

DI - Development in the BI Neighbourhood Centres & B2 Local Centre zones

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1. Introduction

The objectives and planning controls outlined in this section are supported by Locality Controls for each commercial locality in Part D2.

The Locality Controls provide place-specific guidelines. Each of the Locality Controls summarises the elements that give the place its existing character. The desired future character and locality objectives are described, with supporting performance criteria and development controls for that locality.

Note: Where the controls contained in this chapter are inconsistent with the specific controls for a Locality, the Locality Controls take precedence.

2. General Objectives

- (a) Provide a comprehensive urban design approach to carrying out development on land zoned BI – Neighbourhood Centre and B2 – Local Centres.
- (b) Provide detailed urban design guidelines and development controls that acknowledge and enhance the character of the neighbourhood and local centres and the surrounding locality, while promoting development that is economically viable.
- (c) Encourage high quality urban design outcomes.
- (d) Where appropriate, preserve and enhance the unique characteristics of each of Kogarah's neighbourhood and local centres
- (e) Revitalise Kogarah's neighbourhood and local centres by promoting shop-top housing.

3. Design Controls

3.1 Streetscape

Streetscape is the urban environment created by the relationship of built elements to the public domain. The quality and scale of architecture, landscape elements, natural elements and works in the public domain determine the streetscape character. Ancillary elements of development such as advertising, driveways and fencing are important elements of the streetscape.

To make a positive contribution to the streetscape, new development needs to reinforce the scale and character of existing buildings and landscape elements. In localities where a change in character is encouraged, locality statements detail the desired character.

Good design begins with a full understanding and appreciation of the existing streetscape. To make a positive contribution to a locality, new development must fit comfortably with those elements of the streetscape that are part of the desired character.

Objectives

- (a) Minimise impacts on the existing streetscape and enhance its desirable characteristics.
- (b) Ensure development is compatible with the scale, character and landscape setting of development in its immediate vicinity.
- (c) Ensure development addresses and activates the street.
- (d) Minimise driveway crossings and car park entries to protect the prevailing street wall character and promote a high amenity and pedestrian oriented public domain.
- (e) Buildings should be designed to respond to and address the street.

Controls

- (1) Infill development is to respect and maintain consistency with the established rhythm and scale of existing shopfronts.
- (2) Parapets are to be utilised for the consistency of street frontage and screening of unsightly roof structures.
- (3) Facades are to be ordered and articulated to visually break up the building massing, for example through materials, colour and the design

of openings. Large areas of glass curtain walling and blank walls are to be avoided.

- (4) Enhance pedestrian amenity through the provision of continuous awnings for weather protection.
- (5) Promote safety and security by providing a high level of activation to the street, employing clear and direct lines of sight between the street and building entries, and using appropriate signage and lighting to enhance the amenity of the public domain.
- (6) Site and design vehicular access (driveways, parking facilities, service access and garages) away from the main street frontage, from rear lanes or secondary streets.

3.2 Shop-top housing

KLEP 2012 defines *shop top housing*:

shop top housing means one or more dwellings located above ground floor retail premises or business premises

The benefits of shop-top housing include:

- Greater housing choice;
- Revitalisation of business centres;
- Better use of existing public transport infrastructure; and
- Improved safety and security by increasing the range and hours of activity in neighbourhood centres.

Objectives

- (a) Encourage a mix of land uses that are compatible with the role and character of the neighbourhood centre.
- (b) Ensure that the localities continue to provide a range of retail and commercial services with varied active frontages to the street, supported by an increased population.
- (c) Encourage a range of uses above ground level that complement the role and are appropriate to the desired future character of the locality.
- (d) Provide greater housing choice.
- (e) Improve access to and promote the use of public transport in the localities. Incorporate a range of small scale business uses at street level with offices and/or residential development above.

Controls

- (1) The ground floor level of buildings shall maintain active retail/commercial uses facing the street.
- (2) Levels above ground can sustain mixed uses, including commercial, professional services, and residential, where appropriate.
- (3) Site and design non-residential and residential land uses in the same development in a manner that will not adversely affect the future operation of those land uses.
- (4) Residential uses are only be permitted subject to demonstration of satisfactory amenity for building occupants, particularly in relation to impacts from noise, fumes and vibration on heavily trafficked streets.

3.3 Heritage & Significant Facades – Commercial Precincts

In some cases a group of shops which may not be specifically listed in Schedule 5 of KLEP, may represent a significant and uniform streetscape and retention of such facades is encouraged.

The Commercial Locality controls in Part D2 identify significant facades and incorporate specific controls to ensure that they are retained and any redevelopment is sympathetic to these existing facades.

Objectives

- (a) Conserve heritage items and significant facades
- (b) Protect and enhance significant facades and shopfronts to continue to provide richness and interest to the character of commercial localities.
- (c) Relate the massing and facade articulation of new development to the dominant visual elements of heritage buildings or significant facades, so as not to dominate or detract from the heritage elements of the building.
- (d) Promote high quality contemporary architecture that responds to the scale, fenestration, materials and finishes of heritage fabric, not pastiches of heritage buildings.
- (e) Efficiently re-use heritage buildings and infrastructure.

Controls

- (1) Respond to the requirements for heritage items (identified in Schedule 5 of KLEP 2012) or significant facades as identified in the Commercial Locality Controls.
- (2) For the redevelopment of heritage buildings identified in Schedule 5 of KLEP 2012, vertical additions are permitted with an upper level setback, where the parapet becomes the balustrade to the balcony of a new upper level storey.

3.4 Building Heights

Buildings in the centres are generally higher at the street, and lower at the rear, often with an unbuilt area behind used for parking, rear access, or servicing.

Buildings characteristically achieve their greatest height at the street edge where there are parapets to the top of facades. This built form gives prominence to the street fronting uses and enables a transition to the lower scale, generally residential development at the edges of the centres.

Objectives

- (a) Retain the dominant pattern of retail/commercial buildings built to the street boundary.
- (b) Give visual prominence to the street wall height and achieve a consistent built edge height.
- (c) Make an appropriate transition to lower scale residential development adjacent to the rear.
- (d) Ensure appropriate floor to ceiling height within buildings.
- (e) Building height is to be in accordance with the Locality requirements.
- (f) Retain a consistent scale of buildings when viewed from the main shopping street Minimise the potential for overlooking and overshadowing on adjoining residential development.
- (g) Retain the visual prominence of heritage items and significant building facades and the prevailing street wall height Increase adaptability of buildings to new uses.

Controls

- (1) Building heights are to be in accordance with the Locality Controls.
- (2) Buildings are massed towards the street frontage and step down towards the rear, to be in keeping with the existing retail/commercial built form pattern and compatible with the scale and character of adjacent residential areas.
- (3) Where allotment adjoins a low density residential area, buildings should be:
 - (i) reduced in height in accordance with the locality controls; and
 - (ii) setback from the adjoining property boundary
- (4) The height of new development at the street boundary is to be no more than the prevailing height of the parapets of any adjacent and neighbouring heritage buildings.
- (5) Floor to ceiling heights should be a minimum of 3m at ground floor level, to allow for a range of uses including retail, commercial offices and home offices.
- (6) Floor to ceiling should be a minimum of 2.7m at the upper storeys of the building, to allow for a range of uses, and to improve the environmental performance and amenity of the building.

3.5 Setbacks

Setbacks make an important contribution to the perceived scale of a street, and to the pattern of buildings and the spaces between them. Traditional strip retail, which characterises much of Kogarah's commercially zoned land, has no street or side setbacks, with an uninterrupted series of shops opening directly onto the footpath.

This pattern is highly successful in providing visibility and ease of access for businesses, and therefore contributes to commercial viability as well to the comfort and attractiveness of the public domain for pedestrians.

Rear setbacks, either onto lanes or adjacent to established residential dwellings, are required to protect the amenity of those dwellings, and to ensure that rear access for vehicles and servicing can be provided so that the street can continue to operate as a predominantly pedestrian environment.

Objectives

- (a) Retain and enhance the prevailing character given by buildings built to street and side boundaries.
- (b) Protect the amenity of any residential uses adjoining commercially zoned land.
- (c) Ensure sufficient solar access for occupants of adjacent residential buildings, and to public open space.
- (d) Building setbacks are to define the street edge and ensure continuing amenity for adjoining and adjacent properties.
- (e) Buildings are to be adequately setback to maintain sightlines for traffic.
- (f) The residential component within a development is to be setback.

Controls

- (1) Buildings adjacent to public roads are generally to align with and be built to the street frontage to provide continuity in the streetscape and encourage active frontages to ground level.
- (2) Street setbacks at ground level are permitted only:
 - (i) Where the existing footpath is narrow and the provision of additional pedestrian space is desirable
 - (ii) Where the established pattern is setback (for example where there are residential buildings within the locality)
 - (iii) Where the setback enables or enhances visual appreciations of adjacent heritage items.
- (3) Side setbacks are generally not permitted in order to maintain the continuity of active frontages, unless specified in the locality controls.
- (4) Where the locality abuts a residential zone and/or a residential allotment, the side setbacks are generally to be a minimum 3m, except where the locality character is established by the existing footprints and the allotment capacity of the locality would be unreasonably constrained. Refer to the Locality Controls of Part D2 for specific side setback requirements.
- (5) Rear setbacks are determined by the context including the amenity of neighbouring residential uses and the amenity of any rear lanes. Refer to Locality Controls within Part D2 for specific rear setback requirements.
- (6) Setbacks on corner blocks are to enable sufficient sightlines for traffic in accordance with the relevant Australian Standard.
- (7) Upper level street setbacks are required to any residential component above retail/ commercial uses together with building design and apartment layout that satisfactorily mitigates the impacts of noise, fumes and vibration on major roads.

3.6 Building Design

3.6.1 Building Façades

The design of the building's exterior can have a significant impact on how the building appears in terms of its apparent size and proportions.

The proportion of bays – how the building is divided both horizontally and vertically – is very important to the appearance of the building itself, and also to the appearance of the building as part of a group within the streetscape.

Quality design will be achieved by articulated facades to the front, sides and rear of new development, for example by expression of entries to buildings, use of awnings, use of screens and louvres, and incorporation of private open space, including courtyards at ground level and balconies/terraces on upper levels.

Older buildings in the commercial localities typically have a more vertical than horizontal proportion, both in terms of the overall relationship of lot width to height, and also in terms of the proportions of bays and window openings within the bays.

While the intention is not to replicate the style and appearance of older buildings, new development that creates similar patterns of vertical. Horizontal façade elements will create a comfortable fit with the existing streetscape.

Objectives

- (a) Achieve building façades that enhance the character of the street.
- (b) Achieve buildings with well designed articulated massing to all façades..
- (c) Ensure that corner buildings respond to the characteristics of the two streets they address, reinforcing the corner elements.
- (d) Where appropriate, reinforce the prevailing pattern characterised by simple, rectilinear building forms, full height at street frontage, and a balance of horizontal elements and vertical elements.
- (e) Encourage identifiable, good quality entry spaces to lobbies, foyers or individual dwelling entrances.
- (f) Façade design is to reinforce the prevailing pattern of the locality.
- (g) Windows and openings are to reinforce the vertical and horizontal elements of the façade.

- (h) Ancillary fixtures are to be located so as to not detract from the building's design.

Controls

- (1) Where appropriate, integrate buildings into the streetscape by adopting a modular form, which reflects the underlying narrow shop width of older buildings. Use vertical elements, such as vertically proportioned windows, exposed party walls, vertical balustrades, attached fins to express this modulation and rhythm. Use horizontal elements such as roofs, parapets, balconies and balustrades to align the building with its neighbours.
- (2) Ensure that the facade clearly expresses a bottom, middle and top related to the overall proportion of the building.
- (3) Incorporate design characteristics such as projecting fins, corbelling, balconies with variable materials and finishes, punctuated walls with visually recognisable patterns, decorative features, rhythm and texture and a variable colour palate to achieve façade modulation and articulation.
- (4) Avoid curtain walls, large expanses of glass and large expanses of concrete as these do not create well-articulated and harmonious façades.
- (5) Express important corners by giving visual prominence to parts of the façade, including changes in articulation, material or colour, roof expression or increased height (where identified in the Locality Controls in Part D2).
- (6) Provide a greater proportion of solid areas to void areas on all façades and incorporate non-reflective materials.
- (7) Use non-reflective glass or recess glass behind balconies to minimise reflectivity.
- (8) Windows and openings are to be generally of a vertical character and located within vertical bays.
- (9) Air-conditioning units/fans/vents/stacks/hoods etc are to be inconspicuously located so as not to be visible from the shopping street and any other major side street.

3.6.2 Active Frontages

The relationship between the shop and the street at best, is a two-way visual experience, where pedestrians can see clearly into the interior and have direct and easy access from the footpath; and where the footpath and street can be seen clearly from the shop.

Active frontages have a positive influence on the safety and security of an area, improving perceptions of safety by providing a level of comfort that others are nearby.

People are more inclined to walk along pleasant, active streets. Glazed or open shopfronts, interesting building areas and outdoor eating areas, where appropriate, all create street level interest and variation to enrich the visual experience of pedestrians.

Objectives

- (a) Achieve a well designed streetscape that engages and activates the commercial locality and contributes to its economic viability.
- (b) Ensure streetscapes enhance pedestrian safety and provide adequate lighting and opportunities for passive surveillance.
- (c) Provide shopfronts and openings that relate in scale and proportion to the new and existing neighbouring buildings.
- (d) Preserve the surviving heritage character of whole shop frontages and their elements.
- (e) Ensure that non-retail uses and their entries do not detract from the retail streetscape.
- (f) Design buildings with active frontages that engage and activate the centre.

Controls

- (1) Provide direct visual connections between footpaths and shops.
- (2) Wrap shop fronts around corners into side streets to increase the area of active frontage.
- (3) Design building openings at the ground floor to be in keeping with the overall building and bay scale and proportions.

- (4) For cafe/dining uses, provide openable window areas in association with seating overlooking the street, to create the effect of outdoor dining.

Note: Applications for outdoor dining must comply with Council's Code for Commercial Use of Public Footways.

- (5) For commercial uses, avoid blank walls, dark or obscure glass to the street frontage.
- (6) Incorporate continuous, independent and barrier free access to ground floor commercial entries, including effective signage, sufficient illumination, tactile ground surface indicators and pathways with limited cross-falls, sufficient width, comfortable seating and slip-resistant floor surfaces.
- (7) Open grilles or see-through security screens are preferred to shutters, to optimise the openness of windows and any spill lighting of the footpath. Shutters, if provided, must be minimum 65% visually permeable.
- (8) Pedestrian access to upper level uses is preferred from the side street or rear lane. If provided from the main street, openings for access are to be between 1.5m and 3m wide.
- (9) Recessed shop frontages are not permitted except in the cases of heritage buildings where the recess is sympathetic to the building character.

3.6.3 Awnings

Awnings give an appearance of unity to the locality. Throughout the commercial localities awnings are typically flat and suspended, with some variation occurring as they step with the topography.

Where new development results in amalgamations across a number of sloping sites, it is important that the 'human scale' of narrow shopfronts and small steps in awnings is retained.

Awnings are important for pedestrian amenity, and in providing weather shelter adjacent to shopfronts - window displays and business entries - they encourage people to move alongside, look in, and enter shops.

Objectives

- (a) Enhance pedestrian amenity by providing shade and weather protection.
- (b) Retain the pedestrian scale and provide continuity in the streetscape.
- (c) Enhance the cohesiveness and visibility of the commercial area
- (d) Awnings are to provide shelter and amenity for pedestrians, while contributing to the character of the street.

Controls

- (1) Awnings should retain any original awning features present that contribute to the desired locality character.
- (2) Provide under awning lighting to improve public safety.
- (3) Wrap awnings around the corners of the main commercial street onto side streets.
- (4) Design awnings in the high range 3.6m – 4m and no higher or lower than adjoining awnings.
- (5) Provide awnings flat or near-flat in shape (not tilted upwards away from the facade), and opaque in finish.

3.6.4 Balconies

Balconies are outdoor rooms which enhance the amenity of residents. They provide private open space and extend the living spaces of the apartment. Balconies are also important architectural elements, contributing to the form and articulation of apartment buildings.

Objectives

- (a) Ensure that every apartment has access to private, functional open space accessed directly from main internal living spaces.
- (b) Contribute to building articulation by integrating balcony design into architectural form and detail of the buildings.
- (c) Balconies should be designed to provide open space and extend the living spaces of apartments.

Controls

- (1) Each apartment is to have at least one primary balcony.
- (2) Primary balconies are to have a minimum depth of 2.5m and a minimum size of 10m².
- (3) Design balconies that are recessed into the wall or enclosed with walls, columns or roofs to provide sufficient enclosure and visual firmness.
- (4) Design balustrades that allow for views into, and along the street.
- (5) Employ juliet balconies and French windows to articulate facades with architectural detail and vertically proportioned windows.
- (6) Locate balconies adjacent to main living areas to expand the living space of units, where possible.
- (7) Balconies are to be designed to respond to the local context. In this regard, special attention should be paid to the design of balconies for buildings situated on busy roads and/or adjacent to railway lines. This may be achieved by:
 - (i) layering and recessing balconies to increase noise buffering from busy roads and railway lines;
 - (ii) grouping balcony openings;
 - (iii) providing balconies with operable screens, windows, or operable walls/sliding doors with a balustrade;
 - (iv) recessing balconies in response to acoustic and visual privacy issues; and
 - (v) ensure the privacy of occupants, neighbours, and public is taken into account by careful design and balustrades with a balance of transparent and solid materials.

3.6.5 Materials & Finishes

Most of the commercial localities comprise a mixed palette of materials, finishes and colours. New development or refurbishment should improve the overall presentation and appearance of the streetscape.

Objective

- (a) Incorporate quality materials and finishes into new and existing buildings to achieve pleasant and coherent streetscapes.

Controls

- (1) Utilise high quality and durable materials and finishes.
- (2) Combine different materials and finishes to assist building articulation and modulation.
- (3) Where the Locality includes a significant facade or streetscape, materials and finishes are to compliment the existing streetscape.
- (4) Avoid large unarticulated expanses of any single material to facades.

3.6.6 Mobility and Access

It is important that new development (especially commercial development) is designed to allow access for all people, including those with disabilities and declining mobility.

Objectives

- (a) Ensure that all residents and visitors, including wheelchair users and those with a disability, are able to easily reach and enter all publicly accessible parts of a building, including retail stores, communal areas and apartment lobbies.
- (b) Comply with the relevant Legislative provisions.
- (c) Residential buildings with more than two levels are to provide lift access.

Controls

- (1) New development and refurbishments are to comply with the requirements of the Building Code of Australia (BCA) and the Australian Standards.
- (2) All buildings with a residential component that have access to more than two storeys are required to have lift access.

3.6.7 Public Art

As part of the redevelopment of some sites, there is an opportunity to reflect the cultural links of the Locality in the character and design of development, including the provision of public art, to enrich the quality of the urban environment of Kogarah.

Objectives

- (a) Recognise and build on the cultural identity and diversity in the design of development.
- (b) Promote the inclusion and integration of public artworks within development which are:
 - (i) accessible to the public;
 - (ii) make a positive contribution to the urban environment, and
 - (iii) add to the cultural development of Kogarah
- (c) Developments should incorporate public art to enrich the quality of the urban environment.

Controls

- (1) Development on sites over 1000m² should, where possible include the provision of high quality artwork within development in a publicly accessible location.
- (2) The artwork should be prepared having regard to links between the Locality and details of such artwork and the proposed location are to be submitted with the Development Application.

3.6.8 Roof forms and parapets

The roof completes a building in terms of its composition and architectural expression. They are not only seen from the street, but often obliquely along the street.

Where there are consistent parapet heights and roof silhouettes, this supports an appearance of relative uniformity for the place and gives a coherent scale to the street. New development should respond to any prevailing rooflines and forms, as well as to the size and orientation of the site. Large areas of roof can make a building appear bulkier than it is, whereas articulating or breaking down the roof massing can minimise its apparent bulk.

Objectives

- (a) Ensure that the form, pitch and parapet height of new roofs, match or relate positively to the adjoining buildings or reflect the height requirements of the locality controls.
- (b) Ensure that the prominence of the building form and character given by the roofs, parapets and architectural features of any adjoining heritage buildings is retained.
- (c) Ensure that roof plant and service areas are not visible from adjoining public roads or private property.
- (d) Roof design is to reinforce the prevailing pattern of the locality.

Controls

- (1) Variation to the existing pattern of roof forms may only occur where the parapet line is not disrupted and where the new roof is not visible from the street below or adjacent public areas.
- (2) Minimise the bulk and mass of roofs and their potential for overshadowing.
- (3) Design roofs to generate a visually interesting skyline and minimise apparent bulk.
- (4) Conceal lift over runs and plant equipment within well designed roofs.
- (5) Roof fixtures (such as roof vents, chimneys, aerials, solar collectors, mobile phone transmitters, satellite dishes) are to be inconspicuously located so as not to be visible from the street (including side streets).
- (6) Television antennae are to be located within the roof space.

3.6.9 Signage

Signage plays a significant part in indicating retail and commercial uses and in creating a lively retail strip. Signage should be integrated into the design of new buildings.

Objectives

- (a) Ensure that signage is in keeping with the scale of development, quality and overall design.

- (b) Enhance the visual quality of the streetscape.
- (c) Signage should be consistent with the desired character for the locality and integrated into the design of new buildings.

Controls

- (1) Comply with the requirements of Part FI- Advertising and Signage.
- (2) Protect the visual quality and the amenity of the streetscape by integrating signage into the architectural detail of the building.
- (3) Ensure that signage does not:
 - (i) obscure important architectural features;
 - (ii) dominate the architecture of buildings;
 - (iii) protrude from, or stand above the awnings;
 - (iv) project above any part of the building to which it is attached;
 - (v) cover a large portion of the building facade.
- (4) Avoid fin signs, signage on canvas blinds, signage on roller shutters and projecting wall signs.
- (5) Ensure that signs provide clear directions for residents, visitors and customers.

3.7 Vehicular Access & Parking

Good design integrates vehicle access, manoeuvring and parking into the design of the development 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.

In commercial localities, excavation to achieve underground parking is a good solution but may be difficult on sites with a limited frontage. Above ground parking limits the capacity for sites to offer residents access to high quality open space.

Objectives

- (a) Provide on-site parking for commercial users, residents and visitors.
- (b) Ensure that car parking, access and garaging do not dominate the street or the site.
- (c) Integrate parking facilities with the overall site planning and maximise onsite open space.
- (d) Ensure that development makes adequate provision for service and delivery vehicles, including access circulation, manoeuvring, safety and headroom.
- (e) Minimise the number of vehicle access points and maintain traffic flow.
- (f) Maximise retail frontages and streetscape presentation.
- (g) Maximise pedestrian safety.
- (h) Off-street car parking areas are provided having regard to the area of the building, the number of employees, residents and visitors, the availability of public transport and for use of bicycles
- (i) A proportion of the overall number of spaces must be designed as “accessible” spaces.
- (j) Parking and storage of bicycles is provided in all developments.
- (k) Appropriate reduction in onsite parking provisions may be acceptable in certain circumstances.
- (l) The design and layout of car parking and manoeuvring areas should be in accordance with the Australian Standards and provide for safe pedestrian movement.

- (m) Car parking areas should be designed to ensure ease of ingress and egress to and from the site.
- (n) All loading docks associated with commercial developments must be an adequate size for the types of vehicles to be operated from such sites.
- (o) Temporary access may be provided in certain circumstances as an interim measure to provide off street vehicular access.

Controls

Car Parking

- (1) Car parking for the commercial /retail component of a development is to be provided in accordance with the requirements in Part B4.
- (2) Where parking requirements are not stated, reference should be made to the RTA's Guide to Traffic Generating Developments.
- (3) Unless specifically stated in the Locality Controls of Part D2, parking for the residential component within a mixed development is to be provided as follows:
 - (i) 1 space per one bedroom unit
 - (ii) 1.5 spaces per two bedroom unit
 - (iii) 2 spaces per 2+ bedroom unit plus
 - (iv) 1 visitor space for every 5 units, or part thereof 1 designated car wash bay, which may also be a visitor space.
- (4) Council, in certain localities may consider a reduction and variation to the parking requirements for the retail/commercial component of a development (Refer to Part D2).
- (5) 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.
- (6) For developments with less than 100 car spaces, a minimum of one "accessible" space must be provided.
- (7) Designated "accessible" car spaces may be treated as resident car spaces in the calculation of the parking requirement.
- (8) 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 percent) one bedroom units and/ or studio apartments.
 - (iv) The anticipated residents being unlikely to have cars.
- (9) 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 the relevant Australian Standards.
- (10) 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.
- (11) Basement car parking is to be located within the building footprint. Car parking areas may be designed as ground level parking provided that the design results in building frontages level with the street
- (12) Design parking to ensure pedestrian safety.
- (13) Include natural ventilation to basement and semi basement car parking.
- (14) 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.
- (15) Provide vehicle access to developments in accordance with the requirements of the Locality Controls of Part D2.
- (16) Design driveways to minimise visual impact on the street and maximize pedestrian safety.
- (17) Ensure that all vehicles, including vehicles using loading bays can enter and leave the site in a forward direction.
- (18) Avoid locating accessways to driveways adjacent to the doors or windows of habitable rooms.
- (19) 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).

Loading Bays

- (20) Loading bay facilities are to be provided at the rate of:

Retail

Floor area 15m² to 500m² – 1 bay required

Floor area > 500m² to 1500m² – 2 bays required

Commercial

Floor area 1000m² to 5000m² – 1 bay required

Floor area > 5000m² to 10000m² – 2 bays required

Design of Loading Bay Facilities

Minimum bay width – 3.5m

Minimum bay length for Bay 1 – 9.5m

Minimum bay length for Bay 2 – 6.5m

Temporary Access ways

- (21) Where temporary access is proposed it is envisaged that developments will either provide a temporary ramp from the road to their basement car parking area, or create a temporary access way to the laneway dedication at the rear of the property. This temporary access way can ultimately be converted into either retail/commercial floor space or car parking.
- (22) Temporary access ways will only be permitted in accordance with Part D2.
- (23) Where temporary access ways are provided, the area identified as the temporary access way (which may at a later stage be transferred to floor area) is to be included in the floor space calculations.
- (24) In designing a development with temporary access, it is important that the facade design to the street frontage caters for this temporary access and does not detract from the overall active street frontage.

Bicycle Parking

- (25) All developments, including mixed developments, must include adequate safe and secure bicycle parking.
- (26) Secure bicycle parking is to be provided at the following rates:
- (i) commercial developments or for the commercial component of a mixed development - 1 space per 5 car spaces;
 - (ii) the residential component in a mixed development - 1 space per 3 dwellings, plus 1 space per 10 dwellings.

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

- (27) Bicycle parking facilities should be designed in accordance with the relevant Australian Standard.

3.8 Dwelling Design – Apartment Mix & Dwelling Size

In order to offer housing choice and flexibility for a range of family types, age groups, social and income groups, new development in commercial localities should include a variety of apartment types and sizes.

Objectives

- (a) Provide a diversity of housing options in close proximity to shops, facilities, services and public transport.

Controls

- (1) Provide a mix of studios, 1, 2 and 3 or more bedroom apartments in varying layouts.
- (2) Dwellings within the residential component of a mixed development must have the minimum internal floor areas (IFA):
- Studios - minimum IFA of 40m²
 - 1 bedroom unit - minimum IFA of 60m²
 - 2 bedroom unit - minimum IFA of 85m²
 - 3 bedroom unit - minimum IFA of 100m²
- (3) In all instances the first bedroom is to maintain an internal floor area of 15m² and the second bedroom is to maintain a minimum internal floor area of 12m².
- (4) Consider the design needs of those who work from home in the internal configuration of residential apartments.

3.9 Home Offices

People working from home can contribute to the economy and life of commercial centres by generating local demand for business supplies and services, lunches, and pleasant places to meet colleagues or clients. They can contribute to safety by providing casual surveillance during the day, when other residents are working away from home.

Objectives

- (a) Provide opportunities for people to work from home, reducing their need to use a motor vehicle for work trips.
- (b) Contribute to the economic growth of the town centre and achieve a diverse local workforce.
- (c) Improve personal and property safety by maximising casual surveillance of the street.
- (d) Design apartments to encourage opportunities for occupants to “work from home”.

Controls

- (1) Clearly identify the home office area, ideally by designing it so that it can be closed off from the rest of the apartment. The design should be sufficiently flexible to allow later or alternate use as part of the residence.
- (2) Ensure that home office needs including storage, additional telephone and electrical capacity, and task lighting can be met.
- (3) Windows may not be used for the display of goods or merchandise.

3.10 Storage

Well-designed apartments should include adequate and useable storage space to store everyday household items. Adequate storage space is proportional to the size of the apartment.

Objectives

- (a) Provide storage for everyday household items within easy access of the apartment.
- (b) Adequate storage space is to be provided within developments

Controls

- (1) All developments must provide a designated secure storage space (in addition to any areas set aside for off street parking) to a minimum floor area of 4m² for each dwelling or unit.
- (2) The storage space may be incorporated as part of the garage.

3.11 Clothes Drying

The use of energy efficient appliances is not only good for the environment but can also contribute to household savings. Using natural alternatives wherever possible, such as sun and wind drying for clothes is preferred.

Objectives

- (a) Maximise opportunities for the use of sun and wind for drying clothes.
- (b) Provide external clothes drying facilities.

Controls

- (1) Wherever possible, provide dedicated external clothes drying areas for all apartments that will be utilised by the residents, while being screened from the public view.
- (2) Additional balconies (i.e. not main balconies) may be considered appropriate for this purpose, provided that they are screened from public areas.

3.12 Amenity

3.12.1 Visual and Acoustic Privacy

Visual privacy measures protect people's ability to carry out their daily working and leisure lives, within shops, offices or at home, without compromising views, outlook, ventilation and sun access or the efficient functioning of indoor and outdoor spaces. Visual privacy refers to privacy between private spaces, and between private and public spaces. Design for visual privacy should consider adjacent buildings, site configuration, topography, and the important requirements for building orientation aligned with streets and overlooking and activating the public domain.

As with visual privacy, designing for acoustic privacy begins at the level of site planning and building location and orientation. It also encompasses the arrangement of spaces within a building to minimise potential conflict between noise-generating uses and other uses, such as residential development.

Objectives

- (a) Ensure that the siting and design of buildings provides reasonable visual privacy for the community in their daily environment.
- (b) Minimise direct overlooking of main office or living room windows and private open space.
- (c) Maximise outlook and views from office spaces and the primary rooms of residential dwellings.
- (d) Ensure that the occupants of residential apartments within commercial localities enjoy a high level of amenity.
- (e) Ensure appropriate noise and vibration attenuation measures are implemented where appropriate to alleviate adverse noise and vibration impacts from railways and major roads.
- (f) New development is to ensure adequate visual privacy levels for neighbours and residents.
- (g) New development is to ensure adequate acoustic privacy levels for neighbours and residents.

Controls

Visual Privacy

- (1) Design building separation for parallel ranges of buildings to at least the following standards for the residential component:
 - 12 metres between habitable rooms/the edge of their balconies
 - 9 metres between habitable rooms/the edge of their balconies and non-habitable rooms
 - 6 metres between non-habitable rooms
- (2) Offset facade openings from existing openings in adjacent development to minimise direct overlooking of rooms and private open spaces.
- (3) For street wall buildings, design zero side setbacks to result in zero building separation, providing dual aspect commercial or residential uses with openings to the front (street) and the rear.
- (4) For ground floor retail/commercial uses, provide appropriate rear and side setbacks to adjacent residential uses, and design building layout to avoid overlooking of private spaces.
- (5) Utilise design elements to increase levels of privacy such as landscaping, screening, offset windows, recessed balconies, louvres, planter boxes, pergolas or shading devices.
- (6) Development adjacent to the Railway Line or adjacent to road corridor with annual average daily traffic volume of more than 40,000 vehicles.

Acoustic Privacy - General

- (7) Design and site buildings adjacent to noise generating land uses to minimise noise impacts, for example through building layout and location and size of openings.
- (8) Where appropriate locate individual buildings and groups of buildings to act as barriers to the noise.
- (9) Utilise the site and building layout to maximise the potential for acoustic privacy by providing adequate building separation within the development and from neighbouring buildings.
- (10) Locate and design all noise generating equipment such as mechanical plant rooms, mechanical ventilation from car parks, driveway entry shutters, garbage collection areas or similar to protect the acoustic privacy of workers, residents and neighbours. The noise level

generated by any equipment must not exceed an L_{aeq} of 5dBA above background noise at the property boundary.

- (11) Development is to meet or exceed the sound insulation requirements between separating walls and floors of adjoining dwellings of the Building Code of Australia..
- (12) With particular regard to timber flooring in the residential component of developments, appropriate insulation between floors is to achieve a minimum sound attenuation of (50Rw)
- (13) Where development is proposed adjacent to the railway line or a classified road corridor compliance with the requirements of the ISEPP.

3.12.2 Safety and Security

Sensible design and operation of buildings and spaces can contribute significantly to crime prevention by providing environments where people feel safe and conversely potential offenders are discouraged from committing crime. The principles of Crime Prevention Through Environmental Design (CPTED) provide the basis for designing, managing and manipulating the environment to reduce opportunities for crime.

Elements such as lighting, access and egress controls, siting of buildings and spaces, opportunities for natural observation, frequency of use of public open space, attractiveness and maintenance of places both contribute to safer places and importantly to people's perception of safety, encouraging greater use of those places that in turn enhances their safety and security.

Objectives

- (a) Site and design buildings and spaces that contribute to the actual and perceived personal and property safety of residents, workers and visitors and decreases the opportunities for committing crime in an area.
- (b) Ensure development encourages people to use and interact in streets, parks and other public places without fear or personal risk.
- (c) Increase the perception of safety in public and semi public open space, including streets, shopping centres, car parks, parks and malls.
- (d) Maximise opportunities for passive surveillance (overlooking) of public spaces.
- (e) Minimise opportunities for concealment.

- (f) Contribute to lively, busy and active streets.
- (g) Buildings are to be designed to maximise passive surveillance and contribute to active streets.

Controls

- (1) Maximise passive surveillance by orienting buildings towards the street, such that building frontages and entries overlook and are clearly visible from the street and provide a sense of address and visual interest.
- (2) Avoid blank walls addressing streets and any public plazas or pocket parks.
- (3) Clearly design buildings and spaces, and the entries to buildings, to delineate public from private space to provide a clear sense of ownership, minimise ambiguity and discourage illegitimate use.
- (4) Delineate public, semi public and private space through the use of barriers, such as low fences or landscaping, post boxes, lighting and signage.
- (5) Avoid building recesses, alcoves or dense landscaping in places where concealment is possible.
- (6) Design and place facilities such as toilets and parents rooms to maximise opportunities for casual surveillance.
- (7) Place services such as Automatic Teller Machines (ATMs) and public telephones in highly visible locations and be accessible and well lit at night.
- (8) Solid roller shutters are not permitted as security devices on shop fronts (windows and doors). Open grille security devices may be used on shop fronts if such devices are necessary but should be unobtrusive and sympathetic to the character of the building and the streetscape, with minimum transparency of 65% to provide light spill to the pavement and create a sense of openness to the street.
- (9) Development applications for mixed developments containing more than 10 units are required to be referred to the NSW Police Service.
- (10) Provide sufficient lighting of public areas, footpaths, and laneways in accordance with the relevant Australian Standard.
- (11) Provide sufficient lighting of shopfronts and the area under awnings, in accordance with the relevant Australian Standard.

3.13 Open Space and Landscaping

The provision of open space within Kogarah's commercial centres will usually be provided in conjunction with shop top housing development and take the form of one or more of the following: a balcony, a courtyard, a terrace or roof garden. In order for such open space areas to be useful they should have direct access to the main living area of a dwelling. However, care needs to be taken to minimise the impact of open space areas on the privacy of adjoining and nearby dwellings.

In commercial centres, landscaping can contribute to the character and visual quality of the overall centre. The provision of on-site landscaping improves the relationship of new development and surrounding development. It also has a significant role in improving the level of amenity and quality of life for residents and the visual presentation of the commercial centre.

Objectives

- (a) Enable soft landscaping and/or deep soil planting in new development.
- (b) Enhance the quality of life for residents and employees by providing appropriate landscaped areas.
- (c) Developments should aim to incorporate appropriate landscaping within developments

Controls

- (1) Retain existing, and incorporate new indigenous trees, shrubs and ground cover where appropriate.
- (2) Maximise deep soil zones to provide for substantial landscaping and mature trees.
- (3) Submit a landscape plan prepared by a qualified landscape architect.
- (4) Where development is proposed adjacent to low density residential development, an appropriate landscape buffer is to be planted to provide separation and screening between the proposed development and the existing low density development (Refer to Locality Controls). These areas should be deep soil areas so as to allow for the planting of large/medium trees.