

The minimum **deep soil landscape area** is 25% of the site area.

4.3.3 Landscape character

The landscape character of the site is dominated by tall native vegetation on a sloping site, linking the Pacific Highway to Suakin Street. Development should enhance this landscape character.

This should be achieved by:

- ▶ Siting buildings to minimise impact on existing significant trees, both on and off the site;
 - ▶ Ensuring existing significant trees on and off the site are retained and complemented by planting of new trees of the same potential height;
-

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

- ▶ Retaining a corridor of vegetation through the site and, where possible, minimising the extent of hard stand areas; and
- ▶ Designing building form to maintain the visual dominance of the tree canopy.

4.3.4 Biodiversity

Proposed landscaping works shall protect and enhance native vegetation to conserve and promote biodiversity.

This should be achieved by:

- ▶ Minimising disturbance to existing significant vegetation on the site and adjoining properties;
- ▶ Planting the site with an appropriate selection of non-invasive plant species, including native and locally occurring trees, grasses and groundcovers; and
- ▶ Weed management, including the removal of noxious weeds, urban and environmental weeds and nuisance plants, as per Council's Weed Management Policy.

4.3.5 Bushfire hazard

As the site is identified as bushfire prone land, careful selection of plant species is necessary to minimise bushfire risk.

Landscape design and planting shall incorporate measures to minimise potential hazard, such as planting endemic species and minimising planting of shrub undergrowth.

Refer to Council's Landscape and Planting Guidelines for bushfire prone areas.

4.4 Access and parking

4.4.1 Objectives

1. To provide only the required number of car parking spaces on site that is necessary for the proposed development, having regard to the need to encourage the use of public transport and minimise the impact of development on the surrounding road network.
2. To encourage the integrated design of vehicle access and functional car parking facilities to minimise adverse visual and environmental impacts on the streetscape.
3. To minimise stormwater runoff from driveway surfaces and rooftop car parking areas.
4. To minimise the extent of hard stand areas on the site.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

4.4.2 Number of spaces

The number of parking spaces provided shall be determined by a detailed traffic, access and parking study, having regard to the requirements of the particular uses proposed for the site and the objectives in Section 4.4.1.

Adequate space shall be provided for the parking of operational and staff vehicles.

Council's Car Parking DCP No. 43 requires the provision of 1 space per 33 square metres of gross floor area for commercial and office buildings. This rate should be considered in determining car parking provision for any office and administrative buildings.

The rate of on-site private vehicle parking provision for operational staff is to be addressed in the detailed traffic, access and parking study.

Provision of parking for operational vehicles shall be determined having regard to the actual number of vehicles required to be parked on site. Details are to be provided with the Traffic, Access and Parking Study to be submitted with the development application.

4.4.3 Size of spaces

Parking spaces and parking areas need to be of sufficient size to accommodate the vehicles that are proposed to be parked on site.

Refer to Council's Car Parking DCP for dimensions of parking spaces and areas.

Dimensions of parking spaces and areas for operational vehicles are to be determined having regard to the size and type of operational vehicles, in particular turning circles and swept paths. Details are to be provided with the Traffic, Access and Parking Study to be submitted with the development application.

4.4.4 Design of above ground parking areas

Above ground parking areas should not dominate the site or the streetscape.

The design of above ground parking areas should be sympathetic to adjoining residential development.

All above ground parking areas are to be roofed. Flat roofs are not permitted. See also Section 5.2.6.

Appropriate articulation is to be provided to external walls of above ground parking areas, through use of a variety of building materials and colours.

Vehicle ramps to above ground parking areas are not to be visible from Suakin Street or the Pacific Highway.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

4.4.5 Vehicular access and circulation

Vehicular movement to and from the site should be designed to reduce potential conflict with street traffic and pedestrians and optimise safety.

A detailed traffic, access and parking study shall be submitted with any development application, demonstrating consideration of access issues. Consultation with RTA should occur during preparation of this study.

Vehicles are to be able to enter and exit the site in a forward direction.

All vehicular access to the site should be via Suakin Street

Internal vehicle circulation should be designed to minimise the potential conflict between passenger vehicles and operational vehicles

Internal vehicle circulation is to be designed in accordance with Australian Standard AS 2890.

Note: The traffic, access and parking study shall include an assessment of the impact of any proposed development on the intersections of Bridge Street/Pacific Highway, Suakin Street/West Street and West Street/Ryde Road

4.4.6 Pedestrian access

Safe pedestrian access is to be provided through the site for employees and visitors, including access for people with a disability.

Pedestrian access to office or administrative buildings in the **administration zone** is to be provided from the Pacific Highway. Consideration should also be given to location of safe pedestrian access to buildings and areas in the **operational zone**.

An accessible path of travel is to be provided to the administration building from the Pacific Highway and staff and visitor car parking areas. Refer to Australian Standard AS 1428.

4.5 Water management

4.5.1 Objectives

1. To provide for on-site water management that is appropriate to the site and its surroundings and that is integrated into the overall design of the development.
2. To ensure the volume, frequency and quality of stormwater discharged from the site closely matches that which would come from a natural area.
3. To ensure percolated and contaminated water is separately captured and reused on site.
4. To manage and conserve Ku-ring-gai's natural and built waterways and environments.
5. To enhance the predominant landscape quality of Ku-ring-gai.
6. To ensure an urban environment with a high standard of amenity and safety.
7. To minimise wastage of water by reusing, recycling and harvesting stormwater.
8. To encourage reduced water consumption.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

4.5.2 Stormwater retention and detention

On-site stormwater retention and/or detention is required to ensure development does not:

- ▶ Increase the impact of flood events;
- ▶ Increase the impact of runoff on neighbouring properties; or
- ▶ Adversely affect the integrity of natural waterways, groundwater and ecosystems.

A comprehensive Storm Water Management Plan shall be submitted as part of any Development Application. The plan is to include an investigation of the treatment of ground water and surface run off to maximise opportunities for its reuse on the site as a source of non-potable water.

Refer to Council's Stormwater Management Manual (December 1993), or subsequent stormwater management development control plan.

Stormwater management design is to demonstrate consideration for the existing capacity of the public drainage system.

Stormwater management is to be integrated with the overall site design and reflect the analysis of the site.

Stormwater management is to be designed, constructed and maintained in accordance with recognised engineering practices.

Stormwater management measures are to be incorporated that are effectual for the duration of their existence.

Efficient re-use of stormwater is to be incorporated.

Contaminated water from sub-ground drainage or first flush surface runoff should be captured and treated to an appropriate standard for re-use. The treated water should be stored for re-use on site.

Above ground car parking areas, was down bays and material storage areas are to be roofed to avoid contamination and the need to treat stormwater at a secondary level.

4.5.3 Water conservation

Water conservation devices should be installed as part of the development.

Landscape design should have regard to water conservation principles and the storage, dispersal and discharge of stormwater.

Any development on the site should include AAA (or higher) rated water conservation devices such as dual flush toilets, shower head fittings and tap fittings.

Refer to the requirements of Council's Stormwater Management Manual (December 1993), or subsequent stormwater management development control plan.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

4.5.4 Rainwater tanks

Rainwater tanks for capture of stormwater from roofs are to be incorporated into the development.

Captured rainwater is to be used for outdoor use and toilet flushing.

Rainwater tanks are to be designed and located so as to minimise visual impact from the street or adjoining residential development. Location is to be determined having regard to the use of captured rainwater.

Rainwater tanks are to be suitably sized so as to be used for outdoor use and toilet flushing.

Refer to the requirements of Council's Stormwater Management Manual (December 1993), or subsequent stormwater management development control plan.

5. Managing Construction

5.1 Site management

5.1.1 Objective

To minimise site disturbance during construction or demolition in order to preserve the various natural elements and habitats such as soil profile and vegetation.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

5.1.2 Measures to minimise site disturbance

Site organisation during construction should prevent unwarranted soil compaction, erosion and damage to vegetation.

At a minimum, this must be achieved by:

- ▶ Provision of tree protection areas;
 - ▶ Restricting machinery and vehicle movement to the building footprint and access corridor;
 - ▶ Excavating from inside proposed building area to avoid excavation beyond the building area;
 - ▶ Locating drainage lines close to the building within previously excavated areas;
 - ▶ Confine storage areas to previously disturbed parts of the site, away from the drip line of trees to be retained;
 - ▶ Preparation of a site management plan showing tree protection areas, machinery usage zones, storage areas and location of stormwater pollution barriers, which is to be submitted prior to construction commencing.
-

5.2 Pollution control

5.2.1 Objective

To ensure that pollution does not increase as a result of works.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

5.2.2 Sediment and stormwater control

Sediment and run-off from development sites should be controlled to minimise pollution of the local area.

All stormwater and sediment controls shall be undertaken in accordance with Council's Stormwater Management Manual (December 1993), or subsequent stormwater management development control plan.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

5.2.3 Air pollution

Air borne particulates and hazardous emissions must be controlled to minimise pollution.

This is achieved by:

- ▶ Minimising the area of site disturbance and retaining existing vegetation;
 - ▶ Damping stockpiles of soil and other exposed areas;
 - ▶ The use of cloth (eg shade cloth) around the perimeter of the site to reduce wind speed; and
 - ▶ Maintaining machinery to manufacturer's requirements to reduce hazardous emissions.
-

5.3 Waste and resource management**5.3.1 Objective**

To save resources by minimising waste at the construction stage.

ASSESSMENT CRITERIA**DESIGN REQUIREMENTS**

5.3.2 Measures to save resources and minimise waste

A complete waste management plan is to be submitted to Council.

Refer to DCP 40 Construction and Demolition Waste Management 1998.

Measures to incorporated include:

- ▶ Ordering the correct quantities of materials;
 - ▶ Prefabrication of materials;
 - ▶ Careful consideration of design to reduce the need for off-cuts;
 - ▶ Co-ordination and sequencing of various trades;
 - ▶ Careful source separation of off-cuts and surplus materials to facilitate re-use, resale or recycling;
 - ▶ Allocating areas of the site for specific purposes such as the storage of materials, stockpiling of topsoil and vehicle movement;
 - ▶ Re-using weed and disease free soil stockpiled during construction; and
 - ▶ Chipping vegetation that is removed for future use as mulch in garden areas.
-

5.4 Tree protection

5.4.1 Objective

To ensure the protection of existing trees from any impacts of construction.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

5.4.2 Tree protection measures

Appropriate measures shall be implemented and maintained to ensure the long term preservation of trees to be retained.

This can be achieved by:

- ▶ Installing tree protective fences;
 - ▶ Installing trunk protection where fencing is impossible;
 - ▶ Installing temporary measures to avoid soil compaction (eg rubble boards, gravel beds, mulching); and
 - ▶ Ensuring no storage, disposal of materials or movement of construction vehicles beneath the canopy spread of any tree.
-

5.5 Noise control

5.5.1 Objective

To protect the amenity of the surrounding locality by ensuring that persons living or working in the neighbourhood of the site are not exposed to offensive noise or noise at unreasonable hours.

ASSESSMENT CRITERIA

DESIGN REQUIREMENTS

5.5.2 Construction hours

Working hours on building sites should be restricted to ensure that noise is not generated outside approved working hours.

Construction is to be restricted to between the hours of 7.00am to 5.30pm Monday to Friday and between 8.00am and 12 noon on Saturdays. No work shall be performed on Sundays or public holidays.

5.5.3 Noise limits

Noise generation limits should be set to ensure that noise nuisance does not occur. Construction activity to be in accordance with EPA guidelines.

Refer to Council's Code for the Control of Noise on Building Sites.

6. Administration

6.1 Submitting an application

The following information must be submitted as part of an application:

- ▶ A completed application form, signed by the owner of the land or accompanied by the written authority of the owner to lodge the application (including where appropriate the company seal or seal of the body corporate).
- ▶ Application fees as outlined in section 7.4.
- ▶ A site analysis as outlined in section 3, including a statement of how the proposed development has addressed the site constraints identified and the effects on the neighbouring properties and the requirements of this DCP.
- ▶ A professionally prepared survey or site plan at a scale of 1:200 showing:
 - site dimensions;
 - changes of levels on the site;
 - the position of buildings on the site and adjoining sites and the ridge-lines and eaves levels of those buildings. (All levels should be related to levels on the road fronting the site);
 - existing trees and vegetation over 5 metres in height and/or 4 metres in canopy spread, showing canopy spread of trees, trunk location and diameter at 1.5m above existing ground level and ground levels at the base of the trunk;
 - spot levels of street frontage including road gutter; and
 - easements for drainage and services affecting or benefiting the subject property.
- ▶ Architectural plans (3 copies) at a scale of 1:100 showing:
 - dimensions and reduced levels of all floors and ridge-lines;
 - detailed floor plans;
 - all elevations and relevant sections.
- ▶ Notification plans (8 copies, A4 size) with the scale defined showing the location, height and external configuration of the proposed development and relationship to neighbouring properties.
- ▶ A waste management plan prepared in accordance with Council's policy.
- ▶ A statement of environmental effects which:
 - explains how the proposal has resolved the relevant items contained in section 79C of the Environmental Planning and Assessment Act 1979;
 - explains how the project design has responded to the information contained in the site analysis; and
 - demonstrates that the intent of the criteria has been satisfied.
- ▶ A completed checklist demonstrating compliance with all the requirements of this Development Control Plan.
- ▶ A detailed traffic and parking study detailing the impacts of the proposal on the surrounding road network and justification for the number of car parking spaces provided.

- ▶ A landscape plan showing the location of existing trees, indicating those that are to be retained and proposed landscaping of the completed development. See Council's brochure "Preparing a landscape plan".
- ▶ A stormwater management plan specifying the proposed method of draining the site and provision of on-site stormwater retention and/or detention. Location, diameter, invert levels and specification of all proposed piping with supporting calculations is to be included. See Council's Stormwater Management Policy (1993) or subsequent water management development control plan.
- ▶ Evidence of the achievement of a minimum 4.5 star rating under the Australian Building Greenhouse Rating scheme.
- ▶ Shadow diagrams for all buildings with walls over 5m in height above existing ground level showing the effect of 9am, 12 noon and 3pm shadows during mid-winter.
- ▶ An erosion and sediment control plan.
- ▶ Full driveway longitudinal section.

For further information, refer to the document "Applications to erect buildings: Information for Applicants", available from Council.

6.2 Other approvals

In addition to development consent, the following activities may require separate approval from Council or other Authorities:

- ▶ Demolition (if not already included in your application);
- ▶ Tree removal;
- ▶ Placement of building materials;
- ▶ Placement of waste container or trailer;
- ▶ Hoardings;
- ▶ Signs; and
- ▶ Integrated Development.

6.3 Variations to standards

A variation to any development standard of the Ku-ring-gai Planning Scheme Ordinance necessitates the submission of a SEPP 1 Objection signed by the applicant outlining why compliance with a particular development standard is unreasonable or unnecessary.

Standards specified in this DCP may in some circumstances be considered inappropriate for various reasons. In such cases written reasons for a departure from the DCP standard should be submitted.

7. Glossary

Administrative zone the area identified on Figure 2 as “Administrative Zone”.

Biodiversity the variety of life forms, plants, animals and micro organisms. It is usually considered at three levels: genetic diversity; species diversity; and ecosystem diversity (See also Ecologically Sustainable Development).

Building height plane spatial area calculated by projecting an angle of 30 degrees over the actual land to be built upon, from a vertical height of 1.5 metres above existing ground level at any boundary of the site.

Built upon area the area of a site containing any built structure (whether covered or uncovered), any building, carport, terrace or pergola, hard-surface recreation area, driveway, parking area or any likely structure, but excluding minor landscape features.

Bushland land on which there is vegetation which is either a remnant of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

Character the expression of qualities which distinguishes one thing from others; a significant landscape or streetscape feature.

Deep soil landscape area that part of the sit area that:

- a) has no structure whatsoever, whether below or above the surface of ground (except for paths up to 1m wide);
- b) is at least 2 metres wide; and
- c) is not used for car parking.

Design elements the main issues to be considered in the design process.

Development the erection of any building, the carrying out of any work in, on, over or under the land, the use of the land or building or work thereon and the subdivision of land.

Development Control Plan (DCP) document prepared in accordance with the Environmental Planning and Assessment Act 1979 and regulations.

Development standards provisions in an environmental planning instrument which specify requirements that a particular development must achieve.

Ecologically sustainable development (ESD) development that uses, conserves and enhances the community’s resources so that ecological processes, on which life depends, are maintained and the total quality of life now and in the future can be increased (source: National Strategy for Ecologically Sustainable Development, 1992).

ESD is essentially about creating a system which is self sustaining in the long term. It is more a process than a product. It incorporates conservation principles and practices into the development process, so that a sustainable balance between environmental and economic objectives can be achieved.

There are three principles that can assist in achieving ESD:

- ▶ The precautionary principle: if there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- ▶ Inter generational equity: the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations; and
- ▶ The conservation of biological diversity and ecological integrity.

Enhance to raise to a higher degree, intensify, magnify; to raise the value.

Environment the conditions and influences under which any species lives or develops (natural, built or social).

Existing ground level the level of a site before development is carried out on the site under this plan. This does not include any level that has been created without the approval of the Council where this would otherwise be required.

Floor Space (see Total Floor Space Area)

Floor Space Ratio in relation to a site, means the ratio of the total floor space area of any building or buildings to the site area of the development which contains or comprises the building or buildings.

Height in relation to a building, height is the distance measured vertically from any point a building to the existing ground level immediately below that point.

Indigenous canopy tree a native species which naturally occurs on the parent soil material pertaining to the site, attaining a height of at least 13 metres, or 10 metres in sandstone areas.

Integrated Development is development (not being complying development) that, in order to be carried out, requires development consent and an approval under one of the following Acts in order to be carried out:

- ▶ Fisheries Management Act 1994;
- ▶ Heritage Act 1977;
- ▶ Mine Subsidence Act 1961;
- ▶ National Parks and Wildlife Act 1974;
- ▶ Rivers and Foreshores Improvement Act 1948;
- ▶ Roads Act 1993;
- ▶ Soil Conservation Act 1938;
- ▶ Waste Avoidance and Resource Recovery Act 2001; or
- ▶ Water Act 1912.

Objectives statements that define intent.

Operational zone the area identified on Figure 2 as “Operational Zone”.

Public place includes roadway, public reserve, national park, waterway or other open space accessible to the general public.

Setback means:

- ▶ in the case of setback from residential boundaries or the street frontage, the distance between the boundaries of a site and the external wall of a building erected or proposed to be erected; or
- ▶ in the case of setback from buildings on adjacent commercial properties, the distance between the external wall of a building on an adjoining property, including balconies, and the external wall of a building erected or proposed to be erected.

Site analysis the process of identifying and analysing key features of the site and immediate surroundings to assist in understanding how future buildings will relate to each other and to their locality.

Site area the area of land contained within the title boundaries of the site or the area of land to which an application for consent relates. It excludes an access corridor to the site, such as the area of any access handle in the case of hatchet (battle-axe) shaped lots.

Total floor space area means the sum of the areas of each floor of the building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1400 millimetres above each floor level, but excluding:

- ▶ columns, fin walls, sun control devices, awnings and any other elements, projections or works outside the general lines of the outer face of the external walls; and
- ▶ lift towers, cooling towers, machinery and plant rooms, ancillary storage space and air conditioning ducts; and
- ▶ car parking needed to meet any requirements of the Council and any designated internal vehicular or pedestrian access thereto; and
- ▶ space for the loading and unloading of goods; and
- ▶ internal public arcades and thoroughfares, terraces and balconies with outer walls less than 1400 millimetres high.

Tree a woody plant greater than 5 metres in height or with a branch spread exceeding 4 metres.

