



PART D

DEVELOPMENT

ELEMENTS

PREFACE

Part D of the DCP contains objectives and development control provisions for elements of development that are common to different types of development.

The degree of relevance of each of these provisions varies between different types of development and different locations which needs to be taken into consideration.

Part D of the DCP comprises the following sections:

| | |
|------------|-----------------------------------|
| Section 1: | Subdivision |
| Section 2: | Landscaping |
| Section 3: | Accessibility |
| Section 4: | Car Parking and Transport |
| Section 5: | Waste Minimisation and Management |
| Section 6: | Safety and Security |
| Section 7: | Public Infrastructure |
| Section 8: | Construction Management |
| Section 9: | Late Night Trading Hours |



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SECTION 1 SUBDIVISION

1.1 SUBDIVISION PATTERN

Objectives

- O1 To ensure that the characteristic subdivision pattern remains apparent, even if lots are subdivided or amalgamated.

Provisions

- P1 Maintain lot sizes, shape and orientation identified in the relevant Planning Area Character Statement or Locality Area provisions (refer to Part F of the DCP), or if not identified in the relevant Planning or Locality Area, that are characteristic of the area.

1.2 SERVICING OF NEW LOTS

Objectives

- O1 To ensure new lots are adequately serviced.

Provisions

- P1 Applicant's must demonstrate how the site is to be serviced for gas, water, electricity, drainage, sewerage, telephone and storm water removal, including any easements that need to be created and practical access for long term maintenance.
- P2 All new allotments must provide gravity drainage to the nearest street gutter or inter-allotment drainage system.

1.3 SITE CONSOLIDATION IN COMMERCIAL DEVELOPMENT

Objectives

- O1 To enable the creation of a human scale that also reflects a consistent subdivision pattern.
- O2 To enable the creation of suitably sized commercial floor plates that can be tenanted easily.

Provisions

- P1 Amalgamate lots to achieve lot frontage identified in the relevant Planning Area Character Statement or Locality Area provisions (refer to Part F of the DCP).



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SECTION 2 LANDSCAPING

2.1 GENERAL PROVISIONS

Objectives

- O1 Landscaping and planting satisfies minimum performance standards and is sustainable and appropriate to the site.
- O2 Landscaping should not adversely impact upon the amenity and usability of adjoining properties.
- O3 To encourage biodiversity conservation and ecological processes.
- O4 To provide a buffer between bushland and development.

Provisions

- P1 Development must provide the minimum landscaped area as specified within Part E – *Development Types* of this DCP (in particular Sections 1.4.7 and 3.3.5), or any alternative minimum landscaped area requirement specified within Part F – *Area Character Outcomes* of this DCP.
- P2 Retain existing trees and mature vegetation wherever practical.
Note: Refer to provisions for management of existing vegetation in Section 3 – *Biodiversity* to Part B of this DCP.
- P3 Development on properties in proximity to bushland must be consistent with the requirements of Section 3.2 – *Bushland* to Part B of this DCP.
Note: Refer to the *Bushland Buffer Map* in Section 3.2 of this DCP to determine if the subject property is located in proximity to bushland.
- P4 Where a development proposes to incorporate plant containers, they should have a minimum diameter of 110mm and a minimum depth of 135mm.
- P5 Developments should incorporate locally occurring native species to reduce water and fertiliser requirements.
- P6 Achievement of maximum density, pursuant to Council’s controls, will be subject to retention of significant trees (as identified by Council) and other important topographic features.
- P7 Minimise disturbance of natural ground levels, native vegetation and topography in the vicinity of identified significant trees.
- P8 New hedges must not result in the unreasonable reduction of access to sunlight or views. A condition may be imposed on a development consent which may restrict the maximum height of a hedge.
- P9 Trees should provide at least 50% canopy cover over landscaped areas at maturity.
- P10 Plant the largest growing and longest lived tree species appropriate to the site conditions.
- P11 Council encourages the incorporation of green walls into developments where appropriate.
Note: Refer to the North Sydney Council [Green Roof and Wall Resource Manual](#) for technical guidance on the design, construction and maintenance of green walls.
- P12 Avoid creating landscaped areas that are broken into a series of small fragmented unusable areas.
- P13 Establish a significant landscaped setting for pathways and paved areas.
- P14 Use planting to create a buffer against cold winter winds (generally westerly), or to direct cooling breezes in summer (generally north easterly).



- P15 Locate driveways and pathways at least 500mm from common boundaries.
- P16 Provide screen planting, including trees, within the 1.5m setback from the common boundary.
- P17 Identify what measures are to be implemented during construction to protect existing vegetation being retained (refer to Part B: Section 3.1.4 – *Protection of Trees During Construction* in the DCP).
- P18 Avoid works which are to occur within the drip line of any tree that has a height greater than 6m, or a girth greater than 1m, measured 1m above the base of the tree.
- P19 Vegetation and landscape elements should be selected and designed to avoid overshadowing existing solar panels or roof spaces which are capable of accommodating solar panels.
- P20 Use pervious materials or stepping stones where pathways are incorporated within side setbacks.

2.2 FRONT GARDENS IN RESIDENTIAL ZONES

Objectives

- O1 To maximise water infiltration on a site.
- O2 To soften the built form.

Provisions

- P1 The entire front setback must not be paved or concreted.
- P2 Where car parking and driveways are located in the front yard, use the minimum amount of paving as practicable.
- P3 Front gardens should merge with those on adjoining properties and support the landscape character of the area.
- P4 Plant trees and shrubs that will hang over or through fences.
- P5 Complement the existing landscape character of the street, including street planting undertaken through the [North Sydney Street Tree Strategy](#).
- P6 Design front gardens that will soften and complement the view of buildings from the street and surrounding properties.
- P7 Do not provide medium height, dense planting around building entries.

2.3 NEW TREE PLANTING

Objectives

- O1 To ensure that the current level of canopy cover in North Sydney is maintained and enhanced over the long term.
- O2 To ensure that sustained amenity is achieved by establishing a range of age classes within the urban tree population.
- O3 To ensure a species diversity that maintains or enhances the current urban character of North Sydney.
- O4 To enhance biodiversity through the strategic connectivity of canopy and habitat plantings between areas of bushland remnants (i.e. wildlife corridor creation).

Section 2 – Landscaping

Provisions

Species Selection

- P1 Species should be chosen after carefully evaluating the site constraints and the desired function of the tree (e.g. habitat, shade, safety, privacy and aesthetics).
- P2 When planting is to take place on public land, Council's arborists will advise the appropriate species in accordance with the [North Sydney Street Tree Strategy](#).
- P3 When planting is to take place in bushland or bushland habitat areas, Council's Bushland Management Staff will determine appropriate species in accordance with the *North Sydney Natural Area Survey 2010* and relevant Bushland Rehabilitation Plans.
- P4 When planting on private property Council strongly recommends the use of a qualified arborist when selecting species.
- P5 When selecting a species, the physical, ecological and horticultural characteristics should be considered.
 - (a) Physical characteristics include: mature dimensions (incl. height, spread and trunk diameter) foliage density, evergreen or deciduous and tree shape or form.
 - (b) Ecological characteristics include: climatic durability, water efficiency, fauna habitat and invasivity in bushland.
 - (c) Horticultural considerations include: fruit/flower/seed drop, suitability to the site growing conditions, poisonous or allergic qualities, weed potential, suckering, root vigour, structural soundness and longevity in the urban environment.

Planting Locations

- P6 New trees should be located where there is adequate space for the chosen species to grow to its natural mature dimensions, survive in the long term and make a positive contribution to the amenity of an area.
- P7 Any new street trees should be located in accordance with the [North Sydney Street Tree Strategy](#).
- P8 Any new trees on private property should be located in accordance with the objectives of the landscaping provisions throughout this DCP and the [North Sydney Urban Forest Strategy](#).

Planting techniques

- P9 All planting must be carried out in accordance with the detailed specifications appropriate to the site as set out in Council's *Infrastructure Specification Manual for Roadworks, Drainage & Miscellaneous Works*.
- P10 Planting trees in footpaths adjacent to heavily trafficked streets may need:
 - (a) To be undertaken outside of peak hour traffic times.
 - (b) The approval of the Transport for NSW if it involves a state or arterial road.
 - (c) A Traffic Management Plan and/ traffic control depending on the road.

Plant Establishment and Maintenance

To ensure the long term survival of any new vegetation, a condition may be imposed on a Development Consent outlining a minimum landscape maintenance period. The length of the landscape maintenance period shall vary according to the specific works carried out and will be generally a minimum of 13 weeks.

It is the responsibility of the developer/applicant to comply with the terms of any Development Consent issued by the Council in respect of maintenance requirements of trees or vegetation within the time stated in the consent.



- P11 Erosion and sedimentation controls may need to be provided subject to the scale of the planting work proposed and the potential of causing pollution. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.

SECTION 3 ACCESSIBILITY

3.1 INTRODUCTION

North Sydney Council is committed to the creation of a community focused upon endless opportunities, fundamental human rights and social justice. In this manner, the DCP aims to provide provisions for the promotion and acceptance of people as individuals and their access to a fair and equal opportunity to participate in community life. The Australian Government's [Disability Discrimination Act 1992](#) (DDA) prohibits discrimination against people with a disability or their associates in a range of areas including transport, education, employment, accommodation and premises to which the public is entitled to enter or use. The [DDA](#) states that failure to provide equal access is unlawful, unless to do so would impose an unjustifiable hardship.

The built environment should adequately reflect the diversity and needs of the community by allowing the free movement and function of individuals throughout the Council area independently and with dignity. North Sydney Council is seeking to promote an independent and safe lifestyle for the whole of its community through the provision of dignified access. Dignified access means a design or process:

- (a) Enables independent access to premises, goods and services, without assuming assistance is required;
- (b) Is equitable and fair; it does not take longer or force people to travel further;
- (c) Facilitates the participation and inclusion of people experiencing a disability; and
- (d) Creates places where people feel at-ease, safe and connected.

Dignified access encompasses the ways in which people get to and from places, how people navigate a space or building, and how people access its facilities and services. Provisions for dignified access and mobility benefit not only people with disabilities, but the community at large.

North Sydney Council is committed to the broadening of opportunities for people who work, play and live in the Local Government Area (LGA). This section of the DCP aims to improve mobility, encourage universal design and provide safe, equitable and dignified access for all people regardless of disability.

3.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 To ensure that the public domain and design of new development provides permeability, legibility, flexibility, consistency, integration and clarity to allow for the access needs of all members of the community.
- O2 To provide safe, equitable and dignified access and encourage universal design in new developments, upgrades to existing buildings, public buildings and public open space.
- O3 To provide safe, equitable and dignified access within all new developments and ensure that substantial building work carried out on or intensified use of existing buildings provides upgraded levels of access and facilities for all people.
- O4 To encourage opportunities for people with disabilities to participate in the design process to foster inclusive design outcomes.
- O5 To increase community awareness of disability affecting certain sections of the community through continued investigation and design best practice and further encourage the educational and promotional awareness of access and mobility issues.
- O6 To introduce standards for adaptable housing and universal design to recognise the more diverse accommodation needs of the community, particularly people with disabilities and older people and allow for flexibility in modification to cater for occupants with existing disabilities or progressive disabilities.



O7 To provide an adequate supply of car parking facilities for use by people with disabilities.

3.1.2 When does this section of the DCP apply?

This Section of the DCP applies to:

- (a) all development applications for new development or alterations and additions to existing non-residential development under NSLEP 2013 (e.g. those buildings generally comprising Classes 3, 5, 6, 7, 8 and 9 buildings as classified under the Building Code of Australia (BCA));
- (b) all development applications required to provide adaptable housing under Part E: Section 1 – *Residential Development* to this DCP (refer to subsection 1.2.2);
- (c) All development applications for new or alterations and additions to a boarding house, co-living or a group home; and
- (d) All development applications for new or alterations and additions to child care facilities.

However, this Section of the DCP does not apply to:

- (e) Work that merely preserves the value or use of an existing asset (e.g. work maintaining, repairing and replacing - unless the maintenance involves works on an existing access barrier which can be easily modified to provide equitable access);
- (f) Works to a component of a building that does not effect access (e.g. installation of a ventilation system);
- (g) Development that does not require building work and is not a significant public use that involves a public authority, service or function such as a health service facility, public administration building, retail premises, place of public worship, restaurant or hotel (e.g. a small change of use with no associated construction works);
- (h) Development that does not require a development application and which BCA approval is not required;
- (i) Class 1 and Class 4 buildings classified under the BCA.

3.2 LEGISLATIVE FRAMEWORK

3.2.1 The Disability Discrimination Act 1992 ([DDA](#))

The DDA aims to eliminate, as far as possible, discrimination against persons on the ground of disability in areas of:

- (a) Work, accommodation, education, access to premises, clubs and sport;
- (b) The provision of goods, facilities, services and land;
- (c) Existing laws; and
- (d) The administration of Commonwealth laws and programs.

Under the [DDA](#), any area legally accessible to the public must also be accessible to people with a disability. The [DDA](#) covers both new and existing buildings as well as places under construction. Applicants proposing to undertake a development should be aware of the requirements of the [DDA](#) the [EP&A Act](#), the Disability (Access to Premises – Buildings) Standards and the BCA.

More information on the [DDA](#) can be obtained from the Human Rights and Equal Opportunity Commission website: www.humanrights.gov.au

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3.2.2 Disability (Access to Premises – Building) Standards

On 1 May 2011 the Disability (Access to Premises – Buildings) Standards (Premises Standards) commenced operation. The Premises Standards take a fresh approach to access to premises by harmonising the requirements of the [DDA](#) and those of the Building Code of Australia. The result is that access requirements will be applied consistently to new buildings and new building work throughout Australia, and will be enforced through existing and effective State and Territory building approval processes.

Copies of the Premises Standards, an explanatory statement and frequently asked questions can be viewed and downloaded from www.ag.gov.au/premisesstandards. In addition, the Australian Human Rights Commission has produced Guidelines on the application of the Premises Standards. These guidelines are helpful in interpreting the standards and can be viewed and downloaded from www.hreoc.gov.au/disability_rights/standards/PSguide.html.

3.2.3 Building Code of Australia (BCA)

The BCA and the Australian Standards are the basic tools used in respect of access.

Both prescribe the minimum standards that must be achieved in new development in order to provide equitable access for people with disabilities. However, where substantial alterations are proposed to an existing development, the consent authority has the discretion to enforce the provisions of the BCA on existing developments.

The BCA operates on a performance-based basis which allows for a broader range of solutions making it easier to deal with the specialised needs of particular buildings, such as heritage buildings. Within the BCA are “*deemed to satisfy*” provisions which provide one possible building solution that is considered to satisfy the performance based provisions. An alternative solution to the “*deemed to satisfy*” provisions of the BCA may be considered by the consent authority, but only if the applicant can adequately demonstrate that the alternative solution achieves the same outcome as a “*deemed to satisfy*” provision.

Amendments were made to the BCA in 2011 to ensure that it was consistent with the Access Code of the Premises Standards. While legally the two sets of requirements must remain separate documents, the intention is that compliance with the amended BCA and state and territory building laws and regulations will also ensure compliance with the Premises Standards.

3.2.4 Australian Standards

The BCA makes reference to some of the Australian Standards applicable to the design of equitable access. However, it is suggested that designers and planners consider the relevant and most up to date provisions of both the referenced Australian Standards and relevant non-referenced Australian Standards in respect to any development. The most up to date Australian Standards will be referenced during the assessment of any development proposal. At the time of the preparation of this DCP, the following standards apply:

- AS 1428 Design for Access and Mobility,
- AS 1428.1 (2009) General Requirements for Access - New Building Work,
- AS 1428.2 (1992) Enhanced and Additional Requirements - Buildings and Facilities,
- AS 1428.4.1 (2009) Means to assist the orientation of people with vision impairment – Tactile ground surface indicators,
- AS 1428.4.2 (2018) Means to assist the orientation of people with vision impairment – Wayfinding signs,
- AS 1428.5 (2010) Communication for people who are deaf or hard of hearing,
- AS 1735.12 (1999) Lifts, escalators and moving walks – Facilities for Persons with Disabilities,

- AS/NZS 2890.6 (2009) Parking facilities – Off-street parking for people with disabilities,
- AS 4586 (2013) Slip resistance classification of new pedestrian surface materials,
- AS 4663 (2013) Slip resistance measurement of existing pedestrian surfaces, and
- AS 4299 (1995) Adaptable Housing.

Copies of Australian Standards can be obtained from:

Standards Australia
Level 10, The Exchange Centre
20 Bridge Street
Sydney NSW 2000
Ph: 1800 035 822
www.standards.org.au

3.2.5 Livable Housing Design Guidelines

The *Livable Housing Design Guidelines* aim to ensure that future homes are able to meet the changing needs of a variety of occupants over the course of the home's lifetime. They were published in 2010 by Livable Housing Australia and are based on universal design principles. Although these guidelines are not statutory, they currently reflect best practice directions in this industry. Council has incorporated the Silver level performance requirements from the Livable Housing Design Guidelines into this DCP, which focuses on seven core design elements:

- (a) Dwelling access;
- (b) Dwelling entrance;
- (c) Internal doors and corridors;
- (d) Toilets;
- (e) Showers;
- (f) Reinforcement of bathroom walls; and
- (g) Internal stairways.

The Guidelines and the details of the Silver, Gold and Platinum level performance requirements can be accessed at: https://livablehousingaustralia.org.au/wp-content/uploads/2021/02/SLLHA_GuidelinesJuly2017FINAL4.pdf

3.3 DEVELOPMENT ASSESSMENT

3.3.1 Variation of Access Provisions

If providing access is considered to cause unreasonable costs or difficulties and is proven unjustified, an exemption may be applied for. In some cases, compliance with access provisions may not be possible and an alternative solution may be considered more desirable by both the developer and Council. A partial or alternative solution will be preferred, opposed to total exemption from the policy.

Should it be the case that provision of access for people with a disability is not possible, a "statement requesting variation" must be submitted with the development application. The statement requesting variation should address at least the following:

- (a) Technical limits;
- (b) Topographic restrictions;



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- (c) The effect, both positive and negative, on other people of providing the required access, for example, people delivering goods, people with prams or trolleys and the staff;
- (d) Safety, design options explored and construction issues;
- (e) Heritage issues;
- (f) The benefit for people with disabilities; and
- (g) The costs involved in providing access.

Applicants should be aware that a variation accepted in one situation may not necessarily be accepted in another. It may also be the case that a partial solution may be preferred rather than a total exception. Access should be provided to the maximum level possible without causing unjustifiable hardship.

The consent authority will consider whether or not the case provided in the statement requesting variation is reasonable and whether or not it should be supported. Each case will be assessed on a merits basis and will consider the possibility of providing partial solutions as submitted in the statement requesting variation.

Applicants should note that the granting of consent by the consent authority to a development that is non-compliant with the BCA or this DCP due to reasons such as technical limits, topographical restriction or heritage significance does not protect the applicant against a complaint being made against them under the [DDA](#).

3.3.2 Access to Heritage Items

North Sydney Council contains a large number of sites of historic, scientific, cultural, social, architectural, natural and/or aesthetic significance. Due to the nature of these locations and their local, regional, national and international importance, access should be available for all members of the community.

The provision of equitable access may involve the modification of significant fabric of the heritage item, which could be in direct conflict with heritage values for the site. Thus, development proposals involving heritage items will therefore be assessed on a merit basis. However, the proposal should follow these basic principles:

- (a) The provision of access for people to and within heritage items should have minimal impact on the significant fabric of the item and, as far as possible, be reversible;
- (b) Where such access is likely to have a major adverse impact on significant fabric, alternative solutions should be considered; and
- (c) Alternative solutions may include a temporary ramp, access through a side entrance or the like. However, applicants should note that these solutions will only be acceptable as a 'last resort', and that every effort should be made to ensure that equitable access is provided through the principle entrance of the building.

The alteration or removal of a highly significant fabric in order to provide access to the heritage item could constitute an argument of unjustifiable hardship. However, in doing so, it must be clearly established that there are no other suitable alternative solutions to provide access to the building. Should development be proposed in a heritage item that is currently, or proposed to be, publicly accessible, Council will require the submission of a heritage impact statement or conservation management plan which addresses access issues. Where a heritage impact statement is submitted, a separate statement requesting variation is not required.

The heritage impact statement should be prepared by a suitably experienced and qualified heritage practitioner and identify the following points as a minimum:

- (a) Assess the significance of the place;
- (b) Identify and rank the significant elements;



- (c) Determine the existing and required levels of accessibility (this will generally require the input of an access expert);
- (d) Identify the potential impacts (both positive and negative) of providing access to the item;
- (e) Identify and assess the possible design alternatives; and
- (f) Assess the heritage impact of the preferred design solution.

3.3.3 Public Domain and Access

Generally, North Sydney Council does not permit private development which encroaches upon the public domain as it is perceived to be alienation of public space and not in the public's best interest.

However, in some exceptional cases it may be appropriate to allow for development to encroach upon or alter the public domain so that equitable access can be provided to a building. In proposing that access be provided via a ramp or other mechanical device on the public domain or alteration of the public domain the following must be demonstrated:

- (a) Providing access by other means will result in a substantial loss of original fabric of a heritage item, thereby impacting on the significance of the place, and that the provision of equitable access is highly desirable, with no alternative access options available;
- (b) The proposal involves a significant public building where equitable access is highly desirable and there are no alternative access options available; and
- (c) The safety, accessibility, legibility and consistency of public domain will not be adversely affected.

Should an applicant propose to use the public domain to provide equitable access to a building, Council's consent as owner of the land must be obtained prior to lodgement of a development application. To obtain Council's consent the applicant must fully document all access options that have been pursued.

For further information regarding use of the public domain for equitable access, please contact the Engineering and Property Services Department.

3.4 DESIGN CRITERIA

3.4.1 Continuous Accessible Path of Travel

A continuous accessible path of travel means a clear, flat and unobstructed path of travel to or within a building providing access to all required facilities. For non-ambulatory people, this accessible path should not incorporate any step, stairway, turnstile, revolving door, escalator or other impediment which would prevent it from being safely negotiated by people with disabilities.

Objectives

- O1 To ensure that all public spaces are accessible to people with disabilities via a continuous accessible path of travel.
- O2 To ensure that the main path of access for people with disabilities is safe, equitable and dignified.
- O3 To encourage new development to incorporate universal design principles.

Provisions

- P1 Continuous accessible paths of travel are to:
 - (a) comply with the requirements under AS 1428.1 and 1428.2;
 - (b) be well lit and sheltered from the weather where possible;

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- (c) incorporate rest stations if the travel route is long;
 - (d) provide for the physical separation of pedestrian traffic from vehicular traffic;
 - (e) have the shallowest possible gradient for the distance available; and
 - (f) incorporate walkways, ramps, step ramps or lifts at changes of level along the path of travel.
- P2 The access paths and travel paths should incorporate rest stations if the travel route is long.
- P3 Signage and tactile markers should be provided to direct people with disabilities to accessible locations.

3.4.2 Parts of a building required to be accessible

Objectives

- O1 To ensure that appropriate areas of a building are accessible and located along the accessible path of travel.

Provisions

- P1 Access to buildings and their facilities should be provided in accordance with Table D3.1 of the BCA unless it can be shown that access to an area would be inappropriate because of the particular purpose for which the area is to be used.
- P2 Premises providing fixed seats (e.g. entertainment facility, recreation facility), must provide a minimum of 1 wheelchair space per 100 seats or part thereof, with a minimum of 2 spaces. The positioning of spaces provides equal amenity and choice for all users.

3.4.3 Accessible Room Requirements

This subsection of the DCP applies to buildings containing temporary residential accommodation such as serviced apartments, hotel and motel accommodation.

Objectives

- O1 To ensure that temporary residential accommodation caters for mobility impaired persons.
- O2 To ensure that where than more than one bed or apartment is provided, that a range of amenity and cost of accessible accommodation is available.

Provisions

- P1 Accessible rooms shall be provided in the ratios outlined in Table D3.1 of the BCA for Class 3 developments.
- P2 Where accessible rooms or bedrooms are required pursuant to P1 above, they must:
 - (a) be distributed as equitably as possible amongst the different ranges of amenity provided; and
 - (b) fully comply with the requirements of AS 1428.1 and AS 1428.2.

3.4.4 Walkways, Ramps and Landings

Objectives

- O1 To ensure that walkways, ramps and landings provide appropriate transitions between sections of different gradients allowing for safe, equitable and dignified access to public places for all members of the community.
- O2 To ensure that landings are provided in appropriate places to function as both resting points and circulation spaces.



O3 To ensure that appropriate ancillary devices are provided with walkways, ramps and landings to maximise mobility for all people.

Provisions

- P1 Walkways, paths, ramps and landings must be provided in accordance with AS1428.1.
- P2 Handrails are to be provided to walkways, paths, ramps and landings in accordance with AS 1428.1.
- P3 Walkways, paths and landings shall not protrude on the public way, unless prior agreement has been reached between the applicant and North Sydney Council.
- P4 Where applicable, walkways, ramps and landings shall be 'filled in' underneath in order to avoid people with vision impairments walking into the underside.
- P5 Gradients provided between lands should be constant and the angle of approach to changes in gradient should be at or near zero degrees.
- P6 Consideration should be given to providing alternative means to providing access between levels (e.g. where appropriate, lifts should be incorporated).
- P7 At the end of walkways, paths and ramps there should be contrasting surfaces.
- P8 Walkways, paths and ramps should have a slip resistance surface, be well lit, and display tactile markers (refer to AS1428.4) and warnings to assist people with a vision impairment.
- P9 The height of the kerb shall comply with the provisions of *Disability Standards for Accessible Public Transport 2002*.
- P10 Kerb ramps are to be provided from the footpath to the road at all intersections and through traffic islands where practicable. The kerb ramps are flush with the footpaths and roadways and avoid ridges which create barriers for wheelchairs and child strollers. Tactile surfaces indicate a kerb ramp for people with impaired vision.
- P11 Consideration should be given to providing alternative means to providing access between levels (i.e. where appropriate, lifts should be incorporated).
- P12 Kerb ramps should be free of any threshold lip.

3.4.5 Doorways and Doors

Objectives

O1 To ensure doorways and doors are designed such that all members of the community can traverse the opening without hindrance.

Provisions

- P1 Entrance doors must be provided in accordance with AS 1428.1.
- P2 Where double leaf doors are used, at least one leaf must be in accordance with the minimum clear opening requirements of AS1428.1.
- P3 Adequate circulation space should be provided on both sides of doorways as required by subsection 3.4.6 to this Section of the DCP.

3.4.6 Circulation Spaces

Objectives

O1 To ensure that adequate circulation spaces, which allow the easy manoeuvrability of wheelchairs, and rest spaces are provided and positioned so that they do not impact on the circulation space.

Provisions

- P1 Circulation spaces must comply with AS 1428.2.



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- P2 All circulation areas and thoroughfares should be clear of any obstruction that will impede access by people using mobility aids or which may cause a hazard for people with a vision impairment (refer to AS1428.4).

3.4.7 Lifts

Objectives

- O1 To ensure that accessible lifts are installed in public buildings which have more than one level, including parking levels, and are required to be accessible.
- O2 To ensure that the accessible lift forms part of the continuous accessible path of travel.

Provisions

- P1 Accessible lifts shall be installed in new commercial and residential buildings in accordance with AS 1735.12.
- P2 In an existing development, where the installation of a lift complying with AS 1735.12 would cause unjustifiable hardship, a "stairway wheelchair platform lift" complying with AS 1735.7 may be considered.
- P3 Lift lobbies shall be designed to permit the turning of wheelchairs for the purpose of entering and exiting lifts and to permit the easy passage of other persons and be provided with seating.
- P4 Lifts should be equipped with audio announcements to indicate floor level and direction of travel.
- P5 Lifts should be fire-rated to enable evacuation during emergencies.

3.4.8 Sanitary Facilities

Objectives

- O1 To ensure that adequate sanitary facilities catering for people with disabilities are provided in accessible buildings.
- O2 To require the provision of unisex toilets so that a person can be assisted by an attendant of the opposite sex.

Provisions

- P1 Where equitable access is provided to a building, sanitary facilities for people with disabilities shall be provided in accordance with requirements of AS 1428.2 and Part F2.4 of the BCA.

3.4.9 Car Parking Facilities

Objectives

- O1 To ensure car parking is accessible for people with disabilities.

Provisions

- P1 Must comply with provisions for accessible parking facilities in Part D: Section 4 - *Car Parking and Transport* in this DCP.

3.4.10 Fire Safety

Objectives

- O1 To ensure that consideration is given to additional needs of people with disabilities when designing egress routes and warning systems.

Provisions

- P1 Prior to granting consent Council must give consideration to the following:

- (a) accessible fire rated egress routes or waiting spaces for people with mobility impairments;
- (b) warning systems have both audible and visual warnings; and
- (c) Preparation of an emergency management plan which identifies strategies to facilitate emergency egress for people with a disability.

3.4.11 Temporary Structures and Events

Objectives

- O1 To ensure that consideration is given to additional needs for people with disabilities when planning events and festivals and when designing temporary structures.

Provisions

- P1 Where a temporary festival or event is proposed:
- (a) if the event is to be held in an existing building, access shall be provided to the greatest extent possible;
 - (b) accessible sanitary facilities must be made available; and
 - (c) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities.
- P2 Where a temporary structure is proposed:
- (a) The structure should not reduce the existing level of accessibility;
 - (b) Where a fire egress is an issue, consideration should also be given to preparing an emergency evacuation plan for people with disabilities; and
 - (c) If applicable, an accessible path of travel should be incorporated to and within the temporary structure.

3.4.12 Signage and Audio Cues

Objectives

- O1 To ensure that where information (both visual and audio) is required, the appropriate indicators are designed and provided to be understood by all users, including those with sensory disabilities (i.e. sight and sound).

Provisions

- P1 Signage and hearing augmentation systems must be provided in accordance with AS1428.1 and AS 1428.2.
- P2 Hearing augmentation must be provided for at least 15% of the seating capacity of an entertainment facility.

3.5 ADAPTABLE HOUSING

Objectives

- O1 To ensure that accessible, continuous and safe paths of travel are provided from the property entry point to and through the entrance of adaptable dwellings.
- O2 To ensure that all new dwellings incorporate universal design elements to accommodate the changing needs of occupants over their lifetimes.

Provisions

- P1 Adaptable housing required to be provided in accordance with Part D: Section 1 - *Residential Development* to the DCP must be designed and constructed to a minimum Class C under AS4299 – Adaptable Housing.

Note: Class C Certification requires the provision of all "essential features" of AS 4299 to be incorporated within the development. The essential features criterion include:

Section 3 - Accessibility

- (a) Provision of plans showing the housing unit in its pre-adaptation and post-adaptation stages;
- (b) A continuous accessible path of travel;
- (c) Provision of accessible parking spaces;
- (d) Manoeuvrability both internally and externally;
- (e) Adjustable kitchen facilities;
- (f) Adjustable bathroom facilities; and
- (g) Adjustable laundry facilities.

P2 Where adaptable housing is required, access to and within all of the public areas (i.e. common areas/facilities such as entry lobbies, laundry, bbq areas, gardens and the like) must be provided in accordance with AS 1428.

P3 Issues to be considered in the assessment of adaptable housing include:

(a) **Compliance with AS1428.1 and AS1428.2:**

Access to and within the adaptable housing dwellings complies with the requirements of the relevant provisions of the Australian Standards. This includes access to at least one type of each common facility or service provided in the development (e.g. BBQ areas, swimming pools, common laundry facilities etc).

(b) **Location:**

Adaptable housing units should be provided in convenient locations that are close to facilities such as public transport, community facilities and public services.

Within the development they should be located along the accessible path of travel, preferably close to the main entrance of the building.

(c) **Bathroom Facilities:**

Bathrooms should be large allowing for wheelchair access and manoeuvring. A bath need not be provided, but the shower should allow for chair access. The hand wash basin and any shelving should be provided at a height that is accessible at both a standing or seated position.

(d) **Laundry Facilities:**

The laundry should also be large to allow for wheelchair access and circulation around the appliances. Washing machines and dryers should be front loading, a wall mounted dryer is also preferable.

(e) **Circulation Spaces:**

Bedrooms and living areas should be an adequate size to allow for ease of movement around furniture. Doorways and entrances are wide enough to facilitate wheelchair access and circulation.

(f) **Kitchen Facilities:**

The kitchen should be of a flexible design so that modifications can be made if required in the future. Cupboard and pantry shelf heights should be adjustable to make them easy to reach.

(g) **Flooring:**

Tiles or timber flooring is preferable to carpet. However, if carpet is to be provided it should be low pile with no underlay. Non-slip tiling should be provided in wet areas.

(h) **Walls:**

Walls located along main travel paths and in bedrooms and bathrooms should be reinforced to allow for installation of grab rails if necessary.



(i) **Windows:**

Windows should be operatable with one hand (preferably sliding) and located no higher than 700mm from the floor.

(j) **Landscaping:**

Outdoor areas should be designed to be low maintenance, with no lawns and a drip irrigation system. All paving should be even and be wheelchair accessible.

Note: *In order to grant development consent, Council will need to be satisfied that the proposal can comply with the design requirements of AS4299 without major structural or design changes. As part of the development consent, a condition will be imposed requiring the checklist of AS4299 to be completed and submitted with the subsequent construction certificate application. The principal certifying authority will then be required to check that the proposal complies with the technical components of AS4299.*

SECTION 4 CAR PARKING AND TRANSPORT

4.1 INTRODUCTION

Due to its geographical location within Metropolitan Sydney, North Sydney's transport infrastructure not only accommodates the travel demands of its residents and workers, it also caters to needs of a significant level of cross regional trips. Increased parking provision directly results in increases in traffic flow and congestion, which subsequently reduces levels of service for all modes of transport.

This increase in traffic generation can also lead to loss in residential, pedestrian and cyclist amenity, safety of all transport modes and further lead to increased use of private vehicles as alternative transport modes become less attractive.

The *North Sydney Transport Strategy* seeks to manage these issues by outlining Council's transport vision and priorities for the LGA. The vision focuses on issues of safety, transport security, social well being, active health, fair access to parking, environmental sustainability, local environments, transport affordability, congestion and business activity.

In particular, it seeks to prioritise the efficient movement of people and goods by walking, cycling, and public transport with lower levels of priority given to private vehicular transport.

4.1.1 General objectives

The objectives of this Section of the DCP are to ensure that:

- O1 the objectives, strategies, planning priorities and actions of the [Greater Sydney Region Plan – A Metropolis of Three Cities](#) and the *North District Plan* are implemented;
- O2 the objectives, strategies, planning priorities and actions of the *North Sydney Local Strategic Planning Statement* are implemented;
- O3 the vision and priorities of the *North Sydney Transport Strategy* are achieved;
- O4 existing levels of traffic generation are contained and reduced;
- O5 public transport, including walking and cycling, is the main form of travel mode;
- O6 parking is adequate and managed in a way that maintains pedestrian safety and the quality of the public domain whilst minimising traffic generation;
- O7 parking is accessible to all user groups;
- O8 minimal impacts occur on the provision of on-street parking;
- O9 ensure consideration is given to the provision of bicycle parking and facilities;
- O10 a development's transport demand is effectively managed through its lifetime; and
- O11 adaptable housing, where required, is allocated with an accessible parking space.

4.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications.

4.1.3 Relationship to other documents

Where relevant, this section of the DCP should be read in conjunction with the following planning policies and documents:

- (a) *North Sydney Local Strategic Planning Statement*;
- (b) *North Sydney Transport Strategy*;
- (c) [SEPP \(Transport and Infrastructure\) 2021](#);



The Transport and Infrastructure SEPP lists the types of developments which are required to obtain Transport for NSW's concurrence prior to the issuing of development consent;

- (d) Transport for NSW's [Guide to Traffic Impact Assessment](#) prepared by the former Road and Traffic Authority;
- (e) [Cycling Aspects of Austroads Guides AP-G88-17 \(2017\)](#) prepared by NSW Department of Infrastructure, Planning and Natural Resources and the NSW Roads and Traffic Authority;
- (f) [Performance Guide](#)
The Guide will direct you to the references, which have been adopted by Council for designing traffic facilities associated with the development of private property; and
- (g) *North Sydney Council Resident Parking Permit Policy.*

4.2 PARKING PROVISION

4.2.1 Quantity Requirements

Objectives

- O1 To facilitate an increase in the use of public and alternative transport modes including walking and cycling.
- O2 To minimise the reliance on private car usage.
- O3 To ensure that an appropriate level of on-site car parking is provided to cater for the users of the development, with regard to a site's proximity and access to other sustainable transport modes.

Provisions

Residential Development

- P1 Provide on-site car parking, not exceeding the maximum rates stated in Table D-4.1.

Note: *To remove any doubt, where the parking calculation for each component of the development results in a fraction of a parking space, the maximum rate is to be rounded down to the nearest whole number.*



Section 4 - Car Parking and Transport

| TABLE D-4.1 – Residential Parking Rates | | | | |
|--|---|---------------------------|----------------------------------|----------------------------------|
| Development Type | Zone | Location | Maximum Parking Rate | |
| <ul style="list-style-type: none"> dual occupancies dwelling houses semi-detached dwellings | All | All | 1-2 bedrooms | 1 space / dw* |
| | | | 3 or more bedrooms | 2 spaces /dw |
| <ul style="list-style-type: none"> attached dwellings multi-dwelling housing | All | All | Studio, 1-2 bedrooms | 1 space / dw |
| | | | 3 or more bedrooms | 1.5 spaces / dw |
| | | | Visitor | 0.25 space / dw (min of 1 space) |
| <ul style="list-style-type: none"> residential flat buildings shop top housing | E2 Commercial Centre MU1 Mixed Use | High Accessibility Area** | Studio | 0.3 space / dw |
| | | | 1 bedroom | 0.4 space / dw |
| | | | 2 bedroom | 0.7 space / dw |
| | | | 3 + bedrooms | 1 space / dw |
| | All locations other than High Accessibility Area** | Studio, 1 bedroom | 0.5 space / dw | |
| | | | 2 + bedrooms | 1 space / dw |
| | | | Motorcycle parking | 1 space / 10 car spaces |
| | All zones other than: E2 Commercial Centre MU1 Mixed Use | High Accessibility Area** | Studio | 0.3 space / dw |
| | | | 1 bedroom | 0.4 space / dw |
| | | | 2 bedroom | 0.7 space / dw |
| | | | 3 + bedrooms | 1 space / dw |
| | All locations other than High Accessibility Area** | Studio, 1-2 bedrooms | 1 space / dw | |
| 3 + bedrooms | | | 1.5 spaces / dw | |
| Visitor | | | 0.25 space / dw (min of 1 space) | |
| boarding houses | All | All | 1 / 12 beds | |
| seniors housing | All | All | 1 / 5 dw | |

* dw = Dwelling

** The extent of the High Accessibility Area is identified in Figures D-4.1 to D-4.3.



Figure D-4.1

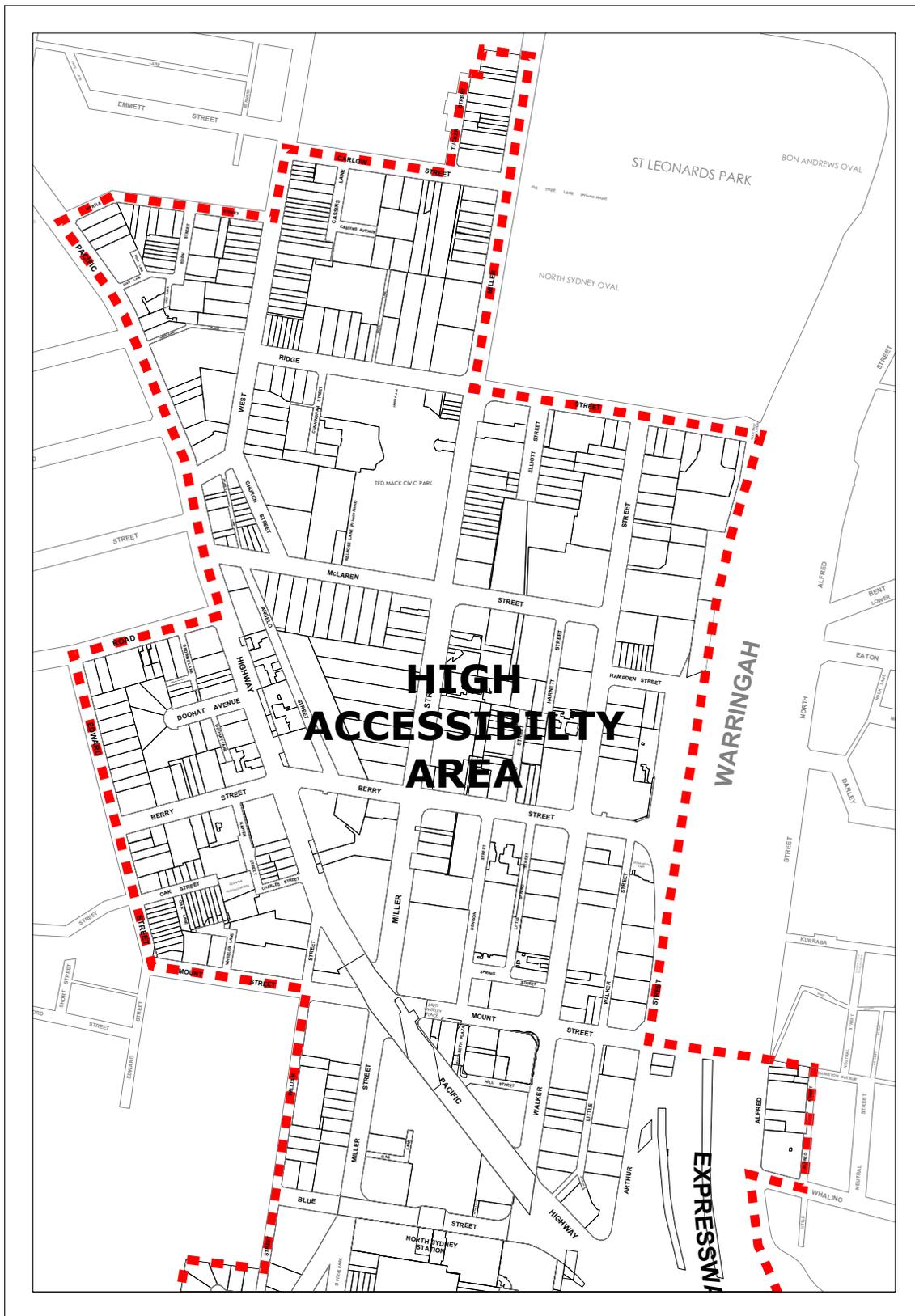


Figure D-4.2

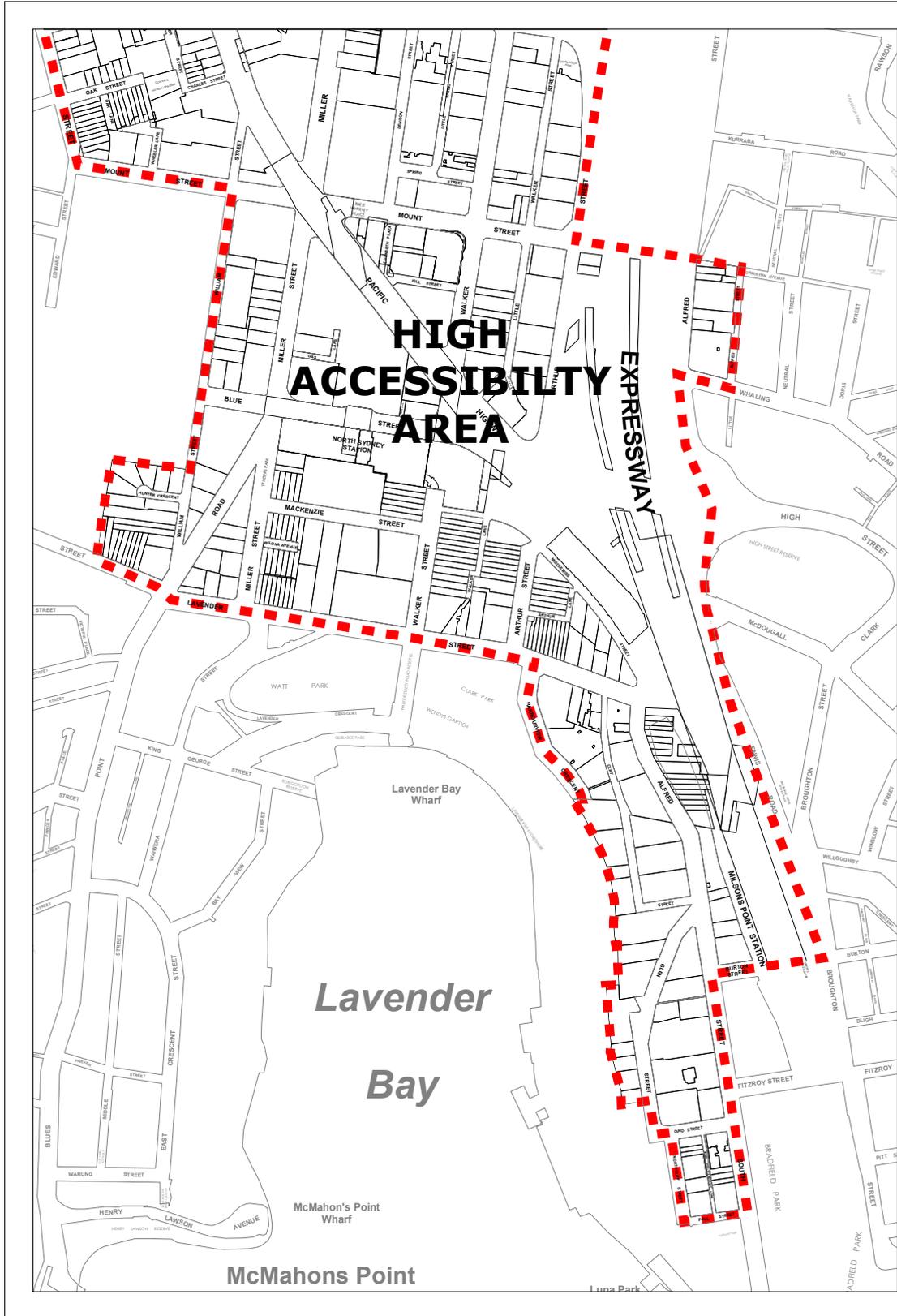


Figure D-4.3



Section 4 - Car Parking and Transport

- P2 For residential flat buildings, shop-top housing and attached dwellings, on-site car parking provision below maximum rates specified in Table D-4.1 is encouraged where the proposed development has good access to public transport.
- P3 For residential developments containing 4 or more dwellings, a car wash bay is to be provided within the visitor parking area. The car wash bay may comprise a visitor car space. The wash bay is to be adequately drained and connected to the sewer line.
- P4 The use of car spaces is restricted to the occupiers(s) of a development.
- P5 Designate visitor car parking spaces as common property.
- P6 All adaptable housing required to be provided in accordance with Part E: Section 1 – *Residential Development* of the DCP must allocate at least one accessible parking space to each adaptable dwelling.

Non-Residential Development

- P7 Provide on-site car parking not exceeding the maximum rates specified in Table D-4.2.

Note: To remove any doubt, where the parking calculation for each component of the development results in a fraction of a parking space, the maximum rate is to be rounded down to the nearest whole number.

| TABLE D-4.2: Non-residential Parking Rates in Specific Locations | | | |
|---|---|--|--|
| Zone | Location | Development Type | Maximum Parking Rate |
| E1 Local Centre | High Accessibility Area ** | All | 1 space / 400m ² non-residential GFA |
| | All locations other than High Accessibility Area ** | All uses listed in Table D-4.3 - Specific Uses | As per Table D-4.3 |
| | | All uses not listed in Table D-4.3 - Specific Uses | 1 space / 100m ² non-residential GFA |
| E2 Commercial Centre | All | All | 1 space / 400m ² non-residential GFA* |
| MU1 Mixed Use | High Accessibility Area ** | All | 1 space / 400m ² non-residential GFA* |
| | All locations other than High Accessibility Area ** | All uses listed in Table D-4.3 - Specific Uses | As per Table D-4.3 |
| | | All uses not listed in Table D-4.3 - Specific Uses | 1 space / 60m ² non-residential GFA |
| E3 Productivity Support W4 Working Waterfront | All | All uses listed in Table D-4.3 - Specific Uses | As per Table D-4.3 |
| | | All uses not listed in Table D-4.3 - Specific Uses | 1 space / 100m ² non-residential GFA |

* GFA = gross floor area

** The extent of the High Accessibility Area is identified in Figures D-4.1 to D-4.3.



Section 4 - Car Parking and Transport

P8 For specific non-residential uses, provide on-site car parking not exceeding the maximum rates specified in Table D-4.3. The parking requirements within Table D-4.2 take precedence over the rates within Table D-4.3.

Note: To remove any doubt, where the parking calculation for each component of the development results in a fraction of a parking space, the maximum rate is to be rounded down to the nearest whole number.

| TABLE D-4.3 – Parking rates for specific non-residential uses | |
|---|---|
| Development Type | Maximum Parking Rate |
| Boat repair facilities | <ul style="list-style-type: none"> 1 space / 200m² of GFA* Appropriate loading facilities |
| Centre-based child care School-based child care) | <ul style="list-style-type: none"> Staff 1 space / 2 employees with a max. of 3 spaces Parents < 24 places - 2 spaces ≥ 24 places - 3 spaces |
| Educational establishments | <ul style="list-style-type: none"> 1 space / 6 staff |
| Entertainment facilities | <ul style="list-style-type: none"> 1 space / 100m² of GFA |
| Food and drink premises (excluding Pubs) | <ul style="list-style-type: none"> 1 space / 50m² of GFA |
| Funeral chapels Funeral homes | <ul style="list-style-type: none"> 1 space/ 5 seats |
| Hospitals | <ul style="list-style-type: none"> 1 space / 6 beds + 1 space / 4 staff |
| Hotel and motel accommodation Pubs Registered clubs (excluding residential) | <ul style="list-style-type: none"> 1 space / 100m² (licensed floor area), 1 space / 5 bedrooms |
| Light industries | <ul style="list-style-type: none"> 1 space / 200m² of GFA Appropriate loading facilities |
| Medical centres | <ul style="list-style-type: none"> 4 spaces / 100m² of GFA Proposals for medical centres must include traffic report accurately predicting traffic generation based on similar sized medical centres |
| Places of public worship | <ul style="list-style-type: none"> 1 space / 100m² of GFA |
| Recreational facilities | <ul style="list-style-type: none"> 1 space / 100m² of GFA |
| Restricted premises Sex service premises | <ul style="list-style-type: none"> 1 space / 205m² of GFA |
| Serviced apartments | <ul style="list-style-type: none"> 1 space / 5 apartments |
| Service stations Vehicular repair stations | <ul style="list-style-type: none"> 2 spaces / workshop bay |
| Supermarkets | <ul style="list-style-type: none"> 4 spaces / 100m² of GFA |
| Vehicular sales or hire establishment | <ul style="list-style-type: none"> 1 space / 100m² of GFA |

* GFA = gross floor area

** The extent of the High Accessibility Area is identified in Figures D-4.1 to D-4.3.

P9 On-site car parking provision below maximum rates specified in Tables D-4.2 and D-4.3 is encouraged where the proposed development has good access to public transport.

P10 Council must not grant consent for car parking spaces for entertainment facilities unless the location and availability of existing public car parking in the vicinity of the proposed entertainment facility has been considered. Any car parking allowed

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specifically for the entertainment facility may, with consent, also be available only for short-stay parking during the hours of 9.30am to 6pm, but for no other purpose.

- P11 In addition to P8 above, a centre-based child care or school-based child care facility must provide one designated disabled access and one designated emergency vehicle space on site in the *R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, SP2 Infrastructure (Educational Establishment) and C4 Environmental Living* zones, and within close proximity in the *E1 Local Centre, E2 Commercial Centre, MU1 Mixed Use and E3 Productivity Support* zones (e.g. on-street directly adjacent to the facility).
- P12 In addition to P7 and P8 above, parking for motorcycles must be provided at the minimum rate of 1 space per 10 cars or part thereof.

4.2.2 Accessible Car Parking Facilities

Objectives

- O1 To ensure car parking is accessible for people with disabilities.

Provisions

- P1 Designated accessible car parking facilities must be provided at the rates specified in Table D3.5 to the BCA.

4.2.3 Car Share Schemes

Car share schemes support sustainable transport modes, such as walking, cycling and public transport by filling a “mobility gap” – that is providing access to a vehicle on an “as needs” basis, without the high cost of ownership or private parking space provision.

Objectives

- O1 To minimise the negative impacts of vehicular traffic associated with new development on the safety and efficiency of existing roads and the amenity of the North Sydney community.

Provisions

- P1 Council supports the provision of car share parking in residential, mixed use and commercial developments. Where a car share scheme is to be provided:
 - (a) The number of car share parking spaces provided does not replace more than 25% of the maximum off-street parking requirement if those car share spaces had not been provided, excluding any residential visitor parking spaces; and
 - (b) Each car share space does not replace less than 3 or more than 4 of the maximum residential and/or non-residential parking space requirements.
- P2 Where car share spaces are to be provided on private land, they must be:
 - (a) Publicly accessible 24 hours a day, 7 days a week;
 - (b) Located as close as practical to site’s entry to the public road;
 - (c) Where more than one space is to be provided, located adjacent to one another;
 - (d) Clearly marked for use by car share scheme vehicles only; and
 - (e) Identified as common property on any registered title of land and not sold or leased to an individual.

4.3 DESIGN AND LAYOUT

4.3.1 Parking Spaces

Objectives

- O1 To provide adequate on-site car parking for occupants.
- O2 To ensure that parking areas are adequately designed to enable the manoeuvring and accommodation of the types of vehicles likely to use the site.
- O3 To ensure that parking areas are adequately designed for mobility impaired persons.

Provisions

- P1 The size and design of all parking spaces, loading facilities and any associated manoeuvring areas must be in accordance with AS2890.
- P2 Motorcycle parking must have a minimum dimension of 1.2m x 3m.
- P3 A minimum of 1-2% of all non-residential parking spaces are to be designated for use by the disabled.
- P4 Car parking spaces for people with disabilities or their associates are provided adjacent or close to the principal public entrance in accordance with AS 1428.2.
- P5 The use of car spaces within a development is restricted to the occupiers of that development.
- P6 Visitor car parking spaces must be designated as common property.

4.3.2 Location

Objectives

- O1 To minimise adverse visual impacts on the appearance of the street or building.
- O2 To maintain garden settings in residential zones.
- O3 To ensure the safe and efficient transfer of children to and from centre based child care facilities.

Provisions

- P1 Parking for all residential accommodation, except multi-dwelling housing, residential flat buildings and shoptop housing, must not be provided underground, unless it can be adequately demonstrated that the site conditions dictate that this is the only or most appropriate solution for parking provision.
- P2 All parking associated with multi dwelling housing, residential flat buildings and shoptop housing must be provided underground (i.e. within a basement).
- P3 All parking for non-residential development in the *E1 Local Centre*, *E2 Commercial Centre* or *MU1 Mixed use* zone must be provided underground.

Development in Residential Zones

- P4 Garages, carports or other like parking structures must not be located between the primary street frontage and the primary street façade of the building.
- P5 A single car parking space (i.e. not within a garage, carport or other structure) may be located between the primary street frontage and the primary street façade of the building, but only if:
 - (a) no other on-site parking exists or is possible;
 - (b) no rear laneway exists to provide vehicle access from the laneway rather than from the street;
 - (c) no demolition or partial demolition of the property is required to cater for the space;

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- (d) any excavation required is minimal in comparison to the area of the parking space;
- (e) on-street parking is constrained by commuter parking and/or clearways;
- (f) the parking space is uncovered;
- (g) porous materials are used for the parking space’s surface;
- (h) landscaped area complies with the minimum requirements under Sections 1.4.7 and 3.3.5 to Part E of the DCP, or if it is already less than the minimum requirement, the landscaped area is not further reduced;
- (i) adequate space to fit vehicles within the property boundary exists to avoid overhang onto the footpath;
- (j) it complies with AS 2890.1.

Centre based child care facilities

- P6 Parking spaces for the set down and pick up of children are to be provided no more than 50m from the child care facility.
- P7 The provision of associated car parking does not substantially modify the streetscape.
- P8 Spaces are clearly marked to reflect that they are for the exclusive use of the child care users between the peak am and pm hours of the facility (i.e. 7.30am-9.30am and 4.30pm-6.30pm).
- P9 Where the parking is provided underground, that parking is located within 20 metres of a lift which has access to the child care facility.
- P10 Secure, undercover pram storage should be provided at 1 space for every 2 children under two years of age.

4.3.3 Access & Manoeuvring

Objectives

- O1 To ensure adequate access for all vehicles.
- O2 To maximise pedestrian and driver safety.
- O3 To minimise the disruption to the streetscape from vehicle crossovers.

Provisions

- P1 Provide vehicular access directly from a public road, including to any new allotments to be created by subdivision.
- P2 Do not compromise streetscape, building form and landscaped area, or heritage significance through the provision of vehicle access.
- P3 Where there is currently no parking on a site, and on-site parking is not characteristic, do not introduce vehicle access from the street.
- P4 Where a site has frontages to both a street and a rear laneway, vehicular access should be provided from the laneway rather than the street.
- P5 Parking areas must be designed to enable cars to enter and leave the site in a forward direction.
- P6 Council does not support the use of turntables for vehicular manoeuvring unless there is no feasible alternative.
- P7 Design accessways, driveways and parking areas to:
 - (a) enable vehicles to enter the parking space or garage in a single turning movement;
 - (b) enable vehicles to leave the parking space in no more than two turning movements;



- (c) enable vehicles to avoid queuing on public roads;
- (d) comply with AS 1428.2 Design for Access and Mobility; and
- (e) comply with the requirements of vehicular crossings and driveways as set out in Part D: Section 7.4 of this DCP.

- P8 Driveway and pedestrian access must be separated.
- P9 Where access to parking spaces or parking areas is to be restricted via the use of security gates, doors and the like:
- (a) Provide a minimum of 5.5m between the street boundary and the gates or doors to parking spaces and areas to allow a car to stand within the property boundary while the gates or doors are opening; and
 - (b) Provide an intercom system to facilitate visitor/service access.
- P10 Where resident parking and non-resident parking is to be provided within the same development, vehicular access to the private residential areas of the parking area is to be restricted through appropriate security measures.
- P11 Set back any development, including fences, at least 1.2m from a boundary with a laneway to provide adequate turning space.

Residential Development

- P12 Limit the width of vehicle access to 2.5m and locate to one side of the property, or to side or rear of the building if possible.

Mixed Use and Non-Residential Development

- P1 Vehicular access points should be limited to a maximum of one access point per building.
- P2 Service vehicle access should be combined with parking access.
- P3 Where possible, shared or amalgamated vehicle access points with an adjoining building should be provided.
- P4 Vehicle entries, walls and ceilings should be finished with high quality materials, finishes and detailing, similar to the overall external facades of the building.
- P5 Service ducts and pipes should be concealed when viewed from the public domain.

4.3.4 Stacking of parking spaces

Objective

- O1 To minimise the impact on existing vegetation and landscape features and to prevent adverse safety impacts for drivers and pedestrians.
- O2 To minimise inconvenience to all users of the parking spaces.
- O3 To minimise impacts on the surrounding road system.

Provisions

- P6 Council does not support the stacking of parking spaces in the non-residential component of developments. However, Council may permit the stacking of spaces, but only where:
- (a) the number of stacked spaces does not exceed 25% of the total number of non-residential spaces; or
 - (b) where the parking spaces are in the same ownership or strata lot.

Note: The "stacking of parking spaces" as referred to in P1 means multiple parking spaces arranged end to end on the same ground plane, and where one parking space prevents independent access to another parking space (also known as tandem parking).

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- P7 Council does not support the use of mechanical car stacker systems for the provision of car parking. However, Council may consent to the use of a mechanical car stacker, but only where it can be demonstrated:
- (a) That the use of the mechanical stacker will enable a reduced level of excavation to preserve existing significant tree(s) and or natural landscape features on the site;
 - (b) That the site’s shape is physically constrained, such that conventional parking arrangements would not enable compliance with the parking provision requirements of this DCP;
 - (c) Where a single mechanical car stacker system accommodates more than 10 vehicles within a multi-dwelling housing development, a residential flat building, a mixed use or commercial premises, that a car waiting space is provided entirely on the site and adjacent to the mechanical stacker to enable a vehicle to wait while the stacker is in use. The waiting area must be located such that it does not interfere with the ability for a vehicle to enter and leave the stacker, while a car is occupying the waiting area.

Note: A mechanical car stacker system referred to in P2 refers to a system which uses a lift and/or horizontal moving platforms.

4.3.5 Accessible Car Parking Facilities

Objectives

- O1 To ensure in providing access for people with disabilities, parking spaces designated for people with disabilities are located as near as possible to the main accessible entrance of the building, and are linked by an accessible path of travel.

Provisions

- P1 Designated accessible car parking facilities must be:
- (a) located at the closest point to each accessible public entrance;
 - (b) linked to an accessible entrance to the building or to a wheelchair accessible lift by a continuous accessible path of travel, and preferably under cover;
 - (c) designed in accordance with AS 1428.1, 1428.2 and 2890.1 and 2890.6; and
 - (d) clearly signposted in accordance with AS 1428.2 (including both the designated parking space and the continuous accessible path of travel to that space).

Set Down Areas

- P2 Where set down areas (e.g. for taxis) are provided, they should be adjacent to a safe continuous path of travel to the facility to be accessed.
- P3 Set down areas should be level with a gradient less than 1:40, have adequate circulation space and be located away from traffic flow.
- P4 Kerb ramps should be provided to allow access to footpaths.
- P5 Off street set down areas should have directional signage from street entry and appropriately signed with both pavement and pillar signage.

4.4 LOADING AND SERVICING FACILITIES

Objectives

- O1 To ensure that adequate off-street loading, delivery and servicing facilities are provided.
- O2 To minimise the impacts of loading, deliveries and servicing operations on the safety and efficiency of the surrounding road system.



Provisions

- P1 Off-street loading and unloading facilities should be provided for all commercial and industrial premises as required by Council. The requirement for, number and size of loading bays will be determined by Council having regard to the:
 - (a) Intended use of the premises;
 - (b) Frequency of deliveries / collections;
 - (c) Size and bulk of goods to be delivered / collected;
 - (d) Size of vehicles to be used;
 - (e) Practicality of accommodating delivery and service vehicles on site; and
 - (f) Likely impacts on traffic safety and efficiency on adjoining roads.
 - P2 Developments containing more than 30 dwellings but less than 60 must provide at least 1 service delivery space, capable of accommodating at least 1 Medium Rigid Vehicle. Development containing less than 30 dwellings must provide at least one delivery/service/trade standard parking space.
 - P3 Developments containing more than 60 dwellings must provide at least 1 service delivery space, capable of accommodating at least:
 - (a) 1 Heavy Rigid Vehicle; or
 - (b) 2 Medium Rigid Vehicles.
- Note:** For the purposes of P2 and P3 above, Medium Rigid Vehicles and Heavy Rigid Vehicles are deemed to be same as that described in Section 2 of Australian Standard AS 2890.2 - Parking facilities - Part 2: Off-street commercial vehicle facilities.
- P4 Provide loading spaces and courier parking spaces near vehicle entry points to a site and lifts.
 - P5 Height clearances, including access routes to the required loading spaces must comply with Australian Standard AS 2890.2.

4.5 BICYCLE PARKING AND ASSOCIATED FACILITIES

Objective

- O1 To encourage the use of bicycles as an environmentally beneficial form of transport and an alternative to the use of private motor vehicles.

Provisions

Number

- P1 All new development is to provide on-site, secure bicycle parking spaces and storage for residential accommodation in accordance with the minimum rates specified in Table D-4.4 with the following exceptions:
 - (a) where an apartment in a residential building has a basement storage area on title that is large enough to accommodate a bike and being no smaller than a Security Level A bike locker, then additional bike parking for that apartment is not required; and
 - (b) where a proposed use is not included below, bicycle parking and storage rates will be considered on merit taking into consideration rates for similar uses in Table D-4.4 as well as those contained in the [Cycling Aspects of Austroads Guides AP-G88-17 \(2017\)](#).
- Note** To remove any doubt:
- (a) the minimum number of bicycle parking spaces is to be rounded up to the nearest whole number if it is not a whole number; and
 - (b) bicycle parking facilities are in addition to other parking requirements under this DCP.



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| TABLE D-4.4: Minimum Bicycle Parking Rates | | |
|--|---|--|
| Development Type | Rate | |
| | Occupants | Visitor / Customer |
| Residential | | |
| Residential accommodation | 1 / 1 dwelling | 1 / 10 dwellings |
| Tourist and Visitor Accommodation | | |
| Serviced apartments, Hotels and motels | 1 / 4 staff | 1 / 20 rooms |
| Backpackers accommodation | 1 / 4 staff | 1 / 10 beds |
| Commercial Premises | | |
| Office premises, Business premises | 1 / 150m ² GFA | 1 / 400m ² GFA |
| Bulky goods premises | 1 / 600m ² GFA | 1 / 1000m ² GFA |
| Shop, Restaurant or cafe | 1 / 250m ² GFA | 2 + 1 / 100m ² over 100m ² GFA |
| Shopping centre | 1 / 200m ² GFA | 1 / 300m ² sales GFA |
| Pub | 1 / 100m ² GFA | 1 / 100m ² GFA |
| Entertainment facility | - | Greater of 1 / 15 seats or 1 / 40m ² GFA |
| Place of public worship | - | Greater of 1 / 15 seats or 1 / 40m ² GFA |
| Industry | | |
| Industry, Warehouse or Distribution centre | 1 / 10 staff | - |
| Community | | |
| Centre-based child care facility | 1 / 10 staff | 2 / facility |
| School-based child care facility | | |
| Medical centre, Health consulting rooms | 1 / 5 practitioners | 1 / 200m ² GFA |
| Tertiary educational institution | 1 / 10 staff | 1 / 10 students |
| Swimming pool | 1 / 10 staff | 2 / 20m ² of pool area |
| Library | 1 / 10 staff | 2 + 1 / 200m ² GFA |
| Art gallery or museum | 1 / 1000m ² GFA | 1 / 200m ² GFA |
| Other | | |
| | On merit. Council will give consideration to the rates contained within the <i>Planning guidelines for walking and cycling 2004</i> . | |

Type

- P2 Secure bicycle parking facilities are to be provided in accordance with the following:
- (a) Security Level A or B facilities for occupants of residential dwellings (Security Level A is preferred);
 - (b) Security Level B facilities for staff/employees of any land use; and



- (c) Security Level C facilities for visitors of any land use.

Note: The security level of facilities are described in detail within AS 2890.3.

Design

- P3 Design bicycle parking and storage facilities in accordance with the relevant Australian Standards that apply at the time.

Location

- P4 Locate private bicycle storage facilities within basement parking levels of the building where provided.
- P5 If private storage facilities are located in a basement, they are to be located:
 - (a) on the uppermost level of the basement; and
 - (b) as close to the primary entry point as possible; and
 - (c) subject to security camera surveillance where such security systems exist.

Access

- P6 A safe path of travel from Security Class A and B facilities to entry/exit points is to be clearly marked.
- P7 Access to Security Class A and B facilities areas are to be:
 - (a) a minimum of 1.8m wide to allow passage of a pedestrians and bikes to pass each other (access ways can be shared with vehicles within buildings and at entries to buildings);
 - (b) accessible via a ramp;
 - (c) clearly identified by signage; and
 - (d) accessible via appropriate security/intercom systems.
- P8 Locate Security Level 3 facilities in an accessible at-grade location near a major public entrance to the development, preferably undercover, is able to be passively surveyed from the public domain and/or the proposed or adjoining developments, is well lit to enable adequate night time use and is to be signposted.

Changing / shower facilities

- P9 For non-residential uses, the following facilities for bike parking are to be provided at the following rates:
 - (a) 1 personal locker for each bike parking space;
 - (b) 1 shower and change cubicle for up to 10 bike parking spaces;
 - (c) 2 shower and change cubicles for 11 to 20 or more bike parking spaces are provided;
 - (d) 2 additional shower and change cubicles for each additional 20 bike parking spaces or part thereof;
 - (e) Showers and change facilities may be provided in the form of shower and change cubicles in a unisex area or in both female and male change rooms; and
 - (f) Locker, change room and shower facilities are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance where there are such building security systems.

4.6 TRAVEL PLANS

Travel Plans identify typical travel demand and mode share for a proposed development based on empirical analysis of similar developments, then identify what actions will be delivered to increase walking, cycling, public transport and ride sharing mode share, thereby reducing the negative impacts of the traffic generated by the development on the North

Section 4 - Car Parking and Transport

Sydney community. Travel Plans encourages people to consider alternate means to accessing a site rather than by private motor vehicle and may also be known as:

- (a) Workplace Travel Plan (e.g. for commercial premises and industry and the like);
- (b) Education Travel Plans (e.g. educational establishments);
- (c) Residential Travel Plans (e.g. residential accommodation); and
- (d) Visitor and Leisure Travel Plans plus others (e.g. Tourist and visitor accommodation and recreational facilities)

Objectives

O1 To encourage employees, residents and visitors to make greater use of public transport, cycling, walking and car sharing for commuting, visiting and work related journeys.

Provisions

- P1 A Travel Plan must be submitted with all development applications that involve:
- (a) New, or redevelopment of, educational establishments which result in the total number of students exceeding 100 persons.
 - (b) New, or redevelopment of, non-residential developments which result in the total floor space of the development exceeding 2,000m² (approximately 100 employees in an office development).
 - (c) The provision of 50 or more dwellings.
- P2 Components of a Travel Plan should include:
- (a) empirical analysis of typical travel demand and mode share outcomes for walking, cycling, public transport and private vehicular use for similar developments (base case scenario);
 - (b) a vision and objectives for the Travel Plan that are consistent with the community’s vision for transport as detailed in the North Sydney Transport Strategy;
 - (c) specific, measurable, ambitious and realistic targets, including time-frames for achieving them;
 - (d) an action plan, with links to identified targets, that demonstrates how these actions will deliver the Travel Plan vision, reduce travel demand and/or increase walking, cycling, public transport and ride sharing for trips to and from the site. This could include:
 - (i) Identification and promotion of public transport options to access the site (for example, on a website and /or business cards);
 - (ii) Preparation of a Transport Access Guide (TAG) for the site.
Note: *Transport Access Guides (TAGs) provide information to staff and clients on how to reach places via public transport, walking or cycling.*
 - (iii) Implementation of a car pool system for employees;
 - (iv) Introduce staff car sharing scheme for fleet vehicles;
 - (v) Use taxis or public transport for work related journeys;
 - (vi) Provide priority parking for staff who car pool with more than 2 passengers;
 - (vii) Encouragement of cycling and walking to the site through generous provision of bicycle parking, showers and lockers;
 - (viii) Incentive schemes to encourage employees to commute using sustainable transport modes (such as the provisions of public transport vouchers/subsidised public transport tickets);



- (ix) Allocation of designated parking spaces for a car sharing scheme;
- (x) Prominent display of a large map of cycling routes (i.e. in the foyer of a residential, educational or business complex);
- (xi) Provide staff with cycling allowances, loans and insurance together with bicycle storage and showering and changing facilities; and
- (xii) Provision of a bus to pick up and drop off staff to the nearest railway station.

Note: The strategies listed in P2 above do not comprise an exhaustive list and Council will consider alternative strategies that reduce the reliance on the use of private motor vehicles.

- (e) undertakings to regularly evaluate and review the Travel Plan, including a submission to Council, to ensure that proposed travel demand management and walking, cycling, public transport, ride share and private vehicle mode share outcomes for the development are achieved.

P3 The maximum parking requirements for on-site car parking may be reduced on the basis of a written agreement between Council and the owner/occupiers for the implementation of a Travel Plan.

P4 The undertakings made in a Travel Plan submitted with a development application may be included as conditions to any development consent.

4.7 TRAFFIC & PARKING IMPACT ASSESSMENT

4.7.1 Objectives

O1 To ensure that a proposed development's impact on the surrounding arterial and local road network, identification of transport infrastructure requirements and cost implications are adequately considered prior to issuing of development consent.

4.7.2 Provisions

P1 A Traffic & Parking Impact Assessment must be submitted with all development applications that are also required to be referred to Transport for NSW under cl.2.122 and Schedule 3 of the [SEPP \(Transport and Infrastructure\) 2021](#), and for all applications which are classified as designated development pursuant to s.4.10 of the [EP&A Act 1979](#).

P2 Council may require a Traffic & Parking Impact Assessment to be submitted with a development application for one or more of the following types of new developments, regardless of whether they are captured by cl.2.122 and Schedule 3 to the [SEPP \(Transport and Infrastructure\) 2021](#):

- (a) Centre-based child care facilities
- (b) Drive-in take-away food outlets
- (c) Education facilities
- (d) Entertainment facilities
- (e) Health care facilities
- (f) Hotel and motel accommodation
- (g) Industrial premises
- (h) Public car parks
- (i) Places of public worship
- (j) Pubs
- (k) Recreation and tourist facilities
- (l) Registered clubs

Section 4 - Car Parking and Transport

- (m) Retail premises comprising supermarkets and/or shopping centres
 - (n) Service stations
 - (o) Other developments. Generally, if there is a significant expansion or modification to an existing development type, as outlined in the list above, then a Traffic & Parking Impact Assessment must be submitted with the development application. Seek Council Officer advice for further information.
- P3 The following issues are to be considered when preparing a Traffic & Parking Impact Assessment for Council to adequately assess the traffic impacts of a proposed development:
- (a) Existing traffic generation
 - (b) Proposed traffic generation
 - (c) Capacity of road network
 - (d) Environmental capacity of the road network
 - (e) Traffic safety
 - (f) Traffic amelioration
 - (g) Off-street parking
 - (h) On-street parking
 - (i) On-street metered parking
 - (j) Vehicle access
 - (k) Public & active transport
 - (l) Street lighting
 - (m) Construction Management Plan
 - (n) Work zones
 - (o) Partial road closure (temporary)
 - (p) Full road closure (temporary)
 - (q) Cyclists and cycle paths

Note. Refer to the [Performance Guide](#) for more details.



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SECTION 5 WASTE MINIMISATION & MANAGEMENT

5.1 INTRODUCTION

Waste and sustainable resource consumption is a major environmental issue and a priority for all levels of government within Australia. This is particularly the case as landfill disposal capacity become scarce and the environmental and economic costs of waste generation and disposal rise.

North Sydney Council has traditionally adopted a sustainability approach to the way waste is managed and diverted from landfill. Council has been at the forefront of waste processing and has consistently been rated highly in striving to meet the NSW EPA's landfill diversion targets (currently, 80% diversion by 2030). In order to maximise landfill diversion, Council has successfully implemented education programs and strategic collection and disposal contracts. Whilst a large proportion of waste is currently being redirected for recycling purposes, the amount of average waste generated per person is also increasing.

There are a number of problems associated with waste generation, including:

- environmental management problems associated with the use of landfills and other disposal methods;
- sustainability of using land fill sites for disposal;
- increasing difficulty in finding new landfill sites in highly urbanised areas;
- loss of resources that could be reused or recycled.

As levels of waste in a community increase the amenity (or liveability) of that community declines. Waste therefore needs to be disposed of in ways which minimise its negative impacts. In addition to waste generated by residents and businesses, which often result in their own localised problems, significant volumes of waste are also generated in the course of demolition and construction of buildings. This section of the DCP provides mechanisms to encourage the minimisation of waste being sent to landfill sites and ensuring that sufficient on-site facilities are provided.

In 2021, the NSW Government set a target to divert at least 50% of organic waste from landfill by 2030. To support this target, legislation was made in 2024 requiring all food organics and garden organics (FOGO) from residential development to be separated from general waste collection by 2030, with separate targets for non-residential development. Council is currently developing appropriate planning controls to ensure that the organic waste diversion target can be met. In the interim, applicants are requested to demonstrate how the future need for separate FOGO waste storage and collection may be met when designing new developments.

5.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 Reduce the demand for waste disposal.
- O2 Maximise reuse and recycling of building and construction materials, as well as household, industrial and commercial waste.
- O3 Assist in achieving Federal and State Government waste minimisation targets.
- O4 To meet the waste management needs of the residential and wider community.
- O5 Minimise the overall environmental impacts of waste.
- O6 Require source separation, design and location standards which complement waste collection and management services offered by Council and private providers.
- O7 Encourage building design and construction techniques which will minimise future waste generation.



5.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications.

Where a Waste Management Plan is required to be submitted with a development application, a standardised form can be found on Council's [website](#).

5.2 DEMOLITION WASTE

Objectives

O1 To ensure that the reuse and recycling of demolition materials is maximised.

Provisions

P1 A Waste Management Plan must accompany all development applications involving demolition. The Waste Management Plan must provide details of all on-site sorting areas, storage areas and vehicular access.

P2 Section 2 of the Waste Management Plan must be completed providing the following details:

- (a) the volume and type of waste to be generated, including excavation materials, green waste, brick, concrete, timber, plasterboard, and metals;
- (b) how waste is to be stored and treated on site;
- (c) how residual waste is to be disposed of.

Table D-5.1 gives examples of uses for recyclable demolition materials.

| TABLE D-5.1: Examples of recyclable materials | |
|---|---|
| Materials On-site | Reuse and Recycling |
| Concrete/fill material | Filling, levelling materials, road base. |
| Bricks | Cleaned and/or rendered over for reuse on-site and off-site. |
| Roof-tile | Crushed, as landscaping, and driveways for reuse on-site or off-site. |
| Hardwood beams | Floorboards, fencing, furniture for reuse on-site or off-site. |
| Other timber | Form work, bridging, blocking and propping. |
| Doors, windows, fittings | Second hand building material. |
| Glass | Aggregate for concrete production. |
| Synthetic and recycled (e.g. under carpets) | Used for safety barriers, speed humps, rubber. |
| Substantial trees, planting | Relocated on-site or sold for use off-site. |
| Green waste | Mulching, composting, for reuse as landscaping/fertiliser |

5.3 CONSTRUCTION WASTE

Objectives

O1 Waste generation is minimised and reuse and recycling of construction materials is maximised in construction projects.

Provisions

P1 A Waste Management Plan must accompany all development applications involving construction. The Waste Management Plan must provide details of all on-site sorting areas, storage areas and vehicular access.



Section 5 – Waste Minimisation and Management

- P2 Section 3 of the Waste Management Plan must be completed providing the following details:
- (a) the volume and type of waste to be generated, including excavation materials, green waste, brick, concrete, timber, plasterboard, and metals;
 - (b) how waste is to be stored and treated on site; and
 - (c) how residual waste is to be disposed of.
- Table D-5.1 gives examples of uses for recyclable construction materials.
- P3 To ensure that construction waste is minimised consideration should be given to the following matters:
- (a) Order the right quantities of materials;
 - (b) Prefabricate materials where possible;
 - (c) Reuse formwork;
 - (d) Use modular construction and basic designs to reduce the need for off-cuts;
 - (e) Separate off-cuts to facilitate reuse, resale or efficient recycling;
 - (f) Minimise site disturbance, limit unnecessary excavation;
 - (g) Reuse or recycle materials from demolished buildings;
 - (h) Choose landscaping which reduces green waste; and
 - (i) Coordinate and sequence trades people to minimise waste.

5.4 WASTE FACILITIES

This sub-section is informed by Council’s Waste Management Guide, which contains essential information for architects, developers and builders relating to the design and construction of waste handling facilities in new developments. The Guide ensures that all waste facilities in new or existing developments comply with Council’s collection services and waste minimisation policies. This Guide should be considered in the preparation of all development applications.

5.4.1 General Provisions

Objectives

- O1 To ensure sufficient space is provided onsite for waste storage.
- O2 To ensure garbage areas are screened from the public domain
- O3 To ensure convenient and safe access for collection.

Provisions

- P1 Provide an appropriate level of space on each property that is capable of accommodating the temporary storage of recyclables, garbage, general household clean up bulky waste and green waste likely to be generated by the proposed development.
- P2 Ensure space is easily accessible from each part of the building and from the collection point.
- P3 Source separation must be provided within the garbage storage area to maximise recycling and reduction of waste sent to land fill.
- P4 Include adequate access and manoeuvring space, at least an area equivalent to the combined footprint of the bins.
- P5 Provide administrative arrangements for ongoing waste management, including signs.
- P6 Locate and design waste storage and recycling areas to complement the streetscape.



Section 5 – Waste Minimisation and Management

- P7 Garbage storage areas must be screened from streets and laneways to discourage the illegal dumping of rubbish and unsightly mess visible to pedestrians.
- P8 Garbage storage areas must be located and managed to avoid causing a nuisance from smells, insects or animals.
- P9 Sufficient space must be provided to accommodate any on-site treatment facilities (e.g. compaction) proposed to be incorporated.
- P10 Garbage storage areas should be adequately protected from inclement weather. Where appropriate, the area should be enclosed or undercover.
- P11 Storage areas must be well ventilated and drained to a lawfully approved sewerage system.
- P12 Access to waste storage and waste holding areas are not to include stairs or ramps which exceed a fall of 1:8.
- P13 Waste storage and waste holding areas must not be located behind lockable security grilles / roller doors, doors or gates, unless waste contractors are provided with suitable access.
- P14 Within a mixed use development, separate waste facilities must be provided for the residential and non-residential components.
- P15 All developments containing a lift must provide:
 - (a) a garbage chute leading to a central garbage storage room that has a waste compaction unit attached with a minimum compaction ratio of at least 2:1; and
 - (b) an interim recycling room with a minimum dimension of 1.5m square on each level of the building with at least one point of access to the garbage chute, with the space to accommodate at least 1 x 240 litre recycling bin for the separate collection of recyclable materials.
 - (c) a separate storage area for bulk items associated with household cleanups.
 - (d) separate residential and non-residential garbage chutes within a mixed use development.
- P16 Fully enclosed waste facilities must be ventilated by natural or artificial means complying with AS 1668.
- P17 Waste facilities must be provided with hose cocks or access to hose cocks to allow for the wash down of the garbage store areas and also for the disinfection of containers on site. Wash down water from either the floor or containers must be disposed of in the sewer.
- P18 Waste storage areas and/or holding bays must be adequately signposted, with a description of storage facilities within the area.
- P19 Lighting within waste facility rooms should be in accordance with AS 1680.

5.4.2 Residential Accommodation

Objectives

- O1 To minimise any adverse effects on residents and the wider community by ensuring that adequate garbage storage and holding areas are provided which are conveniently accessible for residents and garbage contractors.
- O2 To ensure developments are designed to maximise resource recovery through waste avoidance, source separation and recycling.



Section 5 – Waste Minimisation and Management

Provisions

Waste Receptacles

- P1 Each dwelling must be provided with a waste storage cupboard within the kitchen, capable of accommodating at least 2 days of waste and to enable the source separation of garbage, recyclables and compost within separate containers.
- P2 On-site garbage storage areas must be provided which are capable of accommodating at least the number of garbage and recycling bins indicated in Table D-5.2.

| TABLE D-5.2: Waste bin requirements | | |
|--|---|---|
| No. of dwellings | No. of garbage bins required | No. of recycling bins required |
| 1-3 dwellings | 1 x 80L bin / dw* | 1 x 140L commingled mobile bin / dw |
| 4-12 dwellings | 1 x 80L bin / dw or 1 x 240L bin / 3 dws or part thereof | 2 x 240L comingled mobile recycling bin each colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans |
| 13 or more | 1 x 240L bin / 3 dws 660L bins permitted | 2 x 240L mobile bins / 15 dws or part thereof 660L bins permitted colour coded and dedicated specifically for paper and co-mingled glass/plastic bottles and cans |

* dw = dwelling

- P3 Notwithstanding the rates to P2, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.

Location

- P4 A garbage storage area should be located within 2m of the street boundary.
- P5 Notwithstanding P4 above, a garbage storage area may be located anywhere on a site, but only if a temporary holding collection area, capable of accommodating all of the required bins for the entire development, is located within 2m of the street boundary.
- P6 If the garbage storage area is to be the collection point, provide clear and unimpeded access that is no more than 2m from the street boundary entrance to the site.
- P7 Ensure that the garbage storage area is easily accessible from all parts of the building and from the collection area.
- P8 Locate and design garbage storage areas to complement the streetscape.
- P9 Ensure garbage/recycling bins/green waste bins/general household bulky waste clean-up materials will not be visible from the street in the garbage storage area.
- P10 Where possible integrate garbage storage areas with the building.
- P11 Do not place structures for garbage storage areas that are more than 1m high on the boundary or within the front building line.



5.4.3 Non-Residential Development

Objectives

- O1 To ensure sufficient space is provided on site for waste storage.
- O2 To ensure garbage storage areas are screened from the public domain.
- O3 To ensure convenient access for collection.

Provisions

Waste Receptacles

- P1 On-site garbage storage areas must be provided which are capable of accommodating the number of garbage and recycling bins as indicated in Table D-5.3. However, industry standards for waste generation rates may be used where these differ from the Council rates or if no Council rate is given.

TABLE D-5.3: Waste bin requirements

| Type of Premises | Sub type of premises | Typical Volume of Waste generated to be stored | |
|--------------------------------|---|--|---|
| | | Waste | Recycling |
| Child care facilities | All types | 20L / child /week | 10L / child /week |
| Office buildings | General office use | 10L / 100m ² GFA / day | 10L / 100m ² GFA / day |
| Retail Trading | Shops < 100m ² | 50L / 100m ² GFA / day | 25L / 100m ² GFA / day |
| | Shops ≥ 100m ² | 50L / 100m ² GFA / day | 50L / 100m ² GFA / day |
| | Supermarkets | 660L / 100m ² GFA / day | 130L / 100m ² GFA / day |
| | Showrooms | 40L / 100m ² GFA / day | 10L / 100m ² GFA / day |
| | Greengrocers | 240L / 100m ² GFA / day | 410L / 100m ² GFA / day |
| | Florist / plant shop | 900L / 100m ² GFA / day (combined) | |
| | Butcher / Delicatessen | 80L / 100m ² GFA / day | Variable, but average 50L / 100m ² GFA / day |
| | Bakery | 295L / 100m ² GFA / day | 165L / 100m ² GFA / day |
| | Fish | 50L / 100m ² GFA / day. Waste receptacles shall be refrigerated so as to ensure all wastes are kept at a temperature not exceeding 4°C | Variable |
| Food and drink premises | Take away food and drink premises | 80L / 100m ² GFA / day | 240L / 100m ² GFA / day |
| | Restaurants and cafes | 10L / 1.5m ² GFA / day | 120L / 100m ² GFA / day |
| | Registered clubs Pub | 50L / 100m ² bar area / day | 50L / 100m ² bar area / day |
| | Small bar | 80L / 100m ² restaurant GFA / day | 50L / 100m ² dining area / day |
| Assembly rooms | Social recreational or religious premises | 50L / 100m ² GFA / day | 10L / 100m ² GFA / day |
| | Entertainment facilities | 1L / 4 seats / screening | 0.5L / 4 seats / screening |



Section 5 – Waste Minimisation and Management

TABLE D-5.3: Waste bin requirements

| Type of Premises | Sub type of premises | Typical Volume of Waste generated to be stored | |
|--|-------------------------------|---|---|
| | | Waste | Recycling |
| Tourist and visitor accommodation | Backpacker accommodation | 40L / occupant space / week | 20L / occupant space / week |
| | Hotel and motel accommodation | 5L / bed space / day 50L / 100m ² bar area / day 10L / 1.5m ² dining area / day | 5L / bed space / day 50L / 100m ² bar area / day 50L / 100m ² dining area / day |
| | Serviced apartments | 120L / apartment / week | 60L / apartment / week |
| Industrial | - | Dependant upon industry type | Dependant upon industry type |

- P2 Notwithstanding the rates to P1, Council may permit a reduction in the number of bins required, but only if a garbage compactor is required or proposed to be incorporated within the development.
- P3 Food and drink premises and any other premises involved in the storing of perishable goods are required to:
 - (a) provide specialised containment for food scraps;
 - (b) Arrange regular/daily collection of food scraps; and
 - (c) Provide refrigerated garbage rooms where large volumes of perishables (such as seafood) and infrequent collection is proposed.
- P4 Grease traps may be required in certain circumstances (refer to Sydney Water for any specific trade waste requirements).
- P5 Special arrangements are required for the storage and disposal of any special waste material, such as medical or hazardous wastes. Applicants should contact Council and Environment Protection Authority for further information.

Location

- P6 Communal on-site waste storage, recycling and collection points must be provided for each development site.
- P7 Separate waste storage facilities must be provided where a development contains a mixture of both residential and commercial uses. Access to these separate storage areas is to be restricted to their respective users.
- P8 A garbage storage area should be located within 2m of the street or laneway boundary.
- P9 Notwithstanding P8 above, a garbage storage area may be located anywhere on a site, but only if a garbage collection area, capable of accommodating all of the required bins for the entire development is located within 2m of the street or laneway boundary.
- P10 The area allocated must accommodate any privately arranged collection (e.g. daily or weekly, etc. collections).
- P11 Garbage storage facilities should not be located in conjunction with the main pedestrian entrances to a building.
- P12 Garbage bins stored in a collection facility should be located within 3m of the facility's entrance.
- P13 Convenient access for on-site movement and collection should be provided.



P14 More than one communal on-site waste storage and recycling area should be provided on large or steep sites, or where there is more than one Council collection point.

Late Night Trading Premises

P15 The garbage/recycling area must be appropriately sited as far as possible from nearby residential properties.

P16 The transfer of waste, particularly glass bottles, into an outdoor garbage/recycling area must not occur after 10pm where this would likely be audible from surrounding residential properties.

5.5 WASTE MANAGEMENT

Objectives

O1 To encourage waste minimisation (source separation, reuse and recycling) and safe operation of waster related activities.

General Provisions

P1 All applications must be accompanied by a Waste Management Plan which illustrates the location and associated circulation to and from the following:

- (a) a waste and recycling cupboard space per dwelling / or non-residential tenancy;
- (b) any waste storage and recycling areas;
- (c) any collection areas;
- (d) access for collection vehicles;
- (e) location and design of all communal facilities where relevant;
- (f) management of e-waste where appropriate; and
- (g) management of hazardous waste where appropriate.

P2 Sections 4 and 5 of the Waste Management Plan, must be completed for all developments incorporating one or more of the following uses:

- (a) Attached dwellings;
- (b) Multi unit housing;
- (c) Residential flat buildings;
- (d) Shop top housing;
- (e) Commercial premises;
- (f) Industrial premises; and
- (g) Other non-residential premises.

P3 Section 4 of the Waste Management Plan must describe the type of waste to be generated at the premises, expected volume per week, proposed on-site storage and treatments facilities, and destination of waste materials.

P4 Section 5 of the Waste Management Plan must describe the proposed on-going management of waste and recycling.



SECTION 6 SAFETY & SECURITY

6.1 RESIDENTIAL DEVELOPMENT

Objectives

- O1 To ensure a high level of personal safety for people who use or visit the building.

Provisions

- P1 Maximise views of the street and dwelling entries and communal areas within the development (from dwelling entries, windows and balconies).
- P2 Limit the number of dwellings sharing one entry or lobby to 10 dwellings.
- P3 Maintain sight lines along pathways (i.e. avoid blind corners or hiding places).
- P4 Use design, materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish public, communal and private domains.
- P5 In public areas, use materials that discourage vandalism (i.e. non-porous surfaces such as glazed ceramics or treated masonry).
- P6 Install locks on doors and windows, viewers to doors.
- P7 Roller shutters should not be installed on windows or doors.
- P8 Provide lighting to communal areas (laundries, garbage storage, pathways, lobbies, car parking areas and stairwells).
- P9 Locate shared facilities in areas that will be well used.

6.2 NON-RESIDENTIAL DEVELOPMENT

6.2.1 General Provisions

Objectives

- O1 To ensure that a high level of personal safety and security is provided within the development.

Provisions

- P1 Design routes between building entrances to maximise personal safety. Routes from parking areas to lift lobbies are particularly important in this regard. Clear lines of sight and well lit routes are required.
- P2 Where open space and pedestrian routes are provided, they must be clearly defined, and have clear and direct sightlines for the users.
- P3 Adequate lighting must be provided to open spaces, entrances and pedestrian areas to avoid the creation of shadowed areas.
- P4 Rear service areas and access lanes should either be well secured or easily visible.
- P5 Land use activities which operate after normal business hours should be located along well-used pedestrian routes.
- P6 Public toilets, telephones and other public facilities must be provided with direct access and good visibility from well-used public spaces.
- P7 Robust and durable design features should be used where relevant to discourage vandalism.



- P8 Consider the use of bollards or low walls and the careful design of shopfronts to decrease the likelihood of ram raids and provide higher levels of security for shop owners or tenants.
- P9 The use of security grilles at the street frontage is discouraged. If security grilles are necessary then install on the inside of the shopfront and maintain clear visibility into the shop. Use toughened glass.
- P10 Solid security rollers to shopfronts are not permitted.
- P11 Fire escapes should not be recessed into the building form. If it is necessary locate them in recesses, then the recess must be shallow to provide for personal security of pedestrians.
- P12 Buildings should be designed to allow for the overlooking and natural surveillance of rear lanes (e.g. from retail and other uses at all levels of the building).
- P13 Rear lanes should be provided with safe and secure lighting.
- P14 Clear sight lines should be maintained around all vehicle access points.
- P15 Street numbering of buildings must be clearly visible from street at all times of the day such that they are easily identifiable.
- P16 Maximise views of the street and building entries and communal areas within the development.
- P17 Maintain sight lines along pathways (i.e. avoid blind corners or hiding places).
- P18 Use design, materials and features (such as street furniture, pavers, fencing and landscaping) to clearly distinguish public, communal and private domains.

6.2.2 Sex Services and Restricted Premises

Objectives

- O1 To ensure personal safety of workers, clients and general public through the design of sex services and restricted premises.

Provisions

- P1 Measures should be incorporated to safeguard workers, clients and the general public, including security doors, lighting of access ways and car parking areas.
- P2 Provide illumination on routes to and in external areas of premises in isolated premises and commercial areas.

SECTION 7 PUBLIC INFRASTRUCTURE

7.1 INTRODUCTION

The integration of engineering considerations with planning, architecture and landscaping is important for the purpose of servicing the future infrastructure needs of the North Sydney local government area.

This Section provides information for property owners and developers about Council's objectives and provisions when required to create and/or rehabilitate the following types of infrastructure:

- Roads
- Vehicle crossings and driveways
- Footpaths
- Permitted encroachments
- Boundary alignment levels

Council may require developers to contribute to the renewal and or maintenance of public infrastructure by placing appropriate consent conditions on development applications. These consent conditions are for works on public property as a consequence of the impact of a development.

7.1.1 General Objectives

The general objectives of this Section of the DCP are:

- O1 To ensure that an appropriate level of public infrastructure is provided to service the future growth expectations of Council and the North Sydney community.
- O2 To ensure that public infrastructure achieves a high level of compliance with Council's design and construction standards.
- O3 To ensure that existing public infrastructure, damaged by construction works is reinstated to an acceptable condition.
- O4 To ensure minimal risk of injury to people and damage to private property and existing public infrastructure and utility services.

7.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all developments that have a direct impact upon the public domain.

7.1.3 How to use this section of the DCP

When submitting a development application or construction certificate, for the type of works outlined in this Section of the DCP:

- (a) Be aware of how to meet the objectives, controls, maintenance and monitoring requirements.
- (b) Follow the prescribed procedures and refer to the additional information sources recommended.
- (c) Use the *Matrix table* - The Matrix Table is located on the North Sydney Council website and provides summary information regarding the issues, processes, pre-requisites, statutory law and compliance requirements associated with lodging a development application or construction certificate.
- (d) Refer to Section 7.2 to Part D of the DCP for additional information on:



- (i) Reference documents
- (ii) Permits and approvals required
- (iii) Deed and lease agreements
- (iv) Bonds and securities
- (v) Works in association
- (vi) Defects liability period
- (vii) Dilapidation reports

7.2 ADDITIONAL INFORMATION

7.2.1 Reference Documents

This Section of the DCP is to be used in conjunction with the following documents as relevant to the following sub-sections:

(a) [State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#)

The Transport and Infrastructure SEPP provides the basic planning objectives and development controls for works in and adjacent to road reserves and states whether development consent is required for particular kinds of development.

(b) [North Sydney Local Environmental Plan 2013](#)

NSLEP 2013 provides the basic planning objectives and development controls for new buildings and other developments and states whether development consent is required for particular kinds of development.

(c) [North Sydney Council Performance Guide](#)

The Performance Guide is a separate infrastructure guideline providing more information about Council's performance expectations and other relevant information. The Performance Guide also provides a matrix of key relationships and typical drawing(s) where applicable. The Performance Guide is not intended to be a design and construction guide but directs the reader to other references to fulfil this objective.

(d) [North Sydney Council Infrastructure Specification Manual for Roadworks, Drainage and Miscellaneous Works](#)

Contains detailed infrastructure specifications for the works described within this section of the DCP.

(e) [Transport for NSW's Technical Direction GTD 2020/001](#)

Contains detailed directions to consider where excavation is undertaken on land adjacent to a public road. A copy of the Technical Direction is available on the Transport for NSW's website via <https://standards.transport.nsw.gov.au/entity/annotation/87baec59-b535-ed11-9db1-000d3ae011f9>

7.2.2 Permits and Approvals

To carry out works on public property the applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre.

Permits issued by Council relate to works associated with:

- Hoardings;
- Standing plant;
- Storing building materials;
- Containers for building waste (skips);



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- Work zones;
- Working out-of-hours;
- Street Opening;
- Approvals under Section 138 of the [Roads Act 1993](#);
- Approvals under Section 68 of the [Local Government Act 1993](#);

Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

Permits are issued for a specific time period requested by the developer in the application. Fees and charges are levied based on the agreed time period of the permit. Permit times may be extended subject to Council approval and payment of additional fees and charges. Extension of time may not be possible in some cases.

Refer to the Council’s [Performance Guide](#) and consult with Council for specific details regarding permits, fees and charges.

7.2.3 Deed of Agreement and Leases

Council may also require an applicant to enter into a *deed of agreement* or *lease* for temporary occupation of public property with the payment of rent and holding insurances to indemnify Council against all risks associated with the proposed Work.

7.2.4 Bonds and Security

Where a developer is required to construct works on public property as part of an overall development, Council may require bonds to be paid as a security against any damage caused to road infrastructure or the environment arising from construction. After completion of development, bond moneys may be returned subject to satisfactory completion of the work.

7.2.5 Works in Association

Works in association are Council funded construction works on public property that may be joined with Developer funded works for the purpose of integrating the streetscape. **Council may contribute money to the Developer** to build works in association with the developer’s works subject to it being in the public interest.

Where two or more adjoining developments are under construction simultaneously, Council may offer to build infrastructure works for all developments in the interests of achieving an integrated and coordinated streetscape, subject to the **developer contributing money to Council** to build these works. This is seen as adding value to the community dollars spent. Proposals will be considered based on individual merit.

7.2.6 Defects Liability Period

The *defects liability period* refers to a period of generally 12 months after *practical completion* of the development whereby the repair of any defects arising from construction in public property is the responsibility of the developer/owner. Practical completion is the date when the works have reached the stage of being able to function in an operational manner.

A defects liability period is particularly relevant wherever any defects of construction are not easily detectable at the time that the construction work is practically completed. Typical work meeting these criteria is underground drainage construction and the structural stability of road pavements.

Where Council holds a bond or security for work that is subject to a defects liability period, the bond or security may be returned on completion of the defects liability period subject to all defects being repaired or evidence based on the dilapidation report confirming that no damage has been caused to public infrastructure.



7.2.7 Dilapidation Report

A dilapidation report is a written statement prepared by an appropriately qualified engineer giving an opinion of the pre-development condition of public infrastructure that may be at risk of damage as a consequence of works associated with a private development.

A dilapidation report may be required, as a condition of development consent, to be lodged with an application for a construction certificate. The applicant should seek Council's approval-in-principle regarding the adequacy of the dilapidation report prior to the applicant lodging it with the application for a construction certificate.

The findings of the report should be based on visual and structural condition of public infrastructure and supported by photographic and structural testing data. For example, the pre-development condition of stormwater drainage systems should be inspected by video, and the strength of road pavements may need to be confirmed by structural testing.

7.2.8 Engineering Assessment Process

Below is a useful guide of the development process to be followed when intending to undertake the type of works outlined in this Section of the DCP.

For a Development Consent

- Conceptual engineering documentation is prepared (including designs).
- Applicant lodges a DA with conceptual documents and pays the fees.
- Development Engineer inspects site, prepares engineering conditions, determines amount of bonds and security payable.
- Council issues Development Consent.

For a Construction Certificate

- Applicant pays Council all fees, contributions, bonds or security owing, applies for any permits required for construction and obtains receipts.
- Applicant applies for a Construction Certificate from a Principal Certifier. A Construction Certificate must be obtained before starting Construction.
- Before issuing a Construction Certificate, the Principal Certifier must sight certified detailed design/construction drawings, copies of receipts for payments of contributions, bonds and permits and any other documents required by the DA.
- Principal Certifying Authority issues a Construction Certificate.

For an Occupation Certificate

- Construction work commences.
- On completion of construction, "as built drawings" are certified by an accredited engineer and referred to the Principal Certifier for an Occupation Certificate.
- Before issuing an Occupation Certificate, Principal Certifier seeks Council's approval for any works constructed on public property.
- Developer applies to Council for release of any bonds & security held.
- Council inspects the work and if satisfactory, returns bonds or security at the appropriate time. Any bond & security that is subject to a defects liability period is released after 12 months subject to relevant construction work being satisfactory to Council.
- If work is unsatisfactory, Council either requests work to be rectified or uses the bond money to rectify the work. On satisfactory completion of the work, Council advises the Principal Certifier & returns balance of outstanding bonds.
- Principal Certifying Authority issues the Occupation Certificate.



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7.3 ROADS

7.3.1 Introduction

North Sydney Council’s role is to provide a level of road infrastructure capable of servicing the future growth expectations of a thriving commercial and diverse multi-cultural residential community.

Road infrastructure refers to kerb and gutter, road pavements for traffic lanes and car-parks, medians, retaining walls where supporting the road, easements for road stability, line-marking, street-signs, street-lighting and the like. For the purpose of sub-section 7.3, road infrastructure does not include road drainage, footpaths and vehicular crossings as these are covered elsewhere in Section 7 to Part D of the DCP.

Existing road infrastructure in most cases is old and the condition poor due to wear over time, from growth in vehicle and pedestrian traffic as a consequence of increased development. Existing infrastructure in some cases will not sustain future development, hence new road infrastructure may need to be provided with new development at no cost to the Council.

North Sydney has many areas of heritage and conservation significance. Construction of new road infrastructure should not cause damage to items of heritage and conservation significance. If such damage occurs, this must be reconstructed as near to original condition as possible.

7.3.2 How this sub-section is used

Sub-section 7.3 to Part D of the DCP provides the objectives and provisions to be addressed when designing and constructing appropriate road infrastructure in front of developments. It also identifies matters that should be considered where excavation is undertaken on land adjacent to a public road. Refer to these when intending to prepare information for lodging a development application or construction certificate.

7.3.3 Objectives

- O1 To ensure that an appropriate level of road infrastructure is provided to service the future growth expectations of Council and the North Sydney community.
- O2 To improve and maintain road infrastructure by achieving a high level of compliance with Council’s design and construction standards.
- O3 To ensure that existing road infrastructure, damaged by the construction of buildings, is re-instated to an acceptable condition.
- O4 To ensure minimal risk of injury to people and damage to vehicles, existing road infrastructure and public utility services resulting from new development.

7.3.4 Provisions

General

- P1 New and reconstructed road/s should be designed and constructed to a minimum standard that complies with the technical requirements of the North Sydney Council [Performance Guide](#) and [Infrastructure Specification Manual](#).
- P2 New road infrastructure should have a design service life of 25 years before requiring replacement and 8 years before first requiring maintenance.
- P3 New road infrastructure should be safe for pedestrians, cyclists and vehicles. Council supports the concept of shared zones where appropriate (Special design criteria and RMS approval applies in these cases).
- P4 Existing public utility services should be protected during construction of road infrastructure. The location of all public utility services is to be shown on design plans that are to be submitted with the application for the construction certificate.



- P5 Kerb and gutter should be constructed with an absolute minimum longitudinal slope of 1% (1 vertical unit : 100 horizontal units).
- P6 Road line markings should be visible at night by using reflective paint.
- P7 Sandstone kerb and gutter with heritage significance is to be retained and not replaced with concrete.

Excavation adjoining active road reserves

- P8 Where excavation is proposed on land with a frontage to an active road reserve, consideration must be given to the Directions contained within the Transport for NSW’s Technical Direction GTD 2020/001.

7.3.5 Monitoring and Maintenance

- P1 Construction work on private and public property is checked for compliance by an accredited engineer. Certifications are issued if all works meet Council requirements. If work is deficient, defects orders are issued accordingly.
- P2 Construction work on public property that is to revert to Council’s ownership must be checked by Council for compliance with its standards.
- P3 Council is authorised to use bonds and security to rectify any defective work not undertaken in a reasonable time. The developer is responsible for work carried out on public property by a building contractor.

7.3.6 Procedures

- P1 Prior to road construction the applicant should provide:
 - (a) Conceptual road design plans with the development application where applicable. Conceptual design plans must address the requirements of this DCP and Council’s [Performance Guide](#) to enable satisfactory works to be constructed.
 - (b) A statement detailing the environmental impacts of the roadworks when lodging the development application.
 - (c) Detailed road design plans (where applicable) with the application for a construction certificate together with any certification by an accredited engineer.
 - (d) Final design plans for approval of construction certificate with sufficient specifications to ensure that the construction works can be built according to Council’s requirements.
 - (e) Payment of bonds and securities where applicable.

On completion *As Built Drawings* of completed construction work should be lodged to verify that construction works have been built in accordance with the development consent. *As Built Drawings* should be certified by an accredited engineer. Council approval is required of all construction work completed on public property.

Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

Where developer funded roadworks require substantial adjustments of Council’s road infrastructure, Council may consider carrying out *works in association* with works required by the developer.

Council may require a *dilapidation report* to identify any defects present prior to development commencing and may also impose a bond on road work as a security against damage occurring to Council infrastructure. Any breach of consent conditions may result in Council revoking the consent and using the bond and security to restore the works and make the site safe.



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7.3.7 Further information

For more information about design and construction of road infrastructure and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) [North Sydney Council Performance Guide](#);
- (b) [North Sydney Council Infrastructure Specification Manual](#).

7.3.8 Road Infrastructure Matrix

Table D-7.1 comprises a Road Infrastructure Matrix which describes the process, pre-requisites and references relating to the provision of road infrastructure.

TABLE D-7.1: Road Infrastructure Matrix

| This is About | Main activities | The Process | Pre-requisite | Compliance with | References | Comments |
|---|--|---|--|--|--|--|
| Road infrastructure works that are to revert to Council's ownership | <ul style="list-style-type: none"> Work required to construct a private development such as kerb and gutter, road pavement, car-parks, retaining walls, line marking, street signs, street lighting, and the like located on public property Does not include road drainage, footpaths and vehicular crossings or heritage items | <ol style="list-style-type: none"> Lodge a Development Application Obtain development consent Lodge a Construction Certificate Application Obtain a Construction Certificate Start Construction Lodge an Occupation Certificate Application | <ul style="list-style-type: none"> Survey details Concept stormwater Statement of Impact of proposed works Erosion Control Plan Dilapidation Report Council considers impact of road works from new development on capacity of existing infrastructure and adjoining property Detailed design of road infrastructure Erosion Control Plan Section 138 Permit Pay all fees and bonds Certifications as required PCA ensures that all consent conditions are met before issuing Construction Certificate Give Council Notice Install erosion and sedimentation control measures As built drawings Certifications as required Council approval of works on public property | <ul style="list-style-type: none"> This section of the DCP Development Application Guides EP&A Act 1979 This section of the DCP Development consent s.138 of Roads Act 1993 (if Applicable) Development Consent This section of the DCP Construction Certificate BCA This section of the DCP Construction Certificate | <ul style="list-style-type: none"> NSC Performance Guide NSC Infrastructure Specification Manual NSC Performance Guide NSC Infrastructure Specification Manual NSC Performance Guide NSC Infrastructure Specification Manual | <ul style="list-style-type: none"> Provide enough information to allow Council to assess the merit of the proposal The Statement of Environmental Impact must address the issues raised in the checklist within the EP&A Act In order to minimise delay the applicant should ensure that the information provided in the application is relevant, accurate and fit-for-purpose Provide enough detailed design information to show that work can be built as per development consent conditions No work is permitted on public property without a 138 Permit Bonds are a security against damage to Council Infrastructure A Construction Certificate must be obtained before construction may commence. Council must first approve any work on public property before certificate provided |

7.4 VEHICULAR ACCESS

7.4.1 Introduction

Vehicular access consists of both the crossing (as known as the *layback*) and driveway. The Vehicular crossing is the section adjoining the driveway located on the kerb-line whilst the driveway is the section of access between the kerb-line and the property boundary. Sub-section 7.4 to Part D of the DCP refers to the provision and maintenance of vehicle access from public roads into private property.

A *Vehicular Access Application* must be made prior to the provision of any crossing and driveway in association with a development approval, or prior to the replacement or improvement of an existing vehicular crossing. Similar application must be made prior to the opening of any road, footpath, grass verge or the like. Attached to the application are Council's *Vehicular Access Guidelines and Specifications*, which provide further information to applicants of requirements in connection with the provision of vehicular access.

It is the responsibility of the developer of property to establish suitable access facilities taking into account road levels, drainage requirements and current vehicle access requirements, at no cost to Council.

7.4.2 How this sub-section is used

Sub-section 7.4 to Part D of the DCP provides the objectives and provisions to be addressed when providing vehicular access to and from development. Use this sub-section in conjunction with Council's *Vehicular Access Guidelines and Specifications* when intending to prepare information for lodging a vehicular access application, development application or construction certificate.

7.4.3 Objectives

- O1 To ensure that vehicular access to and from development is simple, safe, direct and enhances visual amenity.
- O2 To ensure that vehicular access is designed and constructed in accordance with Council standards.
- O3 To ensure minimal impact on existing street parking.
- O4 To ensure minimal disturbance to existing road infrastructure, public utility services and adjoining property.

7.4.4 Provisions

- P1 Vehicular access provision (design and construction) should conform to the requirements of Council's *Vehicular Access Guidelines and Specifications*.
- P2 All existing gutter bridges are removed. Council may consider the retention of a gutter bridge, but only if the following criteria are met:
 - (a) The value of the proposed works does not exceed \$200,000; or
 - (b) The proposed development does not result in any increase in vehicular traffic across the gutter bridge; or
 - (c) The proposed development involves the demolition of or alteration and addition to more than 50% of the existing building on the site.
- P3 For the purpose of P2, an increase in vehicular traffic refers to any:
 - (a) increase to the number of parking spaces on the site,
 - (b) increase in the number of bedrooms within a residential dwelling by 2 or more bedrooms, but only where additional cars can be accommodate on the site under its current or proposed form, or

- (c) any other development in the opinion of Council that may result in an increase in vehicular traffic crossing the gutter bridge.

7.4.5 Monitoring and Maintenance

- P1 The applicant should give Council 24 hours notice to inspect the formwork before constructing the access.
- P2 Erosion and sedimentation controls should be in place before starting any excavation works. These devices should be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.
- P3 If a bond applies, Council inspects the completed work for any damage to Council's infrastructure before returning the bond.
- P4 Roadworks should be completed as soon as possible after constructing the vehicle crossing and driveway to minimise disruption to traffic.

7.4.6 Procedures

- P1 Prior to commencement of footpath construction applicant should:
- (a) Apply to Council for boundary alignment levels.
 - (b) Lodge a *Vehicle Access Application* and refer to the accompanying *Vehicular Access Guidelines and Specifications* for further information.
 - (c) Obtain a *Street Opening Permit* before starting work if required.
 - (d) Pay a *bond* if applicable.
 - (e) Obtain a construction certificate before constructing the works if the footpath is part of an application for a larger development.
- P2 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.
- P3 In special cases where the vehicular access requires substantial adjustments of Councils road infrastructure, Council may consider carrying out *works in association* with works required by the developer.
- P4 Council may require a *dilapidation report* to identify any defects present prior to development commencing and may also impose a bond on drainage work as a security against damage occurring to Council infrastructure. Any breach of consent conditions may result in Council revoking the consent and using the bond and security to restore the works and make the site safe.

7.4.7 Further Information

For more information about design and construction of vehicular access and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) North Sydney Council *Vehicle Access Application* and accompanying *Vehicular Access Guidelines and Specifications*.
- (b) [North Sydney Council Performance Guide](#).
- (c) [North Sydney Council Infrastructure Specification Manual](#).

7.4.8 Vehicular Crossings Matrix

Table D-7.2 comprises a Vehicular Crossings Matrix which describes the process, pre-requisites and references relating to the provision of vehicular crossings.



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TABLE B-7.2: Vehicular Crossings Matrix

| This is About | Main activities | The Process | Pre-requisite | Compliance with | References | Comments |
|-----------------------------------|---|--|--|--|---|---|
| Vehicular Crossings and Driveways | <ul style="list-style-type: none"> Vehicular access between the public road and private property Also includes any adjustments to public infrastructure required to provide suitable access | <ol style="list-style-type: none"> Lodge a Vehicular Access Application Obtain approval of Vehicular Access Application Constructing the vehicular access Return of the Bond | <ul style="list-style-type: none"> Provide information as required by the application such as design information, indemnity, Certificate of Insurance Currency application fees Approval to adjust existing infrastructure Council assesses application based on the reliability of the information provided Approval of Vehicular Access Application Street Opening Permit 48 hrs notice for inspecting formwork by Council Final approval of the completed vehicular crossing by Council | <ul style="list-style-type: none"> This Section of the DCP NSC Performance Guide s.138 of Roads Act 1993 (if applicable) s.68 Local Government Act (if applicable) Development consent (if applicable) Plans approved by Council NSC Performance Guide NSC Infrastructure Specification Manual | <ul style="list-style-type: none"> NSC Infrastructure Specification Manual | <ul style="list-style-type: none"> The vehicular access application must relate to the provision of vehicular access to an approved car stand within private property Adjustment of existing infrastructure must be approved by council before submitting design plans Any adjustment required to existing infrastructure such as footpaths, kerb and gutter or road levels must be approved by Council Ensure that no damage has been caused to Council's infrastructure |



7.5 FOOTPATHS

7.5.1 Introduction

Footpath infrastructure includes surface materials, landscaping, drainage, and provisions for the disabled. Sub-section 7.5 to Part D of the DCP applies to the provision and maintenance of footpaths throughout North Sydney. Footpaths separate pedestrians from vehicular traffic and provide suitable all weather surface, safe and convenient for public use. Like Council's road network, footpaths provide a slightly varying function depending upon the location, the abutting development, location of shops, schools, community and service areas, as well as having a relationship with vehicular traffic volume.

New development generally creates the need to upgrade the standard of the footpath. Although Council maintains footpaths that have reverted to Council's ownership, new developments are responsible for constructing the footpath according to Council's specifications and at no cost to Council. Council has adopted a policy specifying types of footpaths for selected areas of North Sydney. Maps are available at Council showing these details.

7.5.2 How is this sub-section used

Sub-section 7.5 to Part D of the DCP provides the objectives and provisions to be addressed when constructing or reconstructing footpaths. Use this sub-section in conjunction with Council's *Infrastructure Specification Manual* when lodging a development application or construction certificate.

7.5.3 Objectives

- O1 To ensure that footpaths are designed and constructed in accordance with Council standards, compliments surrounding streetscape and reflects heritage and conservation values.
- O2 Ensure that footpaths provide a safe walking environment for all pedestrians and enhance visual amenity.
- O3 Provide equal access opportunity that does not discriminate against the disabled.
- O4 Minimise disturbance to existing road infrastructure, public utility services and adjoining property from provision of footpath.

7.5.4 Provisions

- P1 Where appropriate, new and reconstructed footpaths should be designed and constructed to a minimum standard that complies with the technical requirements of the North Sydney Council *Infrastructure Specification Manual*.
- P2 Footpath work adjoining areas of heritage and conservation significance should be designed and constructed to complement the heritage and conservation character. Damaged heritage elements should be reinstated as near as possible to original condition at no cost to Council.
- P3 Footpath design should:
 - (a) Show suitable profiles between kerb and floor levels at all doorways to a development.
 - (b) Allow for the planting of street trees in accordance with the *North Sydney Street Tree Strategy* and Sub-section 3.1 – *Tree and Vegetation Management* to Part B of the DCP.
 - (c) Cater for the disposal of roof water piped beneath the footpath to the kerb (particularly for paved footpaths).
 - (d) Not contain steps where these did not previously exist.

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- (e) Not have obviously visible dips and humps adjoining driveways or doorways.
- P4 Disabled access is to be accommodated within private property where footpaths have longitudinal slope at doorways.

7.5.5 Monitoring and Maintenance

- P1 The applicant should give Council 24 hours notice to inspect the prepared base of the footpath.
- P2 Erosion and sedimentation controls must be in place before starting any excavation works. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.
- P3 If a bond applies, Council will inspect the completed work for damage to Council infrastructure before returning the bond.

7.5.6 Procedures

- P1 Prior to commencement of footpath construction applicant should:
 - (a) Apply to Council for alignment levels (prior to undertaking design).
 - (b) Lodge footpath design for approval with an application for Construction Certificate.
 - (c) Lodge footpath design to the Principal Certifying Authority (PCA) for the issue of a Construction Certificate.
 - (d) Obtain approval of public utility authorities where relevant services affected.
 - (e) Obtain a *Street Opening Permit* from Council.
 - (f) Pay bond if applicable.
 - (g) Submit to Council a work *as executed plan*, prepared by a surveyor or civil engineer if required.
 - (h) Obtain a construction certificate before constructing the works if the footpath is part of an application for a larger development.
- P2 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.
- P3 Where a development’s footpath works require substantial adjustments of Councils infrastructure, Council may consider carrying out *works in association* with works required by the developer, subject to conditions.
- P4 Council may require a *dilapidation report* to identify any defects present prior to development commencing and may also impose a bond on drainage work as a security against damage occurring to Council infrastructure. Any breach of consent conditions may result in Council revoking the consent and using the bond and security to restore the works and make the site safe.

7.5.7 Further Information

For more information about design and construction of vehicular access and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) [North Sydney Council Performance Guide](#).
- (b) [North Sydney Council Infrastructure Specification Manual](#).



7.5.8 Matrix

Table D-7.3 comprises a Footpath Matrix which describes the process, pre-requisites and references relating to the provision of footpaths.



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TABLE D-7.3: Footpaths Matrix

| This is About | Main activities | The Process | Pre-requisite | Compliance with | References | Comments |
|---|--|--|--|--|---|---|
| Public Footpaths in commercial, mixed use and residential areas | <ul style="list-style-type: none"> • Pedestrian access between the kerb and the boundary • Applies also to footpaths in pedestrian malls built on public property and the like | <ol style="list-style-type: none"> 1. Lodge a Development Application showing footpath details as part of the larger development proposal 2. Obtain development consent 3. Obtain Construction Certificate 4. Construct footpath as part of the main project 5. Apply for release of bond 6. Obtain Occupation Certificate | <ul style="list-style-type: none"> • Prepare survey details • Refer to Council' s footpath standards regarding surface finish, planters etc • Prepare detailed design of footpath | <ul style="list-style-type: none"> • Development Consent • NSC Performance guide | <ul style="list-style-type: none"> • Guidelines for Vehicular Access Application • NSC Performance Guide • NSC Infrastructure Specification Manual | <ul style="list-style-type: none"> • Provide enough concept design details to demonstrate that the footpath concept complies with Council' s standards and is fit-for-purpose. |
| | | 2. Obtain development consent | <ul style="list-style-type: none"> • Council assesses DA based on details of the footpath designs submitted | <ul style="list-style-type: none"> • EP&A Act 1979 | | |
| | | 3. Obtain Construction Certificate | <ul style="list-style-type: none"> • Lodge final designs of the footpath with the s.138 Permit and pay contributions, fees, bonds | <ul style="list-style-type: none"> • Street Opening Permit • Guide for applying for Construction Certificate | | <ul style="list-style-type: none"> • Application is lodged with the Principal Certifying Authority who approves work for construction |
| | | 4. Construct footpath as part of the main project | <ul style="list-style-type: none"> • Obtain the Construction Certificate | <ul style="list-style-type: none"> • Development Consent • Council' s corporate standards • NSC Infrastructure Specification manual | <ul style="list-style-type: none"> • NSC Infrastructure Specification Manual • Plans approved in accordance with Construction Certificate | <ul style="list-style-type: none"> • Council is authorised to issue a stop work order, if the work is not in accordance with approvals or is considered unsafe. |
| | | 5. Apply for release of bond | <ul style="list-style-type: none"> • Demonstrate by " As built drawings" that all work has been built in accordance with Council' s requirements • Obtain Council approval | <ul style="list-style-type: none"> • Development consent conditions | | <ul style="list-style-type: none"> • Since the footpath work will revert to Council' s ownership, Council requires all works to be constructed to Council' s specifications. |
| | | 6. Obtain Occupation Certificate | <ul style="list-style-type: none"> • Satisfy all requirements for construction | <ul style="list-style-type: none"> • Development consent • Construction Certificate | | <ul style="list-style-type: none"> • Bonds may be held until expiry of defects period. |

7.6 PERMITTED ENCROACHMENTS

7.6.1 Introduction

Permitted encroachments refer to structures that are permitted to encroach from private property onto the public property such as, but not limited to;

- Awnings
- Balconies
- Sunblinds
- Building signs
- Decorative structures
- Private security lighting
- CCTV cameras
- Special drainage structures

Elements encroaching within the public road reserve from private property may present a potential risk of safety to the public and therefore a potential risk of legal claims to Council if left unmanaged. Council has a duty to manage the risk and this is done by ensuring that the applicant, proposing the encroachments, remains responsible for identifying the risks, assessing the extent of the risks and undertakes to carry out all measures necessary to mitigate the risk to an acceptable level as determined by a Risk Management Study.

7.6.2 How this sub-section is used

Sub-section 7.6 to Part D of the DCP provides objectives and provisions to be applied when proposing to apply for approval to install encroachments within public property. Refer to these when intending to prepare information for lodging a development application or construction certificate.

7.6.3 Objectives

- O1 To ensure encroachments from private property onto the public property are safe for pedestrians and vehicular traffic, designed and constructed to Council's expectations and conserve the desirable characteristics of an area.

7.6.4 Provisions

- P1 Encroachments from private property onto the public property should not:
- (a) Intrude into the amenity of the area by blocking access (both pedestrian and vehicular).
 - (b) Visually intrude or pollute a public area.
 - (c) Be positioned dangerously.
 - (d) Negatively impact on accessibility for disabled and visually impaired persons.
 - (e) Compromise local character, conservation and heritage values of an area.
- P2 Design, location and construction encroachments should be to Councils expectations.

7.6.5 Monitoring and Maintenance

- P1 Council may monitor encroachments to ensure that the public interest is maintained.
- P2 It is the responsibility of the private property owner to maintain the encroachments in a fit-for-purpose condition.



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- P3 The private property owner may be required to hold and maintain professional indemnity and public liability insurance noting Council’s interest, for the service-life of objects encroaching on public property.
- P4 Approvals for encroachments may be for a specific time period.

7.6.6 Procedures

Specific Requirements

- P1 Approval to install encroachments on public property shall be by development consent. Circumstances regarding encroachment from private property onto the public property are site specific. Enquire with Council prior to making an application to determine specific requirements.

General Requirements

- P1 Council may require a *dilapidation report* to identify any defects present prior to development commencing. Any defects found to exist on completion of development that have not been identified in the dilapidation report, will be deemed to have occurred as a consequence of development work and therefore, will be the liability of the developer to re-instate at no cost to Council.
- P2 Any breach of consent conditions may result in Council revoking the consent and use any developer bond and security to restore the works and make the site safe.
- P3 Private property owners should be aware of the possible need to enter a *Deed of Agreement* or *Lease* with Council including indemnifying Council against relevant risks.
- P4 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under section 138 of the [Roads Act 1993](#) and section 68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

7.6.7 Further Information

Contact Council’s Planning and Development Advisor for more information on 9936 8100.

7.6.8 Matrix

Table D-7.4 comprises a Permitted Encroachments Matrix which describes the process, pre-requisites and references relating to permitted encroachments.

TABLE D-7.4: Permitted Encroachments Matrix

| This is About | Main activities | The Process | Pre-requisite | Compliance with | References | Comments |
|-------------------------|--|---|--|---|--|--|
| Permitted encroachments | <ul style="list-style-type: none"> • Awnings • Balconies • Sunblinds • Building signs • Decorative structures • Private security lighting • CCTV cameras • Special drainage structures • Installation of electrical fittings within private property walls for public use • Installation of electrical fittings within public walls for private property use | 1. Lodge a Development Application | <ul style="list-style-type: none"> • Survey details • Concept Design • Statement of Impact of Stormwater | <ul style="list-style-type: none"> • This section of the DCP • Development Application Guides | <ul style="list-style-type: none"> • NSC Performance Guide • NSC Infrastructure Specification Manual • Industry Codes for design and construction | <ul style="list-style-type: none"> • Provide enough information to allow Council to assess the merit of the proposal • The Statement of Environmental Impact must address the issues raised in the checklist within the EP&A Act |
| | | 2. Obtain development consent | <ul style="list-style-type: none"> • Council assesses DA based on details of the encroachment submitted | <ul style="list-style-type: none"> • EP&A Act 1979 • Conditions of any Deed of Agreement | | <ul style="list-style-type: none"> • In order to minimise delay the applicant should ensure that the Information provided in the application is relevant, accurate and fit-for-purpose and meets Council's performance expectations |
| | | 3. Lodge a Construction Certificate application | <ul style="list-style-type: none"> • Detailed design • S.138 approval • Pay all fees and bonds • Certification as required | <ul style="list-style-type: none"> • This section of the DCP • Development consent s.138 of Roads Act 1993 (if Applicable) • BCA | <ul style="list-style-type: none"> • NSC Performance Guide • NSC Infrastructure Specification Manual • Conditions of any Deed of Agreement | <ul style="list-style-type: none"> • In order to minimise delay, ensure that design information provided in the application complies with the development consent. • No work is permitted on public property without a s.138 Permit • Bonds are a security against damage to Council Infrastructure |
| | | 4. Obtain Construction Certificate | <ul style="list-style-type: none"> • PCA Ensures all conditions of consent are met | <ul style="list-style-type: none"> • Development Consent • BCA | | |
| | | 5. Start construction | <ul style="list-style-type: none"> • Give Council Notice | <ul style="list-style-type: none"> • This section of the DCP • Construction Certificate | <ul style="list-style-type: none"> • NSC Performance Guide • NSC Infrastructure Specification Manual | <ul style="list-style-type: none"> • A Construction Certificate must be obtained before construction may commence. |

7.7 BOUNDARY ALIGNMENT LEVELS

7.7.1 Introduction

Boundary alignment level (called alignment level) refers to the finished surface level at the frontage of private property to a public road. Council provides alignment levels and the applicant must include alignment levels with the information presented to Council in a Development Application.

Council sets alignment levels to assist the property owner (developer) to establish:

- Suitable vehicle access from a public road into private property.
- Appropriate floor levels for a garage, carport or car-stand area.
- Foundations for a front fence to development.
- Service installation requirements.
- Appropriate matching footpath levels.
- Suitable roof water disposal from private development.
- To suit access for the disabled and visually impaired.

Failing to comply with Council's alignment levels may result in:

- Unsatisfactory vehicle access to private property.
- Floor level of car-stand area in private property being unsatisfactory.
- Services to a development being laid at a level that may result in damage.
- Level of boundary fences not complying with Council's requirements.
- Difficulty in providing access for the disabled and visually impaired.
- Difficulty in draining roof water from a development.
- Stormwater from the street or footpath entering private property.
- Council issuing an order to rectify any unauthorised works, or in the case of emergency works, to carry out rectification works at no cost to Council.

Conditions of the development consent and the approved construction certificate plans establish the construction requirements of works associated with alignment levels. Non-compliance with the consent or the construction certificate may result in difficulty in obtaining an occupation certificate. Rectification works required to gain compliance may be expensive.

Where difficulty is experienced in providing vehicle access to private property, the designer should arrange a meeting with Council to discuss the preferred design strategy.

On roads having a steep longitudinal fall along the footpath, difficulty may be encountered in designing floor levels at doorways and entrances to car parks. This may particularly apply to disabled access. If unsure of how to interpret alignment levels to meet Council's objectives, consult with Council before proceeding with design.

Council is not responsible for any damage caused to utility services that may be damaged by the applicant or its workers in meeting Council's alignment levels objectives. The applicant should obtain approval from the relevant utility service authority before doing any work likely to damage the service.

Council may require a *Dilapidation Report* to identify any defects present prior to development commencing. Any defects found to exist on completion of development that have not been identified in the Dilapidation Report, will be deemed to have occurred as a consequence of development work and therefore, will be the liability of the developer to re-instate at no cost to Council.



7.7.2 How this sub-section is used

Sub-section 7.7 to Part D of the DCP provides objectives and provisions to be applied when intending to use alignment levels for a proposed development. Refer to these when intending to prepare information for lodging a development application or construction certificate.

7.7.3 Objectives

- O1 To provide safe and fit-for-purpose finished surface levels at any boundary of private development, which have a road with kerb and gutter, able to meet Council's objectives by specifying a consistent standard of design.
- O2 To ensure minimal risk of injury to people and damage to property.
- O3 To provide a uniform standard of construction for vehicular access to private property.
- O4 To provide an awareness of alignment levels when determining appropriate floor levels for car-stand areas within private property.
- O5 To protect public utility services by providing appropriate alignment levels.
- O6 To protect property located on the low side of roads from the effects of stormwater run-off.

7.7.4 Provisions

- P1 Alignment levels are based on Council's standard footpath gradients, vehicle access limitations and footpath levels at adjoining properties.
- P2 Residential floor levels and car-stand floor levels within buildings and private property should be designed to alignment levels provided by Council.
- P3 Alignment levels should:
 - (a) Determine footpath shape.
 - (b) Govern floor level at door entrances.
 - (c) Provide access for vehicles and pedestrians without the risk of damage to vehicles and property and injury to people.
 - (d) Provide suitable access for disabled and visually impaired pedestrians.
 - (e) Enable roof water from private property to be piped under the footpath to the street.
 - (f) Be uniform with front boundary levels of existing adjoining properties and with existing footpath levels in the public road (where applicable).
- P4 Property located on the corner of two intersecting public roads may require alignment levels for both frontages of the property.
- P5 Council is authorised to fix the levels of a public road or vary the existing levels of a public road (including at the alignment with the boundary of private property) subject to meeting particular requirements. Council is also authorised to regulate the levels within private property for the purpose of meeting the above described objectives.

7.7.5 Monitoring and Maintenance

- P1 Applicant is required to give Council 48 hours notice prior to carrying out works that are impacted by alignment levels.
- P2 If a bond applies, Council must inspect the completed work for compliance with the alignment levels before returning any bond.
- P3 Construction work in private and public property is checked for compliance by an accredited engineer. Compliance is issued subject to all works meeting the conditions



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of consent and the construction certificate. Any defective work must be made good before for compliance is issued.

- P4 Council or its agent is authorised under the provisions of the [Local Government Act 1993](#), after giving reasonable notice (or without notice in the case of an emergency), to inspect the work for the purpose of compliance and rectify any work found to pose a risk of injury to persons(s) or damage to property.
- P5 The owner of the subject property is responsible for any inconvenience or damage caused to any other property or injury to people resulting from a failure to observe the alignment level requirements.

7.7.6 Procedures

- P1 Council issues alignment levels. An application for alignment levels can be made at Council’s Customer Service Centre.
- P2 Council issues a development consent subject to information contained in the application complying with the requirements of the alignment levels.
- P3 The principal certifying authority (PCA) issues a construction certificate subject to the information contained in the application complying with the requirements of the development consent.
- P4 Prior to issuing a construction certificate all fees, bonds, securities must be paid and a Street Opening Permit obtained (if applicable).
- P5 On completion of construction, the applicant may apply for a refund of any outstanding bond (if applicable).
- P6 An occupation certificate is issued after completion of construction subject to the applicant demonstrating by survey that all work relevant to alignment levels has been completed in accordance with the development consent. An “as built drawing” may be required to be supplied by the applicant to confirm the adequacy of relevant work.
- P7 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

7.7.7 Further Information

For more information about design and construction of vehicular access and associated details regarding permits, fees and charges consult with Council and refer to:

- (a) [North Sydney Council Performance Guide](#).
- (b) [North Sydney Council Infrastructure Specification Manual](#).

7.7.8 Matrix

Table D-7.5 comprises a Boundary Alignment Levels Matrix which describes the process, pre-requisites and references relating to boundary alignment levels.

TABLE D-7.5: Boundary Alignment Levels Matrix

| This is About | Main activities | The Process | Pre-requisite | Compliance with | References | Comments |
|---------------------------|--|---|--|---|--|--|
| Boundary alignment levels | <ul style="list-style-type: none"> Boundary alignment levels are used to establish: <ul style="list-style-type: none"> Vehicular access Floor level for a garage, carport, or car-stand area Boundary fence Footpath levels Roof water disposal under footpath Disabled access | 1. Lodge a Development Application | <ul style="list-style-type: none"> Application for alignment levels Survey details Consider boundary alignment levels when preparing the concept design | <ul style="list-style-type: none"> This section of the DCP Development Application Guides | <ul style="list-style-type: none"> NSC Performance Guide NSC Infrastructure Specification Manual Industry Codes for design and construction | <ul style="list-style-type: none"> Provide enough information to allow Council to assess the merit of the proposal The Statement of Environmental Impact must address the issues raised in the checklist within the EP&A Act |
| | | 2. Obtain development consent | <ul style="list-style-type: none"> Council assesses DA based on details of the alignment levels | <ul style="list-style-type: none"> EP&A Act 1979 | | <ul style="list-style-type: none"> In order to minimise delay the applicant should ensure that the information provided in the application is relevant, accurate and fit-for-purpose and meets Council's DCP objectives and controls |
| | | 3. Lodge a Construction Certificate application | <ul style="list-style-type: none"> Detailed design S.138 approval Pay all fees and bonds Certification as required | <ul style="list-style-type: none"> This section of the DCP Development consent s.138 of Roads Act 1993 BCA | <ul style="list-style-type: none"> NSC Performance Guide NSC Infrastructure Specification Manual | <ul style="list-style-type: none"> Provide enough detailed design information to show that work can be built as per development consent conditions No work is permitted on public property without a 138 Permit Bonds are a security against damage to Council Infrastructure |
| | | 4. Obtain Construction Certificate | <ul style="list-style-type: none"> Submit information required by the development consent | <ul style="list-style-type: none"> Development Consent BCA | | <ul style="list-style-type: none"> PCA ensures that all consent conditions are met |
| | | 5. Start construction | <ul style="list-style-type: none"> Give Council Notice | <ul style="list-style-type: none"> This section of the DCP Construction Certificate | <ul style="list-style-type: none"> NSC Performance Guide NSC Infrastructure Specification Manual | <ul style="list-style-type: none"> A Construction Certificate must be obtained before construction may commence. |

SECTION 8 CONSTRUCTION MANAGEMENT

8.1 INTRODUCTION

Construction activities, which includes demolition, earthworks, underpinning, construction or remediation activities have the ability to adversely affect the amenity of existing residents and workers of North Sydney through temporary increases in noise, vibration, airborne pollution and/or transport movements. These issues can sometimes be compounded when multiple sites in close proximity to one another are undergoing construction at the same time. Council is obliged to manage these temporary site issues for the benefit of the wider community.

In some instances, Council will require the preparation of a detailed Construction Management Plan (CMP). The need for a CMP depends upon the nature of work, likelihood of disruptions, impacts on local amenity, dangers or risks involved, traffic management or any other relevant issue that may cause adverse impacts on the wider community as a result of a development's construction.

The requirement for a CMP typically arises from the imposition of a specific condition/s on a development consent. Council recognises the high costs associated with the preparation of a detailed CMP and that contractors to construct a proposed development are typically not appointed until after a development consent has been issued and that the request for detailed CMP's may not be appropriate as part of the development application process. However, indicative CMP's maybe request depending on site circumstance. This Section of the DCP outlines the minimum requirements that need to be addressed in preparing a CMP. A development consent may also require additional matters over and above that contained within this Section of the DCP to be addressed.

8.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 Establish suitable time periods within which demolition, earthworks, construction or remediation activities can be undertaken;
- O2 Establish a framework for the approval of out of hours permits for development works;
- O3 Establish circumstances where a modification to the consent may be required to allow out of hours works;
- O4 Establish the instances when a Construction Management Plan is required;
- O5 Outline the matters for consideration in the preparation of Construction Management Plans.

8.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development that involve physical works to a site.

This Section also contains detailed heads of consideration for when a CMP is required to be prepared in accordance with a condition/s imposed on a development consent. A CMP may be required if a proposed development includes:

- (a) Basement excavation;
- (b) External works exceeding \$1million;
- (c) Demolition within 2m of a street alignment;
- (d) Demolition of 2 or more storeys;
- (e) Where traffic management measures are required for a period of two or more weeks; or

- (f) Any other case where the consent authority considers that a CMP should be provided due to the nature of the work or locality or potential disruption to amenity, public safety, on street parking provision or traffic safety.

8.1.3 Relationship to Other Documents

Where relevant, this section of the DCP should be read in conjunction with the following:

- (a) [Environmental Planning and Assessment Act 1979](#) (EP&A Act);
- (b) [Environmental Planning and Assessment Regulation 2021](#) (EP&A Regulations);
- (c) [Protection of the Environment Operations Act 1997](#) (PoEO Act);
- (d) North Sydney Construction Works Management Strategy;
- (e) North Sydney Enforcement and Compliance Policy.

8.2 OPERATING HOURS, NOISE AND VIBRATION

8.2.1 Objectives

- O1 To minimise the impact of noise and vibration on the immediate neighbourhood.
- O2 To provide a framework to plan and cater for construction activities outside normal hours.
- O3 To minimise the likelihood of damage to adjacent buildings and structures.
- O4 To manage general community and developer expectations.

8.2.2 Provisions

Primary Construction Hours

- P1 Building works must not occur outside the time periods outlined in Table D-8.1.

| TABLE D-8.1 – Primary Construction Hours | | |
|---|--------------------------|-------------------|
| Location | Day | Hours |
| E2 Commercial Centre MU1 Mixed Use | Monday – Friday | 7.00am – 7.00pm |
| | Saturday | 8.00am – 1.00pm |
| | Sunday Public holiday | No work permitted |
| All other zones | Monday – Friday | 7.00am – 5.00pm |
| | Saturday | 8.00am – 1.00pm |
| | Sunday Public holiday | No work permitted |

- P2 Despite P1 above, construction activities that only involve the internal fit out of a fully enclosed space may be permitted up to 9pm on a Monday – Friday inclusive in the *E2 Commercial Centre* and *MU1 Mixed Use* zones only and subject to the further provisions of this policy.
- P3 Extended primary construction hours may be considered beyond the hours outlined P1 either as part of the principal development application or by way of a modification application made under s.4.55 of the [EP&A Act](#). Such requests must provide the following information:
 - (a) a detailed management plan including the nature of the proposed works and how impacts will be mitigated:



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- (b) supporting noise and traffic reports which demonstrate that impacts on the community can be minimised;
- (c) details of how the extended works will be of benefit to the community and the environment generally, and
- (d) the acceptance that approval will only be granted subject to conditions that will see the withdrawal or modification of the privilege so given upon justified and unresolved complaint.

Works outside of Primary Construction Hours: Out-of-Hours Permits

- P4 The time periods within Table D-8.1 may be extended for certain “one-off” events, but only after an Out-of-Hours Permit has first been approved and issued by Council.
- P5 In determining whether Council will approve of an out of hours permit, Council will consider the following:
- (a) Nature, location and extent of work to be undertaken to limit potential nuisance;
 - (b) Location of the site in relation to sensitive zones (e.g. residential zones);
 - (c) The urgency or emergency nature of the works;
 - (d) Safety requirements such as risk to public/workers;
 - (e) Sequential / timing issues;
 - (f) Traffic management considerations;
 - (g) Noise reduction measures;
 - (h) Measures to be taken to address any potential complaints;
 - (i) Proven track record of the site;
 - (j) Requirements of other authorities; and
 - (k) Public interest
- P6 An out of hours Permit will not be approved:
- (a) if the site is located either directly adjacent to or across the road from a site that have been issued an Out-of-Hours Permit within 3 days of the request for an Out-of-Hours Permit;
 - (b) for more than 3 consecutive nights, unless it can be adequately demonstrated that it is required for the purposes of protecting public safety;
 - (c) for concreting works, or other low impact construction works which can be carried out within the normal construction hours;
 - (d) where there is no demonstrated justification with regard to traffic or public safety or amenity impacts;
 - (e) where previous Permits have been issued and have resulted in justified complaint; and
 - (f) if the request is received less than 72 hours before the proposed date of out of hours works are to commence.

Noise and Vibration

- P7 Large scale demolition and construction projects/sites will be required to incorporate a Noise and Vibration Management Plan (N&VMP) within the CMP to address construction noise which may cause nuisance or disturbance as a result of the close proximity of any noise sensitive premises and/or the particular scope of the development or the equipment being employed. A N&VMP will need to be provided for demolition work and for potentially noisy building construction activities such as piling, compacting and concrete pouring processes.



- P8 The N&VMP is to consider the time and duration of proposed activities, the nature of the activities intended at the site and the ambient background noise level in the surrounding noise sensitive uses and the actual likely impact on those sensitive uses.
- P9 To ensure that noise and nuisance complaints are managed on site in the first instance, signage specifying any security measures and key contact details must be erected on the perimeter of the site in accordance with the signage provisions under Section 8.3.2 to Part D of the DCP below.

8.3 PUBLIC SAFETY, AMENITY AND SITE SECURITY

8.3.1 Objectives

- O1 To ensure that the general public is adequately protected from activities occurring on building sites.
- O2 To manage the protection of public assets and infrastructure.

8.3.2 Provisions

Fencing

- P1 The site should be secured by a fence, hoarding or other suitable barrier.
- P2 Hoardings, perimeter fencing or other site barriers used must not be able to be climbed or allow unauthorised entry.
- P3 Before and during building work, all excavations must be fenced so they do not pose a danger to life or property to the satisfaction of the relevant certifying authority and Council.
- P4 Hoardings, barriers and other perimeter fencing must be suitably lined to limit public viewing to designated viewing areas. This will ensure pedestrian flow is not impeded and adequate site-public interaction is accommodated.
- P5 At least one viewing point per site must be provided.
- P6 All hoardings and other safety related structures must be maintained to SafeWork NSW standards.
- P7 Footpaths and roadways generally will be maintained in a fit for purpose condition at the developer's expense.

Safety and Security

- P8 Adequate lighting, safety signage and traffic controls are to be provided. Temporary lighting shall provide an even lighting level and must meet the requirement outlined in the AS/NZS 1558 Road Lighting series.
- P9 For refurbishments, renovations and additions, occupants of existing buildings must be prevented from accessing these areas of the building where works are being carried out through adequate security measures to the satisfaction of the relevant certifying authority.
- P10 Security measures must be in place at all times when building activities are not in operation. This may include perimeter barriers, locks (either mechanical or electronic), surveillance systems, security lighting and motion detectors.
- P11 Where a building site cannot be fully secured, consideration must be given to the use of a security service to prevent unauthorised access.
- P12 Security measures must be provided to prevent construction work or protective measures from facilitating unauthorised access to an adjoining building(s) and to safeguard site materials and equipment.
- P13 All dangerous chemicals need to be properly stored in secure areas located away from emergency exits, safety measures or stormwater pits. Required quantities of chemicals

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need to be nominated and procedures put in place for the location of storage facilities, secure access and spillage procedures. Refer to AS 1940-1993 Storage and Handling of Flammable and Combustible Liquids. Signage for dangerous goods must be in accordance with AS1216 – 1995 Class Labels For Dangerous Goods Hazardous materials must be stored in a manner approved by SafeWork NSW.

P14 Explosives shall not be used for demolition or excavation.

Signage

P15 Signage specifying any security measures and key contact details shall be erected on the perimeter of the building site (i.e. attached to the building, fence or hoarding), with one sign provided on each street frontage and plainly visible to the public domain.

P16 At a minimum, each sign shall contain at least the following information:

- (a) The name and contact details (including phone) of the:
 - (i) Developer;
 - (ii) Chief Contractor;
 - (iii) Principal Certifying Authority;
- (b) A 24 hour emergency contact name and phone number;
- (c) Website address where the community may find details of the construction activities in accordance with Part D: Section 8.8 of the DCP.

P17 One sign per street frontage is permitted advertising the proposed development under construction on the land. Each sign should not exceed a display area of five (5) square metres or 10% of the relevant ground level fence or hoarding elevation whichever is the lesser. It must not be an animated or internally-illuminated and be removed in its entirety when the construction work is completed or the security fencing or hoarding is removed.

P18 Any sign, road markings, street furniture, parking meters, etc, affected by the works shall be relocated or protected and, or, kept in good repair. When installing hoardings, attention shall be paid to the effects that such items may have on pedestrian and cycle travel paths at intersections. This may mean installing temporary pedestrian ramps, tactile, etc. Approval shall be sought from Council to install temporary indents or pedestrian ramps, etc.

Public Domain

P19 Any damage to the footpath, road, kerb and channel, stormwater drains and street furniture that results from excavation, demolition and building work is the responsibility of the builder or developer. Any damage which may impact on pedestrians, cyclists and motorists' safety shall be repaired immediately.

P20 Bicycle paths must be maintained where existing bicycle access is provided adjacent to a construction site.

P21 Developers and builders must ensure there are no tripping hazards from the hoarding or perimeter fencing on nearby footpaths. Hoardings must be maintained in such a state as to minimise the risk of damage to pedestrians, their clothing and their belongings. Electrical, plumbing and other services extending over footpaths must be covered over, and pedestrian and disability access facilitated by a ramp. Ramps must have a non-slip surface, a handrail, and a minimum gradient of 1:14 unless the existing topography of the street or road dictates some variation to this ratio.

P22 Determine whether the street or footpath or part thereof needs to be occupied by builders, above or below the public domain. The general public must be protected from construction activities including vehicle loading and off-loading within the public domain. Precautions must be fully specified and include the following measures:

- (a) The use of spotters and traffic controllers;
- (b) Restriction on the hours of operation of these activities (non peak hours);



- (c) Restriction on the type of work being carried out (welding, etc.);
 - (d) Machinery to be used;
 - (e) Security mesh or barriers to separate the public from the work area.
- P23 When using skips or rubbish bins, take the following steps to prevent disruption to public areas:
- (a) Place skips or rubbish bins away from public thoroughfares, pedestrian and bicycle access areas;
 - (b) Specify times and methods for loading and unloading of bins or skips;
 - (c) Indicate location and height of chutes (if proposed);
 - (d) Protect pavements and streets and conduct dilapidation surveys before and after works have taken place.
- P24 When using cranes or mobile lifting equipment, take the following steps to prevent disruption to public areas:
- (a) Ensure equipment does not restrict public thoroughfares and pedestrian access or, where restricted access is unavoidable, use gantries or other overhead protection;
 - (b) Determine lifting zones for medium to long term use of the equipment;
 - (c) Protect pavements and streets and conduct dilapidation surveys before and after works have taken place;
 - (d) Implement procedures and lifting techniques to ensure safety on adjoining streets and footpaths;
 - (e) Use traffic management controls and signage.
- P25 Unless otherwise permitted, an obstruction must not protrude from premises causing it to interfere with pedestrians or traffic in a public place.
- P26 Unless otherwise permitted, all construction materials must be stored onsite and not in the street or public space.
- P27 When a crossover is required for vehicular access to the site, consider:
- (a) The type and size of trucks entering the site;
 - (b) The loading and potential for damage to the existing crossover and footpath;
 - (c) The nature of protection of crossover and pavements;
 - (d) The need for a dilapidation survey of the footpath before and after works have taken place.
- P28 In the case of potential damage to assets in the public domain, a financial deposit for an amount determined by Council must be lodged in conjunction with the necessary local law permit application, along with a requirement to reinstate damaged assets at the completion of works.
- P29 In the event that works may disrupt parks and gardens managed by Council, consultation and approvals including park protection measures, ongoing maintenance requirements and reinstatement methods will be required from Council's Open Space and Environmental Services Division to ensure there is no damage to flora, fauna and services. Grass verges and medians are also to be protected.

Street Space Occupation

- P30 All necessary permits must be obtained from Council to occupy and use the space on the road, footpath or other public land.
- P31 Adequate barriers must be installed to prevent the public from accessing the construction area. Any occupation or activity presenting a hazard to the public must be provided with suitable barriers.



Section 8 - Construction Management

- P32 Pedestrian access areas must have a minimum width of 1.2m clear on the footpaths (1.5m preferable). Where possible, two way passing bays 1.8m wide should be provided at not more than 20m intervals.
- P33 Any permit issued by Council will be time limited. If the permit is not renewed within twenty one (21) days of its expiry orders will be issued to require the removal of any temporary structure or to restrain the use of the benefit otherwise permitted by the permit.

Excavation

- P34 Excavations adjacent to or in close proximity to a road or pathway must be designed to support the road or pathway.
- P35 Excavations adjacent to existing adjoining buildings must be designed to support the adjoining buildings or structures.
- P36 The location and extent of excavations on a site must be specified and the means of containing sediment, especially in wet weather, must be detailed. The area of land to be cleared must also be minimised and stripping and excavating the site should be avoided until building is about to start.

Prevent Unsightly Premises

- P37 Raw materials stored on the site must be adequately secured to prevent unnecessary and unsightly dispersal of the materials around the site and public areas (streets and footpaths).
- P38 Trucks leaving the site must be adequately cleaned to ensure soil, mud and other site debris is prevented from spilling onto adjoining roads and footpaths. Roads and footpaths should be cleaned on a regular basis with consideration to water efficiency.
- P39 Graffiti and other posters or stickers on hoardings and fencing must be removed on at least a weekly basis, or immediately if it is offensive in nature.

General Management

- P40 Existing trees and vegetation not proposed to be removed as part of any development consent must be protected in accordance with Section 3 to Part B of this DCP.
- P41 If building works are for demolition only and the site is to be left vacant, it must be cleared of all unsightly debris, left in a clean state and fully fenced with solid hoarding. The owner is responsible for the site after it has been vacated by the demolisher, principal builder or contractor. Council may require a financial deposit to ensure the owner adequately accepts their responsibility.
- P42 Pedestrian signs must not be damaged, defaced, removed or altered in any way. New pedestrian signs must not be installed without Council approval.
- P43 Any precautions for public protection within the street/public domain must comply with Council's and WorkSafe requirements.

8.4 AIR AND DUST MANAGEMENT

8.4.1 Objectives

- O1 To ensure that air quality (airborne dust and pollutants) in and around a construction site is maintained at acceptable levels throughout the construction period.

8.4.2 Provisions

- P1 Provide details of any equipment and activities that may cause excessive dust or otherwise effect air quality. Dust suppression techniques/equipment may be required depending upon the following:
 - (a) Weather and wind conditions;
 - (b) Exposure/proximity to the public and surrounding buildings;



- (c) Proximity to air intake vents on adjacent buildings. Intake from these vents must be prevented through the installation of adequate filters or other approved measures.
- P2 Minimise dumping of loose materials on a site. If dumping of loose material is unavoidable, detail methods for preventing dust and other airborne matter impacting on the surrounding area. Ensure these measures are adequate when the site is unattended.
- P3 Minimise airborne dust arising from trucks and other vehicles entering and leaving the site by providing details on the method and frequency of watering down driveways and trucks with consideration to water efficiency.
- P4 Specify materials to be stored on site and their exposure to wind and the weather elements. Detail methods for preventing loose materials from becoming airborne.
- P5 Perimeter fencing must be designed to minimise the impact of dust on the public and adjacent areas.
- P6 Equipment powered by internal combustion engines must be properly maintained and regularly serviced to prevent the discharge of excessive pollutants, including smoke and/or toxic fumes or odours, and must meet acceptable noise levels.
- P7 Exhausts and ductwork from equipment must be located away from air intakes, windows, enclosed areas and public areas.
- P8 Materials can only be cut in designated areas set away from boundaries and public areas, with adequate dust (and noise) suppression. Where cutting needs to occur in situ, localised dust suppression measures must be utilised.
- P9 The provisions of the [PoEO Act](#) and associated regulations also apply.

8.5 EROSION AND SEDIMENT CONTROL

8.5.1 Objectives

- O1 Prevent contamination of, or damage to, stormwater drains and waterways.
- O2 Ensure sediment from the building site is retained on-site during construction work.

8.5.2 Provisions

- P1 An Erosion and Sediment Control Plan is incorporated into the CMP and address the requirements within Section 4.2 – *Erosion and Sediment Control* to Part B of this DCP.
- P2 The provisions of the [PoEO Act](#) and associated regulations also apply.

8.6 WASTE MANAGEMENT

8.6.1 Objectives

- O1 Maximise the re-use and/or recycling of construction and demolition waste.
- O2 Waste material to be collected and stored on site until its removal.

8.6.2 Provisions

- P1 A Waste Management Plan is incorporated into the CMP and address the relevant requirements within Section 5 – *Waste Minimisation and Management* to Part D of this DCP.

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8.7 TRAFFIC MANAGEMENT

8.7.1 Objectives

- O1 Minimise disruption to traffic (vehicles, pedestrians and cyclists) caused by construction activities to ensure the safety of all road users.

8.7.2 Provisions

- P1 A Traffic Management Plan is incorporated into a CMP, where the proposed development will have an impact upon vehicle, waste collection, cyclist and/or pedestrian flows.
- P2 The following issues must be considered in a Traffic Management Plan:
 - (a) The proposed method of access to and egress from the site for construction vehicles.
 - (b) Disruption to vehicular, pedestrian and cyclist traffic flows.
 - (c) Preferred construction access.
 - (d) Vehicles leaving the construction site in a forward direction.
 - (e) Through traffic is to be maintained at all times.
 - (f) Maintaining access to all neighbouring properties at all times.
 - (g) Proposed method of traffic control; controllers must be qualified.
 - (h) Proposed method of pedestrian management.
 - (i) Access routes through the Council area.
 - (j) Method of loading and unloading materials and equipment.
 - (k) Location of any cranes.
 - (l) Location of any Work Zones (approval of the construction management plan does not imply that the proposed Work Zone will be approved, that is still subject to Traffic Committee approval).
 - (m) Temporary, full or partial road closures.
 - (n) Information to local residents and advertising as required.
 - (o) Method of demolition and construction.
 - (p) Areas used for storage of demolition materials, construction materials and waste containers.
 - (q) Method/device to remove loose material from all vehicles and/or machinery.
 - (r) Method of support to any adjoining properties
 - (s) Protection for Council and adjoining properties.
 - (t) Other site-specific considerations (as applicable).
 - (u) Safe Work Method Statement.
- P3 Work must not be carried out in a public road or footpath unless consent has been granted by Council (or other relevant roads authority) under s.138 of the [Roads Act 1993](#) and s.68 of the [Local Government Act 1993](#). These are separate approvals to development consent or a complying development certificate. Consult with Council to determine if a permit is required.

Monitoring and maintenance

- P4 All traffic control work identified in a Traffic Management Plan, must be carried out in strict accordance with that Plan. Council is authorised to undertake any work for the



purpose of making the site safe in event of an emergency and all cost incurred will be borne by the developer.

P5 If a bond applies, Council must inspect the completed work for any damage to Council's infrastructure before returning the bond.

P6 Traffic works must be completed as soon as possible to minimise disruption to vehicular and pedestrian traffic.

Erosion and sedimentation controls must be in place before starting any excavation works. These devices must be maintained regularly. Failure to install and maintain these devices may result in a fine and/or legal action.

8.8 COMMUNITY INFORMATION

8.8.1 Objectives

O1 To keep the community informed as to the types and extent of construction activities occurring on construction sites, so that they may better plan their days around intrusive activities.

8.8.2 Provisions

P1 A website is to be established which outlines the staging of the proposed construction activities, types of noises to be anticipated and the length of time that such activities are to be undertake during the day and during each stage.

P2 Details of the website is to be provided on any security notice attached to the boundary of the site.

P3 At a minimum, the website is to be updated on a weekly basis if required to take into account any potential variations to the initial timeframes for works being undertaken.



SECTION 9 LATE NIGHT TRADING HOURS

9.1 INTRODUCTION

Late night trading premises can positively contribute to the character of an area through increased vitality and vibrancy of the urban environment outside of normal business hours. Conversely, the operation of such premises and associated actions of patrons also has the potential to adversely impact upon the amenity of nearby residential or other sensitive land uses.

This section of the DCP aims to assist in the management of impacts from the operation of late night trading premises on the sites and neighbourhoods in which they are located and in particular, to protect the amenity of local residents. This is to be primarily achieved through restricting trading hours dependant upon a premises location and promoting ongoing good management practices.

The provisions of this Section do not set out to curb or increase potential trading hours in a blanket fashion, but to allow opportunities for late night trading hours to occur in appropriate locations and with appropriate management actions.

It is particularly important for proponents of late night trading premises to demonstrate responsible management over time. This commitment should be demonstrated both at the development application stage and throughout the history of the operation of a premises.

Late night trading hours are considered by Council to be a privilege and not a right.

9.1.1 General Objectives

The objectives of this Section of the DCP are to:

- O1 identify appropriate locations and trading hours for late night trading premises;
- O2 ensure that late night trading premises will have minimal adverse impacts on the amenity of residential or other sensitive land uses;
- O3 ensure that operators of late night trading premises commit to good management practices through the implementation of robust plans of management;
- O4 encourage late night trading premises that contribute to vibrancy and vitality, as appropriate to the status of the zone within which it is located;
- O5 encourage a broad mix of night time uses with broad community appeal that reflect the diverse entertainment and recreational needs of people who work, live and visit North Sydney;
- O6 encourage a diversity of night-time activity in defined areas;
- O7 prevent the proliferation of poorly managed late night trading premises;
- O8 ensure that new late night trading premises do not reduce the diversity of retail services in an area;
- O9 ensure that development applications are accompanied by sufficient information so that proposals for night trading premises can be fully and appropriately assessed;
- O10 ensure that appropriate hours are permitted for outdoor trading; and
- O11 ensure a consistent approach to the assessment of applications for premises seeking night trading hours.

9.1.2 When does this section of the DCP apply?

This Section of the DCP applies to all development applications for non-residential uses seeking to operate wholly or in part for trading hours between 8pm and 7am that involve:

- (a) a change of use of a premises;



- (b) new or extended trading hours to existing premises;
- (c) refurbishment, additions or extensions that will result in an intensification of an existing use; or
- (d) formalisation of trading hours following a trial period as prescribed in this Section of the DCP; or outdoor trading beyond 8pm.

For the purposes of (c) above, an intensification of use means any increase in the capacity of the premises to accommodate additional patrons, determined by:

- (a) an increase in the amount of licensed floor area (via a liquor licence);
- (b) an increase in the amount of floor space accessible to the public (excluding toilets, lifts, stairways, ramps, escalators, corridors, hallways, lobbies and the like);
- (c) an increase in patron capacity; or
- (d) an increase in the amount of footpath seating areas.

The application of this Section of the DCP is not retrospective nor does it derogate from existing consents.

This section of the DCP does not apply to development for new or alterations and additions to an existing brothel, home occupation (sex services), restricted premise, or sex service premise.

9.2 MATTERS FOR CONSIDERATION

Objectives

- O1 To ensure that relevant matters are considered when determining what operating hours are considered to be acceptable.

Provisions

- P1 Appropriate trading hours will be determined by taking into account a number of primary issues which include (but are not limited to):
- (a) the location and context of the premises, including proximity to residential and other sensitive land uses and other late trading premises;
 - (b) the specific nature of the premises (e.g. pub, nightclub, restaurant etc) and the proposed hours of operation;
 - (c) the existing hours of operation of surrounding businesses;
 - (d) the size and patron capacity of the premises;
 - (e) the availability of amenities provided to premises;
 - (f) the impact of the premises on the mix, diversity and possible concentration, of late night uses in the locality;
 - (g) the likely operation of the proposal during day time hours;
 - (h) submission of a Plan of Management that demonstrates a strong commitment to good management of the operation of the business, particularly in relation to managing potential impacts on adjoining and surrounding land uses and premises, as well as the public domain;
 - (i) the diversity of retail services within an area and the impact of a late night proposal on this diversity;
 - (j) measures to be used for ensuring adequate safety, security and crime prevention both on the site of the premises and in the public domain immediately adjacent to, and generally surrounding, the premises;
 - (k) the accessibility and frequency of public transport during late night trading hours.



Section 9 - Late Night Trading Hours

- P2 Consideration of all of these factors provides the basis for a consistent approach to the determination of appropriate trading hours and creates greater certainty both for the community and proponents of late night trading premises.
- P3 Once these factors are taken into consideration late night trading hours may be permitted in appropriate circumstances, particularly in areas of North Sydney that already exhibit or have an emerging vibrant night-time character, as opposed to parts of the LGA that are predominantly residential in character where amenity impacts can be the greatest and most difficult to manage.

9.3 TRADING HOURS

9.3.1 Trading Hours

Maximum allowable trading hours have been established that are considered to represent the desired late night trading character for each zone. A development application for late night trading will only be granted the maximum trading hours where an application can demonstrate the use of the premises during these hours will satisfy all provisions within this DCP Section and result in acceptable impacts upon the surrounding locality.

Many of these late night trading areas directly adjoin residential zones. The impacts of late night premises within these interface areas must be carefully considered. In addition, many late night premises are located within mixed use buildings where residences are located directly above. Where these impacts cannot be reasonably addressed, these sites may be granted trading hours less than the maximum hours set out within Table D-9.1.

Council will consider the extension of trading hours within the North Sydney CBD up to 24 hour trading but only where the uses are suitable for the locality. These uses will be subject to on-going trial periods with the maximum 5 year trial period permitted. This will enable monitoring of premises within the CBD to ensure these uses do not detract from the character of the area.

Objectives

- O1 To ensure that trading hours are consistent with the desired character of each zone.
- O2 To minimise adverse amenity impacts on nearby residents.
- O3 To encourage a vibrant late night economy within North Sydney.
- O4 To ensure a reasonable balance is achieved between late night uses and residential amenity.
- O5 To ensure that residential zones located within the interface to late night trading areas are reasonably protected.
- O6 To minimise amenity impacts resulting from parking and traffic caused by late night uses.

Provisions

- P1 The **maximum** trading hours that will be granted for a premises within each zone are outlined within Table D-9.1 below. These hours will be granted only where an application satisfies the matters for consideration in Section 9.2 to Part D and all other relevant sections outlined within this Section of the DCP.



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| TABLE D-9.1 Maximum Trading Hours | | | |
|--|--|---|-------------|
| Zone | Trading Hours | | |
| | Indoor | Outdoor | |
| E2 Commercial Centre *Refer to P2 & P3 | 6am to Midnight | 7am to 11pm | |
| MU1 Mixed Use | 7am to 11pm (Mon-Wed) 7am to Midnight (Thurs-Sat) 7am to 10pm (Sun) | 7am to 10pm | |
| E1 Local Centre | Properties within Kirribilli Village as identified in Figure D-9.1 | 7am to 11pm (Mon-Wed) 7am to Midnight (Thurs-Sat) 7am to 10pm (Sun) | 7am to 10pm |
| | 1) Properties within Kirribilli Village, other than those identified in Figure D-9.1. 2) Properties with a frontage to Miller St, Cammeray 3) Blues Point Road, McMahons Point | 7am to 10pm (Sun-Wed) 7am - 11pm (Thurs - Sat) | 7am to 9pm |
| | All other locations | 7am to 10pm | 8am to 8pm |
| | All other zones | 7am to 10pm | 8am to 8pm |

Note: 1. All service of food, alcohol or relevant services shall cease immediately at the time specified above with all patrons being required to leave within 30 minutes of the closing time.
2. Outdoor furniture shall be set up and removed within 30 minutes of approved outdoor seating trading hours.

Section 9 - Late Night Trading Hours

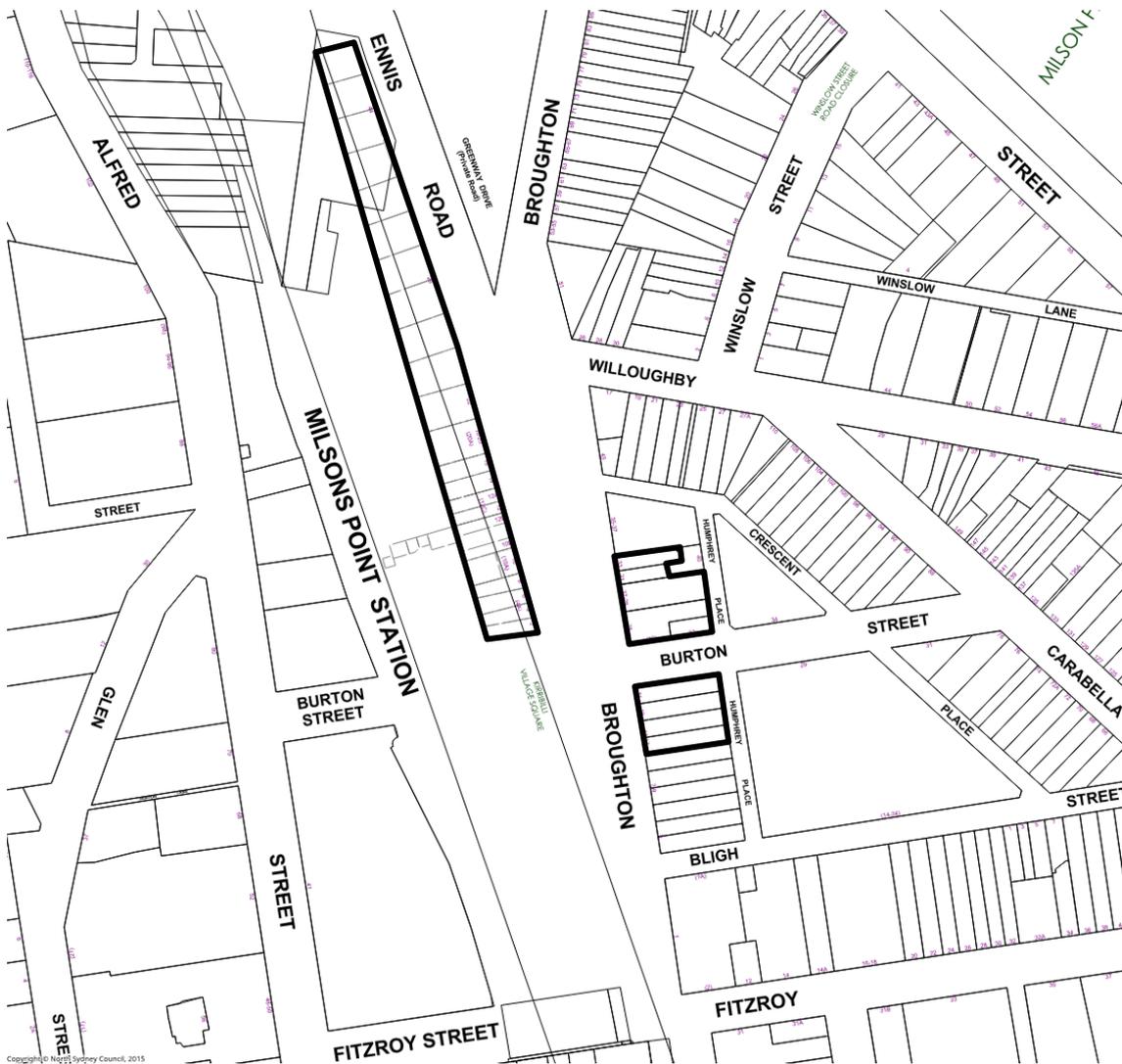


Figure D-9.1:

Areas within Kirribilli Village where additional operating hours are permitted. For clarity purposes, it affects 11-33 Broughton Street, Kirribilli; 32 Burton Street, Kirribilli and 2-44 Ennis Road, Kirribilli.

E2 Commercial Centre zone – North Sydney Centre

- P2 In addition to the hours stipulated in Table D-9.1, where an application satisfies the matters for consideration in Section 9.2 to Part D and all other relevant provisions of the DCP, an extension of trading hours up to 24 hour trading will be considered for premises located within the *E2 Commercial Centre* zone in the North Sydney Centre only.
- P3 Any extension beyond 12 midnight would be subject to an on-going trial period with the maximum trial period granted of up to 5 years.

Existing Premises

- P4 Existing premises which have approval to trade outside maximum trading hours may apply for these existing hours in new and refurbished areas within the premises and these will be considered provided it can be demonstrated that:
 - (a) The existing premises’ operation has an acceptable impact upon the surrounding locality; and



- (b) The impacts of the proposed trading hours are satisfactory having regard to the matters for consideration outlined in Section 9.2 to Part D and all other relevant DCP provisions.

Luna Park

P5 No extension to existing approved trading hours for Luna Park will be granted.

Extended Trading Hours – Non-licensed premises

P6 In addition to the hours stipulated in Table D-9.1, where an application satisfies the matters for consideration in Section 9.2 to Part D and all other relevant provisions of the DCP, extended trading hours may be considered for non-licensed premises such as shops, service stations, health service facilities, recreational facilities, information and education facilities and the like. Any extension beyond the trading hours set out within the DCP may be subject to a trial period.

9.3.2 Trial Periods

Objectives

O1 To enable Council to monitor and assess the management performance of a premises and its impact on neighbourhood amenity.

Provisions

- P1 Prior to granting consent for the maximum or extended trading hours, Council may impose a one year trial period for a premises that, in the opinion of Council, may have the potential to generate adverse impacts on the amenity of the surrounding area.
- P2 A Section 4.55 application must be lodged prior to the expiration of a trial period should the applicant seek to apply to formalise these hours. In most instances, a condition of consent will clarify that the extended trading hours will stand in place until such time as the modification application is determined.
- P3 Following the trial period, the trial hours will be granted on a permanent basis only if Council is satisfied that the premises has demonstrated good management performance and compliance with a Plan of Management (if applicable), other than for premises within the North Sydney CBD as set out within P4.
- P4 Trial periods within the North Sydney Centre shall be on-going and a maximum trial period of up to 5 years shall be granted. A Section 4.55 application must be lodged every 5 years should the applicant seek to renew these trading hours.

9.3.3 Acoustic Impacts

Objectives

O1 To ensure the use of premises do not result in any unreasonable acoustic impacts on surrounding residential properties.

Provisions

P1 Must comply with the requirements of Part B: Section 7 – *Operational Noise* to this DCP.

9.3.4 Waste Management

Objectives

O1 To ensure the appropriate siting of waste facilities to minimise noise impacts to surrounding residential properties.

Provisions

P1 Must comply with the requirements of Part D: Section 5 - *Waste Minimisation and Management* to this DCP.



Section 9 - Late Night Trading Hours

9.3.5 Use of Smoking Areas

Objectives

- O1 To ensure that the impacts of the use of areas on the site for smoking are properly considered.
- O2 To minimise the impacts of the use of smoking areas on surrounding residential amenity.

Provisions

- P1 Operating hours for smoking areas may equal those for indoor areas as shown in Table D-9.1 if Council is satisfied that the requirements of this section can be met.
- P2 Council must be satisfied that the operation of late night smoking areas will not result in any additional impact on the surrounding area. Where a smoking area may impact upon the amenity of surrounding residential receivers, the following will need to be confirmed with any application for late night smoking areas for licensed premises:
 - (a) the purpose of the smoking area is to establish a short stop or short term 'breakout area' for smokers;
 - (i) there must be no music, entertainment or gaming machines in the area;
 - (ii) appropriate ashtrays will be installed;
 - (iii) smokers will be discouraged from remaining in the area longer than necessary than to have a cigarette.
 - (iv) The Plan of Management must nominate the maximum capacity for this area at any one time.
 - (b) Other than those required by emergency systems, PA or audio systems are not to be installed in outdoor smoking areas.
 - (c) Where necessary, the outdoor smoking area must incorporate the added feature of an air lock to minimise the potential for noise spill from the interior of the premises. Doors to air locks are to be fitted with appropriate door closing hardware to ensure that they are not 'held open' which could negate the acoustic benefits.
 - (d) The smoker's area is not to be used as an additional place for drinking and dining. No tables, chairs or service are to be provided. Service to patrons is to be restricted to internal areas. Staff should not serve patrons in the smoking area in the aim of discouraging patrons from remaining in the smoking area and encourage them to return to the primary facilities inside the premises.
 - (e) If a smoking area also doubles as an outdoor dining/drinking area, then any associated tables, chairs and the service of food, drinks and the like can be provided for the period of the approved outdoor trading hours only. Once the maximum approved outdoor trading hours have been reached, patrons cannot be given access to the chairs, tables, or the service of food and drink in these locations. The service of patrons is to be restricted to internal areas of the premises only. Staff should not serve patrons in the smoking area in the aim of discouraging patrons from remaining in the smoking area and encourage them to return to the primary facilities inside the premises.
 - (f) In instances where there is uncertainty over the appropriateness of the smokers' area, consent for its use as a smokers area will only be granted for a limited time (e.g. 12 months). After 12 months from the release of an Occupation Certificate, an applicant may seek the removal of the restrictive condition, via the lodgement of a Section 4.55 application. Any such application must be accompanied by an Acoustic Report providing details of acoustic testing carried out and the results of such tests demonstrating compliance with all relevant Acoustic Criteria within Part B: Section 7 – *Operational Noise* of this DCP.



9.4 PREMISES MANAGEMENT CHECKLISTS AND PLANS OF MANAGEMENT

All development applications for late night trading premises must be accompanied by a **Premises Management Checklist** as a minimum. This will provide Council with relevant information required to assess any late night trading Development Application.

Development Applications which have the potential to impact adversely on residential amenity and neighbourhood safety such as pubs and small bars are required to prepare a **Plan of Management** that includes verifiable data and actions. Plans of Management are to include information about the operational and contextual aspects of a premises (e.g. locality description, security numbers, noise emission, trading hours etc.) as well as details about what actions will be taken to ensure that premises will be responsibly managed (e.g. crowd control procedures, noise minimisation, waste management etc).

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

Objectives

- O1 To ensure that potential impacts from the operation of the premises are considered and addressed during the assessment of an application; and
- O2 To enable Council to review Plans of Management to ensure that management practices are being appropriately applied to late night trading premises.

Provisions

Premises Management Checklist

- P1 A Premises Management Checklist addressing all criteria set out in Section 9.4.1 of this Section of the DCP, must be submitted for any for development application proposing to operate between 8pm and 7am unless a Plan of Management is required.

Plan of Management

- P2 A Plan of Management addressing all criteria set out in Section 9.4.2 of this Section of the DCP, must be submitted with a development application for any of the following late night trading premises proposing to operate between 8pm and 7am:
 - (a) pub,
 - (b) small bar,
 - (c) any use proposed to operate beyond the maximum trading hours.
- P3 Plans of Management must be reviewed following any trial period and make revisions necessary to maintain a level of amenity and safety in the vicinity of the premises which is at an acceptable community standard.
- P4 The Plan of Management shall form part of any development consent granted by Council.

Notes: It is at Council's discretion to request further information regarding the management of any late night premises if it is considered that the proposal may impact adversely on the amenity of the area.

This additional information may be either in the form of a formal Plan of Management, or (where requested by Council) a letter that addresses a specific matter (or matters) of concern particular to the proposal (e.g. security provision, noise, waste management, staffing etc.)

9.4.1 Premises Management Checklists

Where relevant, at a minimum, management checklists must:

- (a) Describe measures that will be taken to minimise internal and external noise impacts on adjoining properties and how such measures will be implemented;

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- (b) Outline the procedures for minimising and managing waste that is generated on site and how and when waste will be collected (e.g. disposal of bottles, waste removal etc.);
- (c) Provide details of the type and number of staff that will be employed on the premises at any one time;
- (d) Describe any arrangements that have been made for on-site security (if relevant). This is to include specific information on the number of licensed security staff, including details of any electronic surveillance systems within the premises;
- (e) Describe any steps that will be taken to manage patron behaviour when leaving the premises late at night;
- (f) Describe any methods for controlling and managing crowds within and outside the premises;
- (g) Describe measures will be taken to manage large groups of people during peak trading periods;
- (h) Provide a copy of a house policy that describes the measures to minimise harm associated with alcohol consumption to ensure the responsible service of alcohol;
- (i) State the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time;
- (j) State the operating and/or trading hours of the premises;
- (k) Describe any measures to increase patron awareness of public transport availability in the locality; and
- (l) Describe when and how the site will be cleaned and generally serviced.

9.4.2 Plans of Management Criteria

Plans of Management should include the following information where relevant:

Site and Locality Details

- (a) A description of the primary use of the premises as well as any secondary/ancillary uses (e.g. retail liquor sales, entertainment, outside trading areas, gaming areas etc). This may be in the form of a floor and/or site plan that indicates the use of all areas within the building or site.
- (b) Identification of any 'active areas' adjacent to the boundaries of the site used in association with the use of premises (e.g. Outdoor seating, footway dining, patron queuing areas, parking etc).
- (c) A floor plan that indicates the proximity of external doors, windows and other openings to residential and other sensitive land uses.
- (d) Details of the maximum capacity of the premises and the maximum number of patrons that will be standing and/or sitting at any one time.
- (e) The location of waste storage areas.
- (f) Location of air conditioning, exhaust fan systems and security alarms.
- (g) A site context plan that provides empirical details of on-site and off-site car parking within 100 metres radius of the site, including a description of the availability of public transport in the locality during the proposed trading hours. This should also include routes to taxi ranks or possible taxi pick-up and drop-off areas.
- (h) Identification of the most commonly used pedestrian routes to and from the premises.



Operational Details

(a) **Organisational Overview**

An overview of the organisation in the form of a brief statement that provides details about the company/licensee/proprietor that includes information regarding:

- (i) the number and type of staff (including security);
- (ii) other similar premises within the company's portfolio (if relevant);
- (iii) any Liquor Licenses for the premises;
- (iv) a description of any actions that the proprietor/licensee has taken to co-operate with NSW Police, the local community and incorporated resident groups regarding the management of the premises;
- (v) membership of a Licensing Accord within the North Sydney LGA; and
- (vi) actions taken to liaise with the local community about premises management and activities (e.g. meetings, letter drops).

(b) **Hours of Operation**

- (i) A schedule of the proposed operating hours for each day of the week for all areas of the premises (e.g. courtyards, rooftop, balcony, footway, gaming room etc.) showing the range of hours proposed for each day in the format above.

(c) **Noise**

- (i) The identification of all likely noise and vibration sources associated with the operation of the premises. This may include such sources as:
 - entertainment, including amplified music from a band or disc jockey;
 - external (outside) areas such as courtyards, rooftops, balconies etc;
 - patrons leaving and entering the premises;
 - the operation of mechanical plant and equipment; and
 - waste disposal, sorting and collection of bottles etc.
- (ii) A description of the existing acoustic environment during hours proposed beyond midnight (e.g. from vehicular traffic, noise from surrounding premises, pedestrian noise etc.).
- (iii) The identification of all noise sensitive areas of different occupancy in close proximity to the proposed use (e.g. residential dwellings; boarding houses, backpacker accommodation, hostels etc.).

(d) **Safety and Security**

- (i) A description of any arrangements that will be made for the provision of security staff. This is to include (but is not limited to) the following:
 - any recommendations from Local Licensing Police regarding appropriate security provision and a statement outlining the extent of compliance with police recommendations;
 - the number of security personnel that will be patrolling inside and outside the premises including the frequency of security patrols;
 - identification of the physical extent of any patrolled areas outside the premises;
 - hours that security personnel will be on duty (including the period after closing time); and
 - staff security training, weapons detection, and other security response methods.

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- (ii) Details of CCTV surveillance camera installation that identifies both indoor and outdoor areas monitored by cameras and camera technical specifications (e.g. recording capacity, frames per second etc.).
- (iii) Details of signage that is to be erected providing advice to patrons to maintain quiet and order when leaving and entering the premises.
- (iv) Written confirmation that the NSW Police Service raises no objection to trading hours beyond midnight (if trading hours beyond midnight are sought) and there is no record of significant crimes generated by the premises or records showing an increase in crime associated with the premises.
- (v) Details of any complaints associated with the operation of the premises must be recorded in a Complaints Register which includes:
 - Complaint date and time;
 - Name, contact and address details of person(s) making the complaint;
 - Nature of complaint;
 - Name of staff on duty; and
 - Action taken by premises to resolve the complaint.

Management Measures

(a) **General Amenity**

- (i) Details of all measures that will be taken to ensure that amenity impacts that may result from the operation of the premises are minimised. This should identify (where relevant) any measures taken to ensure that the operation of the premises will not materially affect the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
- (ii) Details of all actions that will be taken to respond to complaints made about the operation of the premises (e.g. consultations with residents, discussions with Council Officers, liaison with Police, public access to Plans of Management, review of existing Plan of Management etc.).
- (iii) A waste management plan that outlines the procedures for minimising and managing waste that is generated by the premises. This should address such matters as disposal of bottles, how and when waste will be removed, details of waste management facilities, waste collection and storage areas etc.
- (iv) Details of when (frequency) and how the premises will be cleaned and serviced.
- (v) If the premises has gaming machines, details of where gaming areas will be located in order to not be viewable from the street (e.g. away from the street frontage, not at ground level if multiple floors, appropriate screening); and how these areas will be patrolled.
- (vi) A statement that addresses how the premises/use will impact/ contribute on the mix of uses in the area/locality during both day and night trading hours.
- (vii) Details of methods that will increase patron awareness of public transport availability (e.g. signage, availability of timetables) as well as a description of any other measures that will assist patrons in using public transport (e.g. provision of a shuttle service, taxi assistance etc.).
- (viii) Details of methods that will increase patron awareness of responsible disposal of cigarette butts.
- (ix) Any other measures that will be undertaken to ensure that amenity impacts that may arise from the operation of the premises are addressed.

(b) **Noise**

- (i) Details of all on-site and off-site noise and vibration attenuation measures.



- (ii) A statement outlining the premises' compliance with all relevant noise and vibration standards, guidelines and legislation (e.g. Australian Standards, [Protection of the Environment Operations Act 1997](#), EPA Industrial Noise Guidelines, etc.).
 - (iii) Details of all actions that will be taken to ensure that the operation of the premises will not give rise to any "offensive noise" as defined under the [Protection of the Environment Operations Act 1997](#).
 - (iv) Details of how management will address complaints relating to noise, and any noise control strategies that will be implemented to minimise the potential for complaints (e.g. liaison with neighbours and local police, maintaining a complaint register etc).
 - (v) Details of any measures that will be taken to minimise noise from outdoor areas such as rooftops, courtyards, balconies etc.
 - (vi) Details of any noise limiting devices to be installed.
- (c) **Security and Safety**
- (i) Measures that will be taken by security personnel to ensure that the behaviour of staff and patrons when entering and leaving the premises will minimise disturbance to the neighbourhood.
 - (ii) Any provisions that will be made to increase security in times where higher than average patronage is expected (e.g. During live entertainment, peak periods on weekends, New Years Eve, following large sporting events in the locality, during special events and functions etc.).
 - (iii) Liaison that will be undertaken with other licensees or operators of late trading premises in the locality/area to improve security at night.
 - (iv) Details of measures that will be implemented to ensure that neighbourhood amenity and safety is protected. At a minimum this should include:
 - emergency procedures;
 - crowd control;
 - search procedures;
 - maintenance of an incident register;
 - monitoring of patron behaviour;
 - monitoring of numbers of patrons within the premises;
 - recording of complaints and reporting of incidents to Police;
 - where relevant, membership of the proprietor/licensee to a Licensing Accord (please refer to the Liquor and Gaming NSW website for details of Licensing Accords operating within the North Sydney LGA) and a demonstrated commitment to the strategies and principles of the Accord;
 - dress codes;
 - staff security training;
 - distinctive security attire;
 - availability of cloak rooms;
 - internal and external security patrols;
 - the location, design and type of footpath and external lighting that will be installed;
 - measures to prevent glass drinking receptacles being carried from the premises by patrons;



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- measures to ensure safe capacities (e.g. electronic counting of patrons, occupancy limits, signage);
 - provision of pre-booking services for taxis; and
 - availability of courtesy bus services.
- (v) If queuing outside the premises is to occur, a description of any measures that will be taken to ensure that queuing is controlled in a manner that will not adversely impact the amenity of the neighbourhood and that the footpath will not be unreasonably impeded. This description may address such matters as:
- the use of temporary ropes and bollards;
 - maximum queue numbers;
 - actions taken to minimise loitering; and
 - actions ensuring the fast and efficient movement of a queue.
- (vi) Methods employed to implement harm minimisation and the responsible service of alcohol (RSA) requirements of the Casino, Liquor and Gaming Authority such as:
- employee training and awareness regarding RSA and harm minimisation;
 - approaches that will be used to manage intoxicated and/or disorderly persons;
 - promotion of non-alcoholic beverages;
 - display of the premises' house policy;
 - assisting patrons in accessing safe transportation from the premises (e.g. arranging taxis, public transport timetable information);
 - encouraging responsible drinking; and
 - actions taken to discourage drug use and to manage drug related incidents.



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