

SECTION 1 INTRODUCTION

1.1 NAME OF THIS DEVELOPMENT CONTROL PLAN

This plan is known as North Sydney Development Control Plan (DCP) 2013. The DCP was adopted by Council on 2 September 2013 and came into effect on 13 September 2013.

1.2 WHERE THIS DEVELOPMENT CONTROL PLAN APPLIES

This DCP applies to land identified in the Land Application Map to North Sydney Local Environmental Plan 2013 (NSLEP 2013).

1.3 RELATIONSHIP TO OTHER PLANS AND POLICIES

This DCP is to be read in conjunction with NSLEP 2013. If there is any inconsistency between this DCP and the LEP, the LEP will prevail.

This DCP repeals the following DCPs pursuant to cl.22 of the Environmental Planning and Assessment Regulation 2000:

- (a) North Sydney DCP 2002;
- (b) North Sydney Development Control Plan No. 1;
- (c) D.C.P. No. 25 Child Care in Commercial Zones;
- (d) D.C.P. No 31 - Outdoor Advertising;
- (e) D.C.P. No 34 - Brothels and Adult Services;
- (f) D.C.P. No 35 - Notification;
- (g) D.C.P. No 36 - Telecommunications;
- (h) D.C.P. No 39 - Access and Mobility;
- (i) D.C.P. No 40 - Boarding Houses; and
- (j) D.C.P. No 41 - Contaminated Land.

This DCP is also to be read in conjunction with the following:

- (a) Environmental Planning and Assessment Act, 1979 ([EP&A Act 1979](#));
- (b) Environmental Planning and Assessment Regulation 2000 ([EP&A Regulation 2000](#));
- (c) Relevant State Environmental Planning Policies (SEPPs) and deemed SEPPs;
Note: It is advised to check www.legislation.nsw.gov.au for the most current list and version of applicable SEPPs.
- (d) [Local Government Act 1993](#);
- (e) Building Code of Australia (BCA);
- (f) Relevant Australian Standards as identified throughout this DCP;
- (g) Land and Environment Court Planning Principles (refer to Part A: Section 1.11); and
- (h) Any other policy or document identified for consideration throughout this DCP.

1.4 SAVINGS PROVISION

North Sydney DCP 2002 continues to apply if one or more of the following instances occurs:

- (a) if a development application was lodged with Council, but had not finally been determined before this DCP came into effect, or

- (b) if a development application applies to land deferred from NSLEP 2013.

1.5 PURPOSE OF THIS DEVELOPMENT CONTROL PLAN

The purpose of this DCP is to supplement North Sydney LEP 2013 and provide more detailed provisions to guide future development, such that impacts on the community and environment are minimised. The DCP is intended for use by:

- property owners;
- developers;
- the community; and
- the consent authority.

The DCP has been prepared in accordance with s.3.43 of the [EP&A Act 1979](#) and Part 3 of the [EP&A Regulation 2000](#).

Pursuant to s.4.15 of the [EP&A Act 1979](#), the consent authority is required to take into consideration the relevant provisions of this DCP when determining an application for development. However, strict compliance with the provisions of this DCP does not guarantee that development consent will be granted. Section 4.15 of the [EP&A Act 1979](#) contains other matters that must be considered in determining a development application including:

- Any relevant in-force environment planning instruments (SEPP or LEP) or proposed instrument that has been the subject of public consultation under the [EP&A Act 1979](#);
- Any draft or in-force planning agreement that has been entered into under s.7.4, of the [EP&A Act 1979](#);
- Any relevant prescribed matters in the [EP&A Regulation 2000](#);
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with the [EP&A Act 1979](#) or [EP&A Regulation 2000](#); and
- The public interest.

In addition, the consent authority will assess each development application according to its merits and in the context of the site and its locality.

1.6 AIMS OF THIS DEVELOPMENT CONTROL PLAN

The aims of this DCP are to:

- (a) Ensure that development positively contributes to the quality of the natural and built environments;
- (b) Encourage development that contributes to the quality of the public domain;
- (c) Ensure that development is economically, socially and environmentally sustainable;
- (d) Ensure future development has consideration for the needs of all members of the community;
- (e) Ensure development positively responds to the qualities of the site and its context;
- (f) Ensure development positively responds to the character of the surrounding area; and



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- (g) Ensure that the actions of the North Sydney Local Strategic Planning Statement (as amended) and the North Sydney Local Housing Strategy (as amended) are achieved.
- (h) Ensure that the Directions Outcomes and Strategies of the North Sydney Community Strategic Plan are achieved.

1.7 STRUCTURE OF THE DEVELOPMENT CONTROL PLAN

The DCP comprises 5 parts as follows:

- (a) General Requirements;
- (b) Development Controls;
- (c) Character Statements;
- (d) Dictionary; and
- (e) Appendices.

Each of these parts is described in the following subsections.

1.7.1 Part A – General Requirements

Part A of the DCP comprises 5 sections containing information relating to the status and use of the DCP in the development assessment process.

1.7.2 Part B – Development Controls

Part B of the DCP comprises 21 sections, each containing provisions relating to a specific type of development or issue.

Each section to this Part commences with a general explanation of what the issues are and what Council is trying to achieve. This is supported by a number of objectives and provisions for each particular issue that needs to be considered in the assessment of a proposed development when it applies.

Many of the provisions are performance based, which provides added flexibility in meeting the desired intent of the provision where developments may not necessarily meet specific numerical standards, due to site or environmental constraints.

Generally, meeting the specific objectives and provisions of each section will achieve overall compliance. The DCP format is intended to encourage flexibility and innovation in development while ensuring the objectives for North Sydney are achieved. In this context Council will not consider favourably development proposals that are inconsistent with the objectives of the DCP. However, Council will consider development proposals that achieve the objectives of the DCP by means other than the provisions in this DCP.

In every neighbourhood there will be examples of development that do not comply with this DCP. DCP's can't undo what has been done in the past and they are often designed to prevent things that have been allowed in the past from reoccurring. For this reason, the existence of features or aspects of development that do not comply with this DCP will have no influence on whether a development or feature will be approved.

Variations to key built form controls will generally not be supported. A detailed written justification is required to be submitted with all applications seeking a variation to a key built form control. Subsection 1.8 to this Part provides further details as to when additional information is required.

Applicants will need to consider the Sections of the DCP that are relevant to their particular development and design their proposal in accordance with the objectives and provisions of those sections. To further assist applicants in determining which Sections of the DCP may be relevant to a particular development, each section makes reference to other Sections of the DCP that may also need to be considered.

1.7.3 Part C – Area Character Statements

The LGA comprises a number of neighbourhoods which display distinct characteristics. This Part of the DCP identifies the desired future outcomes for each of these neighbourhoods. In addition, this Part of the DCP contains additional provisions which relate to development within these neighbourhoods. The provisions within this Part take precedence over the provisions within Part B of the DCP.

1.7.4 Dictionary

Definitions for the interpretation of the provisions of the DCP are contained in the Dictionary at the end of this DCP. The definitions contained within dictionary to NSLEP 2013 are adopted for the purposes of this DCP.

1.7.5 Appendices

This part contains useful information that is referred to throughout the DCP.

1.8 VARIATIONS TO KEY DEVELOPMENT CONTROLS

To ensure the consistent application of key development standards contained within this DCP, the consent authority must not grant development consent to any development application which does not comply with the following key development standards:

- Setbacks, contained within provisions P2 and P6 to s.1.4.6, P6 and P7 to s.1.4.3 and P3 and P7 to s.3.3.6 to Part B of the DCP,
- Site coverage controls, contained within provisions P1 to s.1.5.5 and P1 to s.3.4.4 to Part B of the DCP, and
- Landscaped area and unbuilt upon area controls contained within provisions P1 to s.1.5.6 and P1 to 3.4.5 to Part B of the DCP.

However, the consent authority may grant development consent to a development application which does not comply with the aforementioned key development standards but only if it has considered the following matters:

- (a) the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (i) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (ii) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (b) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required above, and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
- (c) the consent authority has considered:
 - (i) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (ii) the public benefit of maintaining the development standard.

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1.9 REQUIREMENTS FOR SUBMISSION OF INFORMATION WITH DEVELOPMENT APPLICATIONS

Part A: Section 3 – *Submitting an Application* provides a checklist of information to be included when submitting a development application.

For further advice on the information required to be submitted with a development application, please contact Council’s Customer Service Centre.

1.10 MONITORING AND REVIEW

Consent authorities are required to keep LEPs and DCPs under regular and periodic review under s.3.21(1) of the [EP&A Act 1979](#). Council is committed to this process to ensure that the Plans continue to be useful and relevant planning instruments.

It is proposed to undertake a comprehensive review the LEP and DCP at five (5) yearly intervals in order to:

- (a) assess the continued relevance and responsiveness of the Plan’s provisions;
- (b) measure the achievement of the objectives of the Plan;
- (c) identify the need for changes to the provisions to better achieve the objectives of the Plan; and
- (d) ensure the availability of adequate development capacity under the Plan’s provisions.

The DCP may also be required to be updated on a more regular basis due to a need to immediately resolve arising issues to ensure that the desired future character of North Sydney is maintained and the amenity of residents protected.

1.11 LAND AND ENVIRONMENT COURT PLANNING PRINCIPLES

The Land and Environment Court have produced a number of Planning Principles to provide guidance on how the decision making process might be applied to the facts and circumstances for a particular type of case or issue.

Planning Principles deal with a broad range of topics and generally fall into one of two categories:

- Descriptive and Prescriptive Principles: These types of Planning Principles include describing what may/might be regarded as the answer when a planning instrument proposes that an undefined performance criterion must be achieved.
- Process Orientated Principles: These types of principles provide guidance for decision makers on how to consider an issue where there is no detailed approach in the relevant planning instrument.

When preparing a development application, applicants are advised to consider the Land and Environment Court Planning Principles. The Planning Principles can be viewed on the Land and Environment Court’s [website](#).

New Planning Principles may be introduced at any time and are also subject to amendment without notice. Accordingly, applicants are advised to always check the Land and Environment Court website for the most current Planning Principle that applies when preparing a development application.



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SECTION 2 CONTEXT

This Section provides a general description of the North Sydney LGA and details of its composition. More detailed information regarding North Sydney's demographic profile (including past present and projected data) can be obtained from Council's website (refer to https://www.northsydney.nsw.gov.au/Community_Services/About_North_Sydney/Community_Profiles).

2.1 GENERAL PROFILE OF NORTH SYDNEY

North Sydney Council serves an area of 10km², which incorporates thriving business districts and diverse residential areas.

Suburbs in the North Sydney area include Cammeray, Cremorne, Crows Nest, Kirribilli, McMahons Point, Milsons Point, Neutral Bay, North Sydney, St Leonards, Waverton and Wollstonecraft.

Around half of North Sydney's 72,150¹ residents are aged between 25 and 49 years. Proportionally there are more couples without children and single person households.

The population is highly mobile. Just over half of all residents rent, and of those who rent, approximately half moved to a new address in the last Census period.

The dwelling density is higher than in most other parts of Sydney and is increasing. Around 89% of total dwellings in the North Sydney LGA are medium-high density (generally comprising apartments, townhouses and terraces).

North Sydney has a high level of visitors - some 62,112² people travel to North Sydney for work, and of the over 17,000³ students attending schools and tertiary institutions, only one in five live in the area.

The principal commercial activities in the North Sydney Central Business District (CBD), one of the largest in Australia, are advertising, marketing, retail, information technology, finance, telecommunications and property development.

2.2 RESIDENTIAL POPULATION

These statistics are derived from information reported in the Australian Bureau of Statistics 2016 Australian Census.

- Just over half (54%) of North Sydney residents are Australian born. This represents a substantial reduction (11%) in the overall portion of Australian born residents since 2001, with the portion consistently dropping by approximately 5% since 1996.
- In 2016 38% of North Sydney's population was born overseas. 57% of residents who had arrived in Australia between 2006 and 2016 spoke a language other than English at home, indicating that a majority of new residents came non-English speaking countries (NESC).
- The three most common countries of birth outside Australia are England (6.6%), New Zealand (3.0%), and China (2.9%, not including SARs and Taiwan). The three largest groups from English speaking countries are from the United Kingdom, New Zealand and South Africa.

¹ ABS Australian Census 2016

² ABS Australian Census 2016

³ Education Precinct Planning Study 2013, prepared by North Sydney Council

- The three largest overseas born groups from NESC are from China, India and Japan. The dominant non-English speaking country of birth in the LGA was China, where 2.9% of the population were born.
- Between the 1996 and 2016 there has been a consistent reduction in the number of residents born overseas from ESC and consistent increases in the number of residents from NESC.
- The proportion of residents born in New Zealand and Japan decreased between 2011 and 2016, while the number of residents born in China, India and the United Kingdom have increased. There are also increases in the number of residents born in South Africa, Malaysia, Korea and the Philippines.
- In 2016, 24.7% of households spoke a language other than English at home. The main languages spoken in North Sydney other than English are Mandarin (3.4%), Cantonese (2.5%) Japanese (1.8%), Spanish (1.4%) and French (1.1%). Approximately 70% of the population speak English only.
- North Sydney has a low proportion of residents with low English language proficiency (2.2%).⁴ The largest numbers of residents with low proficiency in spoken English spoke Mandarin (372 persons), Japanese (223 persons) and Cantonese (182 persons), and most of these residents were aged between 55 and 64 years of age.
- Between 2011 and 2016 the number of Mandarin speakers increased from 1,495 to 2,276 residents, overtaking Cantonese as the most common language other than English.
- North Sydney has a higher proportion of people born overseas than Sydney as a whole but a lower proportion of people born in a non-English speaking countries (NESC). Overall, 38% of the population was born overseas, and 17.5% were from a non-English speaking background, compared with 36.8% and 24.4% respectively for the Greater Sydney Area.

2.3 WORKING POPULATION

These statistics are derived from information reported in the Australian Bureau of Statistics 2016 Australian Census.

- In 2018, there were 72,245 local jobs in the North Sydney LGA, making a contribution of \$18.53 billion, to the Gross Regional Product (GRP) of NSW.
- The North Sydney CBD is the focus of economic activity in the LGA, containing 60,400 jobs as of 2017.
- The LGA has a younger working population, with 39.8% of the working population under 35 years of age, similar to the average for Greater Sydney of 38.8% of workers are under 35. 13.8% of North Sydney's working population is aged 55 years or over compared with 17.3% for the Greater Sydney Area.
- 51% of the working population was born in Australia. 34.4% of local workers speak a language other than English at home, and 12.1% of local workers arrived in Australia between 2011 and 2016.
- The main cultural groups of workers born in a NESC are from India (5.9%), China (4.4%), Philippines (2.1%) and Hong Kong (1.5%). There are also significant groups of workers from the UK (7.7%), New Zealand (3.0%) and South Africa (1.8%).
- The main languages spoken by workers in North Sydney other than English are Cantonese, Japanese and Mandarin.

⁴ ABS Australian Census 2016, refers to those who spoke English 'not well' or 'not at all'



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2.4 EDUCATIONAL CENTRES POPULATION

In 2013 there were over 17,000⁵ students attending North Sydney schools or tertiary institutions, of which only one in five are residents of North Sydney. The majority of students are at primary or secondary level, with 35% of students in primary school, and 57% in secondary school. In 2016 4.8% of the residential population were attending primary school, 3.1% were attending secondary school, 6.1% were enrolled in university and 1.3% were enrolled in TAFE. The majority of the residential population (74.5%) are not attending an educational institution.⁶

2.5 RELIGIOUS AFFILIATION

The major religious affiliations in North Sydney are Catholicism and Anglicanism, with 21.3% and 13% of North Sydney’s population adhering to these religions in 2016. The other most common religious affiliations are Buddhism (2.7%) and Hinduism (2.3%). 37.8% of people in North Sydney profess to have no religion.

2.6 THE ECONOMY

North Sydney residents, workers, students and visitors have access to a broad range of services, facilities and activities that are an integral part of North Sydney’s identity and contribute to quality of life in the area.

North Sydney is an important economic centre with strong industry links to the global economy. There is a diversity of industry in the very large and predominantly commercial office centre in the CBD, the mixed commercial and retail centres of St. Leonards/Crows Nest and Neutral Bay/Cremorne, the smaller predominantly retail suburban centres, harbour services and related industries, and individual businesses in local neighbourhoods.

The major commercial centres have an important role in facilitating and supporting economic development and job creation and providing access to goods and services. Their character and function are integral to economic vitality. The smaller centres have a similar role on a smaller scale.

North Sydney has been identified in the Greater Sydney Commission’s *North District Plan*, as part of the ‘Eastern Economic Corridor’, a series of interconnected employment hubs stretching from Macquarie Park to Sydney Airport. The North Sydney CBD is also identified by the Greater Sydney Commission as a component of the ‘Harbour CBD’, with a thriving office market complementary to the Sydney CBD.

Approximately 86% of the local workers live outside the LGA.⁷ Both the resident and working populations are relatively young with relatively high education and skill levels, with 53.5% of residents and 58.3% of local workers having attained a Bachelor qualification or higher. However, there are significant numbers of people with no post-school qualifications, 18.9% of residents and 18.5% of local workers.⁸

The largest employers are “Professional, Technical and Scientific services” (27.5%), then “Finance and Insurance” (10.9%) and then “Information Media and Telecommunications” (6.7%). The proportion of local workers employed in all three of these sectors is higher than the average across Greater Sydney. These employers are followed by (employing significantly fewer numbers) wholesale and retail trade, accommodation, restaurant, recreation and personal services, health care, education and community services.

North Sydney Council encourages development opportunities which support specialist businesses whilst maintaining diversity and balancing commercial and residential interests.

⁵ *Education Precinct Planning Study 2013, prepared by North Sydney Council.*

⁶ *ABS 2016 Australian Census*

⁷ *ABS 2016 Australian Census*

⁸ *ABS 2016 Australian Census, figures based on percentage of population aged 15+*

2.7 LAND USE

Land use in North Sydney predominantly comprises high and medium density residential and commercial development interspersed with some open space areas. Metropolitan planning issues to consolidate urban development enhance North Sydney's status as a major commercial centre and its role within the Eastern Economic Corridor and Harbour CBD, as identified within the Greater Sydney Commission's A Metropolis of Three Cities.

Residential and commercial population growth continues to put pressure on existing infrastructure facilities and the natural environment, including the bushland, foreshores and open spaces. The State Government's strategy for further growth within the LGA is causing some community concern about the rate and type of growth which in turn is affecting quality of life.

The Greater Sydney Commission's North District Plan identifies strategic centres, employment corridors and major city-shaping and city-serving transport corridors within which the most future growth is anticipated to occur.

Council's Residential Development Strategy 2009 focuses development in and around existing town centres that have good access to transport, services, community facilities, employment and recreation and away from more sensitive areas such as foreshores, bushland and conservation areas.

North Sydney LEP 2013 provides the main mechanism for controlling land use in the LGA. The LEP aligns with the desired outcomes of the North District Plan and Council's Residential Development Strategy. The DCP also contains additional provisions to ensure that conflicts between incompatible land uses are minimised.

2.8 TRANSPORT AND CONNECTIVITY

The North Sydney LGA is highly accessible and is well-serviced by both road and public transport networks. This high level of accessibility is directly related to the LGA's central location within the Sydney Metropolitan Area and much of its commercial activity occurring the North Sydney Centre being situated within the Eastern Economic Corridor and identified as part of the Harbour CBD under the Metropolis of Three Cities strategy. Due to its physical location within the Sydney Metropolitan Area and the restricted number of access points across Sydney Harbour to its centre, the LGA accommodates large amounts of through-traffic and regional trips from the northern regions of the Metropolitan Area. Accordingly, substantial movements are merely just passing through the LGA, rather than being generated or end there.

2.8.1 Vehicular Movements

The LGA is effectively split into two by the Warringah Expressway, which provides a major north-south arterial route for vehicles travelling to and through the area. A number of sub-arterial roads also feed into the Warringah Expressway.

In 2016, 32.5% of residents used private vehicles to travel to work, representing a 2% decrease since 2011.⁹ However, in the same time frame car ownership rose from 0.98 cars per household to 1.03 cars per household in 2016. This increase in car ownership is placing additional demands on on-street parking and traffic efficiency.

Council has been proactive in reducing traffic and parking congestion through the promotion of the use of public transport, car-share schemes, and other alternative means of transport.

2.8.2 Public Transport

The LGA has a high level of accessibility to public transport including train, bus and ferry services.

⁹ ABS 2016 Australian Census



Context

Train

The North Shore Railway Line runs through the south-western portion of the LGA with stations located at Wollstonecraft, Waverton, North Sydney and Milsons Point. This line provides direct services to Hornsby via Chatswood and the Blue Mountains. Parts of the LGA are also in close proximity to St Leonards railway station.

North Sydney Railway Station has been upgraded to provide additional capacity to the subregion. This upgrade was completed in late 2008 and was expected to improve commuter capacity by 30%.

Construction of the Sydney City and Southwest Metro lines has commenced, being a continuation of the North-west Metro line between Schofields and Chatswood which commenced operation in mid 2019. The first stage of the continuation comprises a new metro line running between Chatswood and Bankstown, due to open in 2024. The Metro line extension will run through the North Sydney LGA with two new stations to be located at Victoria Cross and Crows Nest. This stage of the Metro is expected to be completed and operational by 2024.

In 2016, 21.8% of residents travelled by train to work, which represents a 4.7% increase since 2011. The level of train patronage has risen dramatically in recent years in response to rising fuel costs.¹⁰ In 2014 North Sydney station had a daily through-put (in/out) of approximately 26,220 passengers.¹¹ 86% of the working population live outside of the LGA, with 48.3% of local workers using public transport as a method of travel.

Bus

The LGA is well serviced by buses, with most parts of the LGA located in close proximity to a bus stop. Most bus services provide access to the Sydney CBD to the south and northern parts of the Sydney Metropolitan Area.

There was a small increase in the number of workers travelling to work by bus from 9.3% to 10.4% of local workers between 2011 and 2016. For North Sydney residents there was a small decrease in the number of residents travelling to work by bus, from 17.3% to 16.5% of the LGA's population.

Ferry

There are 9 public ferry wharfs within the LGA, all of which are located on Sydney Harbour. They provide access to east as far as Manly, to the west as far as Parramatta and to a large number of suburbs on the southern foreshores of Sydney Harbour.

There was a notable decrease in the number of people travelling to work by ferry from 2.1% to 1.5% of the resident population between 2011 and 2016. This decrease was primarily as a result of a reduction in ferry services being provided. The number of local workers travelling to work by ferry remained constant between 2011 and 2016 at 0.4%.

2.8.3 Walking and Cycling

The LGA also has some well established pedestrian and cycle networks, especially within the North Sydney CBD, and to the surrounding areas.

The North Sydney CBD suffers heavily from through-traffic, which impacts on pedestrian and cyclist accessibility, amenity and safety. A series of public domain works and new dedicated cycle routes are being implemented through the LGA to help improve the amenity and safety of cyclists and pedestrians.

There was a marginal decrease in the number of residents walking to work from 11.9% to 10.9% of the LGA's population. For local workers the trend was similar, with a decrease from 6.3% to 5.8% of the LGA's working population walking to work.

¹⁰ ABS 2016 Australian Census

¹¹ TfNSW Train Statistics 2014

With regard to cycling, Council has installed approximately 21.9 kilometres of a planned total of 26.2 kilometres of on and off-road bike paths. As well as the marked cycle routes, a cycling map was developed to compliment Council's *North Sydney Bike Plan*, which has identified existing bicycle paths and prioritised funding for the construction of new bike paths.

2.9 BIODIVERSITY

There are approximately 49 hectares of bushland in North Sydney supporting 347 native flora species and 190 native fauna species including 4 frog species, 20 reptile species, 148 bird species and 18 mammal species, in an area of 10km². Most of this bushland is located on the foreshores of Middle Harbour or Port Jackson. These areas generally comprise narrow strips bordering urban development, with larger areas of bushland at Balls Head, Berry Island Reserve and Tunks Park.

Altered natural fire regimes have caused changes to vegetation patterns and native wildlife. Bushwalking and picnicking can also impact on bushland areas.

Pesticides and herbicides, increased nutrients, oils and detergents, chemicals, weed material, leaf litter and sediments all contribute to stormwater runoff that damages aquatic ecosystems. In addition, high levels of phosphates and nitrates in stormwater encourage weed growth in the bush areas.

Non-native plants and animals, habitat loss and urbanisation all put pressure on bushland areas.

Community involvement and education can help protect our remnant bushland. Volunteers in the Bushcare program undertake bush regeneration in eleven sites throughout the LGA. Council provides bush regeneration training for volunteers and specialist workshops on Plant Propagation, Creating Wildlife Habitat Gardens, Wildlife Watching and Aboriginal Site Awareness.

2.10 CULTURAL RESOURCES

2.10.1 Aboriginal Heritage

The Cammeraygal people of the Eora nation are the traditional custodians of the North Sydney area. North Sydney contains significant Aboriginal cultural heritage, with 60 known sites of Aboriginal heritage significance within the LGA.

A general lack of knowledge and understanding of Aboriginal culture and heritage sites has resulted in the unintentional damage of sites within North Sydney. It is currently the greatest threat to the effective conservation of Aboriginal Heritage sites. Other factors putting pressure on the preservation of Aboriginal Heritage sites include excavation and construction work, more visitors, vandalism and pollution.

Council has developed a strategy for the conservation and management of the Aboriginal sites within North Sydney. The sites, which are registered with the National Parks and Wildlife Service, include middens, occupation sites, rock engravings and rock art and date back at least 7,000 years. The strategy includes a comprehensive register of all sites and provides specific recommendations on their conservation and management. It also outlines opportunities for the community to become involved in the care and management of sites.

Since 2000 North Sydney Council has been a member of the Aboriginal Heritage Office (AHO), a partnership with Lane Cove, Willoughby, Strathfield, Ku-ring-gai and Northern Beaches Council. The AHO provides advice and expertise to its partner organisations in order to protect Aboriginal sites and promote Aboriginal heritage. North Sydney Council funds the position of an Aboriginal Heritage Manager to take a regional approach to the protection of Aboriginal sites and cultural heritage in the participating Council areas.

Context

2.10.2 Non-Aboriginal Heritage

North Sydney contains a rich and diverse cultural heritage of structures and places, industrial sites, lookouts, streetscapes, urban patterns, parks and reserves. These elements contribute to community cultural life and a sense of place and identity. They form important tangible links to North Sydney's past that need to be conserved for future generations. Much of this valuable heritage is privately owned.

Increases in population and development puts pressure on Council to maintain each area's heritage and as a result building, demolition and alteration works pose significant threats to North Sydney's cultural heritage. A lack of awareness and appreciation of cultural heritage can also pose threats to its presence in an area.

New heritage provisions have been incorporated into both NSLEP 2013 and NSDCP 2013 to allow more effective assessment of development applications, whilst helping to remove a number of previous hurdles which appeared to unfairly restrict the development potential of affected sites.

New character statements have been prepared for each conservation area to help inform the design of future redevelopment of land within those conservation areas. In particular, they identify the characteristic elements of these areas which Council would like to see retained and an explanation of their significance.

Part B: Section 13 – *Heritage and Conservation* to the DCP provides the context for maintaining what is physically and socially valuable to the community.

2.11 NOISE

Noise complaints in North Sydney are mainly associated with noise from commercial premises, social events and barking dogs. Transport corridors through North Sydney are also a source of noise, particularly the Pacific Highway and the Warringah Freeway corridor.

Special events such as New Years Eve celebrations at Bradfield Park and sporting events at North Sydney Oval pose temporary concerns for residents. Longer term problems are associated with increased traffic in North Sydney.

Council continues to use its powers under the [Protection of the Environment Operations Act 1997](#) to enforce noise controls in the community. In addition, Council utilises the NSW Industrial Noise Policy in regulation and planning matters. This Policy covers noise from a range of sources including industrial and commercial premises and is used in the assessment of new developments, modification to existing developments and noise associated with existing development.

Commercial and residential noise guidelines are incorporated within the DCP, with specific controls for late night trading premises (i.e. those premises which usually operate beyond 10.00pm).

2.12 AIR QUALITY

Air quality is both a local and global problem. On a local scale North Sydney experiences photochemical smog and fine particle emissions which can cause health and visibility problems. Major air quality issues globally are 'climate change' and 'ozone depletion'. It is now accepted that changes in climate and depletion of the ozone layer is being caused by human activity and Australia's per capita greenhouse gas emissions are the second highest in the world.

The greatest pressures on air quality in North Sydney are from motor vehicles, fires and energy consumption. Motor vehicles emit a range of gases and fine particles that can have harmful health and environmental effects. Fossil fuels burnt to produce electricity release greenhouse gases that cause climate change.

The Energy Smart Installers program is a free electricity and water audit offered to residents that can reduce electricity and water use in the home. Council is also a partner in the



Energy Smart Business program that requires Council to reduce its greenhouse gas emissions by improving its day-to-day operations.

In July 2019 North Sydney Council became the 30th Australian Council to declare a 'climate emergency', as a response to the serious risk which climate change poses to the community. Council has also joined the international Cities for Climate Protection campaign, which involves conducting a greenhouse gas emissions audit, committing to an emissions reduction goal, developing and implementing an action plan and monitoring and reviewing performance.

Additionally, Council now purchases 25% of its electricity from renewable sources through Green Power and has a number of policies and plans to reduce motor vehicle use and fire emissions.

Council promotes energy efficient design through development controls for commercial, mixed use and residential development.

2.13 WATER QUALITY AND CATCHMENT MANAGEMENT

The LGA comprise two primary water catchments, that draining to Middle Harbour and that draining to Sydney Harbour. These catchments are divided into 16 sub-catchments, each draining into a major trunk system before discharging into Sydney or Middle Harbours. These catchments are severely degraded, with natural streams being replaced by concrete drains, increased impervious surfaces, litter, sediments, nutrients, bacteria, toxic organics and heavy metals can all affect water quality.

Water catchments in the LGA are under enormous pressure from increased urbanisation, drainage works, littering, erosion, construction sites, fertilisers, sewer overflows, garden waste, street trees, animal droppings, herbicides, pesticides and car emissions. These affect the natural water cycle, destroying the natural characteristics of creeks and polluting the water draining into Sydney and Middle Harbours.

Council has put in place planning, educational, capital works and enforcement activities to address the pressures being placed on North Sydney's water catchments.

North Sydney Council is a member of the Sydney Coastal Council Group, a collaborative regional organisation which seeks to advance sustainable management of Sydney's coastal and estuarine environment. Council as part of this group is participating in the establishment of a Coastal Management Plan (CMP), which comprises a long-term strategy for the co-ordinated management of land within the coastal zone. Any actions and recommendations from the CMP will be implemented through amendments to Council's planning controls.

Council has prepared and is implementing two Stormwater Management Plans for the Port Jackson North and Middle Harbour catchments. Council has installed gross pollutant traps, restored natural drainage lines, increased stormwater education and conducts inspections of commercial outlets.

Council continues monthly water quality monitoring of five of the larger catchments of North Sydney. The monitoring includes physical, chemical and biological tests used to assess the condition of the water. Results are used to focus management practices.

To address the issue of tree leaves and litter, Council has increased and improved street sweeping in the area, preventing the litter and leaves from entering the creeks and harbour.

2.14 WASTE

Waste is increasing and causing greater problems for the environment. Until recently the common way to manage waste was to bury it. Governments at all levels have realised that this is unsustainable and have begun initiatives to ensure improvements in waste handling practices, and a significant reduction in waste quantity and toxicity. Landfill is now viewed as a last resort, after waste has been avoided, reused or recycled.

The LGA's weekly waste and recycling collections increased from approximately 28,000 services in 1990 to 33,678 services in 2015. An average of 11.9 kg per week of waste was



Context

generated by each household in the LGA in between 2014 and 2015.¹² North Sydney has a relatively high recycling rate, with over 68% of domestic waste recycled.

Increased waste disposal costs and restrictions placed on existing landfill sites is a further incentive to reduce landfill.

Council is a leader in local government for waste management by minimising the amount of waste taken to landfill sites and introducing efficient, cost effective and convenient collection and disposal methods has become a priority.

Council has also reduced landfill waste by undertaking effective education campaigns and offering a comprehensive recycling service. This had resulted in a 70% reduction of domestic waste going to landfill since 1990. However, a recent EPA decision to limit the destination outputs from the waste treatment facility at Eastern Creek has significantly affected Council's ability to meet EPA landfill diversion targets.

Waste education initiatives include information brochures, advertising, talks, composting and worm farm demonstrations, waste minimisation displays and advice to developers and real estate agents on best practice design of garbage storage areas and effective recycling systems. Development controls contained within the DCP promote recycling and waste avoidance.

¹² NSW EPA, NSW Local Government Waste and Resource Recovery Data Report 2014-15, 2016



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SECTION 3 SUBMITTING AN APPLICATION

3.1 INTRODUCTION

The NSLEP 2013 states what types of proposed development or works that are:

- permitted without development consent (i.e. no consent required from Council);
- permitted as “*exempt development*” (i.e. no consent required from Council);
- permitted as “*complying development*” (i.e. consent is required from either Council or a private certifier);
- permitted with development consent (i.e. consent is required from Council); or
- prohibited.

It should be noted that the permissibility and approval requirements of some types of developments are also affected by the provisions of other environmental planning instruments, such as State Environmental Planning Policies (SEPPs).

Where required, a development application or a complying development application must be made to in order to obtain development consent. Failure to lodge an application when development consent is required is a breach against the [EP&A Act 1979](#) and may be subject to prosecution, demolition and/or fines. Applicants are advised to refer to the LEP or to contact Council’s Customer Service Centre or one of Council’s Planning Advisors to confirm consent requirements.

Application forms are available from the Customer Service Centre, or on Council’s website (www.northsydney.nsw.gov.au) together with advice on the details, number and type of plans and supporting information required, fees and procedures.

3.2 PRE-DEVELOPMENT APPLICATION PROCESS

When preparing a development application, applicants are advised to first access the planning and development information located on Council’s website (http://www.northsydney.nsw.gov.au/Building_Development). However, should applicant have any further queries regarding their proposal, or clarification of Council’s planning and development controls, they are welcome to contact Council on Monday to Friday during business hours by phoning (02) 9936 8100.

Council’s Planning and Development Advisors can provide further advice prior to the lodgement of a development application. This advice is informal and is normally conducted over the telephone. However, short scheduled meetings (approximately 30 minutes and free of charge) can be held where the applicant would like to discuss a complex issue or has firm plans about what they are proposing.

Where an applicant seeks detailed feedback, a more formal pre-application meeting is also available. These meetings are held with Council’s technical advisors and an executive planner or assessment team leader. A fee is charged for this service (refer to Council’s Fees and Charges Schedule available on Council’s website).

A pre-application meeting form is available from the Customer Service Centre, or on Council’s website (www.northsydney.nsw.gov.au). At least 10 days prior to the meeting, detailed sketches, plans, photographs and applicant’s assessment of compliance should be made available to Council officers. This will enable a more comprehensive analysis of your proposal and the provision of constructive feedback.

Within 10 days of the meeting, Council will provide minutes to the applicant, highlighting the main issues discussed and the meeting’s outcome.

Note: *The outcome provided within the minutes is not an authoritative statement as to the likely success of an application. A determination can only be made following the lodgement of an application and the completion of the assessment process.*



Applicants are strongly encouraged to discuss their proposals with adjoining property owners or occupants prior to the lodgement of a development application. The purpose of this is to determine issues that a neighbour may have early on and to try and have these issues resolved prior to the development application being assessed by Council. Resolving these issues early can help to reduce the amount of time that an application needs to be assessed (i.e. no need to submit revised plans).

3.3 APPLICATIONS FOR DEVELOPMENT CONSENT

A development consent is issued to enable building works or the use of land to be undertaken as permitted under the provisions of NSLEP 2013 or any other relevant SEPP. Development consent in most instances will be determined and issued by Council. However, in some limited circumstances, a development consent will be determined by the Minister for Planning or one of their delegates, the Sydney North Regional Planning Panel (i.e. development captured by SEPP (State and Regional Development) 2011), or the North Sydney Local Planning Panel on behalf of Council (i.e. those developments which are required to be referred to the local planning panel by Ministerial Direction under s.4.8(3) of the [EP&A Act 1979](#)).

An application for development consent must be made in accordance with cl.50 and Part 1 to Schedule 1 of the [EP&A Regulation 2000](#). The specific information and documents required to be submitted are reproduced on Council's development application form, copies of which are available from Council's Customer Service Centre or website (www.northsydney.nsw.gov.au). The documents that are generally required to be submitted with development applications are listed in the following subsections. These lists do not apply to applications for Tree Management Permits, for which specific requirements are set out in Part A: Section 3.5 of the DCP.

Council may waive some of these requirements for some applications, such as a change of use or minor alterations to a building, where the provision of such information is not deemed relevant. Applicants are encouraged to contact Council for more information if they are unsure. Where all relevant documentation is not provided the application may be rejected or put on hold for a limited period until such documentation is supplied.

Development consents issued by Council will last a maximum of 3 years in accordance with Council's policy. This time period may be varied by the provisions of the [EP&A Act 1979](#).

3.3.1 General Requirements

The following documents are generally required to be submitted with all development applications:

- (a) A full **survey plan** of the site, prepared by a registered surveyor which must indicate at a minimum the following information:
 - (i) location, boundary dimensions, site area and north point;
 - (ii) location of any easements and rights of way;
 - (iii) location and uses of existing buildings on the site;
 - (iv) the existing levels of the site in relation to buildings and roads;
 - (v) the location of existing trees and vegetation on the site;
 - (vi) the location and uses of buildings on land adjoining the subject site.
- (b) **Site Analysis Diagram** (refer to Part A: Section 5 – *Site Analysis*).
- (c) **Plans or drawings** generally comprising a site plan, floor plans, elevations and sections, and where relevant subdivision plans. Council also encourages the submission of photomontages to illustrate the proposed development in its context.
- (d) **Shadow diagrams** for all new buildings or significant alterations to existing buildings, showing shadows at 9.00 am, 12 noon, and 3.00 p.m. on 21 June

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(Winter Solstice), 21 September / March (Equinox) and 21 December (Summer Solstice). Some applications within the North Sydney CBD will also require the provision of shadow diagrams at 10.00am and or 2.00pm on 21 June, 21 September/March and 21 December. Shadow diagrams must be certified on the appropriate form by a surveyor, architect, or other competent person.

- (e) **Statement of Environmental Effects** or an **Environmental Impact Statement**, depending upon the type of development proposed.
- (f) A **table of compliance** demonstrating how the proposal complies with the relevant development standards contained within the LEP and DCP.
- (g) An **Efficient Use of Resources Commitment Table** demonstrating compliance with / consideration of (as relevant) provisions within the *Efficient Use of Resources* sub-sections of this DCP.
- (h) A **model**, for proposed residential development containing 4 or more dwellings, or for non- residential development with a floor area of 500m² or more.

3.3.2 Applications Involving Heritage Items or Conservation Areas

In addition to the requirements within s.3.3.1 to this Part, the following information is required with all development applications relating to heritage items, properties within the vicinity of a heritage item or land within a conservation area:

- (a) All sets of plans clearly indicating, in colour, existing walls to be removed and those to remain;
- (b) Measured drawings of the existing building including elevations;
- (c) A **statement of heritage impact**, or, if required, a **conservation management plan**;
- (d) Where a proposal involves demolition, a **structural engineers report** demonstrating why the building is not capable of restoration or reconstruction;
- (e) Details of external materials, finishes and colour schemes and in the case of heritage items, a list of internal features to be affected by the proposal.

3.3.3 Other additional Information for Development Applications

In addition to the requirements within s.3.3.1 to this Part, applicants may be required to submit additional information relating to specific issues to ensure that Council can make an informed decision when determining a development application. The instances when additional information is required are outlined throughout various Sections to Part B of this DCP. The information requirements are set out in the relevant Section. It should be noted that Council has concurrence powers to determine applications otherwise integrated under the NSW [Heritage Act 1977](#).

Where applicable, applicants should supply the following information:

- (a) Any information as appropriate to satisfy the relevant Integrated Development authority for development deemed to be Integrated Development pursuant to s.4.46 of the [EP&A Act 1979](#).
- (b) A **BASIX Certificate** for developments affected by [SEPP \(Building Sustainability Index: BASIX\) 2004](#).
- (c) One or a combination of the following in accordance with Part B: Section 14 - *Contamination and Hazardous Materials* of this DCP:
 - (i) A **Preliminary Investigation**;
 - (ii) A **Detailed Investigation**;
 - (iii) A **Remedial Action Plan**.



- (d) A **Travel Plan** in accordance within Part B: Section 10 – *Car Parking and Transport*.
- (e) A **Hazardous Building Materials Survey Report**, prepared in accordance with Part B: Section 14 – *Contamination and Hazardous Materials* of this DCP.
- (f) Applications for child care facilities also require the submission of:
 - (i) A **Landscape Plan**;
 - (ii) An **Environmental Risk Assessment Report**. The Environmental Risk Assessment Report must be prepared by a suitably qualified consultant and should cover aspects relating to air pollution, land contamination and noise;
 - (iii) Written advice from the NSW Department of Education indicating that no objection, in principle, is raised to the proposal;
 - (iv) A **Hazardous Building Materials Report**;
 - (v) An **Emergency Evacuation Plan** for child care facilities that are located above ground level.
- (g) Applications for non-residential development also require the provision of the following:
 - (i) existing and proposed hours of operation; and
 - (ii) full details of the anticipated volume and frequency of deliveries or collections made to a site; and
 - (iii) the type and size of vehicles likely to be used to make any deliveries or collections to the site.
- (h) Applications for late night trading premises also may require the provision of a:
 - (i) **Plan of Management**; or
 - (ii) **Management Checklist**.
- (i) Applications that involve excavation or ground penetration of greater than 2m in depth and within 25m of a rail corridor require the provision of the following:
 - (i) **Geotechnical and Structural report**; and
 - (ii) **Construction/Excavation Methodology**
- (j) An **Erosion and Sediment Control Plan** prepared in accordance with Part B: Section 17 – *Erosion and Sediment Control* of this DCP.
- (k) A **Waste Management Plan** prepared in accordance with Part B: Section 19 – *Waste Management* of this DCP.
- (l) A **Stormwater Management Plan** prepared in accordance with Part B: Section 18 – *Stormwater Management* of this DCP. The plan must include the:
 - (i) proposed method of stormwater disposal to be used until the inter-allotment system becomes functional.
 - (ii) approximate location of pits and pump-outs and site drainage system.
 - (iii) any site constraints such as trees, services, or structures that may affect the viability of the system.

3.4 APPLICATIONS FOR COMPLYING DEVELOPMENT CERTIFICATES

3.4.1 General Requirements

A Complying Development Certificate (CDC) is issued for works which satisfy set criteria as outlined in NSLEP 2013 or [SEPP \(Exempt and Complying Development Codes\) 2008](#). These

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certificates can be issued by Council or an independent accredited certifier. The onus is on the applicant to satisfy themselves that their proposal is one that is capable of being dealt with as complying development (i.e. the proposal must comply with all the set criteria). If in doubt, the applicant should err on the side of caution and lodge a Development Application (DA).

An application for a CDC must be made in accordance with cl.126 and Part 2 to Schedule 1 of the [EP&A Regulation 2000](#). The specific information and documents required to be submitted are reproduced on Council's CDC application form, copies of which are available from Council's Customer Service Centre, or website (www.northsydney.nsw.gov.au). The documents that are generally required to be submitted with all CDC applications include the following:

- (a) **Survey plan;**
- (b) **Detailed plans**, generally comprising a site plan, floor plans, elevations and sections, and where relevant subdivision works plans;
 - Where the proposed works involve any alteration or addition to, or rebuilding of an existing building, the general plan is to be coloured or otherwise marked to the satisfaction of the principal certifying authority to adequately distinguish the proposed alteration, addition or rebuilding.
- (c) **Specifications**, to describe the construction and materials of which any building is to be built and the method of drainage, sewerage and water supply;

In addition to the above, the following documents may be required:

- (d) **Fire Safety Statement** detailing existing and proposed fire safety measures;
- (e) **BASIX Certificate** for BASIX affected buildings;
- (f) Detailed **Engineering Plans** for subdivision;
- (g) Where the application involves an alternative solution to meet the performance requirements of the BCA relating to fire safety (refer to cl.130 of the [EP&A Regulation 2000](#)):
 - (i) details of the performance requirements that the alternative solution is intended to meet, and
 - (ii) details of the assessment methods used to establish compliance with those performance requirements
- (h) If relevant, evidence of any certified component, process or design.

3.4.2 Home Building Act

In the case of an application for building work that involves residential building work (within the meaning of the [Home Building Act 1989](#)) the following information is to be attached to a CDC application:

- (a) in the case of work by a licensee under the [Home Building Act 1989](#):
 - (i) a statement detailing the licensee's name and contractor licence number, and
 - (ii) documentary evidence that the licensee has complied with the relevant requirements of the [Home Building Act 1989](#)¹, or

¹ A certificate purporting to be issued by an approved insurer under Part 6 of the [Home Building Act 1989](#) to the effect that a person is the holder of an insurance contract issued for the purposes of that Part, is sufficient evidence that the person has complied with the requirements of that Part.



- (b) in the case of work done by any other person:
 - (i) a statement detailing the person's name and owner-builder permit number, or
 - (ii) a declaration signed by the owner of the land, to the effect that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in s.29 of the [Home Building Act 1989](#).

3.4.3 Long Service Levy

Pursuant to s.4.28(10A) of the [EP&A Act 1979](#) a CDC cannot be issued by either Council or an accredited certifier until any long service levy payable under s.34 of the [Building and Construction Industry Long Service Payments Act 1986](#) (or where such a levy is payable by instalments, the first instalment of the levy) has been paid. The local council may be authorised to accept payment.

3.5 APPLICATIONS FOR TREE MANAGEMENT PERMITS

This sub-section only applies to applications to remove, lop, top or prune one or more declared trees or vegetation, as identified under Part B: Section 16 - *Trees and Vegetation Management* of this DCP and where no other development is involved.

The following information must be provided for applications to which this section applies:

- (a) Applicant's name and address;
- (b) Address and legal description of the property on which the subject tree/s are located;
- (c) Consent of all property owners;
- (d) Other approvals necessary (if any);
- (e) Description of proposed work to be done;
- (f) Whether the proposed works involves tree removal, lopping, topping or pruning;
- (g) Site plan illustrating the site, the position of tree/s affected and any buildings in the proximity of the tree/s;
- (h) Statement of environmental impact (i.e. a statement which explains why the tree/s need to be removed, lopped, topped or pruned); and
- (i) Any other information requested by the Council that is relevant to the special circumstances of the case (e.g. an arborist report).

All relevant documentation must be supplied with the application. Where all relevant documentation is not provided the application may be rejected or put on hold for a limited period until such documentation is supplied.



SECTION 4 NOTIFICATION OF APPLICATIONS

**THIS SECTION WAS REPEALED ON 5 DECEMBER 2019.
NOTIFICATION REQUIREMENTS CAN BE FOUND IN COUNCIL'S COMMUNITY
ENGAGEMENT PROTOCOL (AS AMENDED)**



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SECTION 5 SITE ANALYSIS

5.1 INTRODUCTION

Site analysis forms an important part of the design process. Development proposals need to illustrate how the proposal responds to site conditions and its relationship to the surrounding context. By describing the physical elements of a locality and the conditions impacting on a site, opportunities and constraints for future development can be understood and addressed in the design.

5.2 OBJECTIVES

The objectives of undertaking a site analysis are to:

- (a) Identify the prevailing characteristics of an area within which a development site is located;
- (b) Identify the opportunities and constraints of a development site;
- (c) Identify the relationship between a development site and its surroundings; and
- (d) Utilise the information in items (a) to (c) above to inform the design of the proposed development such that impacts on neighbouring properties and the locality are minimised.

5.3 WHEN IS A SITE ANALYSIS REQUIRED?

A site analysis is required to be submitted with all the following types of development applications:

- (a) Alterations or additions to any building;
- (b) All new buildings and structures relating to:
 - (i) Residential accommodation;
 - (ii) Commercial premises;
 - (iii) Mixed residential and non-residential development;
 - (iv) Other non-residential development; or
 - (v) Torrens title subdivision of land.

5.4 SITE ANALYSIS REQUIREMENTS

A site analysis is required to be prepared as follows:

- (a) Should be drawn to scale and accompanied by a written statement explaining how the design of the proposed development responds to the analysis.
- (b) Discretion may be used concerning the extent of information required for each site analysis (eg. a small extension to the rear of a dwelling house would not necessarily require the same level of information as a proposal to add a second storey extension to a single-storey dwelling). Council ultimately decides on the amount of detail required.
- (c) Look at the land from the site to its surroundings and from the surroundings to the site. Examine the natural and built features relating to the site.
- (d) Design the development to minimise negative impacts on the amenity of any adjoining development, so that it fits within its context. It should reflect the Character Statements for the planning area.

- (e) Refer to the Character Statements for the planning area to determine whether development adjoining a site is a desired characteristic, and what the desired characteristics of the locality are.

5.4.1 Site Analysis Plan

A Site Analysis Plan must include information, where appropriate, about the subject site and its surrounds, including:

- (a) In relation to the site:
- (i) Site dimensions, including:
 - site area; and
 - boundary dimensions.
 - (ii) Topography, including:
 - Spot levels and contours.
 - (iii) Services, including:
 - Easements; and
 - Connections for drainage and utility services.
 - (iv) Existing Vegetation, including:
 - Location;
 - Height;
 - Canopy spread; and
 - Species
 - (v) Micro climates, including:
 - Orientation (including solar access); and
 - Prevailing winds.
 - (vi) Location of:
 - Buildings and structures;
 - Heritage and archaeological features;
 - Pedestrian and vehicle access;
 - Fences;
 - Natural features such as rock outcrops, cliff faces, watercourses or foreshore edges;
 - Stormwater drainage pattern;
 - Views to and from the site;
 - Overshadowing by neighbouring structures;
 - Scale and north point (magnetic north and true north); and
 - Contaminated soils or filled areas.
- (b) In relation to surrounding land:
- (i) Neighbouring Buildings, including their:
 - Location;
 - Height; and
 - Use.

Site Analysis

- (ii) Privacy:
 - Adjoining private open spaces;
 - Location of any facing doors and/or windows (especially those within 9m of the site); and
 - Location of living rooms.
- (iii) Setbacks from all boundaries (where adjoining buildings are built to the boundary, their location height and materials are to be shown);
- (iv) Differences in levels between the site and adjacent boundaries;
- (v) Views and solar access enjoyed by neighbouring properties;
- (vi) Major trees on adjacent properties which overhang the subject property (especially those within 10m of the subject site);
- (vii) Street frontage features (elevations) including:
 - Setbacks;
 - Trees;
 - Fences;
 - Poles;
 - Bus stops; and
 - Kerb cross overs
- (viii) Built form and character of adjacent and characteristic development in the locality;
- (ix) Heritage features of surrounding locality;
- (x) Community facilities and Public open space;
- (xi) Adjoining bushland;
- (xii) Harbour foreshores;
- (xiii) Pedestrian routes to local facilities; and
- (xiv) Sources of nuisance (i.e. roads, flight paths, significant noise sources, pool pumps, polluting operations).

In addition to the above matters, the following information is to be shown where a proposed development relates to housing for seniors or people with a disability, commercial or mixed use developments where the gross floor area exceeds 5,000m².

- (c) Direction and location to local facilities, including:
 - (i) Local shops;
 - (ii) Schools;
 - (iii) Public transport, including:
 - Bus stops;
 - Bus routes;
 - Train stations; and
 - Ferry terminals / stops.
 - (iv) Public Open Space, including:
 - Location; and
 - Use.

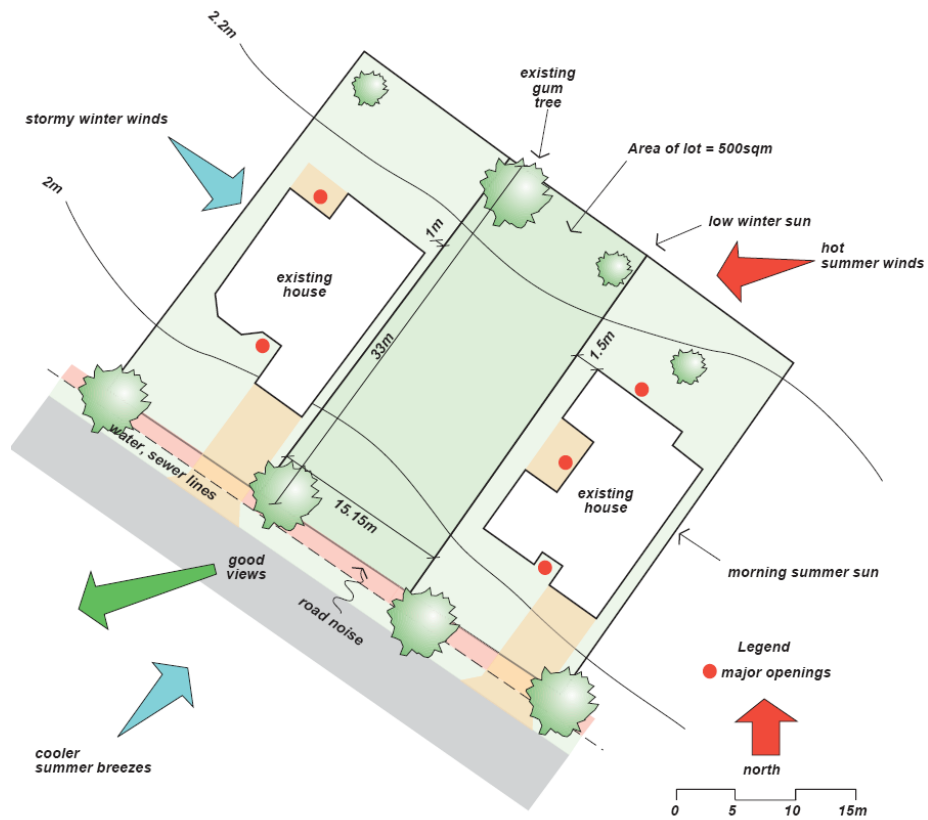


Figure A-5.1:
Site analysis diagram