

# Part 6 Residential Controls

## Part 6.5 Foreshore Locality Controls

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This part of the DCP contains specific additional local planning requirements. Where it conflicts with other requirements of the Georges River DCP, this part of the DCP prevails.

### **6.5.1 Foreshore Scenic Protection Area**

This part of the DCP applies to land within the “Foreshore Scenic Protection Area” as per Clause 6.6 of the Georges River LEP 2021.

## **1. Environmental qualities and scenic landscape values**

### **Objectives**

- a) Achieve a balance between realising the development potential of sites with protecting the integrity of the environmental qualities and scenic landscape values of the Georges River foreshore.
- b) Retain significant existing natural landscape features.
- c) Ensure that development is sited and designed to blend with the surrounding environment, particularly when viewed from highly visited public viewing points.
- d) Provide for a reasonable sharing of views of significant landscape features, in particular to the Georges River.

### **Controls**

1. Development applications are supported by a site analysis and design response demonstrating how the relevant provisions of the LEP and the objectives of this part of the DCP have been addressed.
2. Removal of existing native vegetation minimised to that which is reasonably required to site and construct a building.
3. The integrity of the existing edge of bushland closest to the Georges River is retained.
4. Vegetation along ridgelines and on hillsides is retained and supplemented to provide a backdrop to the waterway.
5. New, complementary planting and landscaping is encouraged.
6. Where on a steep site, vegetation is used to screen the impact of support structures such as piers.
7. Landscaped areas below the Foreshore Building Line (FBL) should maximise the use of indigenous plant material and preferably use exclusively indigenous plants. Turf should be limited in this area. Details of planting are to be indicated on any landscape plan submitted to Council.
8. A landscape plan is to be submitted for any development between the FBL and Mean High Water Mark (MHW). The level of detail required will depend on the level of works being undertaken. Where a landscape plan is submitted it should indicate the existing and proposed changes in contours, existing trees/vegetation to be retained and removed, measures to protect vegetation during construction and proposed planting, including species and common names.

9. Natural features that make a contribution to the environmental qualities and scenic landscape values of the foreshore, including mature native tree and sandstone rock outcrops, platforms and low cliffs, are retained.
10. The visual impact of buildings is minimised having regard to building size, height, bulk, siting, external materials and colours and cut and fill.
11. Buildings should be sited on the block to retain existing ridgeline vegetation, where possible. Siting buildings on existing building footprints or reducing building footprints to retain vegetation is highly recommended.
12. Where on a steep site, buildings are sited to sit discretely within the landscape using hillsides as a backdrop and below the tree canopy. The building footprint is to result in the following:
  - i. The preservation of topographic features of the site, including rock shelves and cliff faces;
  - ii. The retention of significant trees and vegetation, particularly in areas where the loss of this vegetation would result in the visual scarring of the landscape, when viewed from the water, and
  - iii. Minimised site disturbance through cutting and/or filling of the site.
13. Facades and rooflines of dwellings facing the water are to be broken up into smaller elements with a balance of solid walls to glazed areas. Rectangular or boxy shaped dwellings with large expanses of glazing and reflective materials are not acceptable. In this regard, the maximum amount of glazed area to solid area for façades facing the foreshore is to be 50%-50%.
14. Colours that harmonise with and recede into the background landscape are to be used. In this regard, dark and earthy tones are recommended and white and light coloured roofs and walls are not permitted. To ensure that colours are appropriate, a schedule of proposed colours is to be submitted with the Development Application and will be enforced as a condition of consent.
15. Buildings fronting the waterway must have a compatible presence when viewed from the waterway and incorporate design elements (such as roof forms, textures, materials, the arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality.
16. Blank walls facing the waterfront shall not be permitted. In this regard, walls are to be articulated and should incorporate design features, such as:
  - i. Awnings or other features over windows;
  - ii. Recessing or projecting architectural elements; or
  - iii. Open, deep verandas.
17. Adequate landscaping shall be provided to screen undercroft areas and reduce their impact when viewed from the water.
18. The extent of associated paved surfaces is minimised to that which provides essential site access and reasonable private open space.

19. Buildings have external finishes that are non-reflective and coloured to blend with the surrounding landscape.
20. Swimming pools and surrounds should be sited in areas that minimise the removal of trees and limit impact on natural landform features (rock shelves and platforms).
21. Fences are low in profile and are at least 50% transparent.
22. Driveways and other forms of vehicular access are as close as practical to running parallel with contours.
23. The natural landform is to be retained and the use of retaining walls and terracing is discouraged.
24. Retaining walls are not to be located:
  - Between the FBL and MHWM
  - Within 40m of MHWM
25. Landscaping works and other structures including retaining walls, stairs, paths and driveways are not permitted below the deemed MHWM except where approved by NSW Maritime.
26. Where retaining walls are constructed in other areas, materials and colours that blend with the character and landscape of the area are used. Where retaining walls face the foreshore they are to be constructed of coarse, rock faced stone or a stone facing and are to be no higher than 600mm above natural or existing ground level. Under no circumstances will Council permit a masonry faced retaining wall facing the foreshore.
27. Development provides opportunities to create view corridors from the public domain to the Georges River.

### 6.5.2 Development in the Foreshore Area

These controls relate to specific development types in the “Foreshore Area” as per *Clause 6.4 Foreshore area and coastal hazards and risk* of the Georges River LEP 2021.

The location of jetties, ramps and other structures in the waterway must be approved by the NSW Government – the DPE Water Licensing and Approvals Team or equivalent.

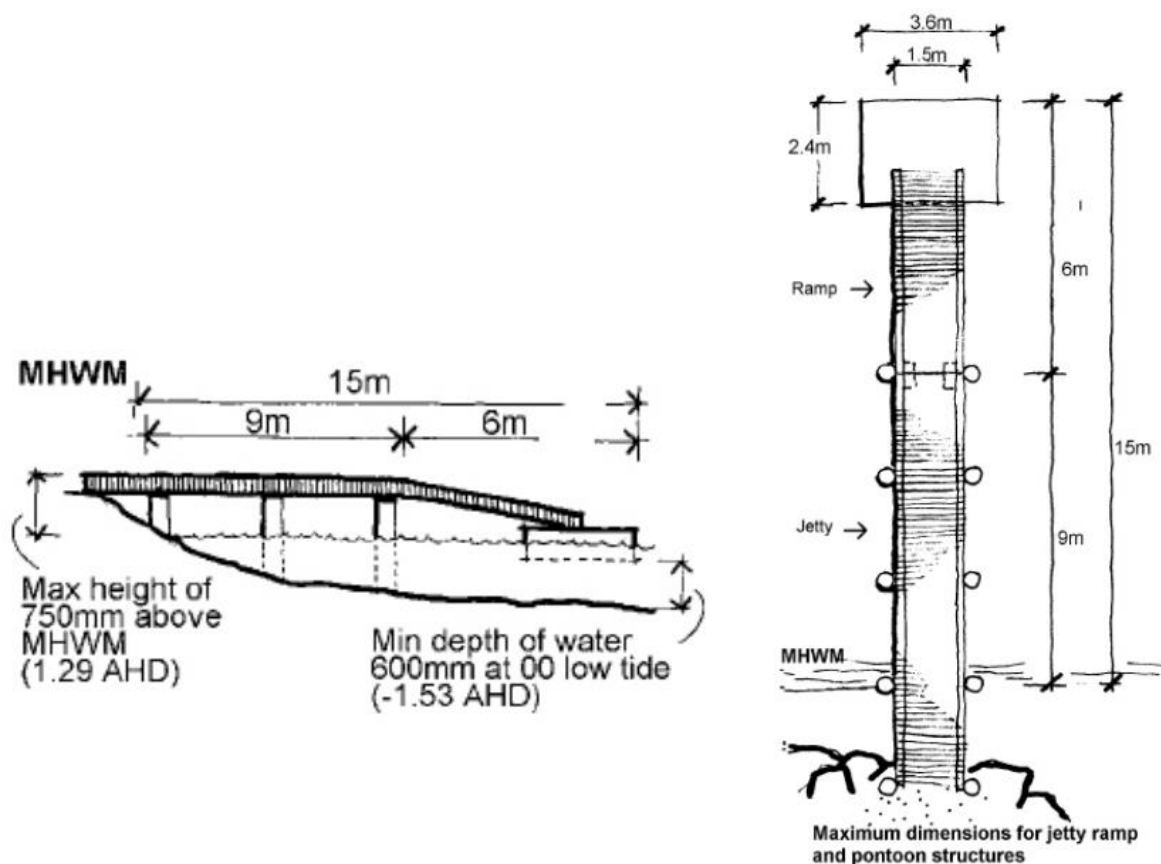
## 1. Jetty, Ramp and Pontoon Structures

### Objectives

- a) Ensure structures do not obstruct or interfere with navigation within the waterway and public access along the foreshore is not restricted.
- b) Ensure structures are designed to integrate into the natural environment.
- c) Ensure the cumulative effect of waterfront structures is reduced, particularly in areas where it is difficult to attain reasonable water depths or adequate riparian rights.

## Controls

1. The jetty, ramp and pontoon structures must not exceed the maximum dimensions as illustrated in **Figure 1**.
2. The construction of “L” or “T” ends or other types of elongations or steps at right angles to jetties are not permitted.
3. These structures are to be treated in brown or dark tones to reduce the visual impact of the structure.
4. Materials used for construction must not be deleterious to marine life, e.g. antifouling paints.
5. No foreshore structures will be permitted over *Posidonia australis* (Shapweed seagrass).
6. Railings will not be permitted on jetties, ramps or pontoons.
7. Council strongly supports the use of shared facilities for 2 or more adjoining residential waterfront properties. This particularly applies in confined bays and/or bays characterised by shallow water, which would otherwise tend to create a demand for long structures to attain reasonable water depths.
8. The proposed development: (i) will not result in any adverse damage to the existing marine environment, which may include seagrass vegetation, regenerating mangroves and fish breeding/fish feeding grounds; and (ii) retains and protects the mud/sand flats, reef and scattered rock.



**Figure 1:** Jetty, ramp and pontoon structures maximum dimensions

## 2. Residential Waterfront Structures

### Objectives

- a) To ensure sufficient open space between residential waterfront structures to ensure they do not visually dominate the waterfront.

### Controls

1. Residential waterfront structures are not developed on:
  - i. Land which does not have frontage to the waterway (this includes allotments which only have a right of way to the waterway).
  - ii. Existing allotments having a water frontage of less than 9 metres.

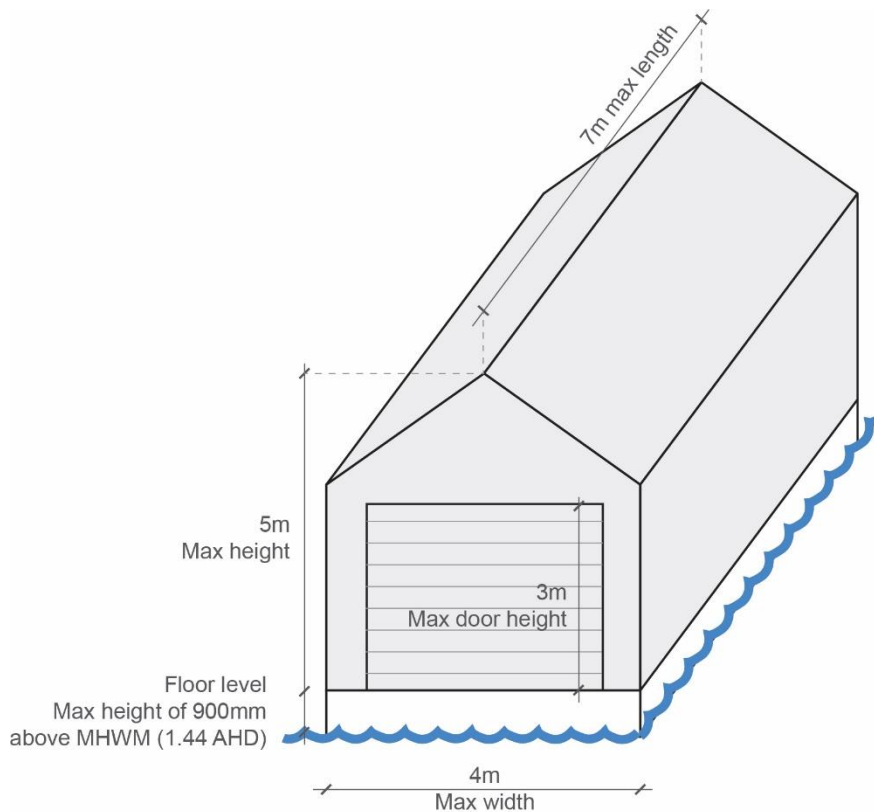
## 3. Boatsheds

### Objectives

- a) To provide storage and / or maintenance of small boats and boating equipment.
- b) To ensure that the visual impact of a boatshed is minimised when viewed from the waterway, adjoining properties and public spaces.
- c) To ensure that the scale and character of a boatshed is sympathetic to the natural landform and topographical features.

### Controls

1. Boatsheds have a specific form and dimensions as shown in **Figure 2**. They must be single storey with a maximum floor level 900mm above MHW and a maximum length of 7m. Flat roof with a slope of less than 15% is not permitted.
2. Boatsheds are to be designed to minimise excavation and constructed of timber, stone, brick or other material satisfactory to Council.
3. Boatsheds should be sited so as to minimise the removal of remnant native vegetation and the excavation of sandstone rock shelves and outcrops.
4. Boatsheds are setback a minimum 1.5m from the side boundary. Council may consider a variation where there is:
  - i. No detrimental impact on the view from the waterway
  - ii. No loss of an existing view to the water from the adjoining lands to the waterway
  - iii. A need to accommodate any significant vegetation, natural rock formations or other site features.



**Figure 2:** Boatsheds must have specific form and dimensions

*Note: The definition of “boat shed” is provided in the Georges River Local Environmental Plan 2021 (GRLEP 2021). It cannot include any habitable space.*

## 4. Seawalls

*Note: where the foreshore is in its natural state, seawalls will generally not be permitted.*

### Objectives

- a) To protect the land from the waterbody or to stop accelerated erosion of the shoreline, avoiding flooding or for necessary retention works.
- b) To ensure that seawalls are sympathetic to the natural character of the foreshore.
- c) To encourage environmentally friendly seawalls.

### Controls

1. Seawalls must be located wholly within private land above MHW. Council may permit the replacement of a seawall below MHW where there is an existing seawall and the reclamation has been authorised under a permissive occupancy.
2. The height of the seawall must be flush with the retained ground level or the reclamation level located behind it.

3. Vertical seawalls are discouraged as they offer little aquatic habitat. A sloping seawall with nooks and crannies for fish and invertebrates to hide in is preferred.
4. Natural sandstone blocks or sandstone facing over concrete walls are preferred.
5. Environmentally friendly seawalls are designed to consider:
  - i. Establishing estuarine vegetation such as mangroves directly in front of seawalls.
  - ii. Providing a native riparian vegetation buffer landward of the seawall.
  - iii. Providing artificial reef habitat immediately in front of seawalls.
  - iv. Providing variation of texture and form on the seawall surface.

## 5. Stairways and Inclinator

### Objectives

- a) To minimise the impact of development on the natural landform of the foreshore.

### Controls

1. Stairways and inclinator are permitted between the FBL and MHWM.
2. Stairways and inclinator must be constructed as close as practical to natural ground level, with minimal cut and fill.
3. Council will only consider the construction of an inclinator where it does not necessitate the removal of natural rock, trees and vegetation.
4. Inclinator should not obscure or break a view line of the rock or cliff face.
5. Inclinator and any associated infrastructure should be of colours that blend into the natural landscape.
6. Stairways must be a maximum of 1.2m wide and constructed in timber, masonry or stone. Sliprails will only be permitted in the form of two parallel rails and only where they are located as close as practical to the seabed/seafloor and are recessed into any seawall or reclamation. Council will not support any application for a sliprail which does not conform to natural foreshore levels and significantly obstructs practical public access along the foreshore.

## 6. Fencing

### Objectives

- a) To minimise the impact of fencing when viewed from the water.

### Controls



1. Fencing, between the Mean High Water Mark (MHWM) and the Foreshore Building Line (FBL), including boundary fencing should be no higher than 1200mm above the natural or finished ground level.
2. Fences, between the Mean High Water Mark (MHWM) and the Foreshore Building Line (FBL), are to be constructed of open weave materials to enable vines, creepers and hedges to provide natural cover.

## 7. Swimming pools/spas

### Objectives

- a) To minimise the visual impact of pools when viewed from the waterway.

### Controls

1. Any swimming pool or spa pool is to be sited as close to natural or existing ground level as possible. In this regard, the coping level of swimming pools and spa pools is not to be elevated more than 500mm above natural or existing ground level.
2. Any exposed edge is to have the natural or existing ground level reinstated and be suitably landscaped with mature trees and landscaping so as to reduce the visual impact from the waterway.
3. The construction of swimming pools and spa pools below the FBL and above MHWM should avoid reshaping of the landform and removal of native vegetation and significant trees. In areas where the construction of a pool will necessitate excessive excavation or the removal of significant vegetation, the siting of the pool may be restricted to above the FBL.
4. Pool/spa fencing that is visible from the foreshore/water must be open or transparent and must be of a colour that blends into the landscape character of the waterway.
5. With respect to existing swimming pools/spa pools below MHWM, Council is unlikely to request that the pool be removed or filled, unless it is considered that its economic life has been reached. In circumstances where it is considered that the economic life of the pool has been reached, and the Department of Lands is in agreement, then Council may require, upon substantial redevelopment, that the pool be removed.