

PART 10

Precincts



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10.1 Kogarah North Precinct

The Kogarah North Precinct is situated at the northern tip of the Georges River Local Government Area boundary which covers an area of 75,688m². The Precinct is bounded by the Illawarra and Eastern Suburbs rail line, Railway Pde, Harrow Road, the Princes Highway, Kensington Street, Bank Lane, Post Office Lane and Gladstone Street. The Precinct is illustrated in **Figure 1**.

The amendment to the Kogarah LEP 2012 which was gazetted on 26 May 2017 enabled a greater intensity of residential uses across the Precinct; giving effect to broader metropolitan-wide directions to support urban consolidation, particularly in locations close to jobs and public transport services.

The Kogarah North Precinct sits to the north of Kogarah Town Centre, an area which has undergone a significant transformation over the last decade, to become a vibrant, liveable and working Town Centre. Kogarah is a highly concentrated business district, with two major hospitals (St George Public and St George Private Hospitals) and the second largest TAFE in NSW.

The Kogarah Health and Education Precinct; which encompasses the existing Town Centre and the adjoining two hospitals has been identified as a 'Collaboration Area' under the *Greater Sydney Region Plan - A Metropolis of Three Cities* (updated March 2018). Kogarah is identified as a Strategic Centre in the Eastern Harbour City and a Health and Education Precinct.

The Kogarah Collaboration Area is referred to in several Planning Priorities under the *South District Plan* (Updated March 2018). These include the following Planning Priorities:

- S2 - Working through collaboration. The report *Collaboration Area Kogarah Place Strategy* (Kogarah Place Strategy) was issued in January 2020, and identified Kogarah North as "a focus for new housing close to the health, knowledge and wellness education core"
- S5 Providing housing supply, choice and affordability, with access to jobs, services and public transport
- S6 – Creating and renewing great places and local centres, and respecting the District's heritage.

Given the Regional and District Planning, Kogarah is targeted to grow in terms of jobs and housing. The Kogarah North Precinct will assist in this growth and in the establishment of Kogarah as both a strategic centre and a Health Education Precinct – creating a centre that provides a mix of uses and development types.

This part of the DCP seeks to support the development of Kogarah North and the priorities and actions identified in the *Kogarah Place Strategy*. The *Strategy* states that one of the places in the Kogarah Collaboration Area is Kogarah North which *will be a focus for new housing close to the health, knowledge and wellness education core*¹.

One of the shared objectives in the *Strategy* relates to Kogarah North and states:

¹ Greater Sydney Commission Collaboration Area Kogarah Place Strategy page 6

Kogarah North Precinct will be a renewed neighbourhood village for the community – an authentic place where the community enjoys attractive and safe pedestrian and cycle paths and facilities, green infrastructure, and a variety of public open spaces.²

The relevant actions in the *Strategy* are as follows:

Action 6: Use the Movement and Place framework to achieve the desired future character for streets and places in the Collaboration Area
Action 8: Refine and plan for the Green Grid in the Collaboration Area
Action 26: Explore precinct wide and site specific energy efficiency initiatives, with a focus on NSW Government-owned land, high energy users and catalyst projects
Action 29: Plan for sustainable development through controls for new buildings and higher BASIX targets
Action 34: Map open space deficiencies, explore the expansion of open space, investigate acquisition of land for new open space and investigate initiatives for large roof surface areas and car parks for open space
<p>Action 35 - Increase the percentage of urban tree canopy in:</p> <ul style="list-style-type: none"> • town centres and main streets • areas with high pedestrian activity and high vulnerability and high urban heat island effect • NSW Government- owned land including hospitals • areas with low urban tree canopy cover • Green Grid routes <p>Note: The Strategy states on page 71- <i>Increase the urban tree canopy as identified in Kogarah North and Rockdale Town Centre master plans, and prioritise planting according to urban heat mapping, heat vulnerability and Green Grid planning³</i></p>

The *Strategy* in Appendix 2⁴ captures discussions and work undertaken as part of the Movement and Place Framework pilot and seeks in part to identify:

- a desired 2036 future character statement for streets and places in the Collaboration Area
- issues and opportunities for that street or place
- actions to deliver the desired character

² Greater Sydney Commission Collaboration Area Kogarah Place Strategy page 8

³ Greater Sydney Commission Collaboration Area Kogarah Place Strategy page 71

⁴ Greater Sydney Commission Collaboration Area Kogarah Place Strategy page 72

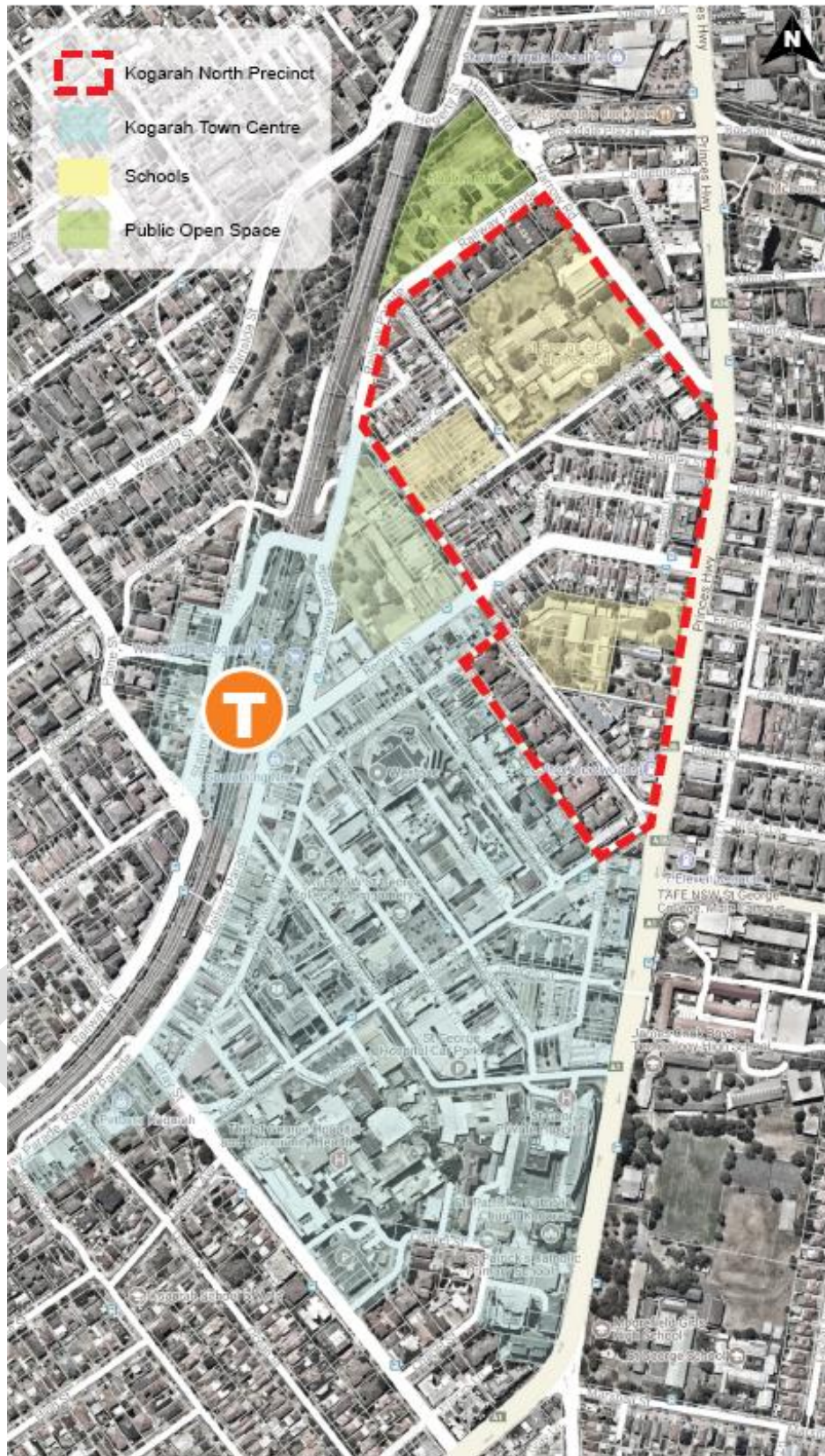


Figure 1: Kogarah North Precinct

10.1.1 Existing Character

The Kogarah North Precinct is characterised by low-scale residential streets of mid-century one and two storey red brick houses, and semis. There are three schools within the Precinct which are likely to remain low-scale in terms of their built form. They provide breathing space between redevelopment sites.

The Precinct adjoins the Kogarah Town Centre and Kogarah Railway Station and is within easy walking distance of Rockdale Plaza and Rockdale Station. Hogben Park is situated to the north of the Precinct, and along with Fry's Reserve (outside of the Precinct) are part of a broader green network that encompasses public and private lands.

The future change to the Precinct will see a shift from low density residential to higher density apartment buildings. The change in the local character and increase in population will see the area transform, providing an array of opportunities to the current and future population. New residents will live at higher densities and in apartment buildings. Consequently, public and communal spaces will play a far greater role as places for entertaining, socialising, exercise and all kinds of recreation.

10.1.2 Land to which this part applies

This Part forms part of Section 10 – Precincts and applies to the Kogarah North Precinct which incorporates the land outlined in blue in **Figure 1**.

This part needs to be read in conjunction with:

Section 1 – Introduction

Section 2 – Application Process for Georges River DCP 2020

Section 3 – General Planning considerations

Section 4 – General Landuse

Section 5 – Residential Development

Section 6 – Business Precincts

Section 7 – IN2 Light Industrial Zones

Section 9 - Appendices

Development within the Precinct must comply with all other applicable parts of the DCP. If there is a discrepancy between Section 10.1 and other parts of the DCP the controls in Section 10.1 will always prevail.

This part is to be read in conjunction with the **Georges River Local Environmental Plan 2020**. It contains detailed objectives and controls that will be used by council when determining development applications under Section 4.15 of the Environmental Planning and Assessment Act 1979 (the 'Act'). Each application will be considered on the individual circumstances and merits.

This part has also been prepared taking into account **State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development** (SEPP 65) and has been formulated to respond to the design quality principles of SEPP 65 and the NSW **Apartment Design Guide 2015** (ADG). The objectives, design criteria and design guidance provisions contained in the ADG apply to design issues not specifically covered within this part of the DCP.

10.1.3 Development Contributions

Council levies Development Contributions under the Environmental Planning and Assessment Act 1979 on development to help cover the costs of delivering infrastructure needed to support the additional population and community.

Council seeks the following development contributions:

- Section 7.11 Contributions;
- Section 7.12 levies; and
- Voluntary Planning Agreements.

Please refer to Council's website (<http://www.georgesriver.nsw.gov.au/Development>) for the applicable development contribution plan and policies relating to Planning Agreements.

Early contact is to be made with Council officers where Planning Agreements are envisaged for the provision of public facilities.

10.1.4 The Kogarah North Urban Design Strategy

The Kogarah North Urban Design Strategy (UDS) was endorsed by Council on 27 November 2017.

The Kogarah North UDS includes a series of urban design principles which have been informed by urban design and planning analysis of the Kogarah North Precinct.

The principles identify appropriate planning and urban design measures to encourage the renewal of land within the Precinct and address the scale and density of development, traffic and pedestrian management, landscaping and other public domain improvements.

The controls in this DCP (as amended) are informed in part by the analysis undertaken in the UDS. Since 2017, there has been several development applications lodged in the Precinct. The controls in this part of the DCP (as amended) are also based on a review of the recent development applications, including those approved by the Land and Environment Court in the Precinct. This is with a view to ensure that the aims of the up-zoning of the Precinct in 2017 with regards to increased density can be realised.

10.1.5 Vision for the Kogarah North Precinct

The Kogarah North Precinct presents the opportunity to create a vibrant and diverse precinct, where a spacious, high quality public domain is the setting for thriving social activities and cohesive built form. New development has the opportunity to promote a sense of place through maintaining a human scale at the street level creating a great environment for residents and visitors. The Precinct also has the opportunity to evolve into a place of activity, establishing a connection to the Kogarah Town Centre with its range of transport modes, interconnectivity, permeability and accessibility. The growth potential of Precinct is to be guided by an urban framework that emphasises an extensive and revitalized public domain, excellence in its urban and architectural design, an integrated transport network and sustainable development in the public and private domains.

The Vision for the Kogarah North Precinct is:

Kogarah North offers high density living within an excellent public domain. Kogarah North will consist of residential and community uses in the form of apartment buildings that will deliver a diversity of heights but will maintain a human scale built form at street level creating a balance between increased housing opportunities, public and private amenity and an active and safe pedestrian environment. The built form will be complemented by generous public domain with a strong landscape character to create a verdant, attractive and high quality landscape for the amenity of residents, neighbours and visitors to Kogarah North.

A variety of apartments help to build a community made up of many kinds of households. Importantly, this enables people to pass through life's different stages while remaining within the neighbourhood. The convenience of having work, services, entertainment and the station nearby means people rarely need a car to meet their daily needs, or to access the rest of Sydney.

The area's leafy streets, beautiful public and hidden parks, community facilities and visible heritage features make for an attractive, people-friendly environment. There are many pleasant places to stop awhile and chat to neighbours, providing the setting for a rich and varied community life.

10.1.6 The Controls

1. Siting and Consolidation of Development Sites

Objectives

- A. Ensure lot size is able to accommodate the appropriate building envelope, landscape and service requirements.
- B. Encourage amalgamation of allotments to promote the efficient use of land and to provide for improved design outcomes and to avoid the creation of isolated sites.

Controls

- (i) Sites must be of a sufficient width to accommodate development. For development sites to optimise yield and public domain amenity, a minimum site frontage of 60m is required. Where sites do not have a minimum site frontage of 60m, the development would need to ensure the design outcomes/built form takes into account the proportions of the building – the podium width compared to the width of the tower and the appearance from the public domain.
- (ii) Development is not to result in the creation of an isolated site that could not be developed in compliance with the relevant planning controls, including the Georges River LEP 2020, SEPP 65 and the ADG.
- (iii) Development of land identified in **Table 1** below is subject to an amalgamation requirement:

Site id	Property Address/Description
Site 1	Nos 24B – 36 Victoria Street and No 11 Stanley Street, Kogarah
Site 2	Nos 5 – 11 Palmerston Street, Kogarah
Site 3	Nos 13 – 21 Palmerston Street, Kogarah
Site 4	Nos 16 – 22A Gladstone Street and No 2 Victoria Street, Kogarah
Site 5	Nos 70 – 84 Regent Street, Kogarah

Table 1: Amalgamation Requirements

- (iv) If an application proposes a redevelopment that does not comply with the amalgamation pattern identified in **Table 1** above, or where the proposal would result in an isolated site with a minimum site frontage of less than 60m, the applicant must submit to Council with the Development Application justification to vary the amalgamation pattern requirements.
 - Council will require appropriate documentary evidence to demonstrate that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value. At least two independent valuations (reports and valuations must be undertaken within 3 months of the date of the DA lodgement) are to be submitted as part of that evidence and these are to account for reasonable expenses likely to be incurred by the owner of the isolated site in the sale of the property. The documentation must

include copies of correspondence between parties and any formal financial offers and responses to offers.

- (v) Where amalgamation of the isolated site is not possible, applicants will be required to demonstrate that an orderly and economic use and development of the separate sites can be achieved. In this regard, applicants will be required to submit with the DA a DA Concept Plan that provides the following:
- Details an envelope for the isolated site, indicating height, setbacks, resultant site coverage (building and basement), sufficient to understand the relationship between the application and the isolated site
 - The likely impacts the developments will have on each other, such as solar access, visual and acoustic privacy and the impact of development of the isolated site on the streetscape must also be addressed
 - An assessment against the ADG with respect to the impact of the proposed development on the isolated site. Any proposed development of a neighbouring isolated site should be compliant with ADG provisions.

2. Heritage

There are a number of local heritage items within the Precinct:

- **Item I96** – St Paul’s Anglican Church and hall at 53-57 Princes Highway, Kogarah
- **Item I109** – House and garden “Lindhurst Gallery” at No 6-8 Victor Street, Kogarah
- **Item I110** - House and garden “Hindmarsh” at 2 Victoria Street, Kogarah
- **Item I111** – Terraces and garden “Beatrice” and “Lillyville” at 14-16 Victoria Street, Kogarah
- **Item I112** – St George Girls High School (two storey main building) at 15 Victoria Street, Kogarah

Objectives

- A. Ensure that development on and adjoining heritage items retains and enhances the item’s heritage significance.
- B. Retain and preserve the existing heritage items and consider alternate uses to promote their protection and preservation.
- C. Relate to heritage buildings with appropriate setbacks, low rise podiums and other scale breaking devices in adjacent development.

- D. Ensure that future development adjacent to heritage listed buildings is sympathetic to the heritage item.

Controls

- (i) Where development is proposed within the vicinity of a heritage item identified in the Georges River LEP 2012, the building height and setbacks must have regard to and respect the value of that heritage item and its setting.
- (ii) Where a development incorporates or is within the vicinity of a heritage item, the new development is to provide an appropriate transition in scale, height and adequate curtilage and side setbacks from the heritage item.
- (iii) Development to the south of St Paul's Anglican Church and hall (I96) is to be setback a minimum of 15m from the boundary of the site.
- (iv) Side and rear setbacks to heritage buildings are to consider the need for an appropriate curtilage which is to be set by a heritage assessment
- (v) Development to the south of Nos 53-57 Princes Highway, Kogarah (St Paul's Anglican Church and hall I96) is to be setback a minimum of 15m from the side boundary of the site.

Note: A Heritage Impact Assessment is required to be lodged with a development application in accordance with Clause 5.10(5) of Georges River Local Environmental Plan 2020.

3. Street Frontage Height

Objectives

- A. Ensure development has minimal impact on neighbouring properties in terms of the potential loss of views, and amenity impacts including visual intrusion.
- B. Building height is to be appropriate for the street width and function. Establish the desired spatial proportions of the street to define the street edge and to ensure that development provides comfortable scale and amenity.
- C. Building height is limited to that allowed for safe aircraft movement.
- D. Create buildings that define the streets and parks, with a consistent pattern of massing.
- E. Address the street with generally a four storey podium to ensure a comfortable human scale.
- F. Address the Princes Highway, Railway Parade North and the Primary and Secondary Corners with active street frontages, awnings and street trees to increase pedestrian amenity.
- G. On other streets, set buildings back to allow for improved public domain and deep soil planting.

Controls

- (i) Development is to establish a four storey street wall height to provide human scale and set back taller elements above the four storey street wall height. Exceptions to this podium height may be required where a site adjoins a low-scale heritage item.
- (ii) Buildings must consider the shape, location and height of buildings to satisfy wind measurements for public safety and comfort at ground level. In addition, open terraces and balconies must not be detrimentally affected by wind.
- (iii) Council will request a Wind Analysis Report be submitted with the Development Application.
- (iv) The Kogarah North Precinct is affected by the Obstacle Limitation Surface and Clause 6.8 of Georges River LEP 2012. The maximum height of the inner horizontal surface is 51m AHD.
 - All applications within the Kogarah North Precinct must provide information on the maximum RLs in AHD at all levels across the site.
 - All applications for development within the Precinct will be referred to Civil Aviation Safety Authority and Airservices Australia for assessment.

Note: Developments must consider the operating heights of all construction cranes or machinery (short-term controlled activities) that may exceed the OLS height limits thereby penetrating the prescribed airspace. Approval to operate construction equipment (i.e. cranes) shall be obtained prior to any commencement of construction, where the prescribed airspace is affected.

4. Setbacks

These controls apply to the setback of any part of the building that faces onto a street or laneway, whether it is designed as the front, rear or side of the building. For setbacks from a common boundary to another property, usually a side setback, the requirements of the ADG will apply.

Objectives

- A. Establish the desired spatial proportions of the street and define the street edge.
- B. Ensure setbacks to streets are appropriate for the street widths and functions to ensure a comfortable urban scale of development.
- C. Given the nature of the street and the desire to provide a hard edge (unlike other street where a landscaped edge is appropriate), there may be reduced setbacks at the ground floor level on the Princes Highway, Harrow Road and Railway Parade North. Further, sites on defined major and secondary corners may have reduced setbacks above the ground floor to bookend of the block.
- D. Preserve and enhance street settings.
- E. Ensure that residential frontages are well designed and safe.
- F. Provide visual and acoustic privacy for existing and new occupants.

- G. Control overshadowing of adjacent properties and private or shared open space.
- H. To retain existing street trees and provide opportunities for deep soil zones for planting of additional canopy trees and landscaping.
- I. Avoid an unreasonable sense of enclosure and to facilitate an appropriate separation between buildings.
- J. Mitigate the visual intrusion of building bulk on neighbouring properties.

Controls – General – All Development

- (i) Setbacks dimensions are to be increased where needed to maximise the retention of existing trees and their root systems (including those on adjoining properties and in the street).
- (ii) Setbacks are to include the planting of canopy trees, both small and large varieties.
- (iii) All property boundary front setbacks must be deep soil and landscaped and must not have any underground intrusions such as underground car parking or on-site detention.
- (iv) No ground floor apartments are to be below the adjacent footpath level.
- (v) Ground floor residential units with a street frontage may provide some privatisation of the area within the setback from the street, but this shall be limited to a maximum depth of half the required setback, and must not occur across the whole frontage of the site. Any private courtyard areas must incorporate landscaping, to provide for privacy as well as for a consistent, attractive and well maintained landscape frontage.
- (vi) The primary area of outdoor private open space must not be located on the street frontage.
- (vii) Blank walls are to be avoided for any location visible from the public domain.
- (viii) Side or rear boundary fencing over 1.5m in height is not permitted fronting the public domain.
- (ix) On site with frontages to the Princes Highway, Harrow Road and Railway Parade North, the balconies on the lower levels may be wintergardens. The wintergarden will count as GFA for the purposes of the calculation of the FSR.

Setback Controls

- (i) The setbacks of the building to the street are to be as shown in **Figure 2**:
 - Ground floor (street level): 5m, with the first 2m to be at grade with the footpath to provide landscaped edge
 - Up to 12 m (4 storeys): 7m to the building – balconies/wintergardens may encroach up to 2m into the 7m setback

- Over 12m (5th storey and above): 8m to the building or balcony

(ii) A variation to the setback may be considered for certain streets. For that part of the proposed building that has a boundary to the Princes Highway, Harrow Road or Railway Parade North, the setbacks are to be as shown in **Figure 3**:

- Ground floor (street level): 2m
- Up to 12 m (4 storeys): 4m to the glass-line.
Balconies may encroach 2m within the setback
- Over 12m (5th storey and above): 5m to any balcony.

Note: For sites that have a splay corner or a boundary of less than 10m to the subject streets, the setbacks above do not apply and the setbacks in Control (i) apply. Further, the visibility of a building or part of a building from of one of the subject street/s does not trigger this control; Control (i) will apply. The reduced setback control applies only to that part if the building that is parallel to the alignment of the subject street.

(iii) A variation of the above setbacks, may be considered for sites on the following corners (see **Figure 4**):

- Railway Parade North and Harrow Road
- Victoria Street and Harrow Road
- Harrow Road the Princes Highway
- Princes Highway and Gladstone Street eastern side
- Princes Highway and Gladstone Street western side.

These sites may have a nil setback above the fourth storey.

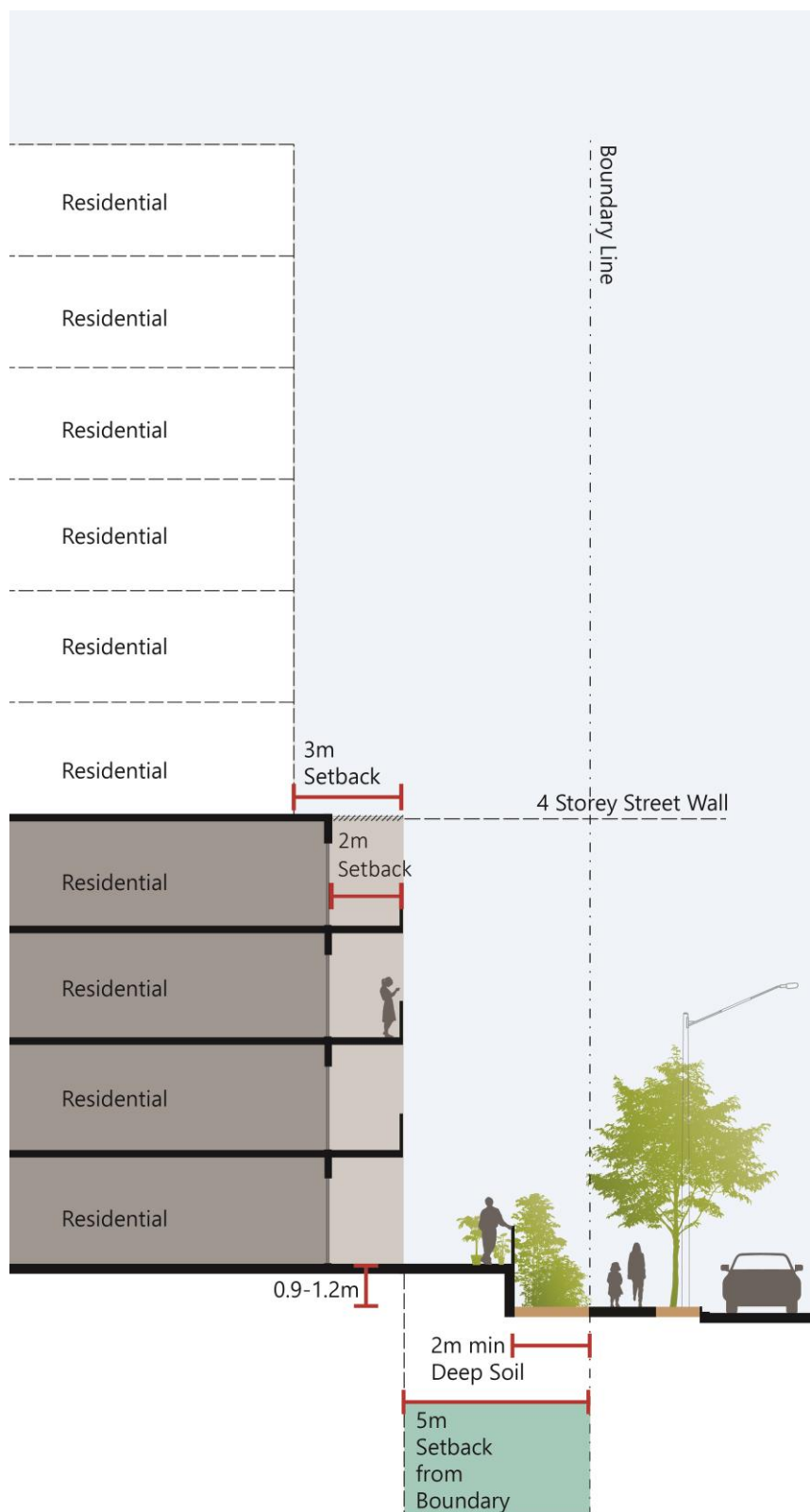


Figure 2: Developments with frontage to streets

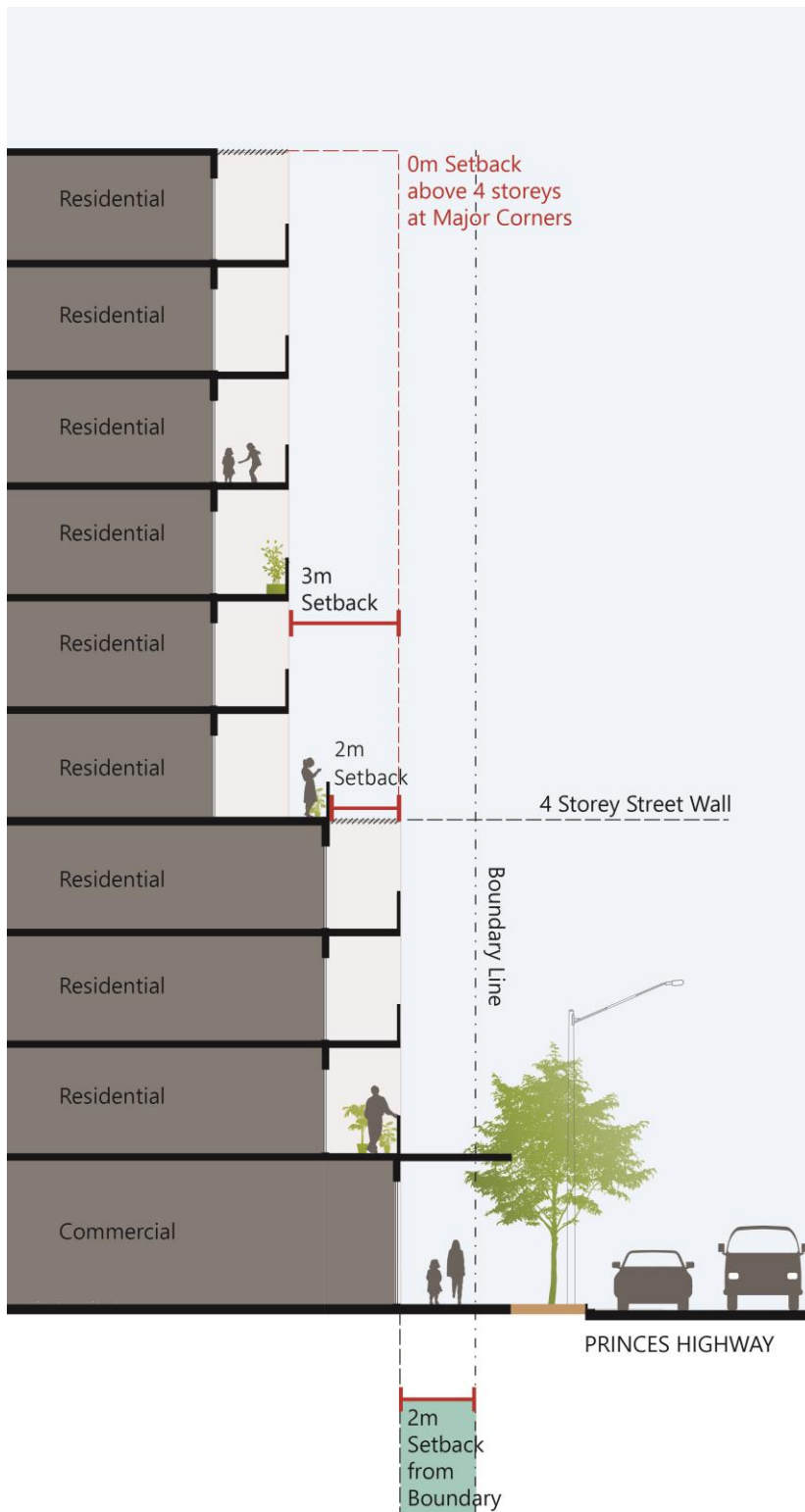


Figure 3: Front setbacks for sites with frontage to the Princes Highway, Harrown Road and Railway Parade North

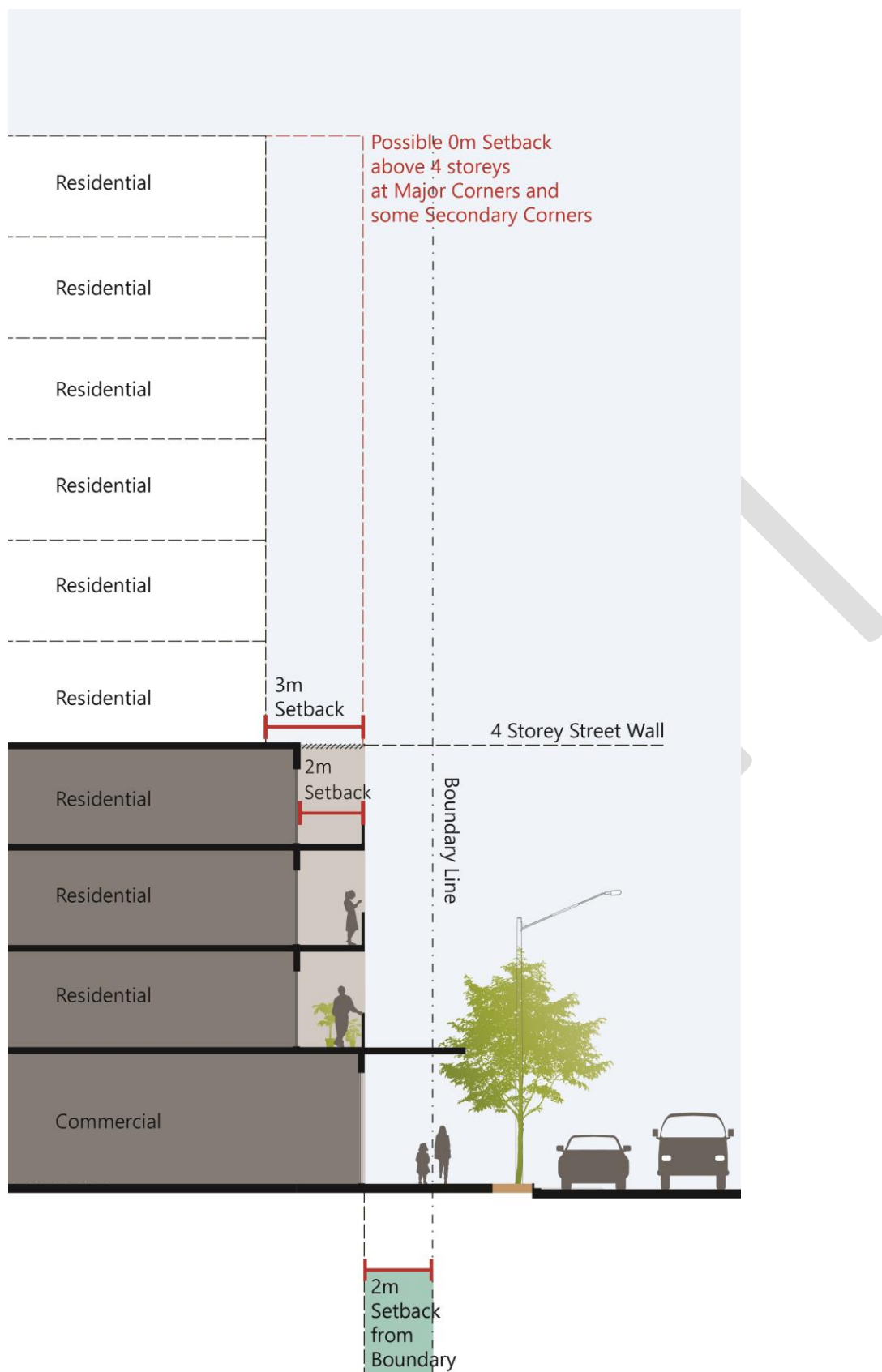


Figure 4: Setbacks on identified corners

Controls for Side and Rear Setbacks

- (iv) Side and rear setbacks to another property must result in a development that:
- Provides resident amenity, including landscaping and deep soil planting, protection of large established trees, privacy, solar access and ventilation
 - Responds to the local context and provides streetscape amenity, including providing adequate separation from existing and future development
 - Does not prevent a neighbouring site from achieving its full development potential.
- (v) Council may consider a request for zero side boundary setbacks up to four storeys to sites fronting the Princes Highway to maximise yield. Council may consider the reduction of the side boundary setbacks on other sites within the Precinct, where the proposed development complies with the principles of solar access and cross ventilation in SEPP 65 and where it can be demonstrated that there would be no additional impacts on adjoining properties and trees are retained.

Council will require the submission of a schematic design for the redevelopment of neighbouring sites so that Council can undertake an assessment of the impact of adjoining developments and compliance with the ADG.

5. Trees and Landscape

Objectives

- A. Retain and increase the existing tree canopy (refer to **Figure 5**) within the Precinct.
- B. Contribute to streetscape character and the amenity of the public domain by using planting and landscape elements appropriate to the desired character of the streetscape and the scale of the development.
- C. Encourage landscape treatments, both deep soil landscaping and planting on podiums, which provide privacy for residents.
- D. Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management.
- E. Minimise the impact of driveways and parking areas on existing landscaping, landform and streetscape, in terms of siting and choice of materials.
- F. Ensure any planting on podiums, roof tops and in planter boxes is sustainable by providing adequate rainwater storage and water efficient irrigation.



Figure 5: Existing Tree canopy and proposed new street tree plantings



Controls

- (i) All development is to be designed to eliminate the impact upon significant trees on site, street trees and trees on adjoining land including public open space and educational establishments. Existing mature trees in good health and condition are to be retained through the appropriate siting of buildings, car parks, basements, pools, ancillary buildings, driveways and hard stand areas.

- (ii) Landscaped areas must be effectively distributed on the site to minimise the dominance of buildings, structures and paving when viewed from the street, public places and surrounding properties.
- (iii) Additional street trees are to be incorporated into the overall design of the development in locations identified in **Figure 5**.
- (iv) Common open space/courtyards are to be located, designed and landscaped to:
 - enhance views from dwellings and create recreational opportunities
 - be the focal point for residents and incorporate public art and water features where appropriate
 - achieve good amenity in terms of solar access and natural air flow.
- (v) Additional communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents. A plan of management will be required for the use of large communal terraces that must be implemented through the Owners Corporation by-laws.
- (vi) Deep soil zones are to be located within key communal outdoor space areas where large trees will benefit the maximum number of residents and are to be located where tree planting will contribute to the public domain.
- (vii) Landscaping should give precedence to species with low water needs, include native plant species and select and position trees to maximise control of sun and winds
- (viii) Landscape design is to be integrated with water and stormwater management. On-site detention tanks must not be located within deep soil zones.

6. Dedication of Land to Council for Road/Lane Widening and Splays

Objective

- A. Ensure that roads and laneways are of sufficient width to cater for future traffic movements.

Controls

- (i) Approval for development listed in **Table 2** below will be subject to the dedication of land (for road/lane widening) without cost to Council. The area of the land to be dedicated will be taken into account in calculating the permitted density of development.
- (ii) No permanent structure may be built above or below this area of land.
- (iii) All building setbacks are to be measured from the relocated boundary and the laneway dedication is to be clearly identified on the plans lodged with the Development Application.

Location	Land Dedication
Stanley Lane, between Regent Lane	For all allotments with a boundary to Stanley

and Regent Street	Lane (both northern and southern sides of the Lane), a 1200mm strip of land is to be dedicated to Council to ensure appropriate access and egress from the laneway.
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Table 2: Dedication requirements for widening of existing Laneways

7. Creation of Through Site Pedestrian Links and Additional Open Space

Objective

- A. Ensure that publicly accessible open space is linked to surrounding streets with a network of lanes and through site links.
- B. Create new links to increase permeability of movements within the Precinct and increase pedestrian movement through the neighbourhood and back into the Kogarah Town Centre.
- C. Provide pedestrian linkages and access routes through the Precinct to offer residents and visitors greater choice of movement, as well as safer and more enjoyable walking or cycling experiences.
- D. Enhance the pedestrian amenity of the Kogarah North Precinct with awnings, street tree planting and upgraded footpath, Conditions of consent will require these upgrades as a consequence of the development

Controls

- (i) A public through site pedestrian link, in the form of the creation of a public ROW is to be provided as part of the development sites identified in **Table 3** below. This public through site connection is to form part of the development but is to allow public access through the site.
- (ii) The area of the land will be taken into account in calculating the permitted density of development.
- (iii) Council will require the identification of a through site pedestrian link as part of any Development Application.
- (iv) The location of streets proposed to become pedestrianised or shared ways that connect to the proposed through site links/ are shown in **Figure 6**.

	Requirement
Through Site Link #1 – Creation of pedestrian link from Railway Lane to Palmerston Street	A public through site pedestrian link – minimum 3m wide - is to be provided which creates a pedestrian connection between Palmerston Street and Railway Parade North

	Requirement
	The preferred location for the through site pedestrian link/shared way is through No 11 Palmerston Street. Where a development site includes or is adjacent to No 11 Palmerston Street. and over lot 1 DP
Through Site Link #2 – Creation of pedestrian link from Stanley Lane to Victoria Street	<p>A public through site pedestrian link – minimum 3m wide - is to be provided which creates a pedestrian connection between Stanley Lane and Victoria Street.</p> <p>The preferred location for the through site pedestrian link is through No 22 Victoria Street. Where a development site includes or is adjacent to No 22 Victoria Street,</p>
Through Site Link #3 – Widening of existing pedestrian link from Princes Highway to Gladstone Street	The existing pedestrian link from the Princes Highway through to Gladstone Street is to be widened on its northern side. Council will require upon redevelopment of No 57 Princes Highway and 24B Gladstone Street, the dedication of 3m for the widening of the existing pedestrian link.

Table 3: Identification of Land Required for Through Site Links



Figure 6: Pedestrian Links and proposed new shared zones - Needs Amendment as shown below



this diagram shows change needed to the figure

8. Housing Choice

Objectives

- A. Ensure the provision of a range of housing types and flexibility in building design and dwelling layout to accommodate future changes in use and internal configurations.
- B. Ensure development contains a suitable mix of dwellings that encourages social diversity within the development and addresses the needs for future residents and households.

Controls

- i. Developments that propose more than 10 apartments are to provide a mix of dwellings consistent with the following percentage mix:
 - a. Studio and 1 bed apartments – Minimum of 20%
 - b. 2 bed apartments – Maximum of 30%
 - c. 3+ bed apartments – Minimum of 15%
- ii. Any variations to the apartment mix are to take into consideration:
 - a. the distance to public transport, employment and education centres.
 - b. the current market demands and projected future demographic trends.
 - c. the demand for social and affordable housing.
 - d. different cultural and socioeconomic groups.
- iii. Apartment configurations are to support diverse household types and stages of life including single person households, families, multi-generational families and group households.

9. Addressing the street and public domain

Objectives

- A. Ensure that development contributes to the activity, safety, amenity and quality of streets and the public domain.

- B. Provide legible and accessible entries from the street and the public domain.
- C. Reinforce street edge conditions that significantly contribute to the characteristics of the Precinct
- D. Minimise and ameliorate the effect of blank walls (with no windows or entrances) at the ground level.
- E. Create development solutions that ensure a comfortable pedestrian environment.
- F. The public domain is to be designed in accordance with Council's specifications to provide an attractive destination to residents and visitors to the Precinct.

Controls

- (i) Landscaping in the public domain is to enhance, complement and reinforce existing streetscape planting themes and patterns. Council will require street tree planting, landscaping and paving of the public footway, for locations including those shown on **Figure 5** and this must be included in the Landscape Plan.
- (ii) Public domain improvements are to be consistent with Kogarah North Public Domain Plan.
- (iii) Reduce visual intrusion and enhance amenity by integrating services and infrastructure in new development. The need for and location of building services (e.g. electricity kiosk/substation & fire services facilities) must be resolved at design stage and must be co-ordinated and not compromise the landscape design.
- (iv) Buildings must be sited to address the street and relate to neighbouring buildings. Developments on sites with two or more frontages are to address both frontages.
- (v) Buildings are to be designed to minimise the number of entries, visible internal uses at ground level, and include high quality finishes to enhance the public domain.
- (vi) Development that exposes the blank side of an adjoining building or has a party wall to the public domain is to be designed with a visually interesting treatment of high quality design applied to that wall.
- (vii) Street corners must be addressed by giving visual prominence to parts of the building façade, such as a change in building articulation, materials, colour, roof form or height.
- (viii) The landscape plan submitted with the Development Application must detail the upgrading works to the public domain area fronting the site boundaries.

10. Impact of Development on the Road/Pedestrian Network

Objective

- A. Ensure that the demand for transport generated by development is managed in a sustainable manner.

Controls

- (i) A Transport Impact Study (TIS) is required to address the potential impact of the development on surrounding movement systems where the proposed development is for 25 or more dwellings; or in the opinion of the consent authority, likely to generate significant traffic impacts.
- (ii) A TIS is a technical investigation into the transport and safety issues that might arise from a development, and may form part of a Traffic Report. The TIS includes the transport impacts on the surrounding transport network generated by a development and how those impacts are to be managed.
- (iii) A TIS is to be submitted with the Development Application and is to address:
 - (a) The accessibility of the site by a range of transport modes including car, public transport, walking and cycling;
 - (b) The ability of the public transport network to service the site in the peak and Off-peak and weekend periods;
 - (c) Mode share targets;
 - (d) Means of minimising travel demand by private car and maximising the share of travel by other modes including public transport, cycling, walking or car share;
 - (e) Estimates of trip generation by the development and the impacts of trips generated by the development on the road network, including impacts on existing intersections and the level of service of these intersections and road network and other movement systems;
 - (f) Means of accommodating and integrating trips generated by the development including necessary improvements to public transport services, pedestrian systems, bicycle routes, and the road network;
 - (g) Means of mitigating adverse impacts of the development on movement systems;
 - (h) Means of improving access to the site having regard to vehicular, pedestrian, cycle and public transport access;
 - (i) Impacts on and means of improving pedestrian accessibility to public transport, shops, schools, open spaces, community centres and the like.
 - (j) Impacts on and means of improving pedestrian safety;
 - (k) Availability of on street parking and potential on street parking controls to discourage commuting and all day residential parking demand generated by the development.

11. Acoustic impacts from Road and Rail

Objectives

- A. Mitigate the impacts of noise for sensitive uses located along busy road corridors and rail corridors.

Controls

- (i) Applicants proposing development on busy roads or adjacent to the railway line are to refer to and comply with *State Environment Planning Policy (Infrastructure) 2007* and the NSW Government's *Development near Rail Corridors and Busy Roads – Interim Guidelines* which includes design guidelines and requirements to manage the impacts from road and rail noise and vibration.
- (ii) An Acoustic Assessment must be prepared with reference to NSW Government's *Development near Rail Corridors and Busy Roads – Interim Guidelines*.
- (iii) Where sensitive uses are proposed, development is to be appropriately designed to minimise the impact of road/rail noise and vibration.

12. Vehicular access and car parking

Objectives

- A. Provide adequate facilities for parking for residents and building users.
- B. Promote the use of public transport facilities and bicycles and walking as an alternative to the private motor
- C. Minimise the environmental and visual impacts of parking and driveways by integrating them with the building design
- D. Minimise the potential for vehicular/pedestrian conflict
- E. Vehicular access to new development should be, where possible from existing and/or new service lanes, rather than streets.

Controls

- (i) As the Precinct is within 800m of Kogarah Railway Station, the residential parking rate that applies is in accordance with the Objective 3J-1 of the Apartment Design Guide, which references the RMS Guide to Traffic Generating Development. The applicable rates are those for a Sub-regional Centre.
- (ii) In recognition that the Precinct was up-zoned based on its proximity to public transport, as an incentive to reduce the reliance on the private motor car, parking and access thereto in excess of the RMS requirement will be treated as GFA for the purposes of calculating the FSR of development.

For the purposes of the definition of GFA in the Dictionary of Georges River LEP 2020, the “car parking to meet the requirements of the consent authority” referred to in clause (g) of the definition is car parking that is in compliance with the minimum parking rate. Car parking that exceeds the calculated minimum rate is car parking that exceeds the requirement of the consent authority.

- (iii) For commercial/retail development and other land uses parking is to be provided at the following rate:
- 1 space per 40m² for any floor space at ground floor level
 - 1 space per 50m² for all other floor space above ground floor level.
- (iv) 1% of all car parking spaces are to be designated “accessible” spaces for people with mobility impairments.
- (v) For car parks between 10 to 99 spaces at least one “accessible” space must be provided.
- (vi) Designated “accessible” car spaces are to be treated as resident car spaces in the calculation of the parking requirement.

Bicycle Parking

- (vii) Bicycle storage is to be provided at the rate of:
- 1 secure bicycle storage facility per 2 residential units
 - 1 bike space per 10 car spaces for the first 200 spaces then 1 space per 20 car spaces thereafter, for commercial and retail land uses.
- (viii) Bicycle parking and facilities should be designed in accordance with the relevant Australian Standards.

Vehicular Access and Driveways

- (ix) Parking is to be located below ground and access is to be from laneways and side streets.
- (x) Driveways fronting the Highway or Railway Parade North discouraged. Access to car parking is to be from rear lanes or right of ways/access ways, where possible.
- (xi) Crossings are to be positioned so that on-street parking and landscaping on the site are maximised and removal or damage to existing street trees is avoided.

13. Architectural Articulation – façade, roof wall design and balconies

Objectives

- A. Break down the scale of large buildings into more pedestrian scaled parts.
- B. Create harmonious, well-balanced facades containing much articulation and architectural detail.
- C. Create a richly patterned skyline and roofscape when viewed from the street or from the upper levels of other buildings.

- D. Create interesting and harmonious roofscapes and skylines through the design of roofs.
- E. Ensure that roof fixtures for new development do not detract from appreciation of significant features of existing heritage buildings.
- F. Buildings should incorporate interesting roof forms and the visual intrusiveness of service elements such as service plants, electrical substations, lift over-runs and the like shall be minimised by integrating them into the building
- G. Ensure outdoor living areas are functional and responsive to the environment and appropriate for the internal layout of the building.
- H. Promote the design of buildings which are responsive to the orientation of the site.
- I. Integrate essential amenities and facilities within developments.
- J. Minimise the impacts of ancillary aspects of development on building occupants or neighbours, and on the streetscape and the natural environment.
- K. Façades must be articulated and employ materials and finishes to enhance and complement the character of the streetscape.

Controls

Facades & articulation

- (i) Large areas of flat facade are to be avoided. Facades should be articulated into separate sections, using steps in the facade, expressed entries, panels, bay windows, balconies, pergolas and other architectural elements.
- (ii) Articulation elements must be integral with the building design and should consider the whole building- with the building having distinct façade elements being the podium, centre and upper storey/roof.
- (iii) Changes of texture and colour should complement facade articulation.
- (iv) Provide solar protection elements as integral with the building design and massing.
- (v) Façades must be articulated and employ materials and finishes to enhance and complement the character of the streetscape.
- (vi) Reinforce a desired pattern characterised by simple, rectilinear building forms, a consistent street wall height, and a balance of horizontal elements (parapet, central area, below-awning area) and vertical elements (subdivision patterns, building bays).
- (vii) Retain the pedestrian scale and give continuity to the 'base' of the built form.
- (viii) Optimise environmental sustainability and minimise energy consumption through the placement and design of openings and shade systems.

- (ix) Avoid large expanses of blank walls or glass curtain walls.
- (x) Conceal meter boxes, fire hydrant boosters, sprinkler valves and the like so that they are not visible from the street.

Roofs

- (xi) Articulate roofs to provide a varied and interesting roofscape.
- (xii) Design large projections, shade structures and pavilions to enhance the appearance of flat roofed buildings.
- (xiii) Roof fixtures are not permitted where they are visible from the street. Fixtures include aerals, vents, chimneys, solar collectors and mobile phone transmitters.
- (xiv) Conceal lift over-runs and plant equipment, including satellite dishes, within well designed roof forms.
- (xv) No development will be permitted within the roof void.
- (xvi) The use of green roofs and green walls is encouraged particularly where this forms part of a communal open space arrangement in a residential/mixed use development.
- (xvii) Buildings greater than 9 storeys are to incorporate green facades or landscaped features (i.e. landscaped communal areas located on podiums and roofs).
- (xviii) Roof top areas designed for use as recreation facilities are to have a high standard of finish and design. The design of exterior private open spaces such as roof top gardens must address visual and acoustic privacy, safety, and security and wind effects.
- (xix) Green roofs, green walls, and planter areas on suspended slabs are to be designed by a Structural Engineer to determine and design for loads such as soil saturation.
- (xx) Landscaping documentation should include details illustrating water-proofing, soil containment, filter fabric, drainage outlets, subsoil drainage methods, irrigation, and external finishes to the retaining wall / planter box.
- (xxi) Adequate filtration should be provided with at least two layers of filter fabric to ensure silt does not discharge into the storm water system.

Balconies

- (xxii) Where balconies are proposed along the Princes Highway frontage, these are to be designed so as to reduce noise from entering the building by the provision of wintergardens. Such enclosures will be counted as GFA for the purposes of calculation of FSR.
- (xxiii) Design building facades and apartment layout so that balconies are functional and responsive to environmental conditions.

- (xxiv) Integrate balconies into the overall building form and to enhance the articulation of facades.
- (xxv) Design balustrades which allow for views into, and along the street but avoid all glass and all brick balustrades
- (xxvi) Include sunscreens, pergolas, shutters, operable walls to control sunlight, wind and harsh environmental effects.

14. Awnings

Objective

- A. Provide pedestrian amenity and streetscape continuity.

Controls

- (i) Awnings are to be sized to adequately accommodate street trees. In addition, ground floor street frontages must be recessed into the building to provide an ample undercover passage without impacting street tree planting.
- (ii) Provide under awning lighting to enhance safety.

15. Active Street Frontages along Princes Highway and Railway Parade North

Objective

- A. Allow for activation of streetscapes along Princes Highway and Railway Parade North.

Controls

- (i) Development is to provide for activation of the ground floor for frontages with neighbourhood shops and home offices along the Princes Highway and Railway Parade North.
- (ii) Ground floor apartments are not permitted on the Princes Highway and are discouraged along Railway Parade.

16. Solar Access to Public Domain

Objectives

- A. Ensure development retains reasonable levels of solar access to the current and future planned open space in the public domain.

Controls

- (i) Maintain solar access to public open space.

- (ii) New development shall maintain solar access to open space, including the open space (including the area currently used for car parking) bounded by Victoria Street, Gladstone Street, Victor Street and Palmerston Street. This open space is identified by Council as being a future Town Common, for shared use by the school and residents.

17. Safety and Security

Objectives

- A. Reduce crime risk and minimise opportunities for crime.
- B. Encourage the consideration and application of crime prevention principles when designing and siting buildings and spaces.
- C. Encourage dwelling layouts that facilitate safety and encourage interaction and recognition between residents.
- D. Ensure pedestrian and vehicle safety.

Controls

- (i) The design of development is to incorporate *Crime Prevention Through Environmental Design* (CPTD) principles.
- (ii) Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting, and the appropriate landscaping of public areas.

Note: Further Information refer to NSW Police Service 2001, Safer by Design NSW Department of Urban Affairs and Planning 1979, Crime Prevention and the Assessment of Development Applications, Guidelines under Section 4.15 of the Environmental Planning and Assessment Act, 1979.

18. Waste Minimisation

Objectives

- A. Ensure that each dwelling has adequate space to manage waste.
- B. Ensure that buildings provide appropriate facilities to manage waste.
- C. Ensure that residential amenity is not impacted by waste systems and collection.

Controls

- (i) A space is to be provided inside each dwelling for separate storage of at least one day's volume of general waste, recyclables and compostable materials.

- (ii) For buildings more than 3 storeys, provide a waste and recycling chute on each floor such that the total travel distance from any dwelling to a waste chute does not exceed 40m.
- (iii) Where a waste and recycling chute system is used:
 - (a) chute openings are to open only into a waste service compartment or room for safety purposes; and
 - (b) the waste service compartment or room on each floor must also include space for containers for the intermediate storage of recyclables.
- (iv) Provide a centralised waste and recycling room near the collection point with capacity to store all waste and recycling likely to be generated in the building in the period between normal collection times.
- (v) An additional room or caged area with a minimum volume of 8m³ is to be allocated and designated with signs for the storage of discarded bulky items and recyclable electronic goods.
- (vi) Space for composting and worm farming is to be available for all residents in a communal facility or in small private courtyards. Composting facilities are to be sited on an unpaved area with soil depth of at least 300mm.
- (vii) Minimise noise from the operation of the waste management system to residential units by:
 - (a) locating chutes away from habitable rooms, and
 - (b) provide acoustic insulation to the waste service facilities or residential units adjacent to or above chutes, waste storage facilities, chute discharge, waste compaction equipment and waste collection vehicle access points.
- (viii) Basements are to be designed to allow for the on-site collection of waste. The body corporate must indemnify the Council's waste collection contractor in order for it to access the site.
 If it is elected to not design the basement with a clear height and space to allow for Council's waste and recycling trucks to wholly enter and manoeuvre in the basement, the applicant may nominate that the site is to be serviced by a private waste contractor.
- (ix) It is preferable for waste trucks to enter the site in a forward direction, but it is permitted for waste trucks to reverse onto a site, where design and site conditions make it safe to do so. It is never acceptable for a truck to reverse out of a site.
- (x) The design, location and size of bin storage areas/rooms are to be in accordance with the requirements set out in the *Better Practice Guide for Waste Management in Multi-Unit Dwellings*. The preferred location for storage areas/rooms at ground level is behind the building setback. The storage area must:
 - (a) be integrated into the overall building design and constructed of materials compatible with the new development;
 - (b) be located in an area so as not to compromise the amenity of the occupants of the development and of adjacent properties in terms of noise, odour and aesthetic impact, such as on a rear land frontage, near windowless walls, away from pedestrian areas and in the least visually obtrusive position; and

- (c) be screened from view from the street with built form and landscaping so as to not detract from the streetscape.

19. Site Facilities

Objectives

- A. Ensure that adequate provision is made for site facilities, such as clotheslines and storage areas, in the design of the development.
- B. Ensure that site facilities are thoughtfully integrated into development and are unobtrusive.

Controls

- (i) Development must not be carried out on the land until arrangements satisfactory to Sydney Water have been made for the provision to the land of water and sewerage services.
- (ii) Mailboxes will be located indoors in accordance with Australia Post's requirements.
- (iii) Adequate and appropriate unit numbering is to be provided. The name and address of the premises will be displayed in a position that is clearly visible from the street and / or service lane to assist identification and deliveries.
- (iv) Satellite dishes where they are situated in rear courtyards, etc. are to be less than 1.8 metres above ground or not visible above any fence surrounding the site.
- (v) Only one (1) telecommunications/TV antenna will be permitted for each building.
- (vi) The existing above ground electricity and telecommunication cables within the road reserve and within the site will be replaced, at the applicant's expense, by underground cable and appropriate street light standards, in accordance with the Energy and Communication Provider's guidelines. The applicant will bear the cost of the new installation and the first 12 months of additional street light charges.
- (vii) Roller type security shutters on windows and doors are not suitable.
- (viii) Where security devices are required they will be integrated into the overall design.
- (ix) Any electrical kiosk, fire booster assembly or similar utilities will be in a location that is visible from the main entrance of the development, unable to be obstructed, and readily accessible to vehicles and service staff. Fire booster assemblies are to be a minimum of 10m distance to an electrical kiosk, and housed within the external face of the building structure or in a built enclosure with screen doors. The enclosure is to be integrated with the architectural design of the development and compliant with AS2419. Applicants are encouraged to provide landscaping that will not impede access to, and effective use of, the utilities to reduce the visual impact of the utilities on the streetscape and public domain.

20. Maintenance

Objectives

- A. Ensure long life and ease of maintenance for all development.
- B. Ensure that on site landscaping is maintained.

Controls

- (i) Windows are to be designed to enable cleaning from inside the building, where possible.
- (ii) Buildings must incorporate and integrate building maintenance systems into the design of the building form, roof and facade.
- (iii) Materials must be durable and can be easily cleaned and are graffiti resistant.
- (iv) Appropriate landscape elements and vegetation must be chosen along with suitable irrigation systems.
- (v) A maintenance schedule of works is to be included in all landscape plans to be lodged with any development application to ensure landscape works will be maintained at all times to Council's satisfaction.
- (vi) The Strata subdivision of the development must be accompanied by by-laws which must also include the following (if applicable):
 - a. Responsibilities with regard to the ongoing maintenance of the building and landscaped areas at the property in accordance with the plans and details approved under the Development Consent.
 - b. Responsibilities with regard to the maintenance of any artificial features at the property in accordance with the plans and details approved under Development Consent.
 - c. Responsibilities regarding the maintenance of the car wash bay the Owners Corporation / building owner.
 - d. Responsibilities for ensuring owners and/or tenants have adequate and hygienic waste sterile, disposal and collection arrangements and for ensuring the waste storage area is appropriately maintained and kept in a clean and safe state at all times.
 - e. The Owners Corporation/Executive Committee obligations to ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps) are regularly maintained in order to remain effective. All solid and liquid wastes collected from the devices shall be disposed of in a manner that does not pollute waters and in accordance with the Protection of the Environment Operations Act 1997.
 - f. Provision of pedestrian access.

21. Acoustic Privacy

Objectives

A. Ensure acoustic privacy for occupants and neighbours.

Controls

- (i) The location of driveways, open space and recreation areas and ancillary facilities external to the dwelling must be carefully planned to ensure minimal noise impact on adjoining residential properties.
- (ii) Bedrooms of one dwelling should not share walls with living rooms or garages of adjacent dwellings. Bedrooms of one dwelling may share walls with living rooms of adjacent dwellings provided appropriate acoustic measures are documented.
- (iii) Where party walls are provided they must be carried to the underside of the roof.
- (iv) All residential development except dwelling houses are to be insulated and to have an Impact Isolation between floors to achieve an Acoustical Star Rating of 5 in accordance with the standards prescribed by the Association of Australian Acoustical Consultants (AAAC). An Acoustic Report is to be submitted at Development Application stage and post construction stage to ensure that the above standards have been achieved.