# B – General Controls

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3. O’Briens Estate Heritage Conservation Area – Assessment Guidelines
B1 - Heritage & Heritage Conservation Areas

This Part supports Schedule 5 of Kogarah LEP 2012, providing detailed development controls for sites identified as heritage items or located within a Heritage Conservation Area.

In addition to the listed heritage items, there are three Heritage Conservation Areas (HCAs) also listed within Schedule 5 of KLEP 2012, being:

1. Penshurst Heritage Conservation Area;
2. O’Brien’s Estate Heritage Conservation Area; and

The objectives of this Part are to:

(a) Ensure development protects and enhances the environmental and cultural heritage of Kogarah;

(b) Ensure proposed development is sympathetic to heritage items and Heritage Conservation Areas;

(c) Provide guidance on appropriate design, siting, bulk, materials, landscaping and streetscape character
I. Heritage Items

Kogarah’s heritage includes houses, shops, hotels, parks and bridges. These link us to our past and help define the City’s identity.

Clause 5.10 of KLEP 2012 contains the relevant provisions for the protection and management of the City’s heritage items and Heritage Conservation Areas. All listed items are contained within Schedule 5 of KLEP 2012. Copies of the Inventory Sheets relating to the heritage items are available from the State Heritage Inventory which can be accessed via the website of the Heritage Branch of the NSW Office of Environment & Heritage www.environment.nsw.gov.au.

1.1 General Controls

Objectives

(a) New development, including development on sites adjacent to heritage items must respect the architectural character of a heritage item and complement and enhance their significance and setting.

(b) Landscape features are to be retained where they contribute to the heritage significance of the item.

Planning Controls

(1) The relevant requirements of Clause 5.10 of KLEP 2012 are to be addressed for any development relating to a heritage item.

(2) Where a heritage management document and/or heritage conservation management plan is required to be submitted to Council, this is to be prepared by an appropriately qualified professional.
1.2 Heritage Items – Site Specific Requirements

1.2.1 No. 24 (Lot 2, DP 320644) Penshurst Avenue, Penshurst

Note: The subject site is identified in Clause 19 of Schedule 1 of Kogarah LEP 2012

Objective

(a) To ensure development of the site responds to the heritage item and respects the streetscape qualities of the Penshurst Heritage Conservation area.

Planning Controls

(1) Where the site is redeveloped in accordance with Clause 19 of Schedule 1, development on the site is to comply with the requirements of Figure 1 below.

(2) Development of the site must provide an appropriate building scale and external appearance complementary to the existing dwelling and general character of the Heritage Conservation Area.

(3) Any application for redevelopment of the site in accordance with Clause 19 of Schedule 1, must be accompanied by a heritage management document and heritage conservation management plan prepared by an appropriately qualified professional.

Figure 1. No. 24 Penshurst Avenue, Penshurst
1.2.2 Nos. 211-217 Rocky Point Road, Ramsgate

**Objective**

(a) To minimise the impact of development on the adjoining heritage building

**Planning Controls**

(1) Development adjacent to the heritage listed buildings at Nos. 211-217 Rocky Point Road, Ramsgate is to step down to a maximum of two (2) levels to reduce the impact on the heritage listed building.

2. Heritage Conservation Areas

While the individual buildings that comprise a Heritage Conservation Area may not have sufficient significance to be listed as heritage items, collectively they are considered to possess a value worth retaining, having consistent streetscapes, landscapes and building characteristics.

Buildings within a Heritage Conservation Area usually contribute to the quality of the area, however some individual buildings might not be worth retaining. Accordingly, buildings are nominated as Contributory, Neutral or Intrusive items, thus identifying those which reinforce heritage significance and should be conserved as well as buildings that could be replaced by new development that is more sympathetic to the values of the Heritage Conservation Area.

Council has prepared Heritage Conservation Area Assessment Guidelines for the Penshurst, O’Brien’s Estate and Kogarah South Heritage Conservation Areas which provide information for owners intending to develop their properties. These guidelines are included in Appendix 1.

Applicants are strongly advised to contact Council prior to preparing any plans for new development in a Heritage Conservation Area so as to ensure that what is being proposed is consistent with the requirements within the specific Heritage Conservation Area. To discuss your proposal contact Council’s Customer Service Centre on 9330 9400.

The three Heritage Conservation Areas within Kogarah City are identified below:
Figure 2. Kogarah South Heritage Conservation Area
Figure 3. O’Brien’s Heritage Conservation Area
Figure 3. Penshurst Heritage Conservation Area

Figure 3. Penshurst Heritage Conservation Area
### Objectives

(a) To provide guidelines and controls which seek to protect the significant character of Kogarah’s Heritage Conservation Areas and which encourage design which responds appropriately to the streetscape character.

(b) New development and/or alterations and additions in Heritage Conservation Areas must respect the architectural character and complement and enhance the significance of conservation areas and their settings.

(c) Existing dwellings in the Heritage Conservation Areas are to be retained.

(d) New dwellings in Heritage Conservation Areas must respect the architectural character and complement and enhance the significance of conservation areas and their settings.

### Planning Controls

(1) Any development in the Heritage Conservation Areas is to address and respond to the requirements of the relevant Heritage Conservation Area Guidelines contained in Appendix 1.

(2) New development must demonstrate how it respects the heritage values of the Heritage Conservation Area (as detailed in the Heritage Conservation Area guidelines).

(3) Council may require the submission of a heritage management document that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the Heritage Conservation Area [Clause 10(5) of KLEP 2012].

(4) Demolition of dwellings in the Heritage Conservation Areas identified as Contributory or Neutral will generally not be supported, unless a structural assessment has been undertaken by a suitably qualified professional and a report is submitted to Council confirming that the building is structurally unsound.

(5) An owner may commission the preparation of a structural report and submit this to Council, however if Council is not satisfied that the report conclusively and adequately proves that the dwelling is unsound, Council may commission the preparation of a second report by an
independent structural engineer. The cost of this report is to be borne by the owner.

(6) Alternatively, an owner may elect to have the initial structural assessment undertaken by a Council-appointed engineer. A formal process of exchange of letters of agreement between Council and an owner has been developed. A quote would be sought by Council and written commitment by the owner to pay the fee would be obtained prior to the assessment being undertaken.

(7) Council will only consider a replacement dwelling in a Heritage Conservation Area when it has been established, and Council is satisfied, that the existing dwelling is structurally unsound.

(8) Concept drawings for a replacement dwelling are to be submitted to Council prior to the lodgement of a Development Application.

(9) Council will only accept a joint application which includes the demolition of the existing dwelling and the construction of a replacement dwelling in a Heritage Conservation Area.
B2 - Tree Management & Green Web

Tree management and bushland preservation creates a healthy urban forest which provides significant environmental, social and financial benefits to the community.

Kogarah City Council is fortunate to have large public reserves and open spaces which include a broad range of vegetation types that sustain a wide diversity of flora and fauna. Remnant trees, bushland and planted canopy trees occur throughout Kogarah City, providing habitat and vegetated links with other bushland habitat areas.

Kogarah City Council is committed to the protection and management of the urban forest to manage the local microclimate, amenity and biodiversity which is a unique community asset.

This Part applies to trees and other vegetation in Kogarah City and supplements Clause 5.9 (Preservation of Trees and Vegetation) of KLEP 2012.

The objectives of this Part are to:

(a) Ensure the protection of existing trees which contribute to the visual amenity and environment of the City of Kogarah.
(b) Specify the criteria governing the removal or pruning of trees.
(c) Identify responsibilities and requirements with respect to the protection, retention and replacement of trees.
(d) Protect trees within and adjacent to development sites.
(e) Maximise healthy tree canopy coverage across the City of Kogarah.
(f) Ensure an acceptable level of risk with regard to trees so as to protect the safety of the community, private property and public infrastructure assets.
(g) Provide processes which enable and facilitate citizen compliance with these provisions.
(h) Ensure all applications for tree removal and pruning are assessed on the basis of the best practice tree management principles.

(i) Ensure that Council manages its natural assets to ensure compliance with respect to relevant legislation, and highlight the requirement for the community to conform to the same legislation.

(j) Provide a means for the community to minimise the impact on natural assets/areas affected by development actions on private land.

NOTE 1: Under Section 76A, 125 and 126 (1) of the Environmental Planning and Assessment Act (1979), on-the-spot fines or court proceedings may apply to the injury, unnecessary disturbance or removal of trees and native vegetation on private land.

NOTE 2: Under Section 629 of the Local Government Act (1993), on-the-spot fines may apply to the injury or unnecessary disturbance of trees and native vegetation on public land including road reserves. This specifically relates to street trees, foreshore reserves and public open spaces.
1. Preservation of Trees and Vegetation

1.1 Tree Management Requirements

Collectively and individually, trees contribute to the appeal and quality of life in Kogarah. Trees contribute to a healthy and biologically diverse environment by providing elements such as shelter for fauna, climate control and a positive contribution to the streetscape.

Therefore, the retention of trees is very important. However, effective management of trees as a natural resource recognises that the long-term retention of trees depends upon appropriate tree location, species selection, maintenance, general health and condition.

Objectives

(a) Establish the criteria governing the removal or pruning of trees.

(b) Ensure that appropriate information is submitted to Council regarding tree management.

Planning Controls

(1) Compliance with provisions of Clause 5.9 Preservation of Trees or Vegetation of KLEP 2012 must be achieved.

(2) Development consent or a Council permit is required to ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree, whether on private or public land, which has:
   (i) A height greater than 3.5m, or
   (ii) A branch spread exceeding 3 metres in diameter

(3) An application to ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree shall contain the following information:
   (i) An application on the prescribed form.
   (ii) The written consent of the land owner unless the application is for pruning a tree over the applicant’s property from a tree on the neighbouring property.
   (iii) Details as to the reasons for the pruning/removal of the tree.
(iv) A description of trees to be removed/pruned which includes:
  - A site plan showing trees and existing structures.
  - The species type – common and full scientific names if known.
  - Approximate height, trunk and canopy spread.

(4) Irrespective of Clause (2) above, the following tree works do not require Council approval when undertaken in accordance with relevant Australian Standards for the pruning of amenity trees.

(i) Trees that have been declared an undesirable species and identified in List 1 below may be removed or pruned without the need for development consent or a Council permit, provided the tree has not been identified as possessing heritage significance.

(ii) Works undertaken in response to an emergency by the State Emergency Service, Rural Fire Service or another Authority.

(iii) Trees that require pruning in accordance with the Electricity Supply Act 1995.

List 1: Undesirable species

<table>
<thead>
<tr>
<th>Species Name</th>
<th>Common Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acacia baileyana</td>
<td>Cootamundra Wattle</td>
</tr>
<tr>
<td>Arundinaria spp</td>
<td>Clumping Bamboo</td>
</tr>
<tr>
<td>Citrus sp (not including Elaeocarpus, Syzygium and Acmena or any other native species)</td>
<td>Fruit trees- Cumquat, Grape Fruit, Lemon, Lime, Mandarin, Orange</td>
</tr>
<tr>
<td>Cupressus x leylandii</td>
<td>Leighton Green</td>
</tr>
<tr>
<td>Ficus elastica</td>
<td>Rubber trees</td>
</tr>
<tr>
<td>Gleditsia trinophylla</td>
<td>Honey Locust</td>
</tr>
<tr>
<td>Ligustrum lucidum</td>
<td>Privet – broadleaf</td>
</tr>
<tr>
<td>Ligustrum sinence</td>
<td>Privet – narrow leaf</td>
</tr>
<tr>
<td>Morus nigra</td>
<td>Black Mulberry</td>
</tr>
<tr>
<td>Olea Africana</td>
<td>Wild Olive/African Olive</td>
</tr>
<tr>
<td>Populus spp</td>
<td>Poplars</td>
</tr>
<tr>
<td>Phyllostachys spp</td>
<td>Bamboo</td>
</tr>
<tr>
<td>Schefflera actinophylla</td>
<td>Umbrella tree</td>
</tr>
<tr>
<td>Syagrus romanzoffianum</td>
<td>Cocos palm</td>
</tr>
<tr>
<td>Toxicodendron spp</td>
<td>Rhus tree</td>
</tr>
</tbody>
</table>

NOTE: The above list applies to trees that can be removed without Council’s consent. Council also has a list of noxious weeds. Contact Council for more information on what is classified as a noxious weed.

Council considers the Australian Standard AS4373 -2007 Pruning of Amenity Trees (AS4373 - 2007) to be the minimum criteria for tree management practices. The intention of the Australian Standard is to encourage pruning practices and procedures that reduce the risk of hazard development, branch failure etc. You are strongly advised to refer to the Australian Standard and any works should be carried out by a suitably qualified arborist.
(5) Council will be satisfied that a tree is dead and/or a risk to life or property when:

(i) The tree is not within the Green Web habitat corridor or habitat reinforcement corridor and a report by a qualified Arborist (minimum AQF Level 5 Aboriculture), including photographs of the tree, is submitted which concludes that the tree is dead or dying; or

(ii) It can be proven that the pruning or removal work is the only reasonable option to avoid an immediate threat of injury or damage to life or property and the works were undertaken to the minimum extent necessary to manage that threat; and

(iii) Recorded proof of that threat, in the form of a report (Tree Hazard Assessment (THA)) by a qualified Arborist (minimum AQF Level 5 Aboriculture) including photographs of the tree and detailing the cause of danger. Where a trunk or limb defect assessment is undertaken, strength loss calculations and cross section mapping must be included in the THA.

(iv) In the event of tree removal, the arborist report is forwarded to Council immediately following the removal.

(v) In the event of pruning, the arborist report is made available to Council on request within three (3) months after the pruning works.
1.2 Matters for consideration when determining an application for tree removal

The following matters will be considered by Council when determining an application for tree removal.

1. The existing and likely future amenity of the area.
   (i) Is the tree significant as a single specimen or as part of a group of trees;
   (ii) Is the tree of historic or cultural significance;
   (iii) Is the tree registered on Council’s Significant Tree Register;
   (iv) Is the tree prominent due to its height, size, position, or age;
   (v) Is the tree endemic, rare, or endangered;
   (vi) Does the tree provide a significant visual screen;
   (vii) Is the tree part of an important wildlife habitat.

2. The health and safety of the tree(s).
   (i) If there are structural cracks and fractures on the branches or fractures or cracks at the junction between two trunks and these problems cannot be rectified without a significant loss to the tree;
   (ii) The tree has a large number of epicormic shoots that are poorly attached through incorrect previous pruning activities and pruning cannot rectify the problem;
   (iii) There is a fruiting body of pathogenic fungi apparent and there is a consecutive decline of the cambium around the wound (a canker) and the rate of decay is exceeding the rate of growth of new tissue;
   (iv) The tree has moved in the ground, or there is an obvious lifted mound with exposed broken roots; or
   (v) Many large branches or the trunk has been broken as a result of a storm event.
   (vi) The presence of insects is not a basis for removal of a tree, but may be a warning to provide some form of remedial treatment. Inspection and recommendation should be sought from an AQF 5 qualified Arborist prior to applying for tree removal.

3. The physical characteristics of the tree - This includes the current and potential height, branch spread, trunk diameter, the growing environment and life expectancy.
4. The damage or potential damage the tree may cause.
   (i) The damage the tree, its trunk, or its root system is causing to a structure and where such damage cannot be controlled by measures such as the installation of a root barrier;

   (ii) The tree is damaging other properties, retaining walls and the like, and precautionary root pruning or modification of the property cannot stop future damage;

   (iii) Council will not consider the removal of trees that have entered a drainage or sewer system where the system is found to be in poor condition or in disrepair.

5. Invalid reasons to remove a tree:
   (i) To erect a front fence, internal fence or a fence adjoining a public reserve.

   (ii) To avoid leaf drop into gutters, downpipes or pools.

   (iii) To increase natural light.

   (iv) To improve the effect of street light.

   (v) To enhance views.

   (vi) To reduce shade.

   (vii) To reduce fruit, resin or bird droppings.

   (viii) Minor lifting of driveways or paths.

   (ix) Unapproved bushfire hazard control.

   (x) Potential damage to services without written expert advice.

   (xi) To increase sunlight access to solar panels.

### 1.3 Trees and development sites

Where a DA includes the removal of a substantial tree/trees, an Arborist Report must be submitted in accordance with Australian Standard AS 4970-2009: Protection of Trees on Development Sites. This report must substantiate the tree works, removal, pruning, protection and/or ongoing management of affected trees.

As part of the development assessment process, a Site Analysis must be undertaken to identify site constraints and opportunities, including trees located on the site and neighbouring sites. In planning for a development, consideration must be given to the building/site design so that suitable trees are retained. Council does not normally allow the removal of trees to allow a development to proceed.

The site analysis must also describe the impact of the proposed development on neighbouring trees. This is particularly important where neighbouring trees
are close to the property boundary. The main issues are potential damage to the roots of neighbouring trees (possibly leading to instability and/or health deterioration) and canopy spread/shade from neighbouring trees that must be taken into account during the landscape design of the new development.

Where an application proposes the removal of substantial trees, the applicant is required to demonstrate that an alternative design, achieving the retention of any tree(s), is not feasible. It must also be proven that it is not possible to provide adequate clearance between the tree(s) and the proposed building envelope and/or any structures/hard surfaces.

2. Green Web Requirements

Sites containing remnant bushland, adjacent to existing remnant bushland or within proposed habitat corridors may be located within the Green Web. The Green Web is comprised of Habitat Corridor and Habitat Reinforcement Corridor and these areas have been identified and mapped.

The following guidelines are to be considered for land situated within the Green Web corridor:

(a) design open space to reflect and integrate the natural heritage and underlying ecological processes of the landscape through site layout, grading, planting, landscape material, access and view lines.

(b) wherever possible, design open space to conserve indigenous vegetation and habitat on site and retain indigenous trees, understorey and groundcovers as a priority in the site layout. Select bushland area to preserve the most intact and sustainable areas of vegetation and prevent fragmentation of habitat.

(c) design vegetation to enhance and link existing vegetation and habitat within the site and adjacent sites.

(d) design access to reduce pressures that have potential to cause degradation of vegetation, habitat, water quality and soil.

(e) use indigenous plant stock and, preferably, locally sourced plant material to preserve local genetic diversity.

(f) maximise use of indigenous plant material and preferably use exclusively indigenous plants adjacent to remnants. Arrange plants to form plant associations based on the structure and distribution of indigenous plant communities using a diverse range or plants, including understorey and groundcovers, to form a viable habitat for flora and fauna.

(g) In addition, the following criteria need to be applied to create a sustainable and diverse habitat:
(i) maintain and enhance diversity in plant communities and sub-communities, species, habitat niches and structure of the plant community. Most importantly, maintain and/or restore understorey species.

(ii) include and retain water holes, ponds, dams, creeks and damp spots in habitat areas. In some cases there will be numerous benefits in creating artificial dams or ponds which may include stormwater control facilities. Artificial water bodies should not involve in-stream works but should be additional to natural watercourses.

(iii) retain old or dead trees as these provide (or will in the future) nesting holes, hollows and perches. If there is a lack of tree holes, install nesting boxes for a range of native species. Hollow logs or old pipes can provide shelter for ground dwelling animals and can be mounted in trees to assist arboreal species and birds.

(iv) create dense plantings of shrubs, including prickly or spiky species in areas of little use (eg. corner back areas), to provide safe nesting sites for small birds and protect them from cats and larger predatory birds such as currawongs and ravens.

(v) arrange tree plantings so their canopies touch to allow smaller birds and mammals, such as possums and sugar gliders, to cross roads and areas of open grass without having to move across open ground where they are vulnerable to attacks by predators. Ropes and wires can be used as bridges for animals where tree canopies do not touch eg. possums have frequently been observed using electricity supply wires for travelling in urban areas.

(vi) clear weed infested areas in stages rather than all at once to maintain shelter and nesting sites provided by existing invasive plants. Observe whether nesting activities are taking place or other resident fauna is present in the understorey and take care not to disturb these areas when nesting is occurring. As a general rule, never clear more than one third of the site for replanting to ensure that resident animals are not left without food and shelter. Some rubbish, such as car bodies, sheets of corrugated iron and timber can provide habitat and refuges from predators for reptiles, such as blue tongue lizards, and small mammals, such as bandicoots and bush rats.

(vii) install artificial shelter structures, where stable populations of birds or reptiles reside, as part of your landscape design. They can be piles of timber logs or rocks, wire mesh structures imitating densely branched shrubs or of pipes imitating hollow logs. These shelters may also act as nesting sites.
(viii) retain leaf litter and fallen branches. They provide an important habitat for reptiles and insects, foraging grounds and shelter against heat and predators.

(ix) plant a range of indigenous flowering trees and shrubs to provide flowers and nectar throughout the seasons to maintain bird diversity and populations. During certain seasons, some birds rely on particular insect types that are dependent on particular plant species, thereby controlling insect populations, including those which are responsible for dieback in trees.

(x) select plants with thick and furrowed bark, high foliage nutrient and different flowering and fruiting seasons to provide food throughout the whole year.

(xi) minimise use of fertilisers and irrigation to prevent nitrification and invasive exotic plants destroying native bushland.
Major roads and rail operations generate noise and vibration, and people living and working near major transport corridors can be adversely affected. In addition, major roads can impact on air quality due to the volume of traffic they carry.

The Infrastructure SEPP (ISEPP) commenced on 1 January 2008 to facilitate the effective delivery of infrastructure across the State. The Infrastructure SEPP refers to guidelines which must be taken into account where development is proposed in, or adjacent to, specific roads and railway corridors.

The NSW Department of Planning and Infrastructure’s publication, Development near Rail Corridors and Busy Roads – Interim Guideline, assists in the planning, design and assessment of development in, or adjacent to, rail corridors and busy roads. Where applicable, an assessment of the proposed development is to be undertaken in accordance with the requirements of the ISEPP and this publication.

Objectives

The objectives of this Part are to:

(a) Ensure an appropriate acoustic amenity can be achieved for development near transport corridors, particularly residential development and other noise sensitive land uses.

(b) Provide additional acoustic design or mitigation measures that may be necessary.

(c) Development fronting a busy road or a rail corridor should be designed and sited to minimise noise impacts.

Planning Controls

(1) Acoustic assessments for noise sensitive developments as defined in clauses 87 and 102 of the Infrastructure SEPP may be required if located in the vicinity of a rail corridor or busy roads.
B4 - Parking and Traffic

Good design integrates vehicle access, manoeuvring and parking so that it is convenient for users and minimises potential conflict between pedestrians and vehicles.

Vehicle access and parking should not dominate the streetscape or detract from the appearance of a development. Safe, well-designed and adequate on-site parking significantly alleviates the demand for on-street parking.

This Part sets out the carparking requirements for development within the City of Kogarah.

The objectives of this Part are to:

(a) Minimise traffic congestion and ensure adequate traffic safety and management;

(b) Ensure an adequate environmental quality of parking areas (including both safety and amenity);

(c) Provide adequate car parking for building users and visitors, depending on building use and proximity to public transport.

Note: Where reference is made to a published Australian/New Zealand Standard it is the most recent version.

I. Parking Requirements

(1) The car parking rate for development types are outlined in Table 1 – Parking Requirements. In the event of a discrepancy between the parking rates specified in this Part of the DCP and another Part of the DCP, the specific requirements identified within the detailed controls for a locality/area shall prevail.

(2) Development types not listed in the Table 1 would be subject to a merit assessment based on the provisions set out in the Roads and Traffic Authority – Guide to Traffic Generating Developments. Council may require a detailed Traffic & Parking Study to be prepared for major development types.

(3) It should be noted that the parking spaces required by this DCP are minimum numbers. Some uses, due to the nature of their operation, may warrant additional parking spaces and these may be required by Council.
The number of off street parking spaces may be reduced at Council’s discretion if the applicant can demonstrate a reduced parking need arising from:

(i) Some of the required parking being provided by the applicant in a local public parking area. This includes applications that fall within a Section 94 Plan that requires a contribution to public parking provision.

(ii) The development being within 200m of a train station.

(iii) Where the development comprises mostly (greater than 75%) one bedroom units and/or studio apartments.

(iv) The anticipated residents being unlikely to have cars.

*Note: Numbers are to be rounded up to the next whole number.*

Table 1.

<table>
<thead>
<tr>
<th>Use/Activity</th>
<th>Minimum number of Car Spaces Required</th>
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<tbody>
<tr>
<td><strong>RESIDENTIAL ACCOMMODATION</strong></td>
<td></td>
</tr>
<tr>
<td>Dual occupancy</td>
<td>1.5 spaces/dwelling</td>
</tr>
<tr>
<td>Dwelling house</td>
<td>2 spaces/dwelling</td>
</tr>
<tr>
<td>Dwelling house (narrow lot housing)</td>
<td>1 space/dwelling&lt;br&gt;The space must be in the form of a garage. If more than 1 space is provided, the spaces must be tandem with only a single garage door presenting to the street.</td>
</tr>
<tr>
<td>Hostel</td>
<td>1 space/5 dwellings, plus&lt;br&gt;1 space/2 employees, and&lt;br&gt;1 space / ambulance</td>
</tr>
<tr>
<td>Multi-dwelling housing</td>
<td>1.5 spaces/dwelling, plus&lt;br&gt;1 visitor space/5 dwellings or part thereof, and&lt;br&gt;1 designated car wash bay which may also be used as a visitor space</td>
</tr>
<tr>
<td>Multi-dwelling housing in accordance with Clause 18 of Schedule 1 of KLEP 2012</td>
<td>1 space/dwelling, plus&lt;br&gt;1 visitor space/5 dwellings or part thereof, and&lt;br&gt;1 designated car wash bay which may also be used as a visitor space</td>
</tr>
</tbody>
</table>
## Use/Activity | Minimum number of Car Spaces Required
---|---
### RESIDENTIAL ACCOMMODATION

**Residential flat building**
- 1 bedroom unit = 1 space/unit
- 2 bedroom unit = 1.5 spaces/unit
- 3 bedroom unit = 2 spaces/unit, plus
- 1 visitor space/5 units or part thereof, and
- 1 designated car wash bay which may also be a visitor space

**Seniors Housing**
- Self contained dwellings
  - 1.5 spaces/dwelling, plus
  - 1 space/5 dwellings or part thereof for visitors
  - 1 carwash bay, which may also be a visitor space

**Residential Care Facility/Respite Day Care Centre**
- 1 space/10 beds, plus
- 1 space/2 employees on duty at any one time, plus
- 1 space suitable for an ambulance

**Shop top housing/Mixed use development (residential component)**
- 1 bedroom unit = 1 space/unit
- 2 bedroom unit = 1.5 spaces/unit
- 2+ bedroom unit = 2 spaces/unit, plus
- 1 visitor space/5 units or part thereof
- 1 designated car wash bay which may also be a visitor space

A minimum of 1% of the total number of car parking spaces within the development are to be designated “accessible” spaces for people with mobility impairments.

For developments with less than 100 car spaces, a minimum of one accessible space must be provided.

Designated accessible car spaces may be treated as resident car spaces in the calculation of parking requirements.

### TOWN CENTRES

<table>
<thead>
<tr>
<th>Town Centre</th>
<th>Residential</th>
<th>Commercial /retail</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kogarah Town Centre</td>
<td>Refer to Part E1 for parking requirements in the Kogarah Town Centre. It should be noted that there may also be specific parking requirements relating to specific precincts in the Kogarah Town Centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hurstville Town Centre</td>
<td>Refer to Part E2 for parking requirements in the Hurstville Town Centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ramsgate Centre</td>
<td>Refer to Part E3 for parking requirements in the Ramsgate Town Centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use/Activity</td>
<td>Minimum number of Car Spaces Required</td>
<td></td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COMMERCIAL AND INDUSTRIAL</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Offices/commercial (outside of the Centres)</td>
<td>1 space/40m² of gross floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bulky goods premises</td>
<td>1 space/40m² of gross leaseable area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shops</td>
<td>1 space/25m² of gross leaseable floor area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supermarket</td>
<td>1 space/20m² gross leaseable floor area</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Take away food and drink premises (drive-in) | Developments with no on-site seating or no drive through facilities: 1 space per 100m² gross floor area. Developments with on-site seating but no drive through facilities: 1 space per 100m² gross floor area, or the greater of: 1 space per 5 seats (both internal and external seating), or 1 space per 2 seats (internal seating). Developments with on-site seating and drive through facilities: 1 space per 2 seats (internal), or 1 space per 3 seats (internal and external), whichever is the greater. In addition to this, an exclusive area for queuing of cars for a drive through facility is required (queue length of 5 to 12 cars measured from pick up point – refer to RTA Guide for specific requirements). There should also be a minimum of four car spaces for cars queued from ordering point. **Note:** For McDonald’s and KFC, the specific requirements of the RTA’s Guide to Traffic Generating Developments also apply.
<table>
<thead>
<tr>
<th>Use/Activity</th>
<th>Minimum number of Car Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMMERCIAL AND INDUSTRIAL</td>
<td></td>
</tr>
<tr>
<td>Service stations convenience store</td>
<td>5 spaces / bay (for vehicle servicing facilities) AND 1 space / 20 m² gross floor area for any convenience store If a restaurant is provided, additional parking at the rate of 15 spaces per 100m² gross floor area or 1 space per 3 seats, whichever is the greater is required or as recommended by the RTA’s Guide to Traffic Generating Developments. The above requirements may be reduced where it is demonstrated that the times of peak demand for the various facilities do not coincide. Parking must be provided to satisfy the peak cumulative parking requirements of the development as a whole, by superimposing the parking demand for each facility separately. All parking must be clearly designated and located so as to not obstruct the normal sale of petrol and must minimise the potential for vehicular/pedestrian conflicts.</td>
</tr>
<tr>
<td>Vehicle body repair workshop</td>
<td>1 space/25m² of gross floor area</td>
</tr>
<tr>
<td>Vehicle sales or hire premises</td>
<td>1.5 spaces/200m² of site area, plus 5 spaces/service bay, plus 1 space/25m² of floor area for the sale of accessories etc Customer/visitor parking spaces must be readily accessible from the principal road frontage and appropriately signposted and marked. These spaces must not be used for the display of vehicles or other merchandise or for the loading/unloading of vehicles onto or from car floats or trucks.</td>
</tr>
<tr>
<td>Hotel or motel accommodation</td>
<td>1 space for each room/unit, plus 1 space per 2 employees If a restaurant and / or function room is to be included as part of the development, then the amount of off-street parking must be reviewed and increased as necessary. If the restaurant primarily serves the hotel/motel customers, then additional parking may not be required. However, the possibility of a future change in patronage of the restaurant must be considered. Refer to the RTA’s Guide to Traffic Generating Developments for more guidance.</td>
</tr>
<tr>
<td><strong>Use/Activity</strong></td>
<td><strong>Minimum number of Car Spaces Required</strong></td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td><strong>COMMERCIAL AND INDUSTRIAL</strong></td>
<td></td>
</tr>
<tr>
<td>Warehouse or distribution centre</td>
<td>1 space/100m² gross floor area</td>
</tr>
<tr>
<td>Industry</td>
<td>1 space/40m² of gross floor area for the office component, plus</td>
</tr>
<tr>
<td></td>
<td>1 space/70m² of gross floor area for the industrial/factory component</td>
</tr>
<tr>
<td><strong>OTHER</strong></td>
<td></td>
</tr>
<tr>
<td>Recreation Facilities</td>
<td></td>
</tr>
<tr>
<td>Squash/tennis courts</td>
<td>3 spaces/court, plus</td>
</tr>
<tr>
<td></td>
<td>1 space/employee</td>
</tr>
<tr>
<td>Recreation facility (indoor)</td>
<td>Refer to RTA’s Guide for Traffic Generating Developments</td>
</tr>
<tr>
<td>Entertainment facility</td>
<td>1 space/5m² of gross floor area</td>
</tr>
<tr>
<td>Place of public worship</td>
<td>1 space/5 seats, or</td>
</tr>
<tr>
<td></td>
<td>1 space/5m² of public seating, whichever is greater</td>
</tr>
<tr>
<td>Medical Centre</td>
<td>1 space/40m² of gross floor area</td>
</tr>
<tr>
<td>Hospital</td>
<td>0.5 spaces/bed</td>
</tr>
<tr>
<td><strong>EDUCATIONAL ESTABLISHMENT</strong></td>
<td></td>
</tr>
<tr>
<td>Primary School</td>
<td>1 space/100m² of gross floor area</td>
</tr>
<tr>
<td>Secondary School</td>
<td>2 spaces/classroom, plus</td>
</tr>
<tr>
<td></td>
<td>1 space/10 students over 17 years</td>
</tr>
</tbody>
</table>
2. Parking Credits

(1) When determining how many car spaces your development may require, it is important to remember that you may be eligible for parking credits.

(2) A parking credit is available when you are developing a site already occupied by a building.

(3) Provided your development retains the structure of the existing building you will be exempted from the parking requirements for the existing floor space. For example, if you wish to develop an existing 300m² shop building into a 600m² shop building, the parking requirement would only be for the additional 300m², even if the existing building has no parking whatsoever.

(4) Alternatively, if you are changing the use of the existing building and the new use requires more parking than the old use, your credit is for the original use, even though the floor space may not be increasing. For example, converting a warehouse with no parking into a shop, with no increase in floor space would still be required to provide extra parking but this will be for the shop requirement minus the warehouse requirement.

3. Bicycle Parking

(1) All development (other than a dwelling house, dual occupancy or secondary dwelling) is to provide on-site bike parking designed in accordance with the relevant Australian Standards for the design criteria of bike parking facilities.

(2) Bike parking spaces are to be provided at the following rates:

(i) For commercial developments or for the commercial component of a mixed development – 1 space per 5 car parking spaces.

(ii) For the residential component in a mixed use/shop top housing development – 1 space per 3 dwellings plus 1 space per 10 dwellings (visitors).

(iii) Bicycle parking facilities are to be designed in accordance with Australian Standard AS2890.3 – 1993 (Parking Facilities – Part 3 Bicycle Parking Facilities).
Note: The minimum number of bike parking spaces is to be rounded up to the nearest whole number if it is not a whole number.

4. Design & Layout of Car Parking Areas

(1) Internal car park layouts, space dimensions, ramp grades, access driveways, internal circulation aisles and service vehicle areas shall be designed in accordance with the requirements set out in AS 2890.1 (2004) and AS 2890.2 (2002) for off street parking and commercial vehicles.

(2) Parking areas should be physically separated from those vehicular spaces used by non-residential and residential development. Separate driveways should be provided for the use of residents and service/customer vehicles accessing non-residential development.

(3) Basement car parking is to be located within the building footprint.

(4) Car parking areas may be designed as ground level parking provided that the design results in building frontages level with the street.

(5) Design parking to ensure pedestrian safety.

(6) Include natural ventilation to basement and semi basement car parking.

(7) Integrate ventilation design into the façade of the building, or parking structure, treating it with appropriate features such as louvres, well-designed grilles, planting or other landscaping elements.

(8) Design driveways to minimise visual impact on the street and maximize pedestrian safety.

(9) Ensure that all vehicles, including vehicles using loading bays, can enter and leave the site in a forward direction.

(10) Avoid locating accessways to driveways adjacent to the doors or windows of habitable rooms.

(11) Design vehicular access in accordance with the current Australian Standard for ‘off-street parking (Part 1)’ and ‘off-street carparking for commercial vehicles (Part 2)’.
5. Loading Requirements

(1) Loading bay facilities are to be provided at the following rates:

<table>
<thead>
<tr>
<th>Category</th>
<th>Area Range</th>
<th>Bays Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail</td>
<td>Floor area 15m² to 500m²</td>
<td>1 bay</td>
</tr>
<tr>
<td></td>
<td>Floor area &gt; 500m² to 1500m²</td>
<td>2 bays</td>
</tr>
<tr>
<td>Commercial</td>
<td>Floor area 1000m² to 5000m²</td>
<td>1 bay</td>
</tr>
<tr>
<td></td>
<td>Floor area &gt; 5000m² to 10000m³</td>
<td>2 bays</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Design of Loading Bay Facilities</th>
<th>Min Bay Width</th>
<th>Min Bay Length for Bay 1</th>
<th>Min Bay Length for Bay 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3.5m</td>
<td>9.5m</td>
<td>6.5m</td>
</tr>
</tbody>
</table>
B5 - Waste Management & Minimisation

This Part provides guidelines and requirements for sustainable and efficient recycling and waste management practices during the demolition, construction and on-going operation of a development.

The objectives of this Part are to:

(a) Encourage best practice in waste management that minimises waste generation, facilitates waste separation and maximises reuse and recycling.

(b) Ensure quality design of waste management facilities that complement the building design and minimise noise, odour and visual impacts on adjacent uses and the public domain.

(c) Ensure suitable and efficient waste storage, recycling and collection in all development.
I. Waste Management Plan

A Waste Management Plan estimates volume and type of waste and recyclables to be generated and outlines waste avoidance and resource recovery activities to be carried out during demolition, construction and operation of a proposed development.

Objectives

(a) Ensure that the Waste Management Plan outlines how reuse and recycling of material are to be maximised and waste disposal minimised during demolition and construction of development.

(b) Provide for the sufficient on-site provision for the temporary storage of waste.

(c) Design and site waste storage areas so as to have minimal impact on adjoining properties.

Planning Controls

1. Submit a Waste Management Plan with DAs involving:
   - demolition;
   - construction of a new building(s); or
   - change of use or alterations/additions to existing premises (only when this would result in a change of waste generation).

2. Illustrate on the DA plans/ drawings:
   - the location and space allocated for the storage of demolition and construction waste or materials;
   - waste collection point(s) for the site; and
   - path of access for collection vehicles.


4. Demonstrate in the Waste Management Plan the use of second hand building materials and recycled building products during building design and construction.

5. Retain records (including receipts) on site demonstrating recycling and lawful disposal of waste.
2. Waste and Recycling Requirements

**Objective**

Ensure suitable and efficient waste storage, recycling and collection in all development.

**Planning Controls**

1. All development applications should have regard to the provisions of the Kogarah Waste Not Plan 2012.

2. Door widths to waste/recycling storage rooms shall be a minimum of 1100mm and must be wide enough to accommodate the largest chosen bin size for that development, with a gap on either side of the bin of no less than 100mm.

3. If developments containing attached dwellings, multi-dwelling housing or residential flat buildings have less than six dwellings, individual storage areas may be provided instead of a communal waste/recycling area.

4. For residential developments that include six or more dwellings, a dedicated caged area may be required within the bin room for the storage of discarded bulky items which are awaiting removal. This area must be easily accessible to all residents.

5. Non-residential uses in residential zones, such as community centres and neighbourhood shops, must have regard to the provisions of the Kogarah Waste Not Plan and provide adequate on-site storage for waste and recycling bins.

6. Commercial uses which are part of a mixed use development (shop top housing) must design their waste storage area/room in accordance with the Kogarah Waste Not Plan 2012.

7. Waste storage facilities must be easily accessible from residential units and appropriately located to facilitate the removal of waste to the Council collection point.

8. Waste and recycling storage areas must be visually and physically integrated into the design of the development. Design elements such as fencing, landscaping and roof treatments may be used to screen the waste and recycling storage area.
9. Communal bin storage areas must be easy to clean with access to a tap with hot and cold water and correct drainage of waste water through a floor drain to the sewer, not the stormwater drain.

10. Waste/recycling storage areas must be designed and located to avoid adverse impacts on the amenity of adjoining sites.

11. For residential flat buildings with a passenger lift, the development shall incorporate a garbage chute system which complies with the following requirements:

   (i) Garbage chutes are to be accessed from communal internal garbage and recycling rooms located on every floor.

   (ii) Domestic waste deposited into the chute system is to be bagged and transferred to the garbage bins.

   (iii) Garbage chute installations must comply with the manufacturer’s specifications, the relevant provisions of the BCA, and be designed to:

       a. Prevent persons from reaching into the chute
       b. Prevent the transfer of noise and vibration to the building
       c. Be easily accessible for each residential floor
       d. Facilitate ease of cleaning and maintenance
       e. Prevent harbourage of vermin, and
       f. Prevent an odour nuisance.
B6 - Water Management

Urban development increases the area of impervious surfaces such as roofs, footpaths and other paved areas, which causes significant alteration to a site’s hydrological cycle. Impervious surfaces act to reduce the quantity of rainwater that can infiltrate the soil, thereby causing most rainfall to become runoff. This results in increased peak flow rates during extreme events and increasing pollutant loads in stormwater runoff.

Council’s role is to manage urban stormwater to ensure that adverse flooding, pollution of receiving waters and degradation of waterways are minimised. Council has prepared and endorsed a Water Management Policy, which provides detailed information in relation to on-site water management and in particular stormwater related issues.

This Part should be read in conjunction with Council’s Waste Management Policy and Clause 6.3 (Flood Planning) of KLEP 2012.

The objectives of this Part are to:

(a) Reduce flooding and drainage impacts within and downstream of the development site.

(b) Reduce pollutant loads exported to the waterways via the stormwater system.

(c) Conserve water and reduce mains water consumption.
I. On site Water Management & Stormwater Controls

All developments requiring Council approval within the City of Kogarah require consideration of the Water Management Policy. Depending on the characteristics of the proposed development, the controls may apply to the whole site or to the proposed development.

The following table provides an overview of the requirements of Council’s Water Management Policy.

<table>
<thead>
<tr>
<th>Proposed Development</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where the proposed development is ≤50m² and the total impervious area of the site are &gt;70%</td>
<td>The provisions of Council’s Water Management Policy apply to the development only.</td>
</tr>
<tr>
<td>Where the proposed development is &gt;50m²</td>
<td>The provisions of Council's Water Management Policy apply to the whole site.</td>
</tr>
<tr>
<td>Where development is ≤50m² and the total impervious areas of the site ≥70%</td>
<td>The provisions of Council’s Water Management Policy apply to the whole site.</td>
</tr>
<tr>
<td>Large developments involving site areas in excess of 3,000m² or more than five (5) pre-development single allotments</td>
<td>Council’s Water Management Policy applies, however Council will require more detailed analysis and assessment. The methodology and assessment approach for such developments should be discussed with Council staff prior to the lodgement of the Development Application.</td>
</tr>
</tbody>
</table>
2. Flooding and drainage

Flooding in NSW is managed in accordance with the NSW Government’s Flood Prone Lands Policy, which aims to reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods, utilising ecologically positive methods wherever possible.

Kogarah City Council is in the process of undertaking flood studies, Floodplain Risk Management Studies and Plans for its catchments to quantify flooding risks and potential measures in accordance with the NSW Government’s Floodplain Development Manual.

Kogarah LEP 2012 includes flood planning provisions (Clause 6.3) applying to land at or below the defined flood planning level, and which require the consent authority to consider the impacts of development on flooding. You should refer to the Flood maps in Kogarah LEP 2012 to ascertain whether your property is affected.

The following Part supports the provisions of Kogarah LEP 2012, and provides controls for development consistent with the NSW Government’s Flood Prone Land Policy and the Floodplain Development Manual.

Detailed information relating to flood levels is available from Council where a flood study for a particular catchment has been completed. If a flood study for the catchment has not been completed, it is strongly suggested that you contact Council’s Drainage and Catchment Engineers for further information prior to developing any detailed designs.

Objectives

(a) Reduce post development peak flow for the 100 year ARI to pre-development levels.

(b) Stormwater is managed on-site so as to reduce the risk of adversely impacting property and personal safety.

(c) Runoff from the development site is discharged without adverse impact to downstream properties and stormwater infrastructure.

(d) New developments are allowed in flood affected areas provided they comply with the minimum acceptable risk levels in relation to property damage and personal safety.

(e) Overland flow paths/floodways within private properties shall be designed to cater for the 100 year ARI flood and are to be kept free of obstructions.
Controls

1. Detention storage is to be provided that is equal to or greater than the specified Site Storage Requirements (SSR).

2. Rainwater tank installed to meet BASIX water conservation requirements will be given credit for SSR purpose.

3. Floor levels, carparks, driveways and basements are to be designed to meet the set guidelines.

4. Drainage easements servicing stormwater pipes and/or overland runoff from catchments upstream of the development site are to be managed according to the guidelines presented in the design practice note – Site Drainage and Flood Management.

5. Discharge of stormwater runoff from a development site is to be undertaken in accordance with the design practice note, Site Drainage and Flood Management regarding direct discharge to kerb, discharge to a Council owned stormwater conduit, discharge to natural areas, discharge through private property and discharge within the development site.

6. Habitable floor levels are to have a minimum of 500mm freeboard above the 100 year ARI flood level.

7. Garage levels are to be at or above the 100 year ARI flood level.

8. Basements are to be protected up to and including the 100 year ARI flood level.

9. Driveways and carports shall not be sited where the product of velocity and depth of the overland flow exceeds 0.4m²/s or the flow depth is above 300mm for the 100 year ARI flood.

10. Alterations and additions to existing buildings are permitted in flood affected areas provided they substantially reduce the flood risk levels in relation to property damage and personal safety.

11. Developments affected by flooding from main stream or channel bank overflows shall address site evacuation, structural soundness of affected buildings and other risk related issues as required by the NSW Floodplain Development Manual 2005. Any alteration to existing surface levels for a designated overland flow path/floodway is subject to written Council approval.

12. Overland flow paths/floodways that are located outside the drainage easement for a Council pipe should have easements or restrictions created for them.
In NSW, State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) mandates provisions that aim to reduce consumption of mains-supplied potable water, reduce emissions of greenhouse gases and improve thermal comfort in all residential development.

The BASIX SEPP sets the minimum standards that a development is to achieve. The BASIX SEPP also mandates that a DCP cannot include provisions which require a development to exceed its minimum standards. However, where voluntarily proposed, Council encourages development to exceed minimum BASIX scores. Council does not require a development to achieve a score under any other building rating tool.

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

In the absence of comprehensive government standards and building rating tools which can be used to assess the environmental performance of buildings, Council encourages applicants to use an environmental building rating tool, such as Green Star or any similar rating tool, to demonstrate the environmental performance of a proposed development. Applicants should contact the operator of the rating tool, such as the Green Building Council of Australia, if they wish to obtain a certified rating.

The objectives of this Section are to:

(a) Apply principles and processes that contribute to ecologically sustainable development (ESD).

(b) Reduce the impacts of development on the environment.

(c) Increase the resilience of development to the effects of climate change.

(d) Ensure that greenhouse gas emissions will be reduced.

(e) Reduce the use of potable water.

(f) Ensure that development can adapt to climate change.
1. Orientation: Building siting and design

**Objective**

Buildings are to be designed and sited so as to improve solar efficiency.

**Planning Controls**

1. Orient the building, as far as possible, so that the longest side is on the east-west axis.

2. The main facades of a building should be orientated towards the north, preferably within a range of 30 degrees east and 20 degrees west of true north.

3. Maximise the number of windows on the northern face of the building.

4. The use of dark coloured roofing is discouraged unless solar cells are integrated into the roof.

5. If development is of a commercial or industrial nature, design buildings to ensure that as much of the floor area as possible is within 4 to 6 metres of an external window. Office areas should, as a minimum be within 10 metres of an external window to provide access to natural lighting.

6. Minimise glazing on the southern and western sides of the building.

2. Energy efficiency in non residential developments

**Objective**

Design and construct non-residential development to incorporate energy efficiency principles.

**Planning Controls**

1. Development is to be designed and constructed to reduce the need for active heating and cooling by incorporating passive design measures including design, location and thermal properties of glazing, natural ventilation, and appropriate use of thermal mass and external shading, including vegetation.
Lighting provided as part of a development should be energy efficient, such as LED lighting.

Car parking areas are to be designed and constructed so that electric vehicle charging points can be installed at a later time.

3. Water efficiency in non-residential development

Objective

Design and construct non-residential development to incorporate water efficiency principles.

Planning Controls

(1) All new water fittings and fixtures such as showerheads, water tap outlets, urinals and toilet cisterns, in all non-residential development, the public domain, and public and private parks are to be the highest Water Efficiency Labelling Scheme (WELS) star rating available at the time of development.

(2) Generally, rainwater tanks are to be installed for all non-residential developments, including major alterations and additions that have access to a roof form from which rainwater can be feasibly collected and plumbed to appropriate end uses.

(3) Generally, water used for irrigation of public and private open space is to be drawn from reclaimed water or harvested rainwater sources. Possible sources include harvested stormwater, treated grey-water and wastewater and water from a decentralised local network.
4. Materials and Building Components

**Objective**

Use building materials and techniques that are environmentally sustainable.

**Planning Controls**

1. Construction materials are to be durable and low maintenance.

2. Building materials are to be non-polluting, manufactured from abundant or renewable resources.

3. Use recycled timbers, plantation timbers or regrowth timbers where possible. It is recommended that Accredited Forest Stewardship Council (FSC) timber be used.

4. Use of materials produced from native or imported rainforest timbers or harvested from old growth forests is discouraged.

5. Select materials that do not contribute to poor indoor air quality, that minimise impacts on biodiversity and that have a recycled content (or can be recycled at the end of its life).