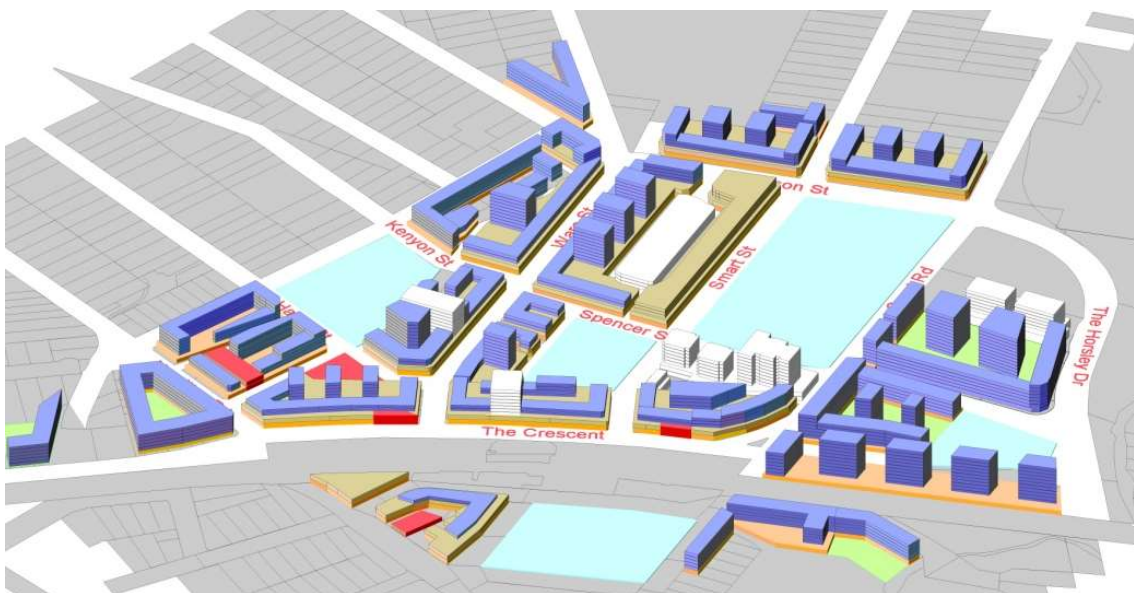


# Fairfield City Centre Development Control Plan 2013

Amendment No.4



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**Document Reference:** Object id A4827958



# 1. Introduction

## 1.1 Strategic Background

Council's Fairfield City Centre Strategic Plan is the base Strategic document that sets the vision for the Fairfield City Centre

Since the adoption of the Strategic Plan the State Government has released the Metropolitan Strategy – City of cities – A Plan for Sydney's Future. The Metropolitan Strategy identified Fairfield as a Potential Major Centre. The metropolitan strategy discusses increased residential density in major centres as well as employment targets.

Council considers that the Strategic Plan addresses the key issues that will determine whether Fairfield realises the potential identified in the Metropolitan Strategy and becomes a Major Centre. The key issues in creating a major centre i.e. increasing residential densities, supporting the economic drivers that will generate employment in the centre and creation of a desirable amenity for businesses, residents and visitors to the centre are all addressed in the Strategic Plan

The Strategic Plan has filled some significant gaps in understanding how the City works. Rather than just guessing, Council specifically went out and asked 1500 people what they thought about the place. It included many components including an urban design study, involving 25 layers including built form, pedestrian areas, trees, drains, retail mix, shadowing and the like, which forms a platform for better decisions about new development in the City. Key stakeholders including landowners and members of the *Fairfield City Centre Management Committee* helped shape the vision for the City Centre.

The economic study component gave a stronger understanding of the economic forces at work and importantly points to actions that can be taken to improve the economic vitality of the Fairfield City Centre. The cultural study gave us insight into how people use the City for activities other than shopping - the City as a place to hang around, meet friends, visit the library, or dine in one of the many restaurants scattered throughout the place. The cultural and social life of the place has emerged as a key asset.

The preparation of this Development Control Plan is both a recommendation of the Strategic Plan and an opportunity to implement some of the findings of the analysis undertaken when formulating the Strategic Plan. The Strategy and the studies undertaken to inform the preparation of the Strategic Plan provide the vision that underpins this Development Control Plan.

The first phase in updating the Fairfield Development Control Plan was to update the previous DCP to include new controls for Ware Street. This area was seen as a critical part of the centre, subject to on-going development pressures, which needed to be managed in the short term to ensure longer-term objectives, could be achieved.

The preparation of this DCP is the second phase and it involves a review of all the planning controls for Fairfield including the Ware Street controls.

## **1.2 What is the purpose of this Plan?**

The purpose of the Development Control Plan is to assist in implementing the vision identified in the Fairfield City Centre Strategic Plan.

A priority area identified on the Fairfield City Centre Strategic Plan is to promote "Inclusive design that strengthens and reflects the unique character of the City centre". The Strategic Plan is a proposed action under this priority area. This action is to prepare a new planning policy that protects and enhances the public domain, and provides a clear planning framework. This DCP has been prepared to address this action.

This plan must also be used by landowners/developers to prepare development applications. Council and Council Staff must consider it when assessing these development applications. However, compliance with the provisions of this plan alone does not guarantee that consent will be given, as the document must be considered in conjunction with other State and Local Policies and Plans discussed below.

## **1.3 Objectives of this Plan**

This Development Control Plan aims to:

- a. Implement the aims and objectives of Fairfield Local Environmental Plan 2013;
- b. Contribute to the implementation of the Fairfield City Centre Strategic Plan 2004;
- c. Provide guidelines and controls for development in the Fairfield City Centre; and
- d. Explain the development application process to assist interested parties in understanding the process and to provide consistent advice to prospective developers, residents, local business owners and other users of the City centre.

## 1.4 Land to which this Plan applies

This Plan applies to all the land located within the Fairfield City Centre Boundary as indicated in Fig 1.1 below.



## **1.5 Relationship of this Plan to other Plans, Codes and Policies**

The plan is a Development Control Plan as provided for under Section 72 of the Environmental Planning and Assessment Act 1979 and must be read in conjunction with this Act, the Fairfield Local Environmental Plan 2013 and other applicable planning instruments.

In line with new legislation introduced in 2005, (Section 74C(3) of the Environmental Planning and Assessment Act 1979), this plan adopts certain provisions contained within particular chapters/appendices of the Fairfield City Wide Development Control Plan 2013.

Those chapters are:

- Chapter 2 Requirements for Development Application Submission
- Chapter 3 Environmental Managements and Constraints
- Chapter 10 Miscellaneous Development
- Chapter 11 Flood Risk Management
- Chapter 12 Car Parking, Vehicle and Access Management
- Chapter 13 Child Care Centres
- Appendix A Definitions
- Appendix B Notifications Policy
- Appendix C Signage
- Appendix E Waste Not DCP to Manage Demolition and Construction Waste

If the provisions of this plan are inconsistent with the provisions of any other DCP, the provisions of this plan shall prevail to the extent of any inconsistency unless it is an aspect of Fairfield City-Wide Development Control Plan 2013 as referenced above. In this circumstance, the provisions of the Fairfield City-Wide DCP prevail above all else to the extent of the inconsistency.

The following legislation, environmental planning instruments and local policies and Plans apply to development in the City Centre at the time of formulation of this DCP:

### **State**

- Environmental Planning And Assessment Act 1979 Regulations
- State Environmental Planning Policy No 65 and the associated Residential Flat Design Code referred to in this policy;
- BASIX Building Sustainability Index

### **Local**

- Fairfield City Centre Strategic Plan and associated Studies
- Urban Capability Assessment of Fairfield City (November 2002)
- Draft Fairfield Residential Strategy (December 2009)
- Fairfield Council's Direct (Section 94) Development Contribution Plan 2011 and Indirect (Section 94A) Development Contribution Plan 2011
- Five Creeks Strategic Plan
- Fairfield Stormwater Drainage Policy (September 2002)
- Council's Urban Area On Site Detention Policy 1997
- Georges River Floodplain Risk Management Study and Plan
- Prospect Creek Stormwater Management Plan (SMP)

### **Other**

- The Building Code of Australia (BCA)
- Section 10 of the Austroads Guide to Traffic Practice Part 14 Bicycles and AS 2890.3
- Disability Discrimination Act
- Crime Prevention through Environmental Design (CPTED) Principles

These plans/policies may have an impact on the form, design or planning of any development and must be considered in conjunction with this Plan. However over time other plans and policies may also become relevant or these policies may be superseded by new policies. Prospective developers should contact Council to identify all relevant policies at the time the development application is being prepared.

State and Federal Acts and Statutory Planning Instruments may also take precedent over this Development Control Plan.

In the event of an inconsistency between this plan and any other Council DCP/Policy or Code the provisions of this Plan apply to the extent of the inconsistency.

## **1.6 Reference and Amendments**

The Development Control Plan is referred to as Fairfield City Centre Development Control Plan 2013.

The Fairfield Development Control Plan 2013 was adopted by Council on 13 November 2012. The plan then came into force on the 31 May 2013. This plan replaces Fairfield Development Control Plan 2006 which has been superseded as a consequence of Fairfield LEP 2013.

<b>Amendment No.</b>	<b>Date Effective</b>	<b>Summary of Amendment</b>
Amendment No. 1	5 March 2014	
Amendment No. 2	3 September 2014	
Amendment No. 3	25 May 2016	
Amendment No.4	10 December 2021	Fairfield Forum SSDCP – Appendix 7

### **Important Note: Fairfield City Centre Masterplans**

#### **Barbara Street Masterplan**

On 8 May 2007, Council resolved to adopt the Barbara Street Masterplan. The Masterplan applies to land in the City Centre bound by Kenyon Street, Kenyon Lane, Harris Street and Barbara Street. This land has been identified as “The Community Precinct” in the Fairfield City Centre DCP 2013 being one of a number of sites subject to the development of a Site Specific DCP.

#### **The Crescent Masterplan**

On 5 December 2006, Council resolved to adopt The Crescent Masterplan. The Masterplan applies to land located on both sides of the rail corridor in the City Centre bounded by The Crescent in the west, Vine Street in the north, Dale Street in the east and Lawson Street to the south.

These masterplan documents should be referred to by prospective applicants when considering development in these precincts.

A copy of the Fairfield City Centre Masterplan document, which includes the masterplans for the Barbara Street Precinct and The Crescent Precinct, can be downloaded from Council's website [www.fairfieldcity.nsw.gov.au](http://www.fairfieldcity.nsw.gov.au) under Development/Planning Controls/Development Control Plans and Masterplans.

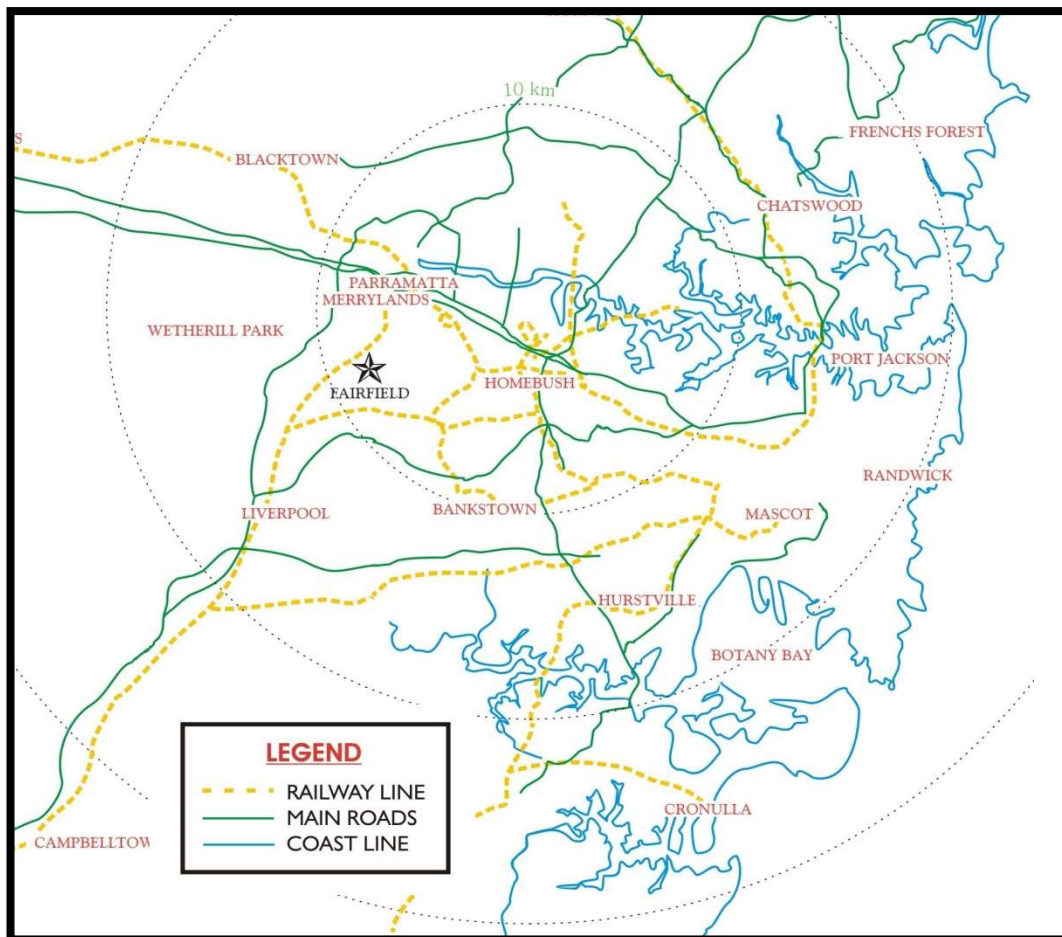
For any further information, please contact the Strategic Land Use Planning Team on 9725 0222.

## 2. Local Context Analysis

This section details the analysis undertaken as part of the Strategic Plan process to investigate Fairfield's opportunities and constraints and to identify the development that fits. The data presented in this section, the existing built environment, the linkages, land-use analysis and facilities fed into the strategic plan. It helped identify the relationships between the built environment and other issues such as safety, economic viability and the culture of the centre.

The strategic plan now adopted by Council sets the broader strategy for re-invigorating the centre. The analysis presented in this chapter is land use planning focused. It has been presented in a manner consistent with the recommended approach in the residential flat design code that supports SEPP65. A broader analysis of the issues influencing the Fairfield City Centre, are discussed in the Strategic Plan, which is discussed in more detail in Section 3.

### 2.1 Regional Context



The Fairfield City Centre is located 32 km south west of the Sydney CBD and is identified as a sub-regional centre in Council's Planning framework. This was recently re-enforced by a state government initiative, which identified Fairfield as one of seven sub-regional centres across Sydney in the State Government strategy for the city.

It is located amid three regional centres, Parramatta (10km to the north) Liverpool (6km to the south west) and Bankstown City (10km south East), which were also identified as one of the seven regional centres in the State Government Strategy for Metropolitan Sydney.

The centre is surrounded by a series of district centres with Merrylands, Cabramatta, Bonnyrigg and Stocklands at Prairiewood all located within 6km of the centre.

Fairfield Station is located within the centre and provides rail links to Parramatta, Liverpool and the Sydney CBD. The Horsley Drive, which runs along the north east edge of the centre links to the Cumberland and Hume Highways which are both part of the Sydney arterial road network.

## **2.2 Fairfield City Centre- Surrounding Land Use**

Fairfield City Centre is immediately surrounded by a ring of three storey walk-up residential flat buildings (various shades of red marked R3 and R4 on map on following page)) with the exception of one small pocket of land (blue/grey area marked B6) on the northeast side of the Horsley Drive. Prospect Creek runs along the eastern edge of the centre and extends into the large area of open space located south of the centre (green areas marked RE1).

Beyond this ring of apartments the development is primarily weatherboard and brick dwellings with scattered sites having been recently redeveloped for the purpose of dual occupancy, triplex and Cityhouse forms of development.

**Note:** The zoning map shown over the page was correct at the time of preparation of this DCP but is not a current zoning map and should not be used for zoning purposes. You should obtain a Section 149 Certificate to confirm the current zoning of any land in the centre.

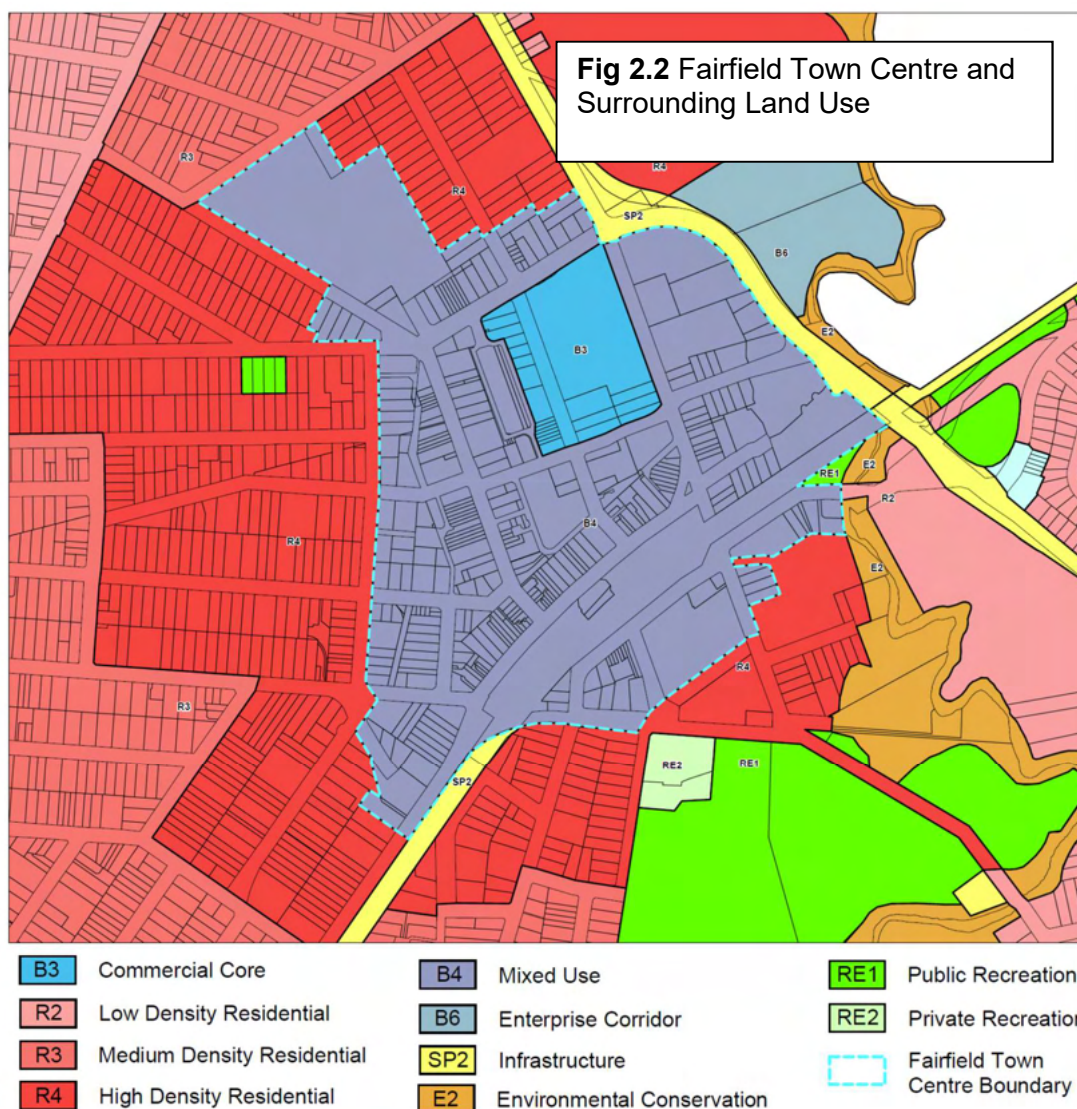
## **2.3 Community Profile**

The analysis in Council's Residential Strategy 2003 indicates the suburb of Fairfield and suburbs along the eastern side of Fairfield Street generally contain a higher proportion of low income and Non English Speaking Background (NESB) residents than most of the western suburbs of Fairfield or the Sydney Statistical District.

These areas also had higher proportions of people employed in trades and clerical positions. The suburbs of Fairfield and Cabramatta also have a significantly higher proportion of private rental housing stock than other suburbs in Fairfield.

These factors suggest that the eastern part of the LGA and particularly Fairfield are areas where social and economic disadvantage issues need to be carefully considered to ensure the development is sustainable and does not contribute to a cycle of continued disadvantage for residents in Fairfield.





**NOTE** – The map shown above was correct at the time of preparation of this DCP but is not a current zoning map and should not be used for zoning purposes. You should obtain a Section 149 Certificate to confirm the current zoning of any land in the centre.

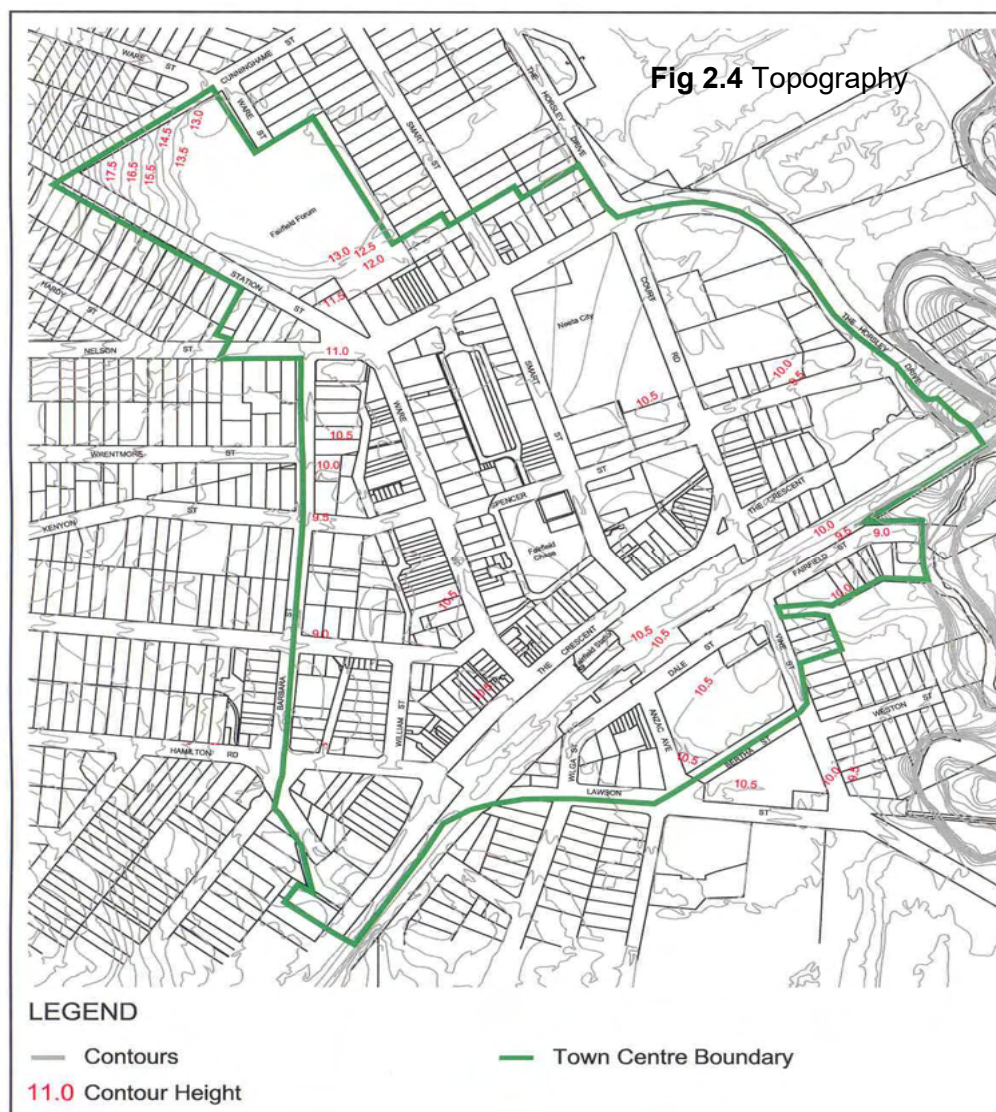


## 2.4 Topography

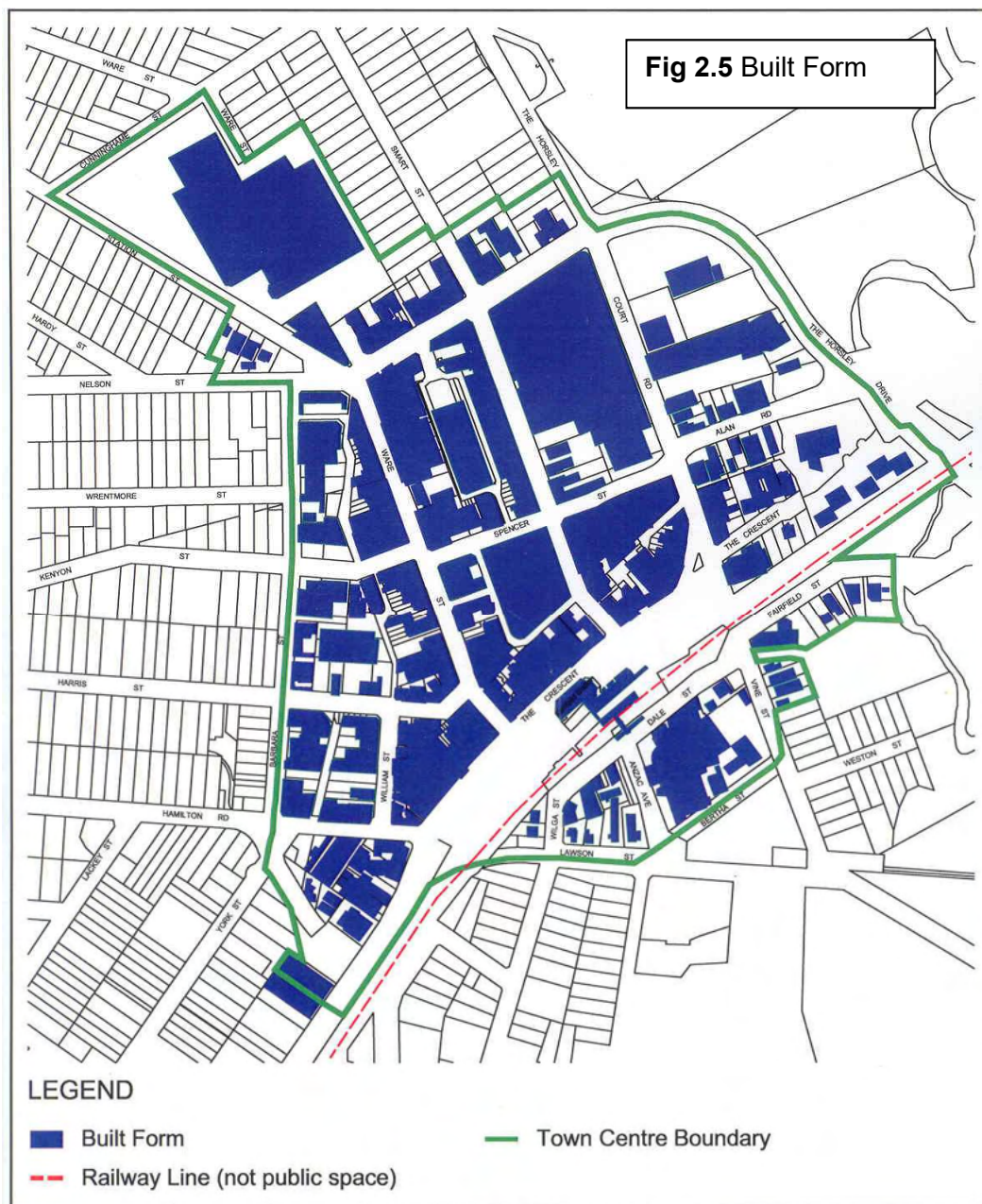
The study area is relatively flat. Council is reviewing all flood liable land in accordance with the New South Wales Flood Plain Development Management Manual. Development in parts of the City centre will need to take the final findings of this study into account when preparing development proposals. Furthermore, given that a significant portion of the City centre is affected by flooding from Prospect Creek, the following documents: Prospect Creek Floodplain Management Plan – Flood Study Review prepared by Council and the 5 Creeks Strategic Plan will also need to be considered in DA preparation.

Overland flow paths are critical. Designs must ensure that movement of water during storm events continues to occur in a safe and effective manner with minimal risk to users of the City centre or properties within it.

Appropriate and sustainable water management measures should be considered for all developments to ensure flooding and drainage does not become a problem.



## 2.5 Built Form and Open Space



## **General**

The density of the City centres urban fabric is evident in the Fig 2.5 which shows the buildings shaded.

The two enclosed shopping centres (Neeta City and The Forum) are intensively built upon sites dominated by buildings and/or at grade parking areas.

The remainder of the City Centre is characterised by continuous rows of shopfronts along the main roads, with a network of laneways providing secondary access to the rear of the properties. Beyond the central Ware Street and Smart Street areas, the intensity of development decreases and there are greater areas of landscaping.

## **Open Space**

The only significant area of open space within the City centre boundary is between The Crescent and the railway line, west of the station building.

There is a significant area of open space, (Fairfield Park, Makepeace Oval Heideman Reserve) just outside the centre at the southern edge, which includes the Fairfield Leisure Centre, playing fields and informal open space areas but linkages between the bulk of the City centre and this area are poor.

Nelson Park on Nelson Street just west of the City Centre was refurbished in 2003 and contains children's play equipment.



## 2.6 Existing Buildings and Land Use



The predominant built form in Fairfield City Centre is two storey retail/ commercial buildings with retail at ground level, commercial above and service access to the rear. While retail/commercial uses are most common, concentrations of medical based uses and function/entertainment centres have also been noted throughout the centre.

Some of the two storey buildings in The Crescent include facades that date back to the 1890-1900's and the two-storey developments throughout the centre are of widely varying ages. Recent investment in most of these buildings has been minor and many of the buildings would be considered to be in poor/good condition.

The most obvious departures from the traditional two storey built form are:

- Two “big box” shopping centres (i.e. Neeta City and The Forum)
- Stand alone, single occupant, single storey premises (i.e. Aldi and McDonalds)
- The Chase Office building with a multi storey office component located above a retail/commercial ground plate.
- Mixed-use retail residential towers (8-12 storeys).

These four departures are generally the most recently constructed buildings. The newer developments have resulted in a more stark variation in built form particularly the most recent residential towers. Prior to the development of these towers the Chase Office complex was the only building with a tower form.

It is important that the DCP identifies a desired future built form that will take into account the form and character while acknowledging the development pressures that have generated the newer higher built forms.

Another important aspect of the built form is the prevalence of awnings. The newer developments have tended to retain awnings, which are a feature of the older buildings in the centre.

There are a number of strata subdivided sites in the centre. The majority of the strata subdivided sites are two storey retail/ commercial buildings. The newer apartment building developments have a larger number of strata units. The location of strata developed sites may impact on the availability of development sites in the short term. However, given the weakness in the retail/commercial sectors in many parts of the City centre compared to the residential value, smaller strata subdivisions have not been considered to be a definite barrier to development when assessing appropriate planning controls.

## 2.7 Heritage



## **The Crescent**

Railway Station - is the oldest extinct Railway Station in New South Wales and one of the oldest groups of buildings in Fairfield City. The buildings are well maintained, Mid-Victorian, Georgian Style Public Buildings dating back to 1856 and they are listed on the State Heritage Register. A relic associated with the railway activity, in the form of the remains of an old crane, is located just outside the station, within the bus interchange area.

Shop Facades at 31, 35A, 87 and 93–97 The Crescent - The facades of these buildings are listed in Council's Heritage Schedule. The buildings include examples of Federation and Victorian facades and parapets as well as an inter war period parapet. The oldest date back to 1892. All the facades along The Crescent are part of the curtilage and reflect the historic scale of the City centre and its relationship to the Station.

## **Harris Street**

School of Arts Building – The building has social and historical significance as a major centre for social activity in the late 19<sup>th</sup> Century. The building built in two parts with two distinct styles is a good example of late Victorian and Federation period "high styles" which are rare in Fairfield City

Uniting Church – The site contains two church buildings, the original church, constructed in 1894, is located behind the opportunity shop while the brick church located on the corner was constructed in 1927. Apart from a number of interesting architectural features the buildings are of historical and social significance as a record of the involvement of the church in the life of the community over 100 years.

## **Lawson Street**

23 Lawson Street – A federation weatherboard cottage circa 1910.

## **William Street**

The Fire Station at 1-3 William Street is a free classical style building, which has social and historical significance as a record of the history of the fire brigade in the district. The development surrounding these items must be planned and designed to ensure the heritage significance of these sites is maintained. The Crescent and Dale Street in particular are part of the curtilage for the railway station and development in these areas must be sensitive to the station building.



## 2.8 Vegetation



The built form analysis in Section 2.4 depicts a shortfall in public open space many of the existing sites have been developed with minimal soft landscaping areas and few locations where it could feasibly be provided. Tree planting is linear along the major streets and the centre is reliant on street trees to soften the streetscape and contribute to a more pleasant environment. There are few pockets of open space, accordingly the streets are potentially important recreation/ amenity spaces and the trees contribute to the quality of this space. This is particularly relevant to Ware Street and Nelson Street.



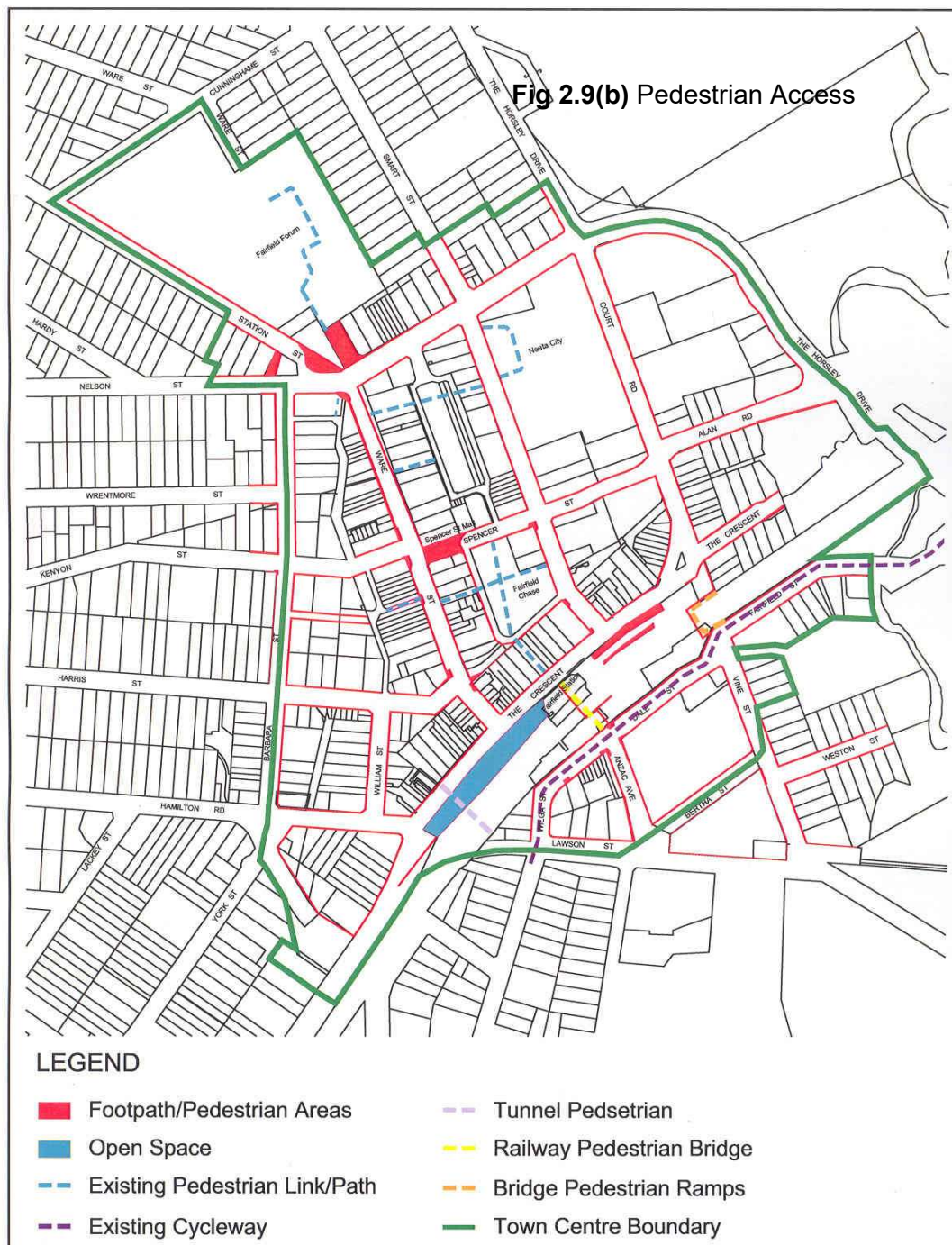
## 2.9 Pedestrian Access and Safety



The City centre is flat and relatively compact. These factors contribute to making it a good quality pedestrian environment, as the centre is easy to walk around. The preceding map shows the pedestrian crossing points and potential conflicts, while the map below shows the existing pedestrian paths through existing sites. The traffic resources, traffic calming measures and intersection treatments indicate the way pedestrians cross streets around the centre and the pedestrian environment of relevant streets. From north to south, the major pedestrian paths are along Ware Street and Smart Street and these paths are well protected by existing awnings. East/ west running pedestrian paths are also along the street but are supported in the central area between Ware and Smart Street by a series east/ west lanes. Links to the

south across the railway line are limited to three crossings and the railway acts as a pedestrian barrier funnelling pedestrian to these three specific paths.

Redevelopments, which increase the intensity of use of the laneways, will need to take into account potential conflicts between vehicles (including service vehicles) cyclists and pedestrians. In order to achieve a balance between safety for cyclists, pedestrian amenity and motorists, consideration should be made regarding the provision of bicycle storage areas and safe well lit areas for cyclists.

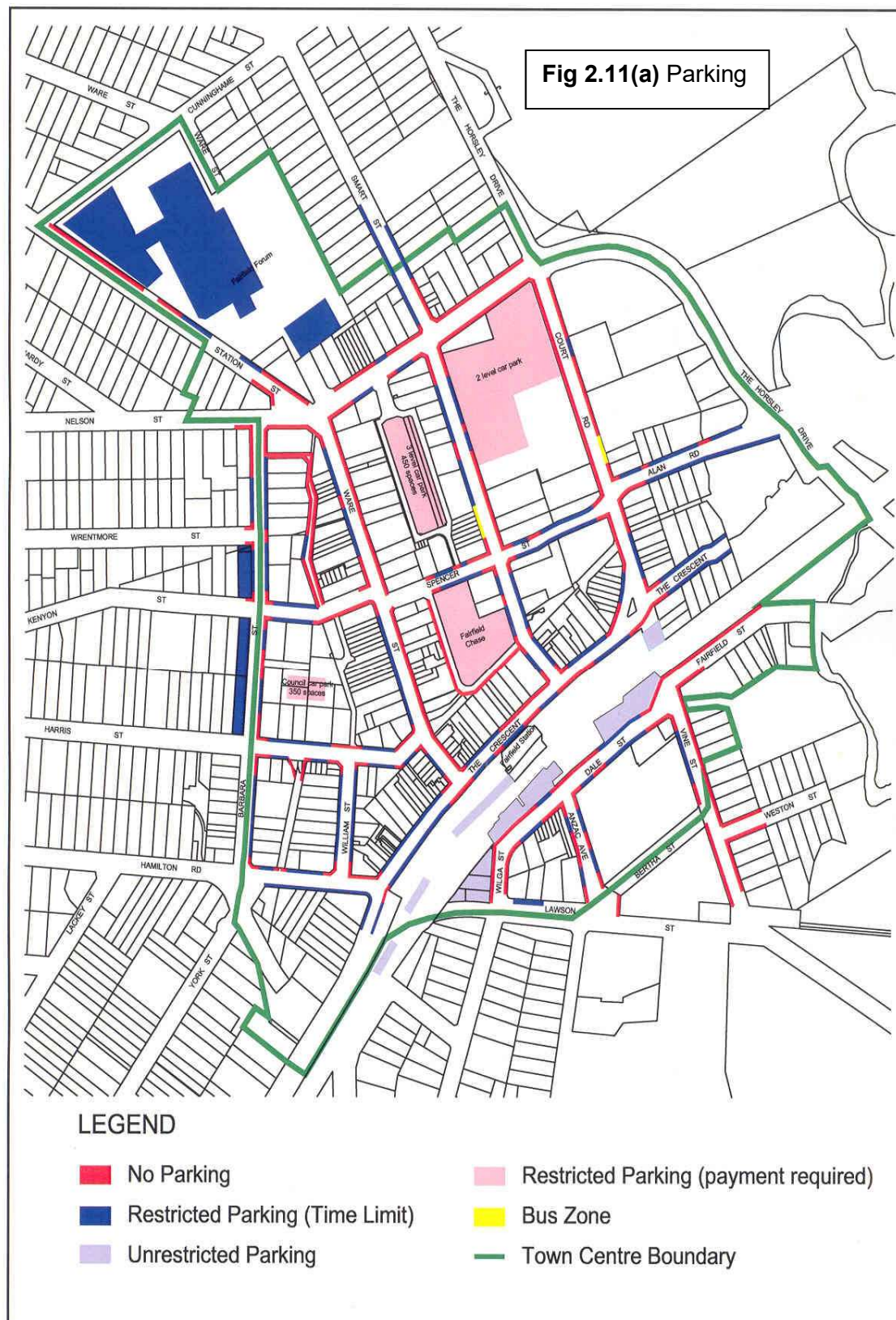






Access is available to the Sydney CBD and other subregional centres via Fairfield Railway Station and most bus services in Fairfield tend to feed the rail hubs with east west based routes. Existing bus stops are located in the Taxi/Rail/Bus interchange adjoining the station buildings and on the western side of Smart Street immediately north of Spencer Street.

## 2.11 Road Hierarchy and Parking





Larger volumes of traffic move through the area to the northeast on the Horsley Drive and to the south via Hamilton St, Railway Parade and Lawson Street. The important gateways from these routes to the centre are Hamilton Road/Barbara Street intersection and the intersection of Nelson St, Court Road and The Horsley Drive.

Gateway intersections should be appropriately treated to make sure the area is legible and that entry points are welcoming and signal the entry to the centre to encourage people to visit. Proposals to improve gateway intersections are included in the Fairfield strategic plan.

Station Street is an important feeder road into the centre from the northeast.

Lawson Street (from the south) is also a collector road with potential to feed the centre from the south but the road layout around the Lawson Street Bridge across the rail line, requires vehicles using this route to travel around the centre to Hamilton Rd/ Barbara Street gateway to get into the northern part of City Centre.

The circuit formed by Nelson St, Court Road, The Crescent, Hamilton and Barbara Streets acts as the primary circulation route around the central area of the centre. This will be supported by Ware Street and Smart Street. This network of streets forms the grid pattern of major streets that will provide vehicle access to different parts of the central area of the centre.

The permeability of this system may be further improved as the Strategic Plan includes a proposal to re-open road links between Ware Street and Spencer Street and between The Crescent and Hamilton Road.

The two major shopping centres have their own extensive car parking areas. There are two major public parking stations in the centre, which are currently under utilised. A number of smaller car parks in Barbara Street, The Crescent and under and around the Lawson Street Bridge as well as on-street parking are also parking options for users of the centre. There is currently a wide range of parking options including; commuter parking, 'on street' parking and parking stations to meet different needs of the community.

Another possible change to access arrangements is flagged in the strategic plan with a possible one way link from Railway Parade to The Crescent beside the Lawson Street Bridge



## 2.12 Educational, Cultural and Community Facilities



A range of educational and cultural facilities surrounds the centre. Existing library and community centre are not considered sufficient to meet existing and future needs of the community. The range of educational services are seen as a positive which must be protected and strengthened as part of the strategic plan

The provision and funding of suitable infrastructure to support these activities is an important issue in ensuring the community is socially sustainable and is addressed in the Strategic Plan.

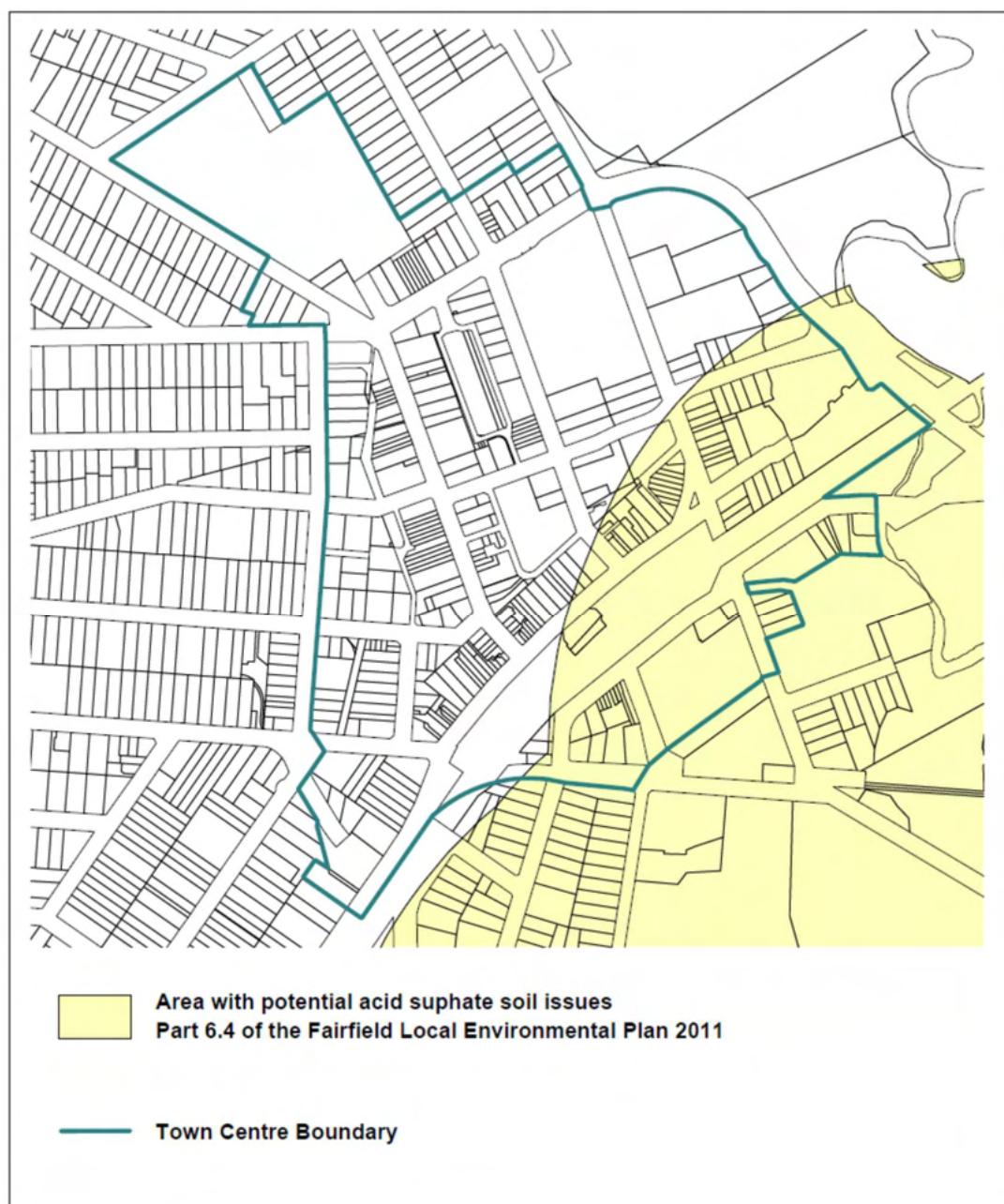


## 2.13 Acid Sulphate Soils

Under clause 6.4 of Fairfield Local Environmental Plan 2013 development in certain parts of the centre must take into consideration potential impacts associated with Acid Sulphate soils in the locality.

Parts of the centre identified in the plan below will require consideration of this issue as part of the design process. Council policies in relation to basement car parking and the potential impacts on the water table will need to take this issue into consideration.

Soils





## 2.14 Economic Analysis

As part of the Strategic Plan process an economic analysis (Hill PDA Oct 2003 – Fairfield City Centre) of the Fairfield City Centre was undertaken. It considered the property market, options for the future land use mix and the potential impact of these on the City centre. The report suggested that the following strategies be adopted:

- "Establish a legible framework for land use and development in the City centre;
- Acknowledge the historical structure and character of the centre;
- Foster the development of a "living centre" with land use diversification;
- Define and re-enforce the role and function of the primary retail central area;
- Reinforce the City centre as a focus for office based activity;
- Foster the growth and development of cultural industry as a further dimension of the City centre;
- Establish a cohesive framework for vehicular, bicycle and pedestrian access and movement; and
- Re-enforce the Ware Street spine as the principal focus of retailing and entertainment. "

The study goes on to identify the following objectives and potential tools, which could be considered when preparing a planning framework for the centre:-

- "Reinforce the retail function between The Forum and The Crescent by requiring the primary land use a ground level to be retail; and
- Use land use controls that allow Council to protect and reinforce Ware Street as the traditional retail heart of the centre; and
- Permit residential development to encourage the depth of activity required for a living centre but only in locations that do not threaten retail and commercial viability and environmental amenity of Ware Street, The Crescent, Smart Street and Nelson Street. Fragmentation of the retail and commercial functions by residential development will undermine the longer term viability of the centre for these uses; and
- Use building envelope controls rather than FSR to protect the environmental amenity of common space; and
- Consider a Bonus Floor Space mechanism to derive appropriate public domain or housing mix/affordability issues. "

This has implications across many elements of policy for Fairfield City Centre from the land use structure through to design issues that will influence overshadowing and amenity.

## 2.15 Key Issues / Responses arising from the Analysis

The analysis has identified the following key issues. These issues were important in formulating the controls this DCP and the vision identified in the strategic plan: -

**Economic and Social Impacts** – The socio-economic characteristics of the residents located around Fairfield suggest that Council and other Government Agencies must be vigilant to ensure the levels of social and economic disadvantage do not continue to increase. The quality and affordability of housing as well as the availability of appropriate employment and a range of products, services and facilities will be important in maintaining the lifestyle of residents of the centre and those in adjoining residential areas. Residential development with poor amenity may trap the centre and its community in a cycle of disadvantage. The establishment of a legible framework, which protects the existing and future economic and retail focus of the City, is required. Strategies that build upon existing strengths / competitive advantages in retailing, cultural industries, and medical activities should also be identified.

**Crime Prevention** – Crime Prevention through Environmental Design (CPTED) provide principles that modify developments to ensure they reduce the likelihood of crime. The principles include territorial re-enforcement, surveillance, access control and space / activity control. Given that the City centre is likely to have increased densities as a result of new controls, new developments need to be designed to ensure they create physical environments that minimize crime risk. Reinforcing the importance of CPTED principles to be considered, is the inclusion of crime prevention under s79c of the EP & A Act 1979 which provides matters for consideration by Council in relation to assessing development applications. Council has an obligation to ensure that a development provides safety and security to users and the community.

**Open Space**– Soft landscaped open spaces are limited in the centre. Therefore, public domain areas such as Ware Street, Smart Street and The Crescent are going to be essential as these streets will be an important space for the outdoor interaction between businesses and their customers, and as outdoor spaces for residents and other users of the centre. It is critical that redevelopment protects the amenity of these key public areas in particular street trees and access to natural light to ensure people use these areas for various forms of outdoor recreation and interaction. Links to open space available south of the centre must also be improved.

**Land Use and Built Form** – The centre, particularly its central area, has a two- storey retail / commercial character, which has been subject to recent changes with the introduction of much higher residential towers. Unless future redevelopment is appropriately designed to protect the amenity of the surrounding sites and the public domain, the other retail and commercial functions of the centre may be fragmented and undermined by the introduction of residential development.

**Heritage** – Any redevelopment must take into consideration the protection and interpretation of significant sites located within the centre.

**Movement** – Pedestrian and bicycle amenity needs to be maintained and enhanced by providing interesting pathways with high quality environments including protection from the sun and rain. Suitable facilities for safe storage of bicycles must be incorporated. With regard to vehicular movement, gateway sites should be appropriately treated and additional laneways / pedestrian links and road openings promoting activity and permeability need to be provided. Development fronting movement paths must take into consideration the type of movement occurring (vehicular or pedestrian) and promote safety via reducing conflicts and encouraging natural surveillance.

### 3. Vision for the Fairfield City Centre

#### 3.1. The Vision for Fairfield City Centre – Fairfield Strategic Plan

The local context analysis was part of the investigations undertaken during the Fairfield Strategic Plan Process. The Strategic Plan deals with a range of other issues relevant to Fairfield's future and the re-invigoration of the centre.

The Fairfield City Centre Strategic Plan is available on Council's website at [www.fairfieldcity.nsw.gov.au](http://www.fairfieldcity.nsw.gov.au).

#### A New Vision for the Fairfield City Centre

The vision outlined in the Fairfield Strategic Plan is made up of the seven elements or themes identified in the table below.

1. Inclusive design that strengthens and reflects the unique character of the City centre.
2. Enhance community safety and the perception of safety through partnerships and initiatives.
3. Strengthen gateways, access and way finding in and around the City centre.
4. Encourage street and laneway life that attracts all and excludes no one.
5. Stimulate economic development and increase employment opportunities.
6. Nurture social and cultural development, and maximise education and training opportunities.
7. Build a new image for the City centre.

The most direct contribution this DCP will make is to Vision Element 1, which seeks to address design and character issues in the centre. Each of the elements above includes a series of actions that Council will pursue and the preparation of this DCP is one of the actions listed under Element 1.

However, the design of buildings has an impact on the safety of public and private spaces, the way streets and lanes operate as well as many other aspects of the functioning of a City centre. The DCP will contain controls that respond to, and impact upon, all seven of the vision elements listed. The Strategic Plan details the comprehensive measures Council is taking to revitalise the Fairfield City Centre and is important for understanding the wider strategic context within which the DCP sits.

#### 3.2 Urban Design Principles and Vision for the Built Form

The Strategic Plan includes the following Urban Design Principles which summarise the intent of The Strategic Plan vision in urban design terms for implementation in this DCP:

- New development will enhance and protect the pedestrian realm, public and open spaces within the City;
- Buildings at the street edge should be designed to retain the human scale of the City;
- New development reinforces the existing public domain, is consistent with desired urban form and protects and enhances remaining heritage items; and
- New development integrates sustainable and environmentally friendly building practice.

The vision expected from these principles is for a place where everyone is welcome and safe, the built form is of a human scale, living spaces are of a high quality with good amenity, and it is a place where pedestrians feel safe at all time of the day and the footpaths and public spaces receive adequate sunlight.

### 3.3 Objectives for the Fairfield City Centre

The following objectives have been formulated by integrating:

- The key issues arising from the local context analysis in Chapter 2; with
  - The vision and priority areas identified in the Strategic Plan, with special reference to the urban design principles identified in the Strategic Plan.
- a. **Promote redevelopment of the centre that is economically, environmentally and socially sustainable by:**
- encouraging the development of business, social, community and cultural activities which will contribute to economic and employment growth which re-enforces Fairfield's role as a sub-regional centre;
  - encouraging the development of business, social, community and cultural activities which ensure availability of the widest range of services and facilities for residents and other users of the centre;
  - requiring the development to make efficient use of resources during the construction and operational phases in accordance with Ecological Sustainability Development principles;
  - promoting safe and efficient movement into and around the centre to ensure accessibility to employment services and facilities provided in the centre;
  - providing for residential development which is affordable, provides a suitable range of housing options that meet the needs of all parts of the community, and retains a high standard of design; and
  - promoting use of public transport and other methods of movement that does not involve use of private motor vehicles to minimise congestion and pollution issues.
- b. **Provide for high quality open space and public domain areas by:**
- ensuring they are designed in a manner that promotes the safety of residents and users;
  - maximising the existing and future public investment in open space and the public domain;
  - retaining the amenity of key open space and public domain areas ensuring development of adjoining land does not overshadow or create dark places during periods when they will be intensively used;
  - retaining and enhancing the amenity of all open space and public domain areas by retaining existing trees and promoting provision of additional trees;
  - encouraging appropriate landscaping of developments that contribute to the appearance and amenity and environmental sustainability of the development site and adjoining public domain areas; and
  - ensuring that appropriate lighting exists for security purposes outside businesses, under awnings, footpaths and open space.

- c. **Encourage an appropriate land use pattern and built form which:**
- permits residential development, to contribute to the development of a vibrant and active centre, but in locations that do not impact on the other retail and commercial functions of the centre;
  - minimises the impact of the development on the amenity of adjoining sites and public areas; and
  - provides for a safe environment by ensuring the design minimises the opportunities for crime and provides for natural surveillance of public spaces and communal spaces within developments.
- d. **Ensure any new development takes into account the history of the City centre by:**
- ensuring that the heritage significance of sites identified as heritage items is conserved as part of any new development proposal affecting the site; and
  - ensuring redevelopment of sites adjoining listed heritage sites are developed in a manner that protects the significance of the adjoining heritage item.
- e. **Providing for efficient and safe movement into, out of and within the centre by:**
- requiring pedestrian links and cycle paths and storage in developments where they provide for a more permeable and active City centre;
  - encouraging designs that provide interesting and safe pedestrian pathways with active, interesting frontages and high levels of natural surveillance;
  - requiring that appropriate levels of parking and bicycle storage facilities are provided to promote bicycle use;
  - ensuring development occurs in locations, and is designed to promote efficient use of public transport facilities and minimise use of the private motor vehicle, and allow for efficient servicing for development; and
  - ensuring that appropriate lighting exists for security purposes outside businesses, under awnings, footpaths and cycleways.

### 3.4 Development Options

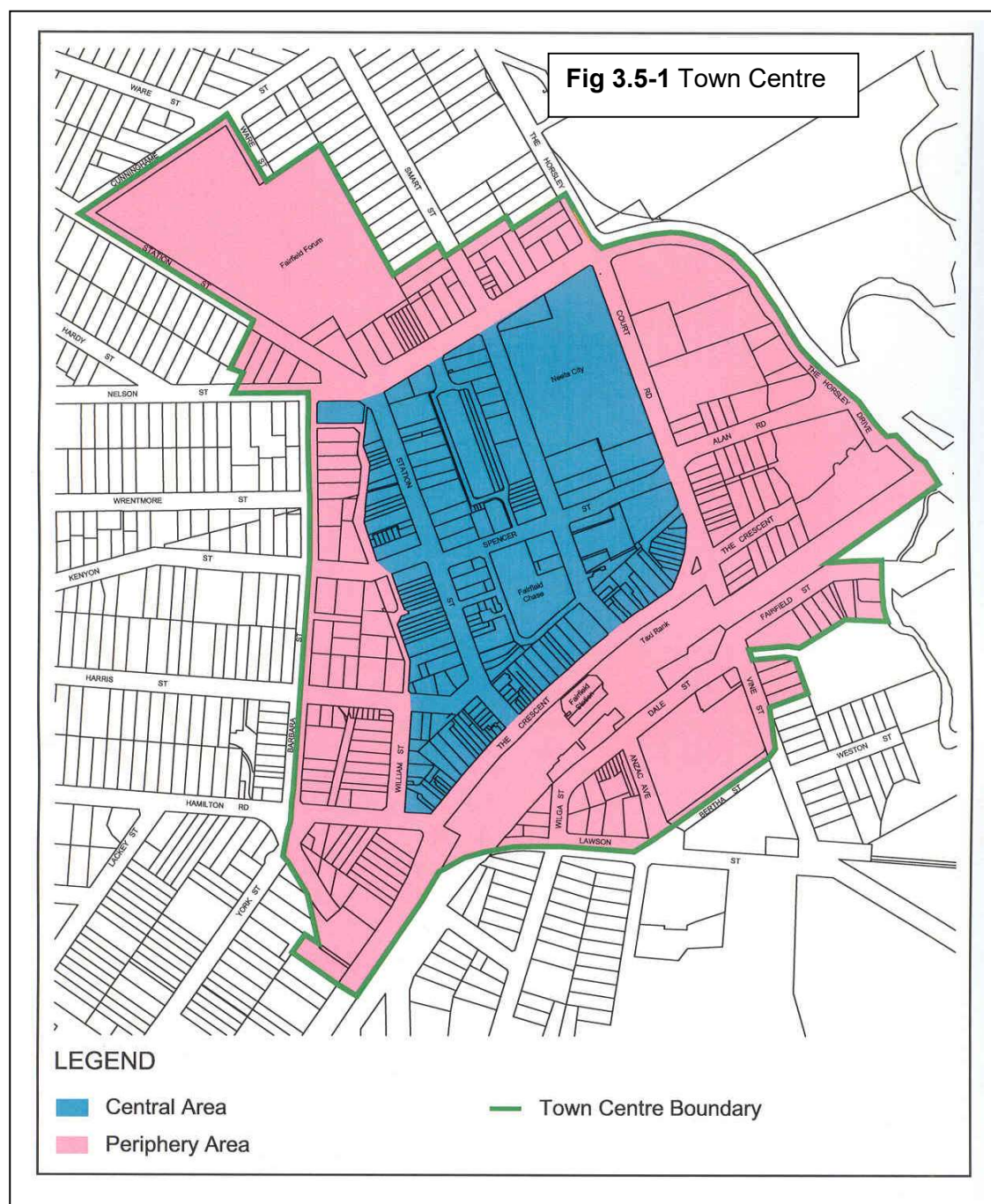
Once the objectives for the Fairfield City Centre were identified a series of workshops were undertaken to identify a land use pattern and built form that would allow Council to achieve these objectives and make sure individual developments considered and approved by Council contribute to achieving this decision.

Different options and arrangements were prepared to seek to identify a land use pattern and building form that reflected the objectives for Fairfield City Centre, but also balance competing objectives. For example, Council had to consider an appropriate balance between the scale of development and the desire to protect the public domain. The options prepared allowed Council to consider different options and balance competing objectives where Council resolved to pursue the existing land-use pattern and built form envelopes described in this DCP.

### 3.5 Land Use and Built Form Strategy

In order to achieve these objectives, a land use plan and desired built form have been identified.

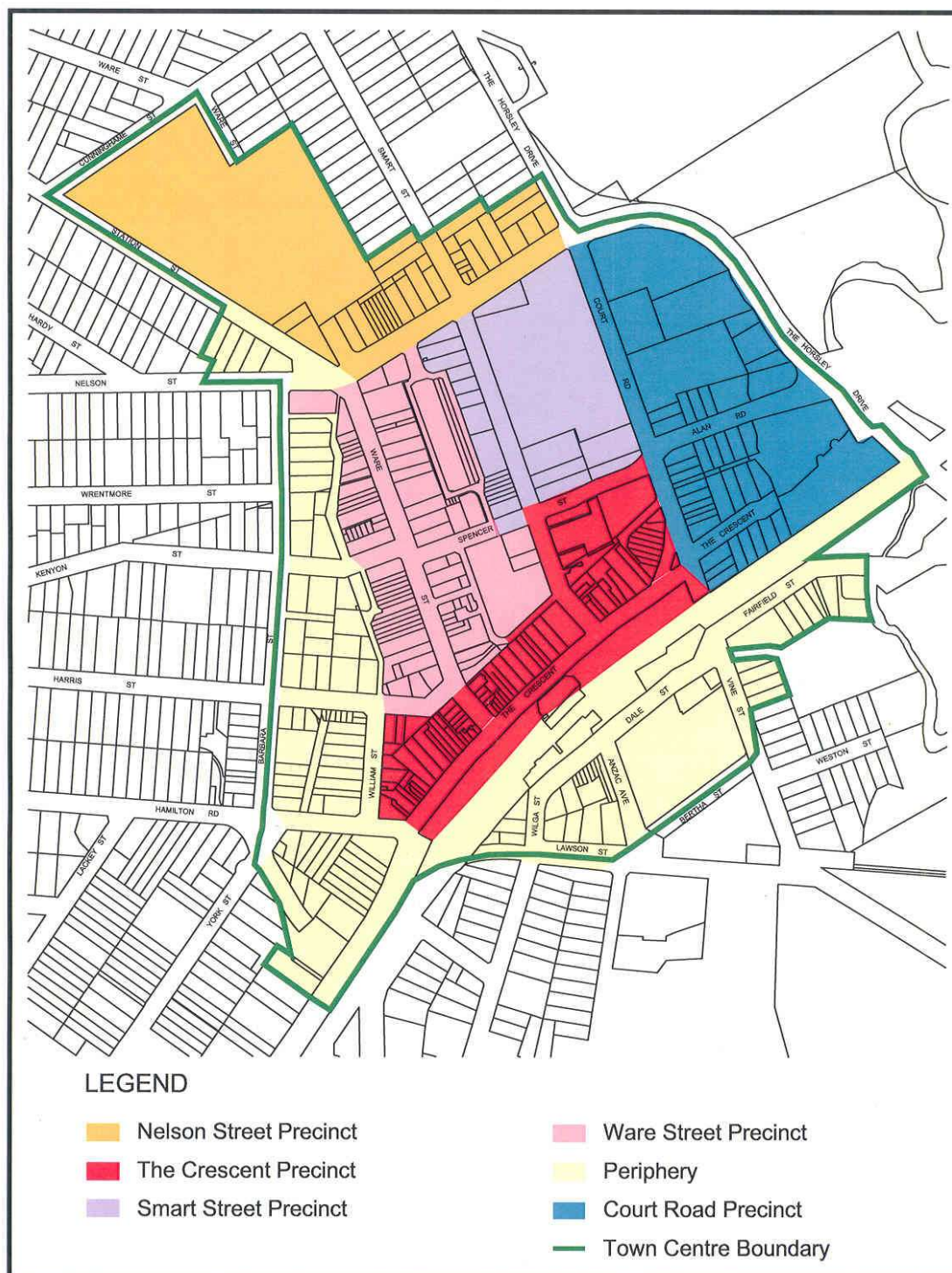
The centre was divided into two areas, a Central Area and a Periphery Area identified in Fig 3.5.1.





The Central Area and Periphery Area were then split into Precincts, which each have a slightly different built form or land use pattern. The objectives for each precinct are discussed in more detail below.

Precincts



### **3.5.1 Central Area**

The Central Area is the central retail / commercial heart of the City Centre (supported in the Periphery by the Forum). The key features of the City Centre in land use and built form terms are:

- the retail and commercial viability of this part of the centre is critical and accordingly all sites are required to provide retail and commercial floor space at lower levels to ensure the streets remain engaged in active trading activities and are not fragmented by other uses;
- to ensure there is an area to accommodate retail and particularly commercial floor space growth as part of the central area that is to be zoned to prohibit residential development;
- the built form is the highest and most intensive in the central area as it is removed from adjoining residential zones and therefore less likely to impact on adjoining residences;
- the built form requires a two storey podium at street level for the commercial activity with a two storey perimeter above, capable of being used for commercial activity. The intent is to maintain the retail / commercial focus of that part of the centre at street level;
- residential development is permitted generally in a tower building form away from the street towards the centre of the site. As well as avoiding fragmentation of the retail / commercial functions, locating the towers in the centre of the site also provides a buffer between the residential activity and the street activities to seek to protect the amenity of residents.

These land-use and design options have not been implemented uniformly over the entire central area, as different parts of the City centre have different characteristics. The features of each different precinct are:-

#### **Smart Street Precinct**

- The analysis indicated it was important to protect the central retail and commercial functions of the Fairfield City Centre, and retain an area where this growth can be accommodated without any restriction from residential development. During the consultation it became clear that doing this across the entire central area was not consistent with community expectations. The Smart Street precinct is to be rezoned to prohibit residential activity because the existing uses and property dimensions, are such that it is the area where residential redevelopment is least feasible in the short to medium term;
- The strip along the western side of Smart Street is limited in its depth, which restricts the opportunity for tower development without significant overshadowing. Therefore a podium with a lower commercial building above is the desirable option;
- The other part of the precinct is dominated by Neeta City. This block is large and has a small number of owners. These features mean there are many design options that could be accommodated on this block and that could achieve Council's objectives. A process for identifying the appropriate built form on larger sites such as this, which have been labelled as Site Specific DCP sites, is provided in Appendix 4.

#### **Ware Street Precinct**

- A mix of retail / commercial and residential should be permitted with retail / commercial in the podium and residential in towers to the rear, on sites where a tower can be accommodated.
- The precinct contains The Chase Site, which has also been identified as a Site Specific DCP Site.

#### **Crescent Street Precinct**



- A mix of retail, commercial and residential should be permitted with retail and commercial in the podium and residential towards the rear of the site.
- This precinct contains a number of heritage items and has a different orientation to the other precincts which has resulted in a less uniform approach across the precinct. The podium remains for the retail / commercial frontage, but the tower form will only be permitted in part of the precinct. In other parts, the building form should be lower to respond to heritage issues.

### **3.5.2 Periphery Area**

The periphery area surrounds the central area precincts and is the transition zone between the surrounding residential and other urban areas and the central area precincts. The transition should be reflected in the built form and intensity of use.

- Given that this is the transition zone between the central area and the surrounding retail, there is less focus on the retail / commercial uses and more consideration of residential amenity and environmental issues than in the central area;
- Key frontages should be required to maintain a retail or commercial frontage, but most streets should have a more residential focus;
- The built forms should be a perimeter form to define the street at a scale that recognises the transition between the central area and the surrounding residential flat development, except for the Nelson Street and Court Street Precincts;
- Nelson Street and The Forum, where the links with other retail centres are important, should be treated differently because of this precinct's unique role in the retail function of the centre. The Nelson Street sites front onto Neeta City and should enclose this street in a retail context. The sites are also a potential pedestrian link to The Forum, so a podium and tower form of development similar to that proposed for the central area should be introduced to retain a retail frontage between the retail hubs in the centre area and allow for pedestrian arcade links;
- The Court Street precinct is also a unique part of the periphery. This precinct does not adjoining any residentially zoned land and there is no need for a transition down to a residential scale. This provided an opportunity for a denser higher building form than in other parts of the periphery.
- The only other exception in terms of the built form should be where the building form responds to adjoining approved buildings to integrate the design or adjoins heritage items; and
- There are a number of sites throughout the periphery that are larger land holdings where the built form will be determined via the Site Specific DCP Process (See Appendix 4).

### **Fig 5.3 - 3D model building Envelopes**

The discussion above has described the desired built form and the diagram below shows how these built forms will fit together into an integrated built 3D form for the city.

The large sites with no discernable building form are the Site Specific DCP sites described above. Section 4 provides more detailed description of the building form and more detailed 3D images for each precinct.

Fig 5.3 – 3D Model Building Envelopes



## 4. Land Use and Building Envelope Controls

### Assessment Considerations

This Development Control Plan must be read in conjunction with the documents set out in Section 1. The definitions for terms set out in this development control plan are set out in Appendix 1.

The development controls are set out in Sections 4 and 5 and in both sections there are objectives and controls for any development in the centre:

- **Objectives** - clearly state the outcome that Council seeks to achieve.
- **Controls** - are a prescriptive means of achieving the desired objectives. Development complying with the controls will in the majority of circumstances be deemed to meet the objectives.

You must meet the objectives in each section of the Development Control Plan and you should satisfy the objectives by complying with the detailed controls.

Where a proposed development seeks to satisfy the objectives in a manner that is not consistent with the controls, written documentation to support the variation must be submitted. In considering any variation, Council will assess if the objectives of the Development Control Plan have been met and whether or not satisfying the controls provides for a better development outcome. If a better developed outcome is achieved the variation will be supported.

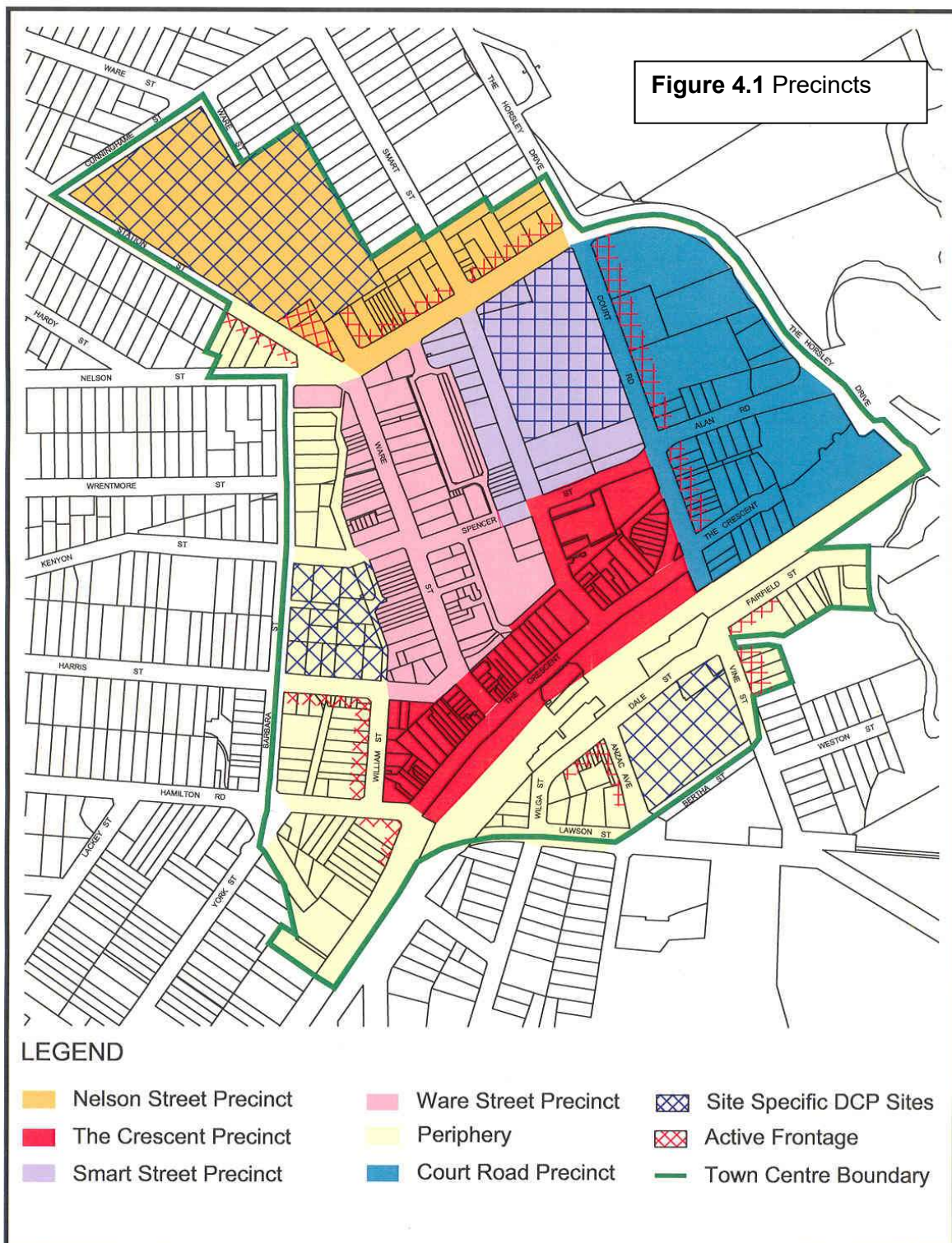
It should be noted that compliance with the development controls does not guarantee approval of an application. Council may not support an application that complies with the controls if it considers the objectives of the DCP have not been satisfied.

Each application will be considered on its merits within the guidelines of the Development Control Plan and against the relevant heads of consideration in Section 79c of the Environmental Planning and Assessment Act, 1979.

### Development Controls in this DCP

The controls in this chapter have been formulated to achieve the strategy for each precinct identified in Section 3.5.







Section 4 primarily deals with issues of Land Use and Building Envelopes discussed below but also touches on related access and heritage issues.

### Land Use

The land use objectives and controls identify where within the development site different activities such as retailing or residential uses should be located and the reasons for the separation or proposed location of these uses

### Building Envelope

The building envelope details the height and setback controls for any proposed buildings. The envelopes specify the height of the buildings across different parts of the site as well as the setbacks from boundaries. The envelopes have generally been formulated to protect the amenity of the public domain spaces and promote high quality residential developments.

The envelopes are locations where building mass is permitted that are not necessarily building entitlements. In designing any building to be located within the envelopes the design will still need to comply with the requirements of Section 5 which in some case could mean that the entire building envelope as shown cannot be completely developed.

Section 5 includes controls that generally apply across all precincts addressing amenity, environmental, service and design issues.

### Building Height

Building Height is controlled by the Height of Buildings Map which forms a part of LEP 2013. Applicants should refer to Clauses 4.3 and 4.3A of Fairfield LEP 2013 for further details. The maximum building height specified in the Height of Buildings Map, and applicable to the areas specified within the City Centre Precinct Map, which also forms a part of Fairfield LEP 2013, can only be achieved on lots meeting the minimum lot size, width and depth specified in Clause 4.3A - Table 4.3A1 of Fairfield LEP 2013. In cases where the minimum area width or depth specified in Table 4.3A1 is not met then the maximum height specified in Clause 4.3A2 applies.

The maximum heights for buildings specified within Fairfield City Centre DCP 2013 is subject to the requirements contained within Clause 4.3A – Table 4.3A1 being achieved. Where there is an inconsistency between the information contained within this DCP related to height and the requirements of Fairfield LEP 2013 then the requirements of Fairfield LEP 2013 prevail to the extent of the inconsistency.

In certain circumstances Council may permit a variation to the maximum building heights applicable under the provisions of Fairfield LEP 2011 where the variation proposed results as a consequence of an architectural roof feature. Applicants are referred to Clause 5.6 of Fairfield LEP 2013 for details.

Building Heights are a development standard and provision exists within Fairfield LEP 2013 to consider variations to development standards. Applicants should refer to Clause 4.6 of Fairfield LEP 2013 for further details. Proposed variations to a building height standard must in the first instance be discussed with Council's Planning staff. In some cases proposed variations may require a Planning Proposal to be submitted which seeks to vary the building height as shown on the Height of Buildings Map.

## Site Specific DCP Sites

The sites shown hatched in blue on Figure 4.1 are Site Specific DCP sites

The sites identified are larger sites where the entire (or the greater majority of the) site is in single ownership. The size and ownership patterns of these sites means there is more potential and flexibility for site specific design responses than in other parts of the centre where greater site amalgamation would be required. Any site-specific design will still be required to achieve the objectives set out in this DCP but may identify other options for these sites that would not be permitted by the existing controls.

A process for the Site Specific DCP assessment has been set out in Appendix 4 to ensure the process for determining the Site Specific DCPs for these sites is clearly specified and a transparent process detailed.









### Community Precinct

The Site Specific DCP site on Barbara Street contains the Library, Community Centre, Senior Citizens Centre, Meals on Wheels Facility and Council Car Park. Another government service provider (Roads and Maritime Services - RMS) is also located in the hatched area and there are only three lots in this area that are in private ownership.

The Fairfield City Centre Strategic Plan identifies future development options for the library site and community centre as well as a review of leases over the car park. Rather than decisions being made on any individual site in isolation there is an opportunity for Council to prepare a Site Specific DCP for this block. An integrated Site Specific DCP will permit Council to make better use of the site than if each facility was treated as an individual development site.

The Site Specific DCP process for this site is also set out in Appendix 4 of this DCP.

**Note:** The following legend applies to all Building Envelope Diagrams, Plan Views and Sections/Elevations contained in Section 4.

Fairfield DCP Colour Table	
Residential	
Commercial	
Retail	
Car parking	
Site specific DCP	
Existing building	
Heritage/Conservation	
Deep Soil Planting/No building	
Number of storeys above street level	④

## 4.1 Smart Street Precinct

### Land Use

#### Objectives

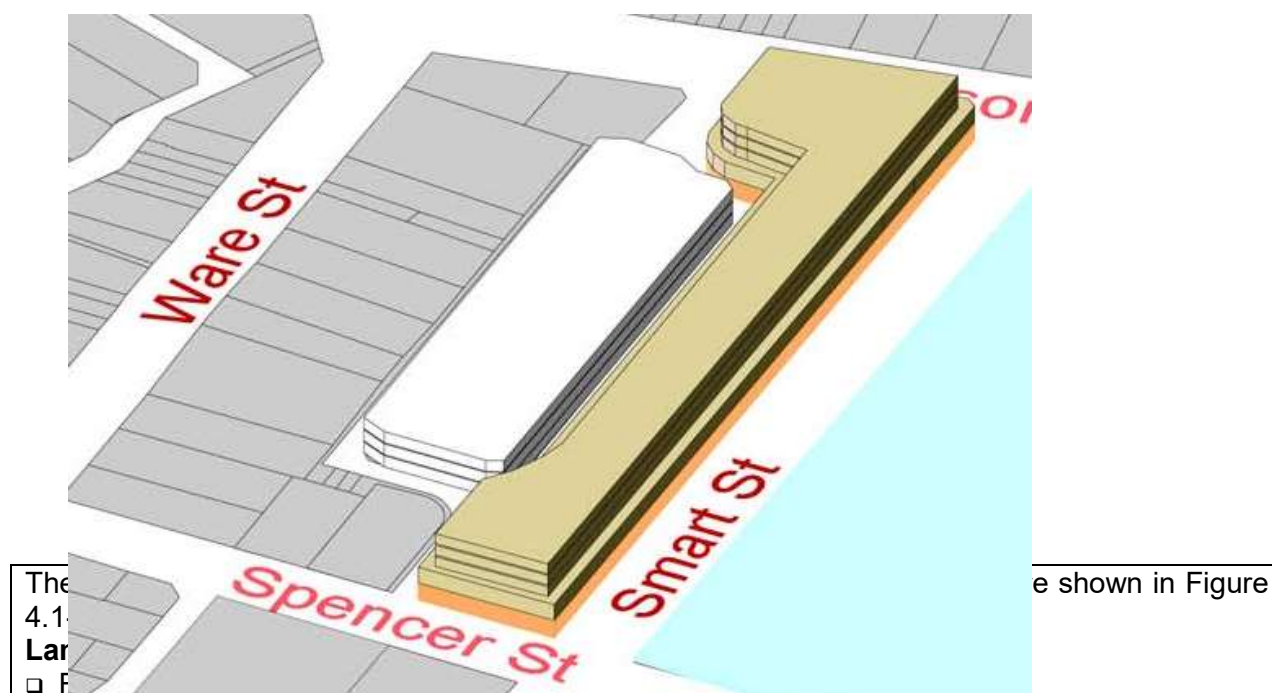
- To maintain a retail/commercial core in the City centre;
- To ensure there is scope for future growth in retail/commercial floor space by avoiding the sterilisation of parts of the retail/commercial core by future redevelopment of strata titled residential development;
- To ensure there are adequate locations in the City centre for land uses which are less compatible with residential uses;
- To maintain interesting, vibrant and safe public domain areas with active frontages

### Building Envelopes

#### Objectives

- To ensure development reinforces the existing street patterns;
- To ensure uniform building frontages are achieved in the precinct;
- To ensure the building sites are developed in an appropriate manner taking into account the development potential of adjoining sites and in particular solar access to adjoining sites;
- To protect the amenity of the public domain areas in the precinct from overshadowing;
- To ensure the amenity of the public domain is maintained by ensuring the development visually prominent when viewed from primary streets is at a scale appropriate to the pedestrian environment;
- To ensure the development along rear lanes allows sufficient space for safe and efficient movement by pedestrians, cyclists and vehicles;
- To provide a built form that is water and energy efficient.

**Figure 4.1-1 – Smart Street Precinct – Desired Building Form in 3D**



- ❑ Ground Floor –retail or commercial with an active frontage to the primary streets
- ❑ All other levels– retail/ commercial uses
- ❑ Car parking – Where car parking is to be provided on site one level of car parking must be provided below ground level (See to Section 5.2.5)
- ❑ Pedestrian/ Vehicular Links- Must be provided/retained through certain sites (See Section 5.2.2 and 5.2.4)

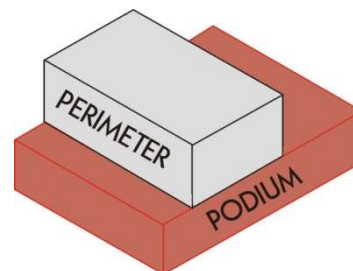
#### PODIUM

**Height** – maximum 9m above natural ground level (2 storeys)

**Setbacks to all Boundaries** – Zero permitted

##### Floor to Ceiling Heights

- ❑ Minimum 4.2m for the ground floor level and
- ❑ Minimum 3.2m for the first floor.



#### PERIMETER

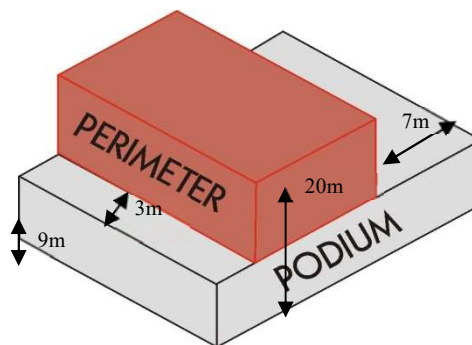
**Height** - maximum 21m above natural ground level (3 storeys above podium)

**Setback -primary street frontage** - minimum 3m

**Setback - rear boundary/ secondary lane** - minimum 6m from Council Lane except for any part of the building located within 21m of Spencer Street or Smart Street, which may be setback a minimum of 3m from Council Lane.

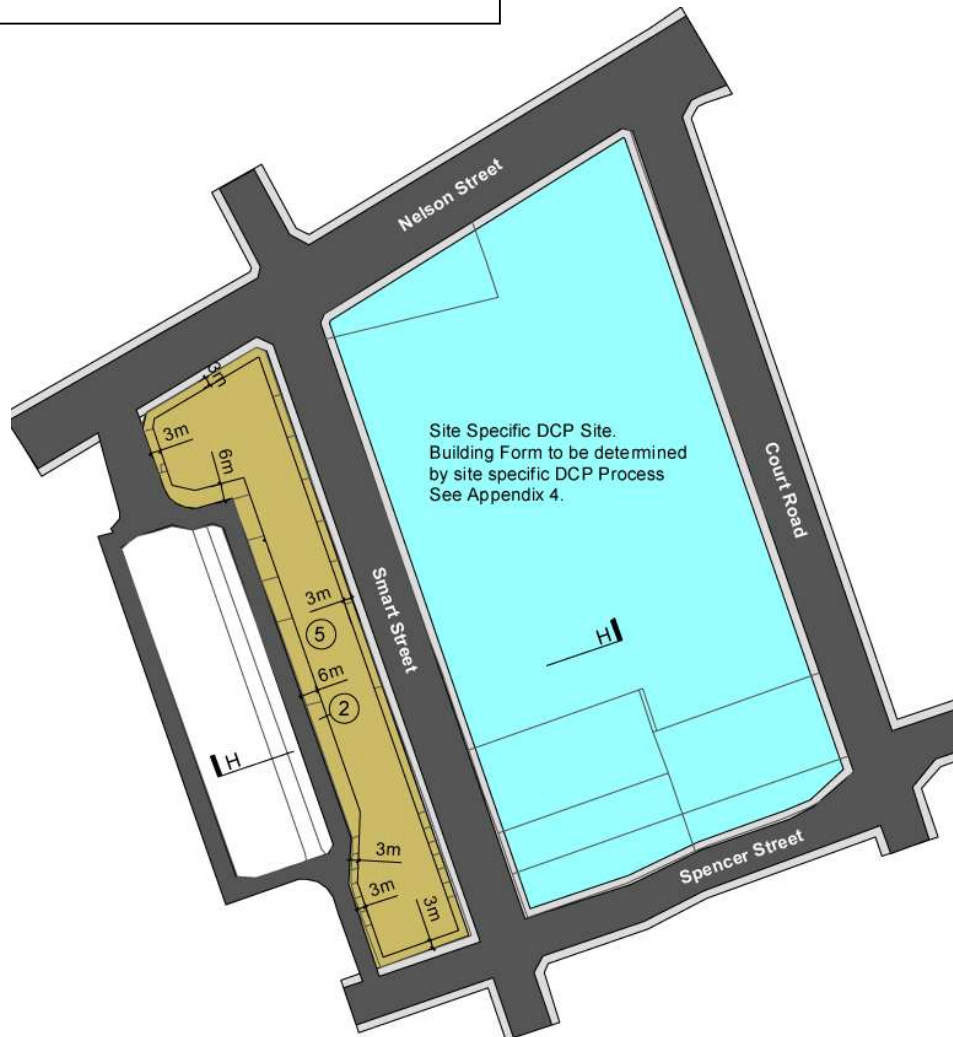
**Setback - side boundary** - zero permitted

**Floor to Ceiling Height** – Minimum 3.2m

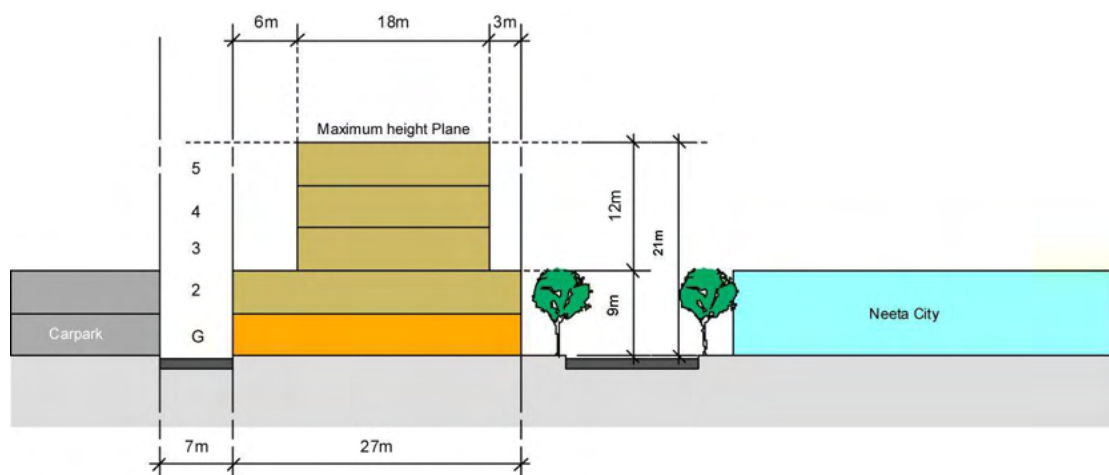




**Fig 4.1-2 Smart Street Precinct – Plan View**



**Fig 4.1-3 Smart Street Precinct – Plan View**



**Height and Setback Controls - Smart Street  
Section H- H**

## **4.2 Ware Street Precinct**

### **Land Use**

#### **Objectives**

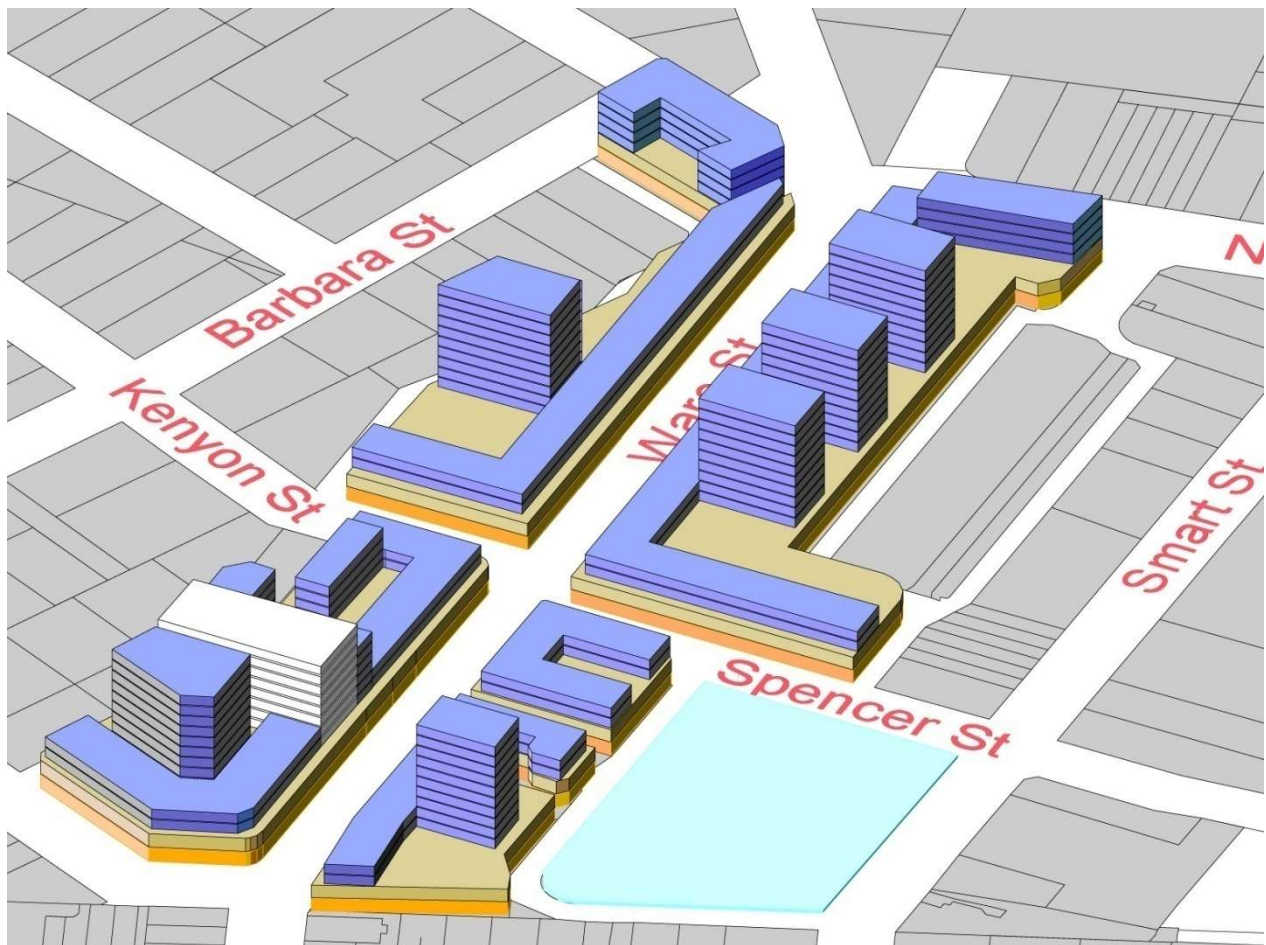
- To maintain and enhance the retail/commercial functions of Ware Street at lower levels of the building;
- To permit residential development in mixed use developments that maintain the critical retail/commercial functions at the street level to minimise the fragmentation of the retail/commercial functions;
- To maintain interesting, vibrant and safe public domain areas with active frontages;
- To minimise potential land –use conflicts that arise in mixed-use retail/ commercial/ residential areas relating to noise access and servicing; and
- To ensure the pedestrian and bicycle connectivity of the centre is maintained and enhanced.

### **Building Envelopes**

#### **Objectives**

- To ensure development at ground level reinforces the existing street pattern;
- To ensure uniform building frontages are achieved in the precinct;
- To ensure the building sites are developed in an appropriate manner taking into account the development potential of adjoining sites and in particular solar access to adjoining sites;
- To protect and enhance the amenity of all public domain areas;
- To ensure development visually prominent when viewed from primary streets is at a scale appropriate to the pedestrian environment;
- To ensure the development along rear lanes allows sufficient space for safe and efficient movement by pedestrians, cyclists and vehicles; and
- To provide spatial separation between differing land uses which have the potential to generate land – use conflicts

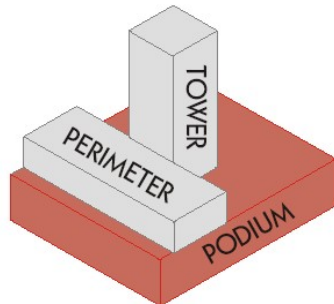
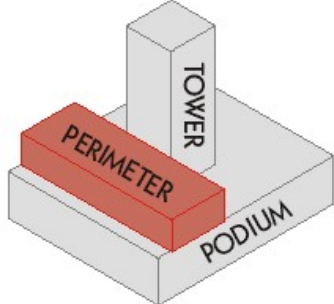
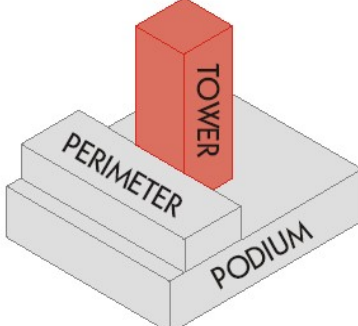
**Fig 4.2 – 1 Ware Street Precinct – Desired Building Form**



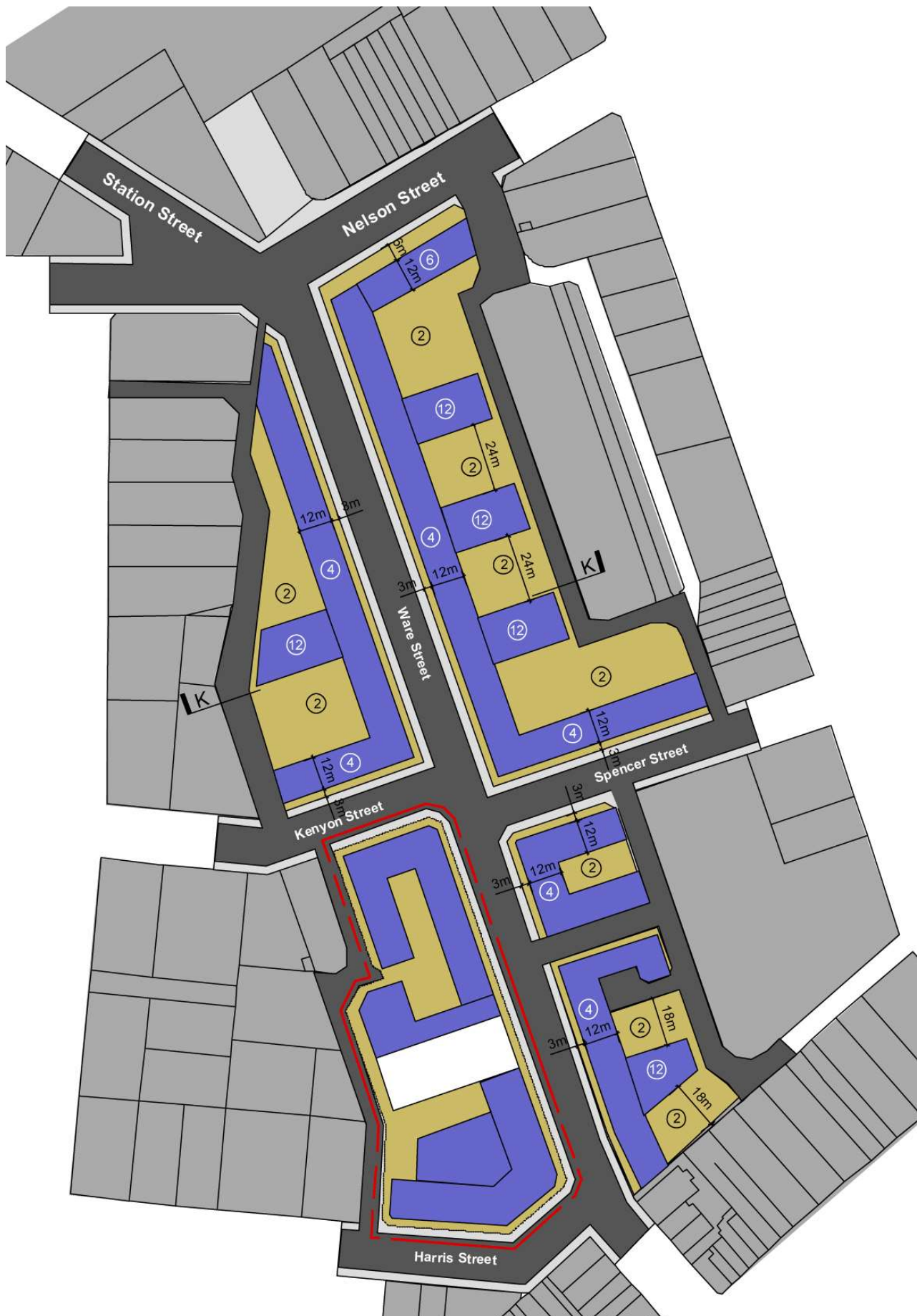
**GENERAL CONTROLS** - These controls apply to the Ware Street precinct the boundaries of which are shown in Figure 4.2-2

**Land Uses**

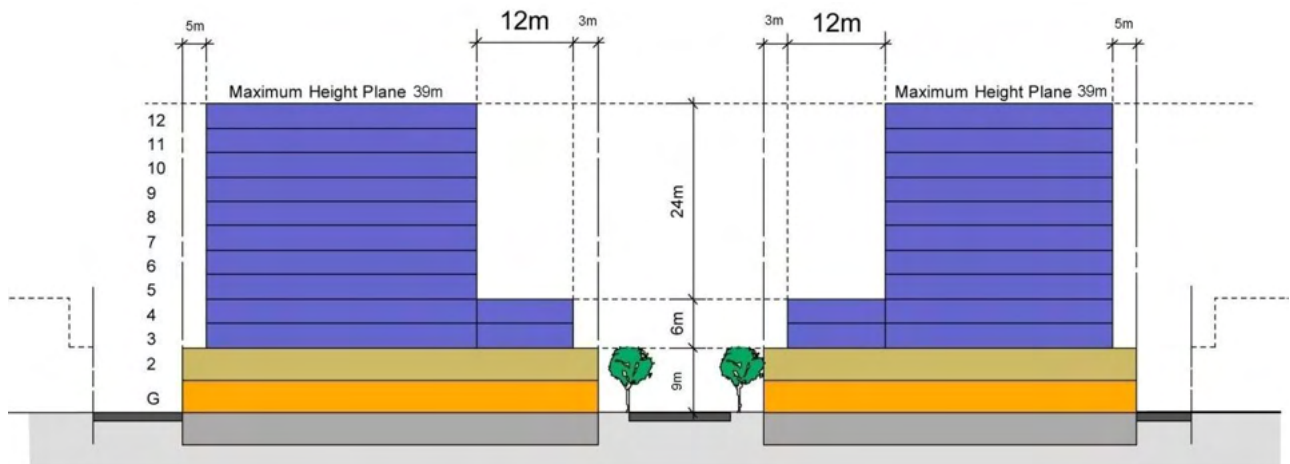
- Ground Floor – retail/ commercial with an active frontage to the street – residential use not permitted
- First Floor – retail/ commercial, residential use not permitted
- Perimeter Building – Residential permitted but must be capable of conversion to commercial
- Tower – retail/ commercial or residential uses permitted
- Car parking – Where car parking is to be provided on site one level of car parking must be provided below ground level (See Section 5.2.5)
- Pedestrian Links- must be retained/ provided on certain sites (See Section 5.2.2)

<p><b>PODIUM</b>  <b>Height</b> – maximum 9m above natural ground level (2 storey)  <b>Setbacks to all Boundaries</b> – Zero required  <b>Floor to Ceiling Heights</b>  <ul style="list-style-type: none"> <li>❑ 4.2m for the ground floor level and</li> <li>❑ 3.2m for the first floor.</li> </ul> </p>	
<p><b>PERIMETER</b>  <b>Height</b> – maximum 15m above natural ground level (2 levels above podium). Except on lots with longest frontage to Nelson Street which shall have a maximum height of 21m above natural ground level (4 levels above podium). (See Fig 4.2.3 for locations where 21m height is permitted)  <b>Setback -primary street frontage</b> - minimum 3m  <b>Setback - rear boundary/ secondary lane</b> - minimum 3m  <b>Setback - side boundary</b> - zero within 21m of primary street, otherwise minimum 6m is required.  <b>Depth</b> - Between 10m and 18m  <b>Floor to Ceiling Height</b> – Minimum 3.2m</p>	
<p><b>TOWER –</b>  <b>Height*:-</b> maximum 39m above natural ground level to the ridgeline including parapets and any other structures (10 storeys above podium).  <b>Site Requirements*</b> – Towers will only be permitted if the site has an average width of 34m and minimum site area of 1360m<sup>2</sup>.  <b>Setback - primary street frontage*</b> = minimum 15m except sites fronting the northern side of Spencer, Kenyon or Harris Street where the minimum setback shall be 24m from the street.  <b>Setback - rear boundary/secondary lane*</b> = minimum 5m  <b>Setback - side boundary *</b>– minimum 12m  <b>Depth /Width*-</b> Between 10m and 18m.  <b>Floor to Ceiling Height</b> – Minimum 3m  * Alternate controls will apply in the South West Sub-Precinct Shown in Figure 4.2-2. See Additional controls at the end of Section 4.2</p>	





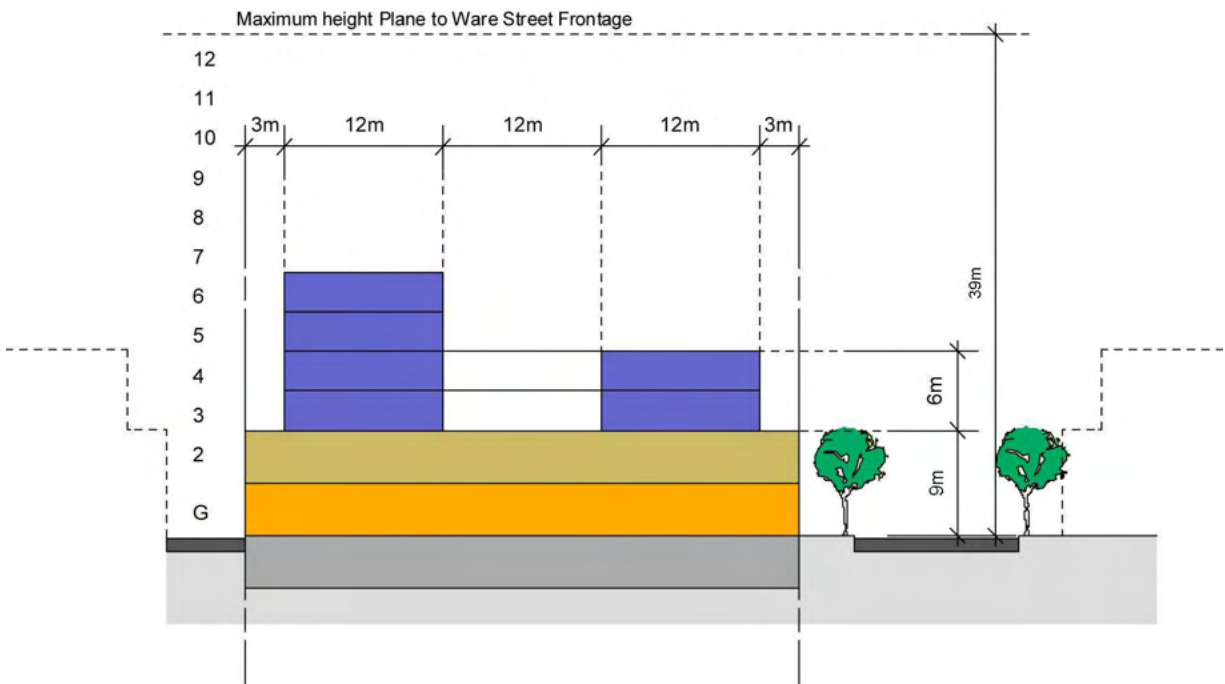
**Figure 4.2-3 Ware Street – Section View**



**Height and Setback Controls - Ware Street  
Section K-K**



**Fig 4.2-5 Ware Street: South West Sub-Precinct - Section**



### Height and Setback Controls - Ware Street Section J-J

The following controls have been formulated to seek to provide site specific controls that respond to the existing development but still achieve the objectives set out for the Ware Street precinct set out at the beginning of this section.

### 10-28 Harris Street and 17-35 Ware Street

There is a DA 1319/2003 for 23-35 Ware Street. If this does not proceed and all these sites can be amalgamated, a tower development as indicated in the diagram above can proceed. If these conditions are achieved development as indicated in Fig 4.2-4 above will be permitted subject to the controls set out below.

If DA 1319/2003 does proceed, this arrangement would not be possible and the controls and 10-28 Harris Street and 17-35 Ware Street would only be permitted a 2 storey podium plus two storeys of perimeter building. In this case the maximum number of storeys would be 4 storeys.

**43 Ware Street**



This property is strata subdivided site. If the strata plan can be consolidated and all strata owners reach agreement to redevelop the site a tower development in the locations shown on the Figure 4.6.2-3 will be permitted subject to the controls in the table below.

### 55-67 Ware Street

If these sites can be consolidated into one development site a 6 storey development (4 storeys above a 2 storey podium) in the location shown on the Figure 4.2-4 will be permitted subject to the development controls in the table below.

### Ware Street - South West Sub-Precinct –Controls

For each site in this precinct the podium and perimeter buildings must comply with the general controls set previously for the Ware Street Precinct.

Any tower element on these sites must comply with the following controls:-

	<b>10-28 Harris Street and 17-35 Ware Street</b>	<b>43 Ware Street</b>	<b>55-67 Ware Street</b>
Maximum Height:- (above natural ground level)	39m	27m	21m
Setback - Ware Street & Harris/Kenyon St	15m	3m	15m
Setback – Kenyon Lane	12m	3m	3m
Minimum Separation between tower buildings.	12m	0m	Minimum distance between tower and perimeter building running parallel to Ware Street - 12m
Minimum Dimension	Depth ( ease / west) - 15m Width (north / south) - 8m	8m and 10-18m see Figure 4.2-4	Depth – Between 10-18m
Floor to Ceiling Height – Minimum	2.7m	2.7m	2.7m

## 4.3 The Crescent Precinct

Objectives Council is seeking to achieve in this Precinct:

### **Land Use**

#### **Objectives**

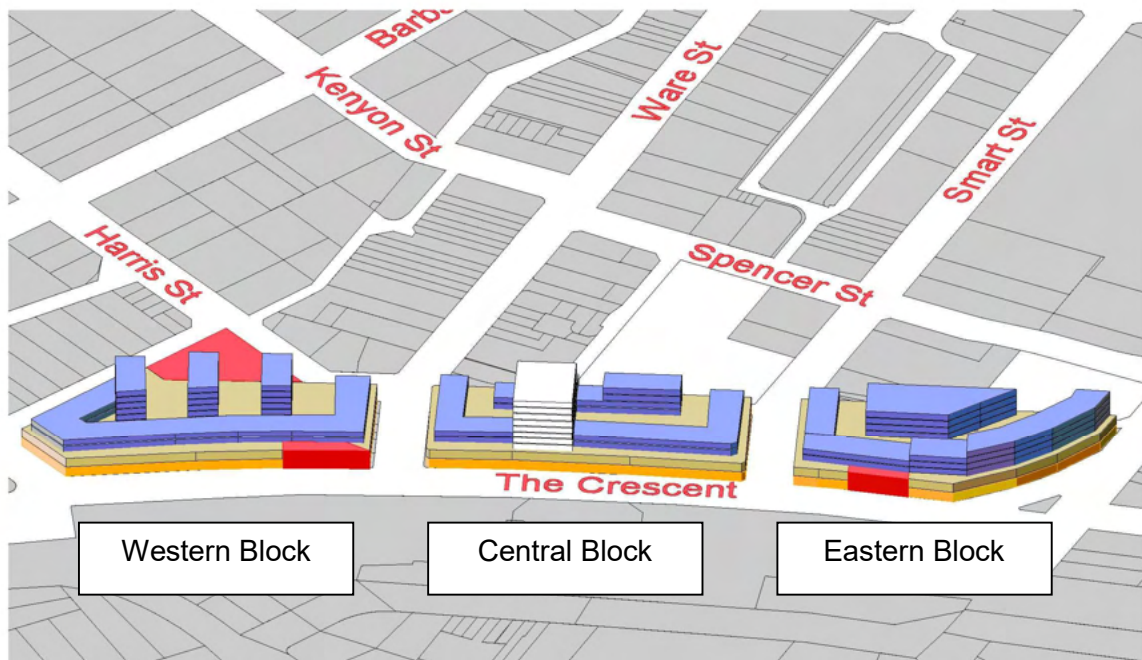
- To maintain the retail/commercial functions of The Crescent in the City centre which contributes to the ongoing viability the City centre;
- To permit residential development in locations that will minimise the fragmentation of the retail commercial functions;
- To maintain interesting, vibrant and safe public domain areas with active frontages;
- To minimise potential land –use conflicts that arise in mixed-use retail/ commercial/ residential areas relating to noise access and servicing; and
- To ensure the pedestrian and bicycle connectivity of the centre is maintained and enhanced.

### **Building Envelopes**

#### **Objectives**

- To ensure development is built to the perimeter of street blocks, reinforcing the traditional street pattern;
- To ensure uniform building frontages are achieved in the precinct;
- To ensure the building sites are developed in an appropriate manner taking into account the development potential of adjoining sites and in particular solar access to adjoining sites;
- To balance the issues of the amenity of the public domain areas, in particular communal open space adjacent to the rail line from overshadowing with the economic viability of the western part of The Crescent;
- To ensure the amenity of the public domain is maintained by ensuring the development visually prominent when viewed from primary streets is at a scale appropriate to the pedestrian environment;
- To ensure the development along rear lanes allows sufficient space for safe and efficient movement by pedestrians, cyclists and vehicles;
- To provide spatial separation between differing land uses which have the potential to generate land – use conflicts; and
- To ensure development recognises and protects the significance of Heritage items identified in the City centre

The Crescent consists of three separate blocks identified in Figure 4.3-1 below



In each of these blocks there has been an approval granted for a multi use retail/commercial residential development. Only one development in the Central Block and shown in white on the diagram above has commenced. Each block also has a different relationship to the Heritage Items identified within and adjoining the precinct. Heritage items within the precinct are shaded red.

Each block has had different patterns of use and investment in recent times due to differences in the economic return generated by the sites. These factors have resulted in each block being treated individually with a specific envelope, which seeks to respond to these issues.

Should the approved retail/commercial/residential developments already approved be constructed, the development patterns will not be identical to what is shown above but the controls in this section will still be applicable.

## The Crescent Block 1 – Western End

**Fig 4.3-2 Western Block – 3D Envelope**



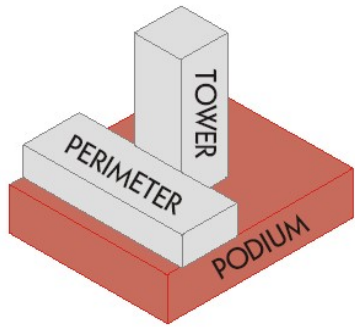
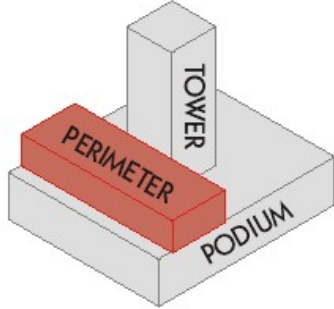
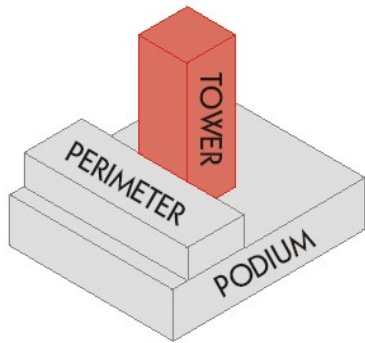
### **GENERAL CONTROLS**

#### **Land Uses**

- ☐ Ground Floor – retail commercial with an active frontage to the street – residential not permitted
- ☐ First Floor – retail/ commercial, residential use not permitted
- ☐ Perimeter Building – Residential permitted but must be capable of conversion to commercial
- ☐ Tower – residential uses permitted
- ☐ Car parking - One level of car parking must be provided below ground level (See Section 5.2.5)
- ☐ Pedestrian Arcades/Link- Must be provided on certain sites (See Sections 5.2.2 and 5.2.4)

**Heritage Impact Assessment** -required for developments in this block (See Section 5.4.1)



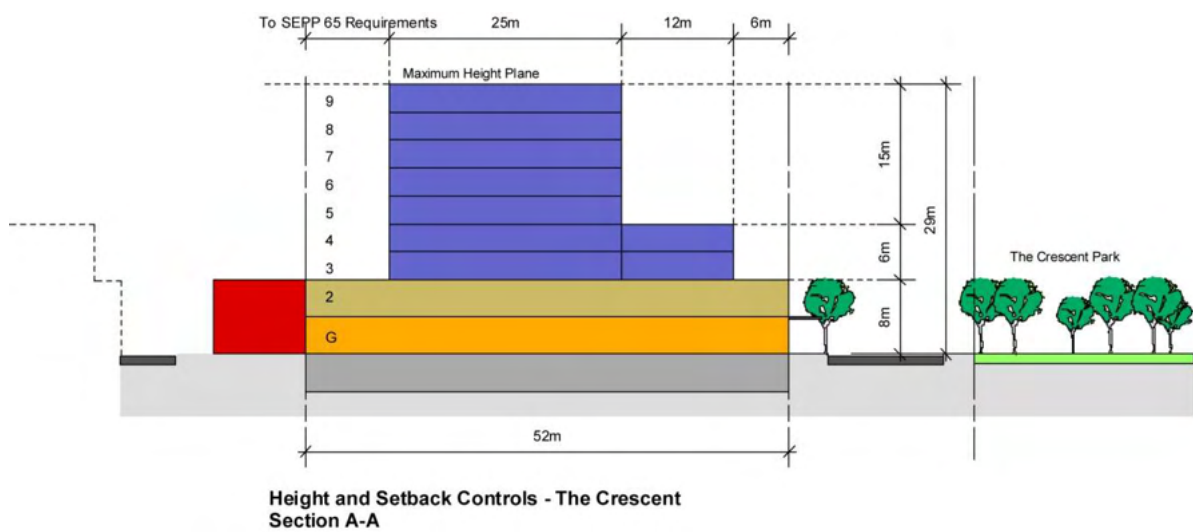
<p><b>PODIUM</b></p> <p><b>Height</b> – maximum 8m above natural ground level (2 storey)</p> <p><b>Setbacks to all Boundaries</b> – Zero</p> <p><b>Floor to Floor Heights</b></p> <ul style="list-style-type: none"> <li>❑ 4.2m for the ground floor level and</li> <li>❑ 3.2m for the first floor.</li> </ul>	
<p><b>PERIMETER</b></p> <p><b>Height</b> - 14m above natural ground level (2 storey above podium)</p> <p><b>Setback -primary street frontage</b></p> <ul style="list-style-type: none"> <li>-The Crescent - minimum 6m</li> <li>-Ware, and Harris Streets or Hamilton Road – 3m</li> </ul> <p><b>Setback - side boundary</b> - (boundaries not described above) – zero permitted if within 21m of a primary Street</p> <p><b>Depth</b> - Between 10m and 18m</p> <p><b>Floor to Ceiling Height</b> – Minimum 2.7m</p>	
<p><b>TOWER BUILDING – Behind the Perimeter Building</b></p> <p><b>Height:</b> 29m above natural ground (7 storeys above podium) See Fig 4.3-3- for locations.</p> <p><b>Site Requirements</b> – Towers will only be permitted if the site has an average width of 34m</p> <p><b>Separation between Tower Building* – 18m. Note:</b> The designer will need to submit to Council a concept plan showing existing and potential development in The Crescent Block 1 at the time any development application is lodged to demonstrate that the location of any proposed tower does not significantly prejudice the development of a tower on adjoining sites and that appropriate separation between any existing and potential future towers is possible.</p> <p><b>Setback from The Crescent,</b> Minimum 21m</p> <p><b>Setback - Harris Street or Heritage properties to the rear-</b> minimum 9m and 12m (see Fig 4.2-3)</p> <p><b>Width (Measured parallel to The Crescent)</b> maximum 15m</p> <p><b>Floor to Ceiling Height</b> – Minimum 2.7m</p>	

**Figure 4.3-3 Western Block – Plan and Section View**

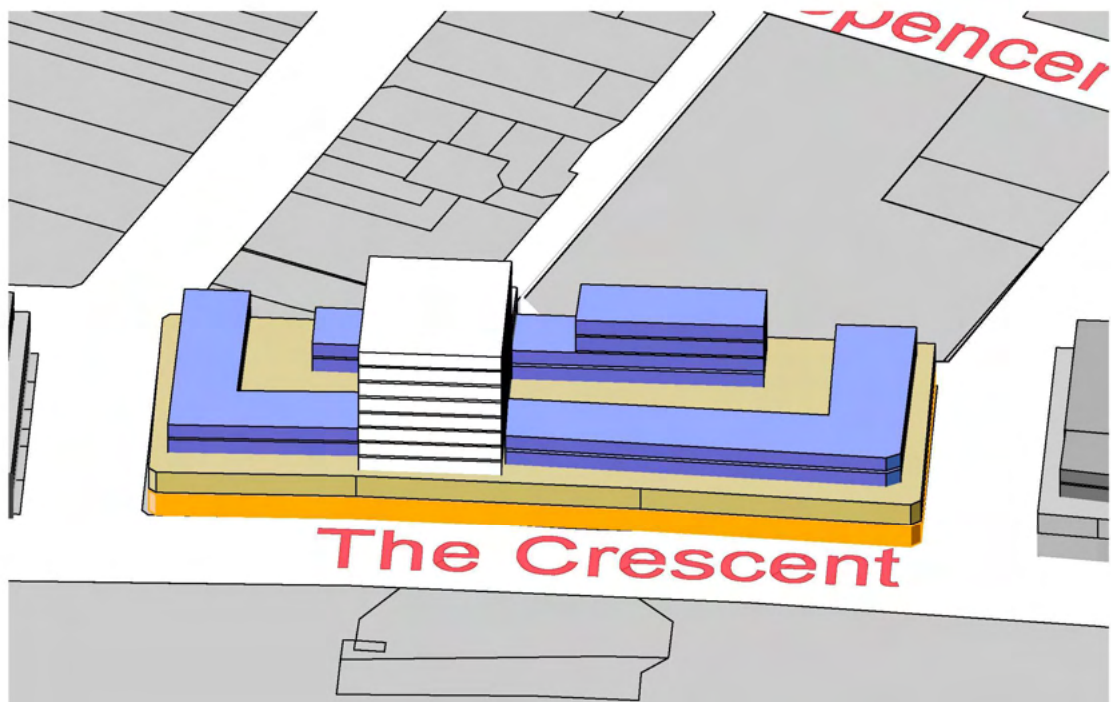


**Height and Setback Controls - Crescent  
Plan & Section BB**

**Fig 4.3-4 Western Block – Section AA**



## The Crescent Block 2 – Central Block



## GENERAL CONTROLS

### Land Uses

- ☐ Ground Floor –retail commercial with an active frontage to the street – residential not permitted
- ☐ First Floor – retail/ commercial, residential use not permitted
- ☐ Perimeter Building – Residential permitted but must capable of conversion to commercial
- ☐ Courtyard Building – Residential uses permitted
- ☐ Car parking - One level of car parking must be provided below ground level (See Section 5.2.5)
- ☐ Pedestrian Arcades/Link- Must be provided on certain sites (See Sections 5.2.2 and 5.2.4)

**Heritage Impact Assessment** - required for any development on this blocks.(See Section 5.4.1)

### PODIUM

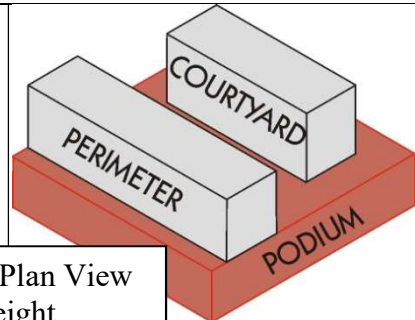
**Height** – maximum 8m from natural ground level (2 storeys)

**Setbacks to all Boundaries** – Zero

#### Floor to Ceiling Heights

- ☐ Minimum 4.2m for the ground floor level and
- ☐ Minimum 3.2m for the first floor

Fig 4.3-5 Central Block – Plan View and Permitted Building Height



### PERIMETER

**Height** – maximum 14m above natural ground level (2 storey above podium)

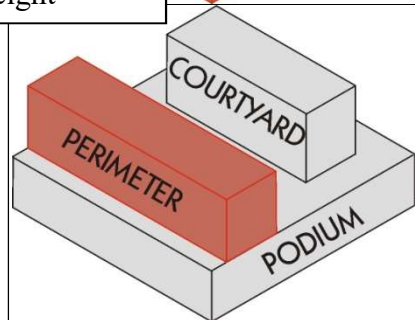
#### Setback to street/lane frontages

- The Crescent - minimum 6m
- Ware, and Smart Street and Council Lane – minimum 3m

**Setback - side boundary** - (boundaries not described above) - zero permitted

**Depth** - Between 10m and 18m

**Floor to Ceiling Height** – Minimum 2.7m



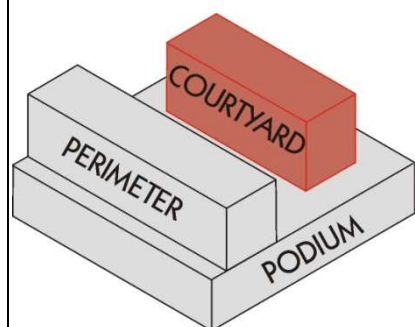
### COURTYARD BUILDING – Behind the Perimeter Building

**Maximum Height:-** maximum of 20m (4 storey above podium) except any building within 12m of the existing approved development application 51-53 The Crescent which will have a maximum height of 14m above natural ground level (2 storey above podium)

**Separation from Perimeter Building** – Minimum 12m

**Setback from Council Lane and boundary with adjoining properties to the north**– Minimum 6m

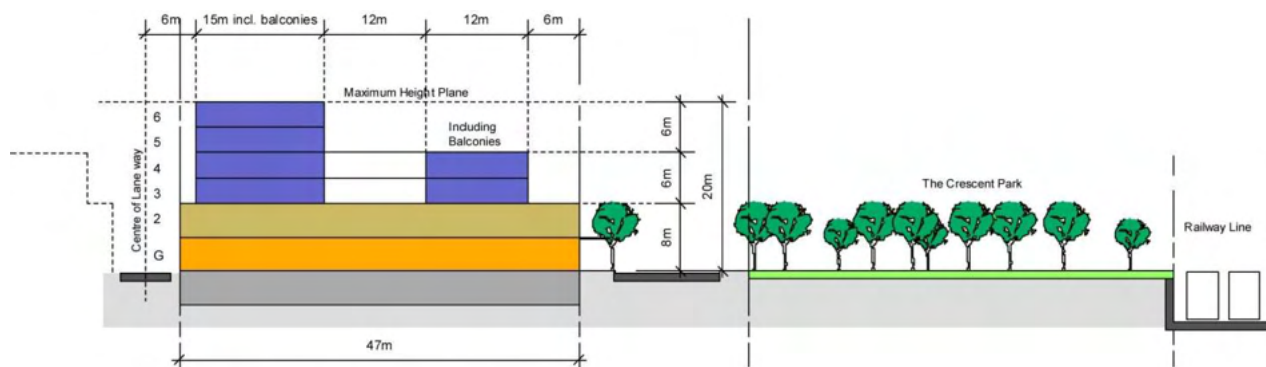
**Setback side boundary** – zero permitted



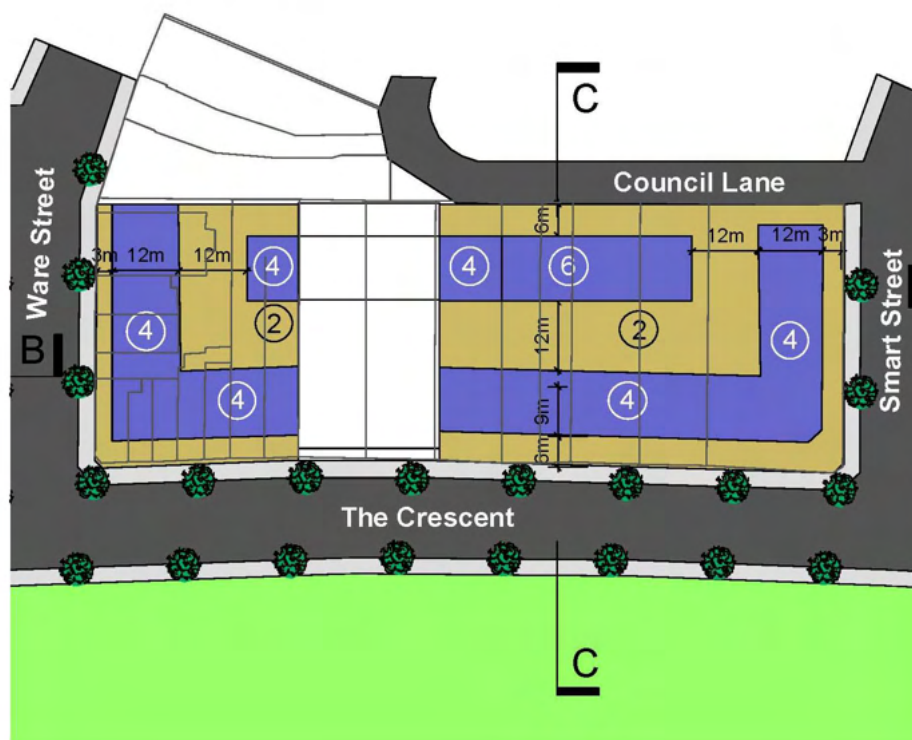


**Depth – 10-12m permitted**  
**Floor to Ceiling Height – Minimum 3m**

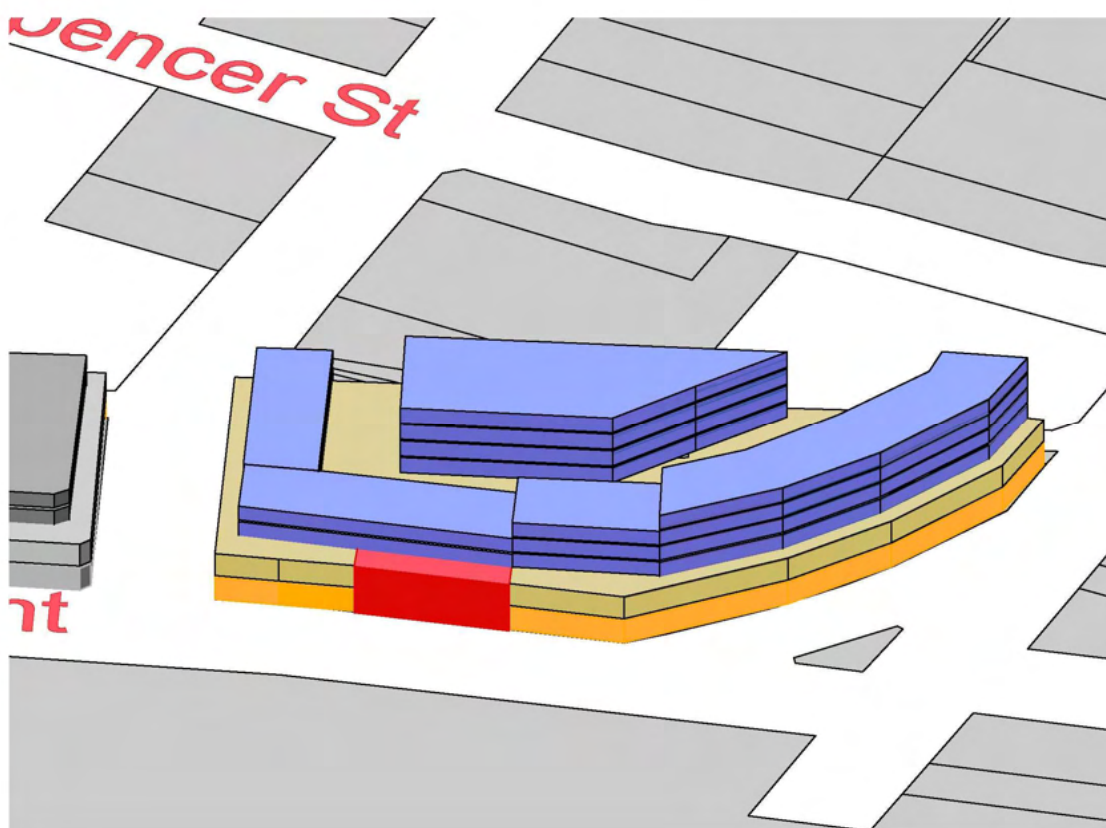
**Fig 4.3 –6 Central Block - Plan and Section View**



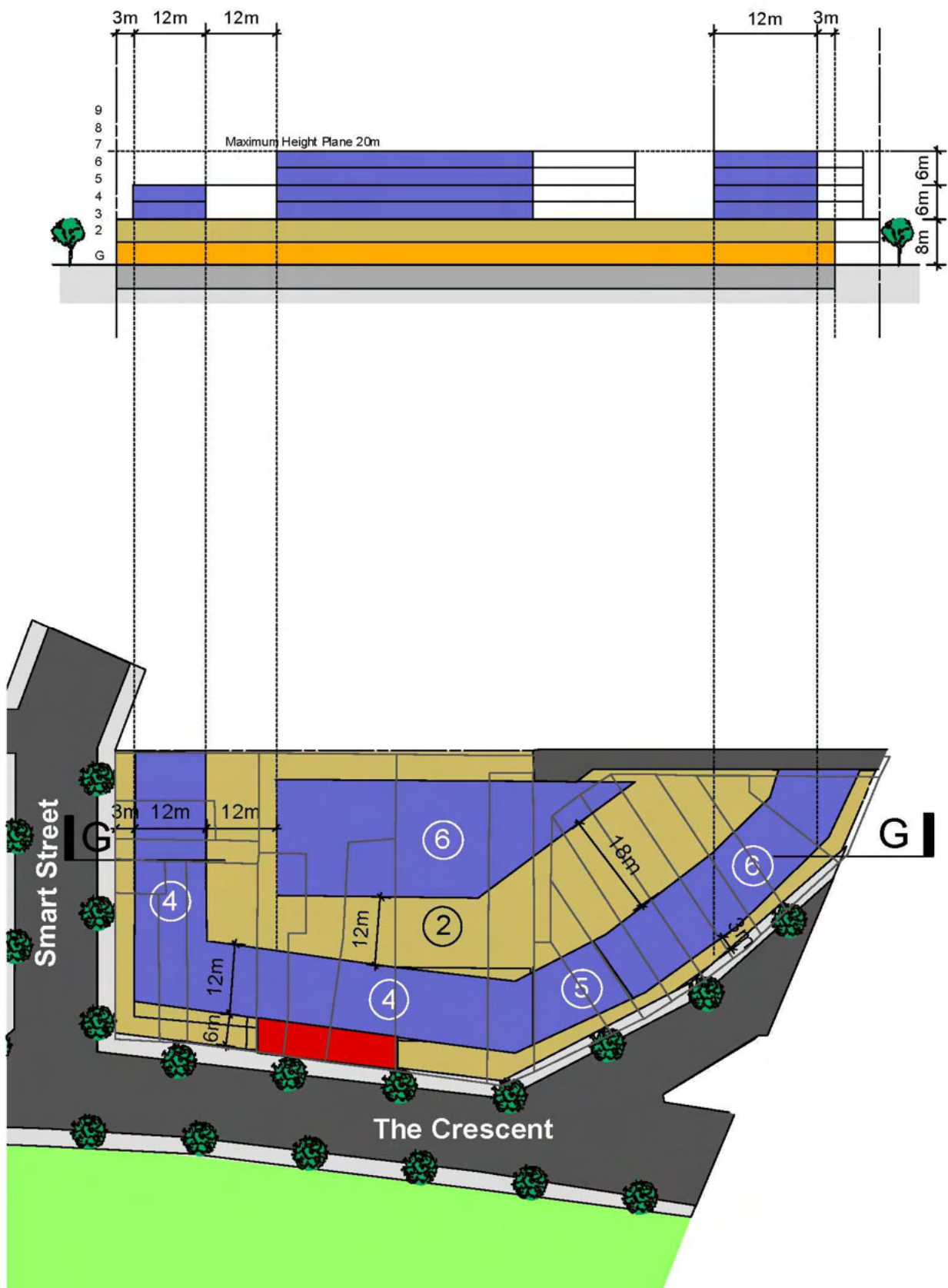
**Height and Setback Controls - The Crescent**  
**Section C-C**



### The Crescent Block 3 – Eastern Block



**Fig 4.3-8 Eastern Block – Plan and Section View**



## GENERAL CONTROLS

### Land Uses

- ☐ Ground Floor – retail commercial with an active frontage to the street – residential not permitted
- ☐ First Floor – retail/ commercial, residential use not permitted
- ☐ Perimeter Building – Residential permitted but must capable of conversion to commercial
- ☐ Courtyard Building – residential uses permitted
- ☐ Car parking - One level of car parking must be provided below ground level (See Section 5.2.5)
- ☐ Pedestrian Arcades/Link- Must be provided on certain sites (See Sections 5.2.2 and 5.2.4)

**Heritage Impact Assessment** - required for any development on this blocks.(See Section 5.4.1)

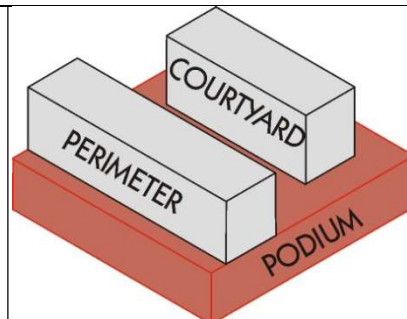
### PODIUM

**Height** – Maximum 8m above natural ground level (2 storeys)

**Setbacks to all Boundaries** – Zero

#### Floor to Floor Heights

- ☐ 4.2m for the ground floor level and
- ☐ 3.2m for the first floor.



### PERIMETER

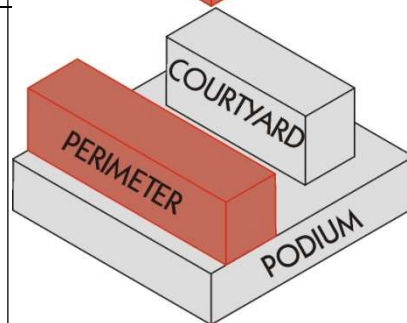
**Height** – Between 14m and 20m (i.e. between 4 and 6 storeys above podium level) Fig 4.3-8 indicates where the 4, 5 and 6 storeys above the podium are permitted on this site.

#### Setback to street/lane frontages

- The Crescent or Court Road – Minimum 6m
- Smart Street – Minimum 3m

**Depth** - Between 10m and 18m

**Floor to Floor Height** – Minimum 2.7m



### COURTYARD BUILDING – Behind the Perimeter Building

**Maximum Height:** 20m (4 storeys above podium) as per locations indicated in Figure 4.3-8.

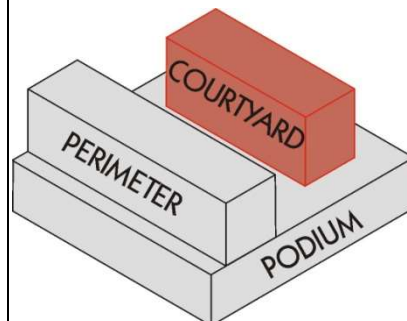
#### Separation from the Perimeter Building

–Between 12m and 18m

**Setback from Council Lane and boundary with adjoining properties to the north**– 6m

**Depth** – 10-12m

**Floor to Ceiling Height** – Minimum 2.7m





## 4.4 Nelson Street Precinct

### Land Use

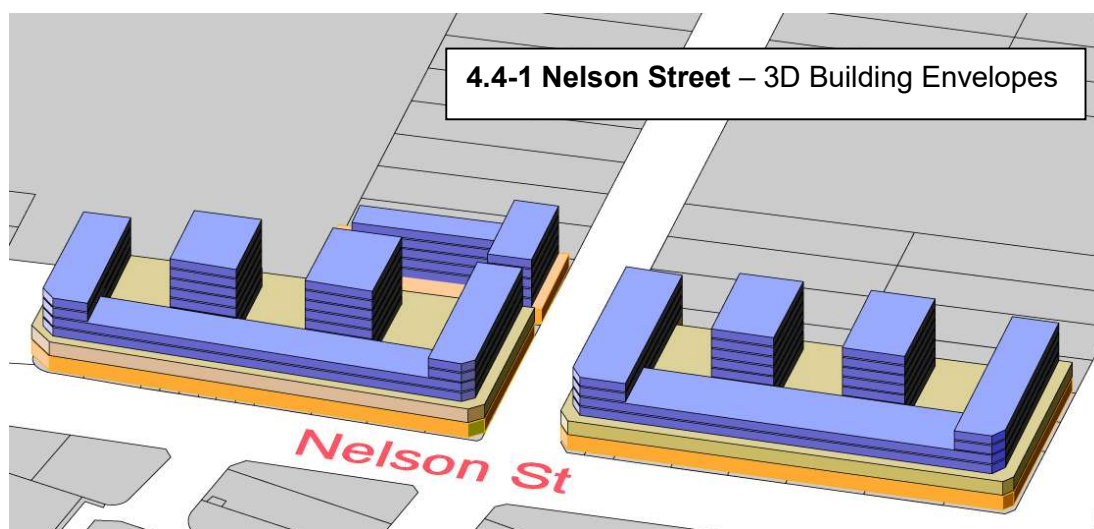
#### Objectives

- To maintain and enhance the retail/commercial functions of Nelson Street at lower levels of the building,
- To permit residential development in mixed-use developments that maintain the critical retail/commercial functions at the street level to minimise the fragmentation of the retail/commercial functions;
- To maintain interesting, vibrant and safe public domain areas with active frontages;
- To minimise potential land –use conflicts that arise in mixed-use retail/ commercial/ residential areas relating to noise, access and servicing.
- To ensure development in this precinct provides pedestrian linkages between the retail activities in Ware Street, The Forum and Neeta City;

### Building Envelopes

#### Objectives

- To ensure development at ground level reinforces the existing street pattern;
- To ensure uniform building frontages are achieved in the precinct;
- To ensure the building sites are developed in an appropriate manner taking into account the development potential of adjoining sites and in particular solar access to adjoining sites;
- To protect and enhance the amenity of all public domain areas
- To ensure the development visually prominent when viewed from primary streets is at a scale appropriate to the pedestrian environment;
- To ensure the development along rear lanes allows sufficient space for safe and efficient movement by pedestrians, cyclists and vehicles;
- To provide spatial separation between differing land uses which have the potential to generate land – use conflicts



## GENERAL CONTROLS

### Land Uses

- Ground Floor – retail/ commercial with an active frontage to the street – residential not permitted
- First Floor – retail/ commercial, residential use not permitted except for 61 –63 Smart Street where residential will be permitted in the first floor.
- Perimeter Building – retail/ commercial or residential permitted
- Tower Building – retail/commercial or residential permitted
- Car parking - One level of car parking must be provided below ground level (See to Section 5.2.5)

Pedestrian / Vehicular Link- must be provided on certain sites (See Section 5.2.2 and 5.2.4)

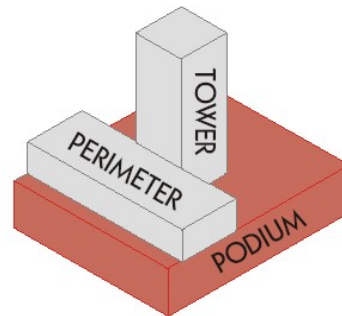
### PODIUM

**Maximum Height** – 9m above natural ground level (2 storeys)

**Setbacks**– Zero to all boundaries except where the boundary is shared with a residential zoned (including the school site) property. In this case the ground floor may be set on the boundary but the first floor should be setback 6m.

#### Floor to Ceiling Heights

- 4.2m for the ground floor level and
- 3.2m for the first floor.



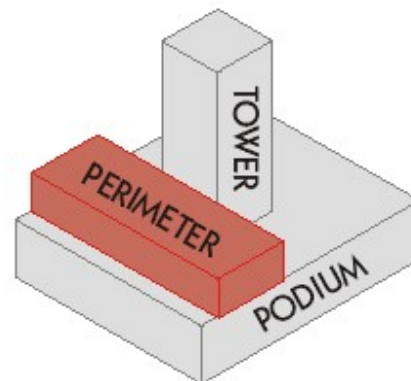
### PERIMETER

**Height** - 15m above natural ground level (2 storeys above podium) except the perimeter buildings parallel to Ware Street, Smart Street or The Horsley Drive where a maximum of 21m above natural ground level is permitted (4 storeys above podium).

**Setback -primary street frontage** - 3m minimum

**Build Separation and Depth** - The building separation and depth requirements for towers and perimeters shall be as indicated in Figure Fig 4.4-2)

**Floor to Ceiling Height** – Minimum 3.2m for levels 3 and 4 and minimum 2.7m for levels 5 and 6.



### Tower Buildings –

**Minimum Site Width:** Tower buildings will only be permitted towards the middle of the blocks and sites with a minimum frontage of 30m and a minimum area of 1500m2 are required for a tower development to be permitted.

**Maximum Height:**-30 m above natural ground level (7 storeys above podium)

**Build Separation and Depth** - The building separation and depth requirements for towers and perimeters shall be as indicated in Figure Fig 4.4-2)

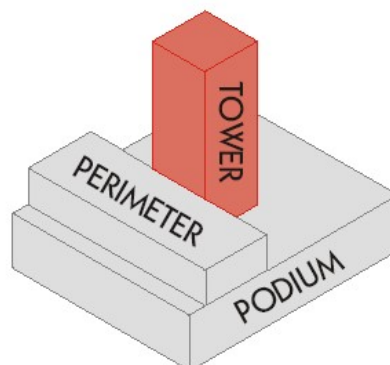
**Setback from Nelson Street** – minimum 15m

**Setback from Ware Street, Smart Street and The Horsley Drive** – Minimum 33m.

**Setback - rear lane** - minimum 6m

**Setback - rear boundary** – minimum 9m

**Floor to Ceiling Height** – Minimum 3m

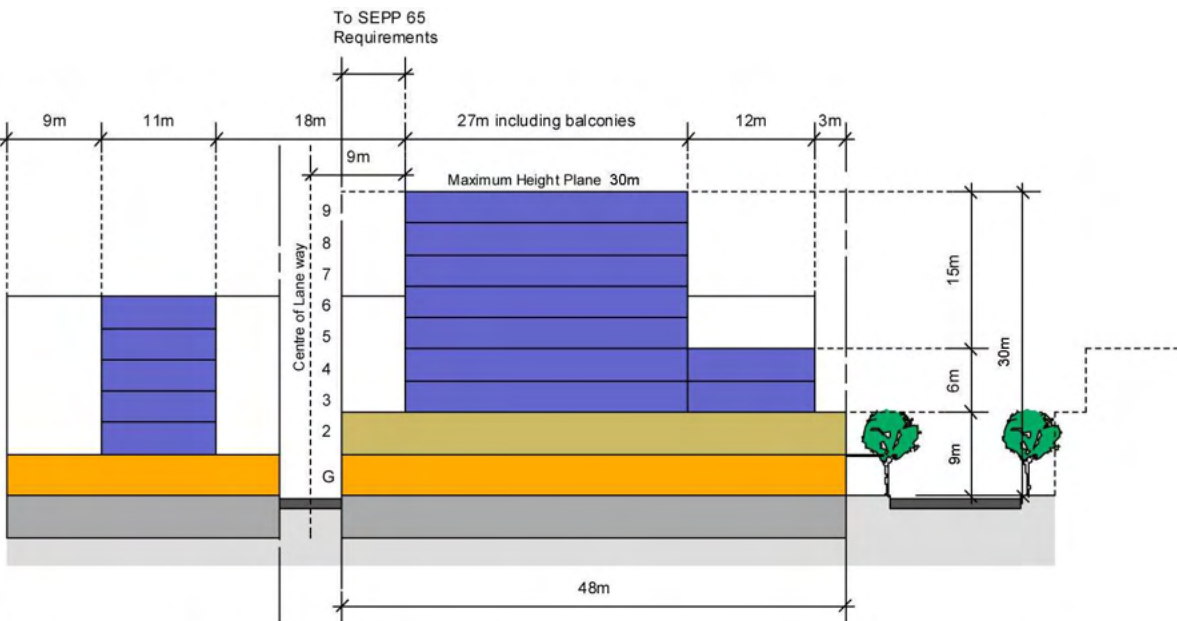


**Fig 4.4-2 Nelson Street – Plan and Section View**

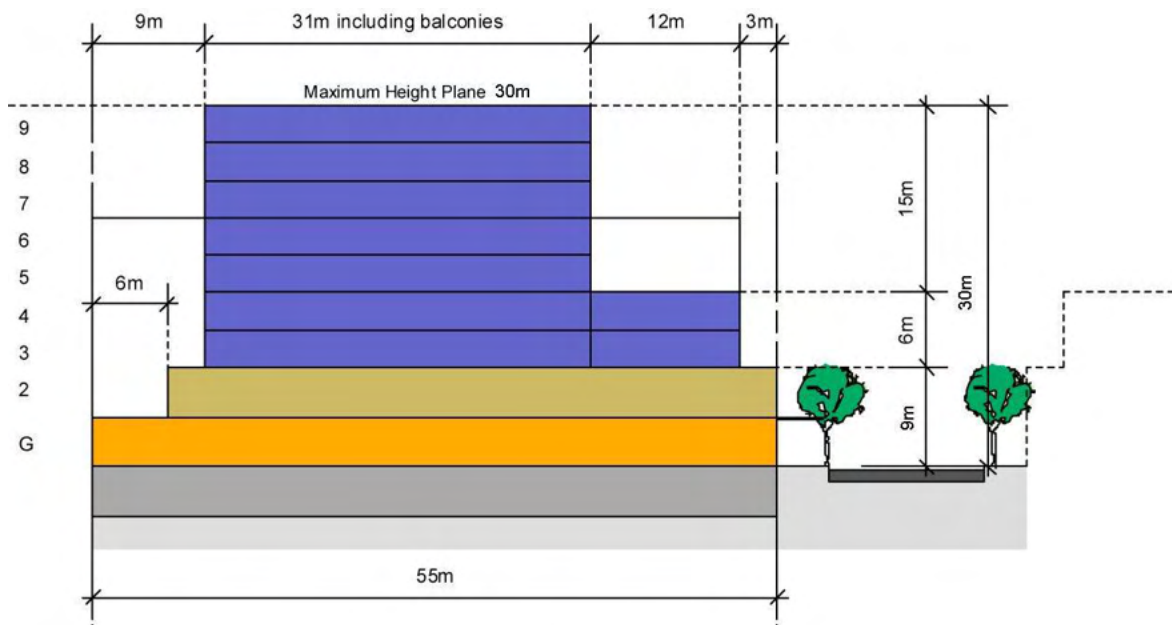


**Height and Setback Controls - Nelson Street  
Plan & Section E-E**

**Fig 4.4-3 Nelson Street – Section Views**



## Height and Setback Controls - Nelson Street Section D-D



## Height and Setback Controls - Nelson Street Section F-F



## 4.5 Periphery Precincts

### Land Use

#### Objectives

- To provide for mixed use developments including residential development that supports the retail/commercial core;
- To ensure that development in this area is flexible so as to accommodate future retail commercial growth in a manner that is compatible with residential development;
- To maintain interesting, vibrant and safe public domain areas with active frontages along key pedestrian routes around the periphery of the City centre; and
- To minimise potential land –use conflicts that arise in mixed-use retail/ commercial/ residential areas relating to noise, access and servicing.

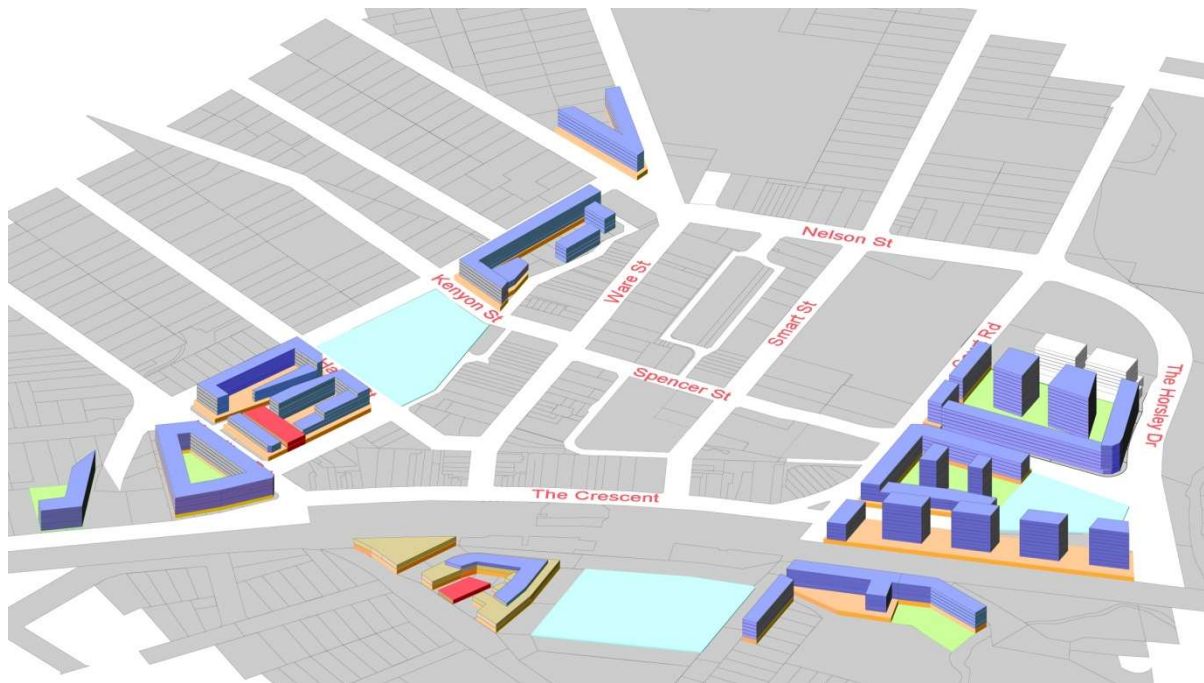
### Building Envelopes

#### Objectives

- To ensure development at ground level reinforces the existing street pattern;
- To ensure uniform building frontages are achieved in the precinct;
- To ensure the building sites are developed in an appropriate manner taking into account the development potential of adjoining sites and in particular solar access to adjoining sites;
- To protect and enhance the amenity of all public domain areas;
- To ensure the development visually prominent when viewed from primary streets is at a scale appropriate to the pedestrian environment;
- To ensure the development along rear lanes allows sufficient space for safe and efficient movement by pedestrians, cyclists and vehicles;
- To provide spatial separation between differing land uses which have the potential to generate land – use conflicts; and
- To ensure development recognises and protects the significance of Heritage items located in the City centre.

**Note:** The controls for the Periphery Precincts are broken up into 3 parts. The periphery areas that adjoin residential zoned land have a common approach which seeks a transition from the central precincts to the adjoining residential. However, specific alternate controls for the land east of Court Road (**Court Road Sub-Precinct**) are provided because this area does not involve a transition to adjoining residential and this is reflected in a different building form. Lastly specific controls for sites adjoining Heritage items are included to ensure Council satisfies Heritage issues relevant to these sites.

• **4.5 - 1 Periphery Precinct – Desired Building Form and Land Use**



## GENERAL CONTROLS

### Land Uses

Ground Floor –retail/commercial with an active frontage to the street for primary Streets identified in Figure 4.1. Residential uses are permitted in other locations but it must be capable of conversion to commercial use in the future.

First Floor – retail/ commercial or residential permitted but if used for residential it must be designed so as to be capable of conversion to a commercial use in future

Car parking - One level of car parking must be provided below ground level (See to Section 5.2.4)

### Site Coverage

Minimum Landscape Area :- 50% of the total site area

Minimum Deep Soil Zone: 25% of the total site.

### Building Envelope

Depending on the orientation of the lot, the built forms identified to the right may be appropriate subject to the following controls. In all cases a perimeter form building located parallel to the primary street frontage is required but the nature of the building behind this perimeter building can vary depending on the dimensions and orientation of the development site.

There are three sub-precincts described in the pages that follow where the controls vary from those described below:

**Height** – Any building or part of a building within 21m of the primary street frontage can be up to 20m high. Any other building or part of the building beyond 21m may be no higher than 12m. Except in Heritage Sub-precincts and the Court Road Precinct. Refer to details overleaf.

**Setback -primary street frontage** – minimum 3m except where retail/commercial frontage is required. In this case a nil setback is permitted for the ground floor only.

**Setback – secondary lane frontage** – 3m

**Setback - rear boundary (where it is not a lane)** - 6m

**Setback - side boundary** - zero if within 21m of primary street otherwise 6m

**Minimum Separation between facing buildings:-** 12m

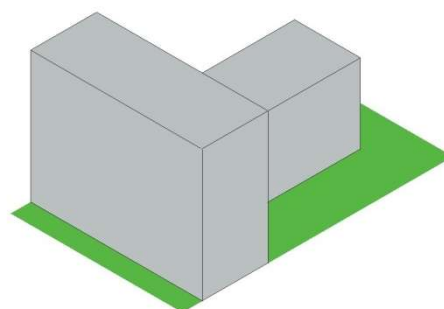
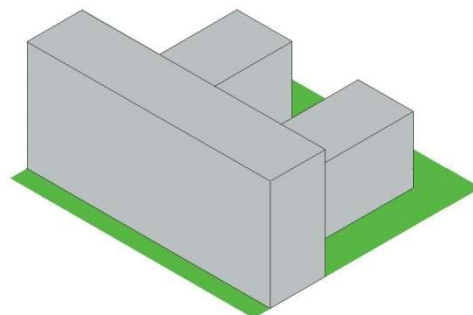
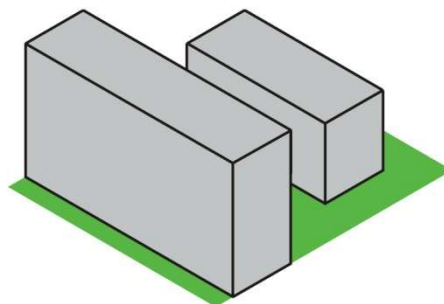
**Depth** - Between 10m and 18m

**Floor to Ceiling Height**

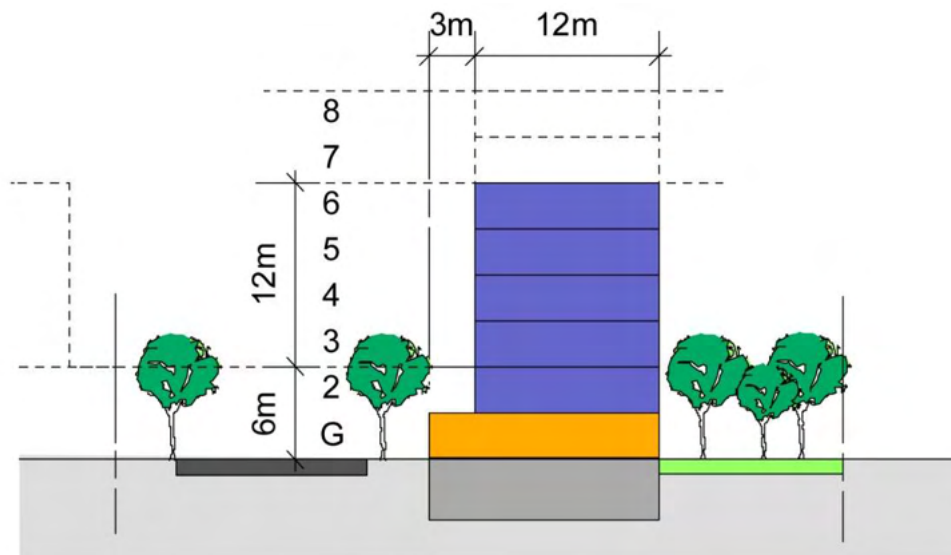
– Minimum 3.2m ground floor

- Minimum 2.7m for other level

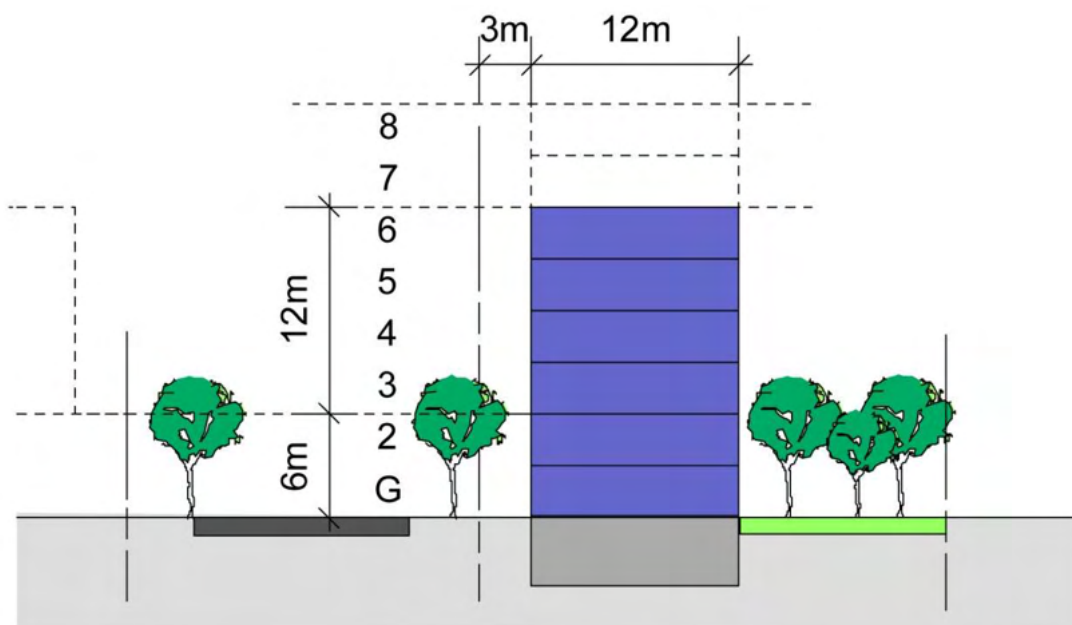
**Heritage** - A Heritage Impact Statement must be completed with any development fronting onto Dale Street and the State Heritage listed Railway Station or any other listed item (See Section 5.4.1)



**Fig 4.5-2 Periphery Precincts – Typical Sections**



**Height and Setback Controls – Periphery Precinct  
Typical A Section**



**Height and Setback Controls – Periphery Precinct  
Typical B Section**



#### 4.5.1 Heritage Sub-Precincts

There are two sites in the Periphery Precincts that contain Heritage Items. Council is required under its Local Environmental Plan and the Environmental Planning and Assessment Act 1979 to consider the impact of development on any adjoining site on the adjacent heritage item. Accordingly building envelopes in these precincts have been formulated to protect the significance of the heritage items.

##### William Street / Fire Station Heritage Precinct

The site immediately north of the Fire Station (5 William Street) has recently been redeveloped with a three storey built form containing strata titled residential units. Given the recent construction and strata subdivision this is unlikely to be redeveloped in the short to medium term (i.e. during the life of this plan). The site to the south (8-14 Hamilton) contains single storey retail/commercial building, which is more likely to be redeveloped.

The controls for this heritage precinct will be the general controls above except where they are superseded by the following controls:

##### Maximum building height:-

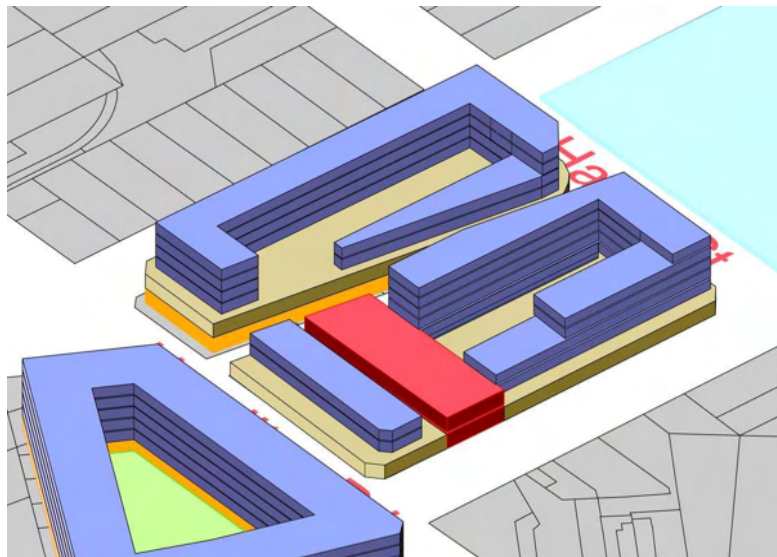
- William Street – 10m
- 8-14 Hamilton Street – 7m
- Remainder of properties with primary frontage to William Street – 17m

**Car parking** – No on-site parking will be required for any redevelopment of 5 William Street or 8-14 Hamilton Street only.

**Heritage Impact Statement** – will be required for any redevelopment of the sites discussed above and the sites on the opposite side of the William Street. (See Section 5.4.1)

**Site Coverage** – the controls under the heading site coverage above will not be applied to 5 William Street or 8-14 Hamilton Street. A site coverage up to 100% will be permitted.

**The desired building form for this precinct is shown in this diagram.**



## Lawson Street Heritage Precinct

The property at 23 Lawson Street is a listed Heritage Item.

Immediately west at 15 and 17 Lawson Street are two strata titled apartment buildings containing 9 and 30 units respectively, which are unlikely to be redeveloped in the short to medium term. The sites that are most likely to be redeveloped are those to the north and east of the heritage site (35 and 38 Dale Street and 2A Wilga St).

In order to address the heritage issue in this precinct the controls set out in the table above will be applied except where they are superseded by the following controls:-

### Maximum Height

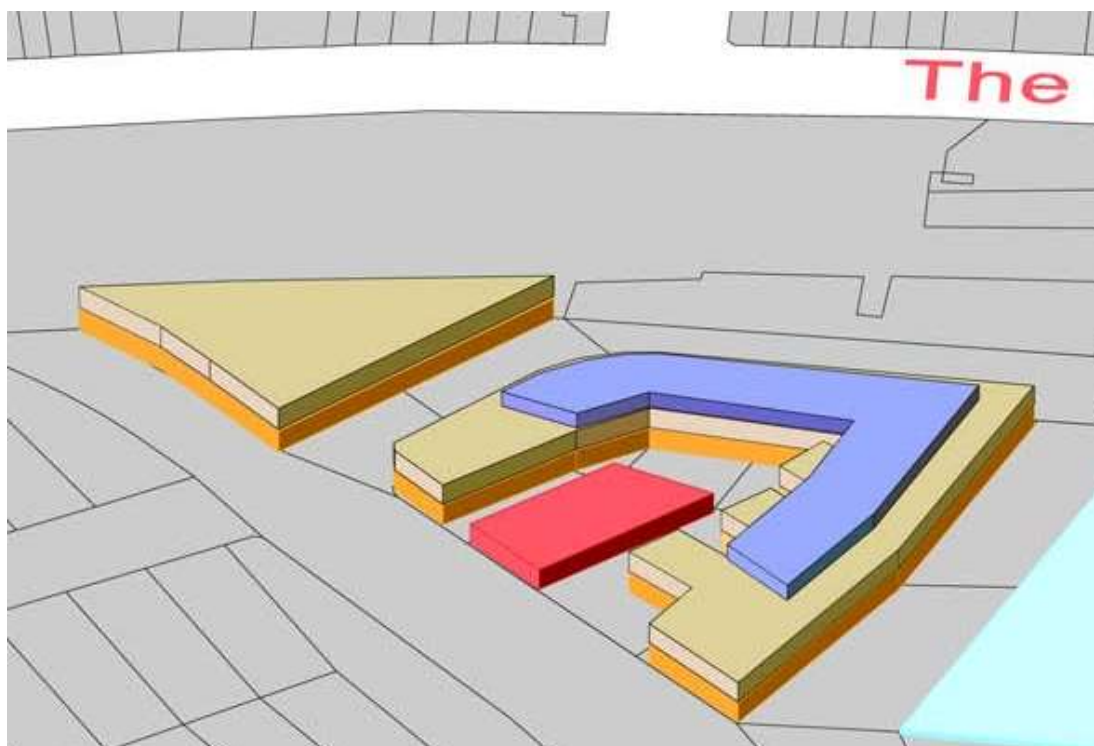
- 35 and 38 Dale Street – 10m
- 15-17 Lawson Street – 10m if building is within 15m of the street otherwise. Any building more than 15m from the street must be no more than 7m high.
- 2A Wilga Street – 7m

**Setback** – No building will be permitted within 10m of the boundary of 23 Lawson Street to ensure a suitable curtilage is provided.

**Car parking** - will not be required for any redevelopment of 2A Wilga Street only.

**Heritage Impact Statement** – will be required for any redevelopment of the sites discussed above.

**The Desired Building form for this precinct is shown in this diagram.**



#### **4.5.2 Periphery - Court Road Sub-Precinct**

The Court Road Precinct consists of 2 blocks: Alan Street North and Alan Street South. As discussed previously the controls for the land east of Court Road (**Court Road Sub-Precinct**) are provided because this area does not involve a transition to adjoining residential and this is reflected in a different building form.

The plan below shows the extent of the Court Road Precinct

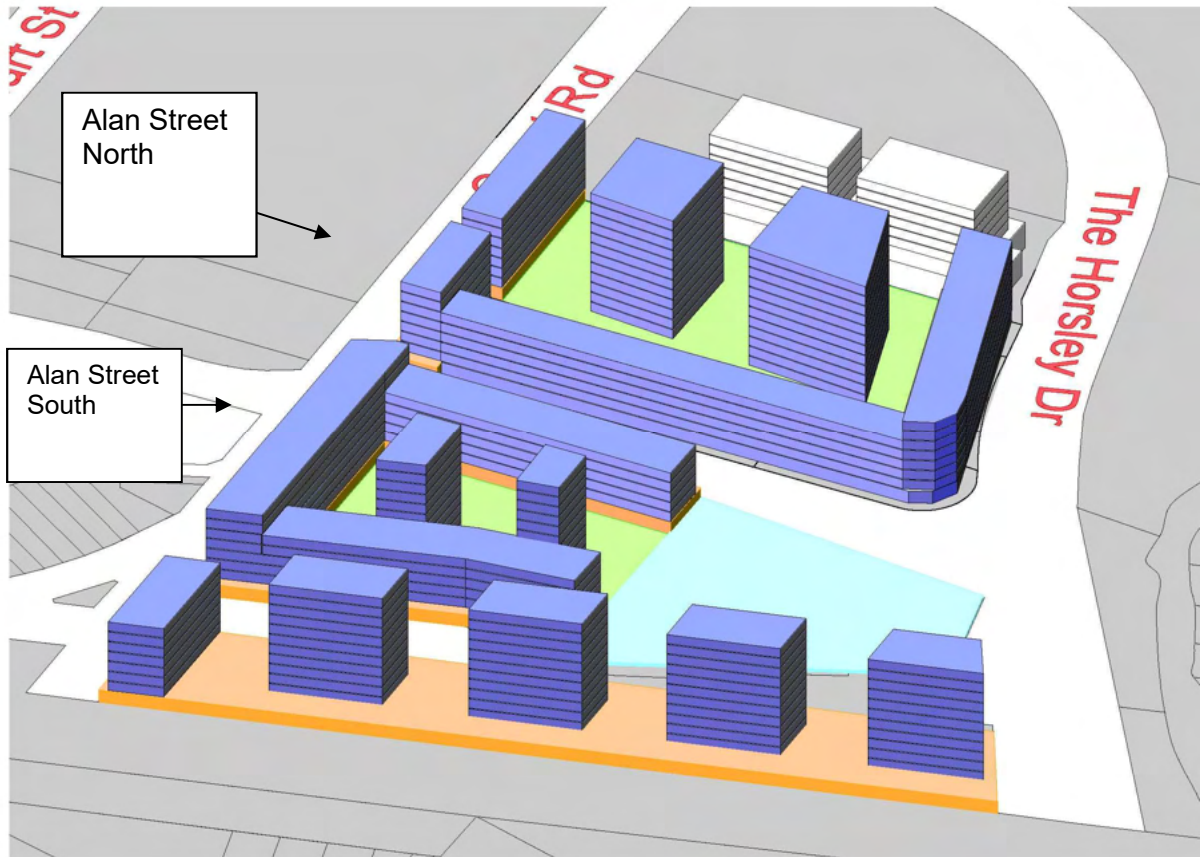




The controls for the Court Road Sub-Precinct Sites are as follows:

Site	Controls
<b>No 1.</b> McDonalds and Aldi Sites	These are site-specific DCP sites (See Section 4 and Appendix 4 for further information). If the owners do not wish to pursue a site specific DCP for these sites the controls that will apply will be those that apply to the remainder of the periphery area at the beginning of Section 4.5.
<b>No 2.</b> 360-364 Horsley Drive	A mixed-use retail/commercial/residential development has recently been constructed and redevelopment of this site is a long term proposition.
<b>No 3.</b> 48-54 Court Road & 356-358 The Horsley Drive	A consent has been issued for construction of a mixed use development on this site DA 799/2003.  If this consent is not taken up the development will need to comply with the building heights, massing and setbacks set out in Fig 4.7-3. In addition an access lane providing access to the development and all of the properties to the south that front onto Alan Street as indicated in Fig 4.7-3. The access lane is required to minimise the impact of multiple driveways from Alan Street to retain a good pedestrian environment along Alan Street.
<b>No 4.</b> 42-44 Court Road & 2-8 Alan Street	The development will need to comply with the building heights, massing and setbacks set out in Fig 4.7-3.  Depending on timing rear access lane may be available from 48 Court Road (See comments above). If this access is available at time of development access must be via the rear access lane.
<b>No 5.</b> 1-9 Alan Street & 28-32 Court Road	The development will need to comply with the building heights, massing and setbacks set out in Fig 4.7-3.
<b>No 6.</b> 14-28 Court Road & 121 The Crescent.	If these sites can be amalgamated into one development site the tower element at 12 storeys is permitted. If these sites cannot be amalgamated and are developed as individual sites then the twelve storey will not be permitted and only 6 and 8 storey elements shown in the diagram will be permitted.
<b>No 7.</b> 123-125 The Crescent.	The development will need to comply with the building heights, massing and setbacks set out in Fig 4.7-3.
<b>No 8.</b> 11 Alan Street	This site is a Site Specific DCP site: See Section 4 and Appendix 4 for further detail.
<b>No 9.</b> 2-10 The Crescent, 10 Court Road	The development will need to comply with the building heights, massing and setbacks set out in Fig 4.7-3.
<b>No 10.</b> 127 The Crescent	This site is an existing Strata titled apartment building complex and accordingly it is unlikely to be developed in the short term. If the consolidation issues were resolved the building heights massing should be in accordance with Fig 4.7-3.

**4.7-2 Court Road Precinct (Both Alan Street North And Alan Street South – 3D Building Envelope)**



#### 4.7-3 COURT ROAD PRECINCT – PLAN VIEW AND PERMITTED BUILDING HEIGHT



**Height and Setback Controls - Court Road  
Precinct**

## 5. Design Controls

### 5.1 Private and Communal Open Space

Private outdoor open spaces include areas of paving or planting located at either ground level or above ground level upon the podium in the form of terraces, balconies or roof top gardens.

#### 5.1.1 Private open space

##### Objectives

- To ensure every dwelling has a private usable and functional private open space accessed directly from the main internal living spaces,
- To contribute to the articulation and modulation of the building façade through the use of balconies and terraces, and
- To ensure any private open space proposed has minimal impact on the visual amenity of public areas and neighbouring properties.

##### Controls

- (a) Each dwelling shall have the following minimum primary private open space area in the form of a balcony/ terrace or courtyard and horizontal dimensions

Area of Dwelling	Minimum Area (m <sup>2</sup> )	Minimum Horizontal Dimension (m)
Less than or equal to 85m <sup>2</sup>	10	2
Greater than 85m <sup>2</sup>	15	2.4

- (b) A second private open space area/balcony should be considered where they would contribute to the amenity of the dwelling
- (c) All primary balconies shall be no deeper than 4m to ensure sunlight penetration into all dwellings.
- (d) Balconies shall be recessed and partially enclosed. All balconies must be entirely contained within the building envelopes as shown in Section 4 except, balconies on elevations directly fronting a primary street where the balcony may extend a maximum of 1 metre outside the envelope.
- (e) Balcony design should take into consideration the issues identified in the site analysis and be located, oriented and designed to address the following issues:
- i. take advantage of views and any natural features;
  - ii. minimise overlooking of adjoining dwellings;
  - iii. maximise solar access; and
- (f) The use of balconies for storage and clothes drying uses often impacts on views from the public domain and other units. Where balconies are clearly visible from the street or other properties the design of the balcony must address the following issues:-
- i. A screened drying cupboard area should be provided as part of the balcony, ideally with good access to natural light,
  - ii. The balustrade design and materials should be a mix of solid and opaque elements. The more prominent the balcony is in views from the public domain and adjoining resident the greater the proportion of solid materials in the balustrade to filter views of anything stored on the balcony. Council will require any balcony located on the first five floors of a building to be made from a mix of materials so that 75% of the balustrade is solid (not opaque),
  - iii. Where the balcony is on an elevation facing a primary street frontage this requirement will be applied to all balcony balustrades on all levels unless the



designer can demonstrate that the impact has been addressed using alternate means.

- iv. The underside of balconies must provide an attractive appearance to the street and to the dwelling underneath.
- (g) Mechanisms to reduce noise impacts from the railway line and Horsley Drive such as glass shutters to balconies etc. are required to be provided. Similar measures to assist in controlling extremes in wind, rain and temperature should also be considered.
- (h) Provide water and gas outlets on the primary balconies and terraces.
- (i) Council Officers may require balcony furniture layouts to be provided where there are doubts about the usability of any balconies and terraces.

### **5.1.2 Communal open space**

The provision of unpaved communal areas at ground level within the core City centre precinct is limited due to the functional requirements of ground floor retailing.

The optimal location for communal open space is considered to be on the podium rather than on a rooftop because:

- people may need to pass the access to the open space as part of their journey to and from their unit making accessibility easy
- there is more natural surveillance to protect the safety of people and property in the communal open space
- there are more opportunities to control microclimates through landscaping and increase the amenity of the space and adjoining units.

For these reasons rooftop communal open spaces or any open space above the podium level can be considered in addition to communal open space on the podium subject to consideration of privacy and other amenity impacts.

In the periphery precinct the landscape area and deep root zone controls in Section 4.5 will in most cases provide for unpaved *common* open space areas at ground level but additional open space areas in the form roof gardens, terraces and balconies are encouraged in this precinct.

### **Objectives**

- To ensure every development that contains more than 2 residential units has access to an area of communal open space;
- To provide areas of soft landscaping in the periphery precincts that enable landscaping and deep soil planting;
- To ensure communal open space is accessible to all users including those with disabilities;
- To ensure that communal open space is designed to be useable; and
- To promote natural surveillance for communal open space.

### **Controls**

- (a) A Communal Open Space (COS) with an area equivalent to 30% of the site area or 200m<sup>2</sup> (whichever is the greater) must be provided in all developments involving the development of 2 or more residential dwellings. All the communal open space must be provided on ground level or upon the podium to ensure there are sufficient levels of access and surveillance. Any additional communal open space provided on roof tops above the podium level will not be discouraged where it contributes positively to the amenity of residents but it will not be included as part of the calculation to determine the required communal open space.

- (b) The communal open space must include a principal courtyard with a minimum area of 100m<sup>2</sup> of the required communal open space which:-
- i. is rectangular in shape with no dimension less than 8m
  - ii. has a northerly orientation to promote solar access with no less than 3 hours of direct sunlight between 9am and 3pm on 21 June available to 50% of this courtyard.
- The remaining communal open space not provided as part of the principal courtyard can be spread out across the remainder of the podium/ site but any area with a dimension less than 3m will not be accepted as part of the communal open space area.
- (c) Communal Open Space and the buildings surrounding it shall be designed to achieve the following:-
- i. Communal open spaces should form a focus of the development and provide a landscape buffer between buildings.
  - ii. Ensure communal open space meets the needs of all occupants and provides places and equipment for children's play, areas for outdoor dining and seating in areas of active use.
  - iii. Ensure passive surveillance of the communal open space from surrounding units without impacting on the privacy of the dwellings.
  - iv. The design and landscaping should not limit sunlight penetration into dwellings.
- (d) Development in the periphery precinct should conserve any remnant indigenous vegetation and where possible promote re-establishment on site and create linkages to adjoining remnant vegetation.
- (e) Landscaping of all communal areas is to be in accordance with Section 5.1.3 of this DCP.

### **5.1.3 Landscape design**

The provision of high quality landscaping will help to integrate the new development with that of the surrounding development. It also has a significant role in improving the amenity of the open space for the residents and the visual amenity of the City Centre.

#### **Objectives**

- To maximise the amenity of building occupants in terms of shading, privacy, outlook and air quality;
- To contribute to biodiversity;
- To maintain and enhance the existing landscape on private land;
- To retain existing significant trees;
- To create purposeful structured open spaces as part of each development;
- To maximise site infiltration through the use of onsite storm water detention and permeable surfaces in the periphery areas through the use of native and/or water saving plants, except in the acid sulphate soil area;
- Avoid landscaping which obstructs casual surveillance and allows intruders to hide; and
- Highlight the transition between public, communal and private open space parking and service areas.

### **Controls**

- (a) A landscape plan, prepared by a qualified landscape architect must be submitted with each application.
- (b) Use plant material and pavements that integrate the development with the adjoining area. Endemic plant species should be used.
- (c) Provide sufficient soil depth (min 1.0m) over roofs of underground garages and landscaped roof areas/podiums to support the growth of medium size species of 2.0 metres or more.
- (d) Use the landscape design as part of the environmental strategy for improving the microclimate around the dwellings. Examples include:
  - i. Use deciduous plant material for shade in the summertime and to allow solar access to all open space areas as well as living dining and bedrooms in the winter.
  - ii. Locate evergreen plants away from the building to ensure solar access is maximised to all open space areas, as well as living, dining and bedrooms.
  - iii. Use evergreen material to enhance visual privacy between buildings.
  - iv. Use the landscape design as part of the stormwater management system.
  - v. Use porous paving wherever possible.
- (e) Use such features as a change in levels, design elements or landscaping to highlight boundaries and transitions between public, communal and private open space, parking and service areas.
- (f) Trees with dense low growth foliage should be spaced or crown raised to avoid a continuous barrier.
- (g) Use low ground cover or high canopied trees, clean trunks, to a height of 2m around children's play areas, car parks and along pedestrian pathways.

### **5.1.4 Fences and walls**

Fences and walls are used to define spaces but they play an important role in ensuring the security and privacy of properties and residents. The design of the fence will impact on the appearance of an area as well as the level of natural surveillance.

With the podium building form in the core precincts there should be few fences at ground level, as the buildings will generally define the property boundary at ground level. However it is likely that fences or other structures may be required along the side and rear boundaries at the podium level for safety, privacy and security reasons.

In the periphery precinct, side and rear fences at ground level will be more prevalent and smaller fences in the setbacks to street are also likely where residential development fronts the street at ground level.

### **Objectives**

- To ensure developments avoid canvas walls that attract graffiti;
- To define boundaries between properties with different owners or areas with different functions;
- To provide privacy by screening views and security by restricting access;
- To characterize a place within the built environment by marking the change in landscape; and
- To ensure that the design of fences fronting parks and other public domain areas do not restrict natural surveillance of these public areas.

### Controls

- (a) Continuous blank walls/fences must be avoided and will not be permitted along street frontages;
- (b) Fence and wall design is required to respond to the architectural character of the street /area and relate to, and be integrated with, the design of the building whilst avoiding blank/canvas walls that attract graffiti;
- (c) Fence heights alongside and rear boundaries at ground or podium level shall be a minimum of 1.5 m high;
- (d) Any fence located in a front setback area shall be a maximum of 1.2 m high and must be constructed from a mix of materials so that 60% of the fence is constructed from opaque material to facilitate surveillance of the street;
- (e) The design should minimize the length and height of retaining walls along the street frontages and property boundaries;
- (f) Walls along the boundary should be constructed from durable materials, which are easily cleaned and graffiti resistant;
- (g) Incorporate other uses within fences and walls in communal and private open spaces such as:
  - i. Benches and seats,
  - ii. Planter boxes,
  - iii. Barbeques etc.
  - iv. Public Art Installations
- (h) Open type fences to be constructed within flood prone or overland flow areas.

## 5.2 Site Access, Parking and Servicing

Any new development must be designed to allow equitable access to all people, including people with disabilities.

The location of vehicular access parking areas should be carefully considered to ensure the Fairfield City Centre character; pedestrian safety and commercial viability are maintained.

Onsite parking should be accessed from the rear of each lot via laneways if possible or through discrete driveways. Parking should be screened with well-designed structures and planting.

### 5.2.1 Access for All

#### Objectives

- To ensure all buildings and places shall be accessible to all people including those with disabilities.

#### Controls

- (a) Comply with the *Australian Standards 1428(Parts 1 and 2)*, the *BCA*, and the *Disability Discrimination Act (DDA)*. The following list includes some (but not a complete list) of the design issues that will need to be addressed in complying with the relevant standards and legislation:-
  - i. Provide at least one main entry with convenient barrier free access in all developments or redevelopment to at least the ground floor.
  - ii. Provide continuous access paths of travel from all public roads and public spaces as well as unimpeded internal access.
  - iii. Provide the required number of adaptable dwellings in accordance with the *BCA*.
  - iv. Provide adequate and convenient seating.
  - v. Provide toilet facilities in accordance with *Australian Standards* and *BCA*.
  - vi. Provide adequate parking facilities.



- vii. Use appropriate gradients on pathways and ramps etc.
- viii. Use appropriate material such as slip resistant materials, tactile surfaces and contrasting colours.

### **5.2.2 Pedestrian Links/Arcades**

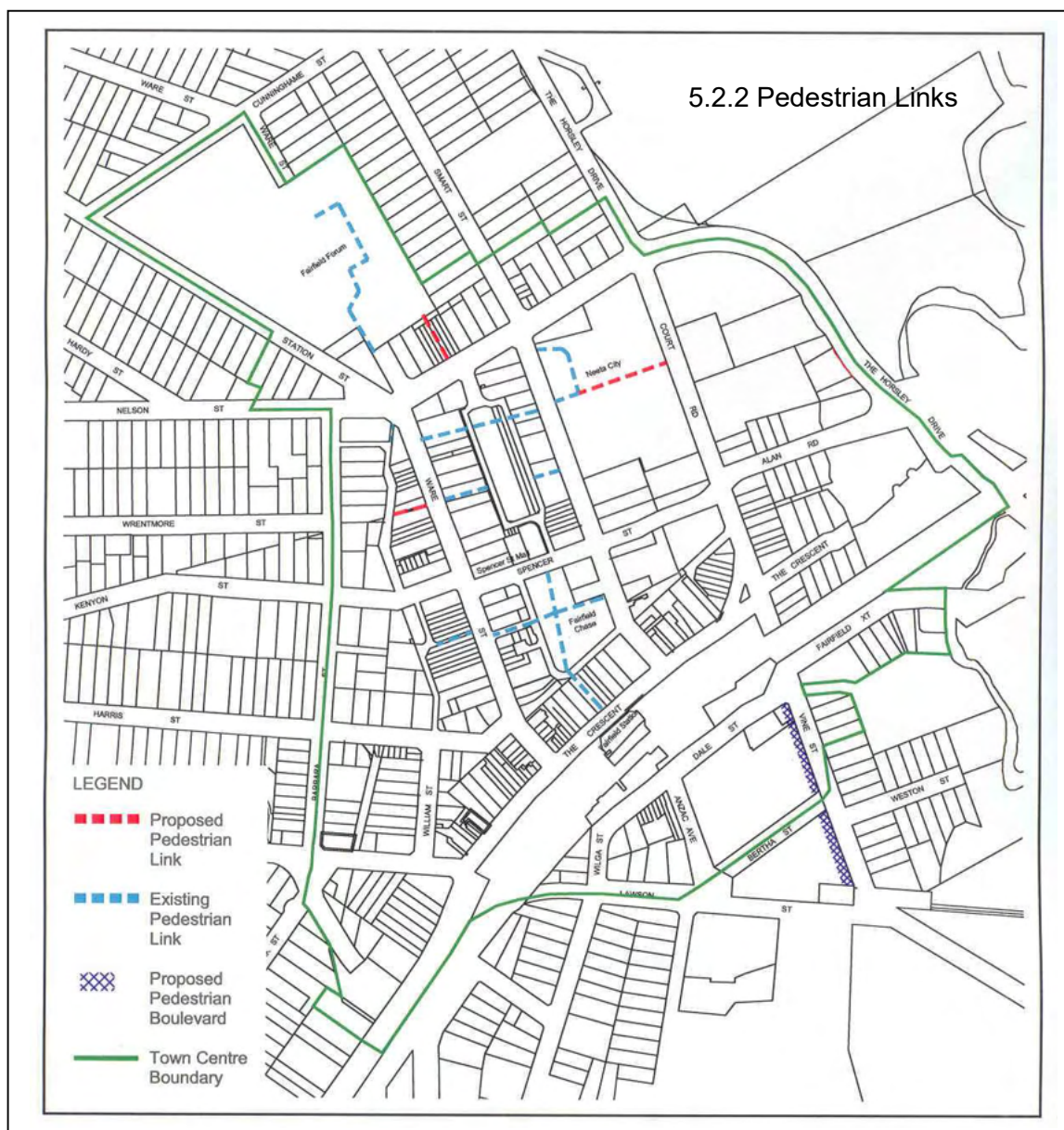
The analysis undertaken as part of the strategic plan process identified benefits of having a well-connected centre. An established system of pedestrian thoroughfares already connects different parts of the City centre. It is essential that these arcades and lanes be retained in existing locations and that where possible pedestrian connectivity is enhanced via the provision of additional pedestrian thoroughfares and improvements that increase pedestrian and cyclist's amenity. The strategy in Section 3 identified the need to improve link between the retail hubs established in the centre.

#### **Objectives**

- To maximise pedestrian connectivity within the centre and between the centre and surrounding residential industrial and open space land;
- To create a safe, interesting, and active pedestrian environment; and
- (iii) To maintain and enhance the viability of the retail hubs in the City Centre (i.e. Ware Street, Neeta City and The Forum) by maintaining and enhancing the pedestrian linkages connecting these hubs.

#### **Controls**

- (a) The existing pedestrian links/arcades shown in Figure 5.2.2 are to be retained. Where these arcades exist over private land they will need to be retained in any redevelopment of the subject site.
- (b) The proposed pedestrian links in locations shown on Figure 5.2.2 must be provided in any redevelopment of these sites.
- (c) The provision of additional links/arcades not shown in Figure 5.2.2 is encouraged where they will improve connectivity between different parts of the centre.
- (d) Any pedestrian/link replacing an existing pedestrian link/arcade or any new link/arcade must satisfy the following criteria:
  - i. The link/arcade must have a minimum width of 3m.
  - ii. It must have at least one active frontage (preferably both sides should have active frontages) with adequate levels of natural surveillance;
  - iii. The link/arcade must pass through the site in a straight line (no kinks or bends will be permitted); and
  - iv. The links must be well lit and open to the general public between 8am and 8pm each day.
- (e) Council will acquire an 8m strip of land from the properties on the western side of Vine Street (indicated in Figure 5.2.2) to create a pedestrian and bicycle boulevard linking the City centre to Fairfield Park. The majority of this land is contained on the Fairfield RSL site, which is a Site Specific DCP site. The land should be dedicated to Council as part of any Site Specific DCP for the site.
- (f) In any redevelopment of 61-63 Smart Street provision must be made for pedestrian access to the existing Council owned sites behind 20-26 Nelson Street. This pedestrian access must be available to all the community not just residents of the development.



### 5.2.3 Bicycle Facilities

#### Objectives

- To encourage the use of bicycles for trips that might otherwise involve the private motor vehicle;
- To ensure that appropriate facilities are available to permit safe and convenient storage of bicycles; and
- To ensure the facilities required to support bicycle users are provided;

#### Controls

- (a) In the core precincts the following facilities are to be provided within the communal car parking area or elsewhere on site:
  - i. A bicycle storage rack or racks that will accommodate 1 bike per 200m<sup>2</sup> of office floor space and 1 space per 300m<sup>2</sup> retail. The rack or racks must be in locations that are easily accessible from the public domain and which are well lit with adequate levels of natural surveillance. The bicycle parking area must be capable of being made secure to protect the security of cyclists and their belongings; and

- ii. Communal showers, changing facilities and lockers for storing cycling attire and equipment.
- (b) In any development involving residential units a bicycle parking rack (or racks) which can accommodate 1 bicycle for every 3 residential units must be provided. The rack or racks must be in locations that are easily accessible from the public domain and which are well lit with adequate levels of natural surveillance. The bicycle parking area must be capable of being made secure to protect the security of cyclists and their belongings. This requirement will be waived if the applicant can demonstrate that each residential unit has sufficient storage within the garage for a bicycle and the required number of vehicles and that there is a safe path for cyclists to leave the garage area.

#### **5.2.4 Street Network and Vehicular Access**

##### **Objectives**

- To retain the existing street hierarchy of primary streets and secondary roads/lanes which provide vehicular access to sites in the centre;
- To minimise vehicular access to development sites from primary streets
- To provide additional lanes in locations that will improve connectivity of the centre and provide alternative access for sites that currently only have a primary street frontage;
- To maximise pedestrian safety and bicycle safety;
- To maximise the extent of active frontages along any street; and
- To encourage discrete vehicular access to each site.

##### **Controls**

##### **Across the entire City Centre**

- (a) Fig 5.2.4 indicates the proposed road closures. (Note: Spencer Street will be opened to allow vehicular access between Ware Street and Smart Street in Mid 2005).
- (b) Subject to the amendments indicated in Figure 5.2.4 and described below the existing road hierarchy will be retained including existing lanes.
- (c) Driveway access should be designed and located so:
  - i. In accordance with Fairfield City Wide DCP 2013– Chapter 12 – Car Parking, Vehicle and Access
  - ii. as to minimise the visual prominence of the drive way when viewed from the public domain or adjoining sites
  - iii. as to minimise transfer of noise and/or vehicle emissions into residential units in the subject and adjoining sites
  - iv. that it is in accordance with Australian Standard 2890 (Part 1 & 11), and the RMS Guidelines for Traffic Generating Developments.
- (d) Figure 5.2.4 shows the locations where road widening is required. The majority of sites are corner sites. The land required for road widening will be required to be dedicated to Council as a condition of any consent to redevelop the relevant sites.
- (e) Service vehicles must be able to enter and exit the site in a forward direction. In order to reduce impact of people using primary streets for vehicle access, developments relying on vehicle access from the primary street must allow trucks to enter and exit in a forward direction (Note: The minimum size truck to service any development should be a medium rigid truck).

##### **In the Core Areas**

- (f) Vehicular access will not be permitted to any site in the Core Precincts from a primary street where access is shown as denied in Figure 5.2.4 below. Vehicular access to these sites should be via a lane and where a frontage to a lane is not currently available site amalgamation may be required to ensure access to a lane is available.<sup>(\*)</sup>
- (g) Vehicular access to any site shall be limited to one point along the road/lane frontage.
- (h) All vehicular access for servicing of residential or retail/commercial uses shall be from a secondary lane.
- (i) An access lane is to be created linking Smart Street and Court Road (between Nelson Street and Spencer Street) as indicated in Section 5.2.4. Any redevelopment of this site must be designed to provide for the one-way lane with access for all vehicles including service vehicles and pedestrians. The link must have a minimum width of 8m with a minimum height clearance of 4.5 m.
- (j) A laneway running parallel to the northern side of Nelson Street running west from Smart Street (in the location shown in Figure 5.2.4) must be provided. Sufficient space for a turning bay or cul-de-sac will be required in the Forum Site to ensure all vehicles including heavy vehicles can be accommodated. The land required for this lane will need to be dedicated to Council. This must have a minimum width of 6m with a minimum height clearance of 4.5m. (See Section 5.2.2 for associated controls relating to pedestrian access).
- (k) Upon redevelopment of land with access to Court Lane the width of Court Lane and its intersection with Court Road will need to be reviewed to determine whether additional road widening on the southern side of Court Lane (as shown in Fig 5.2-4) is required to accommodate existing and future development.

#### **In the Periphery Area**

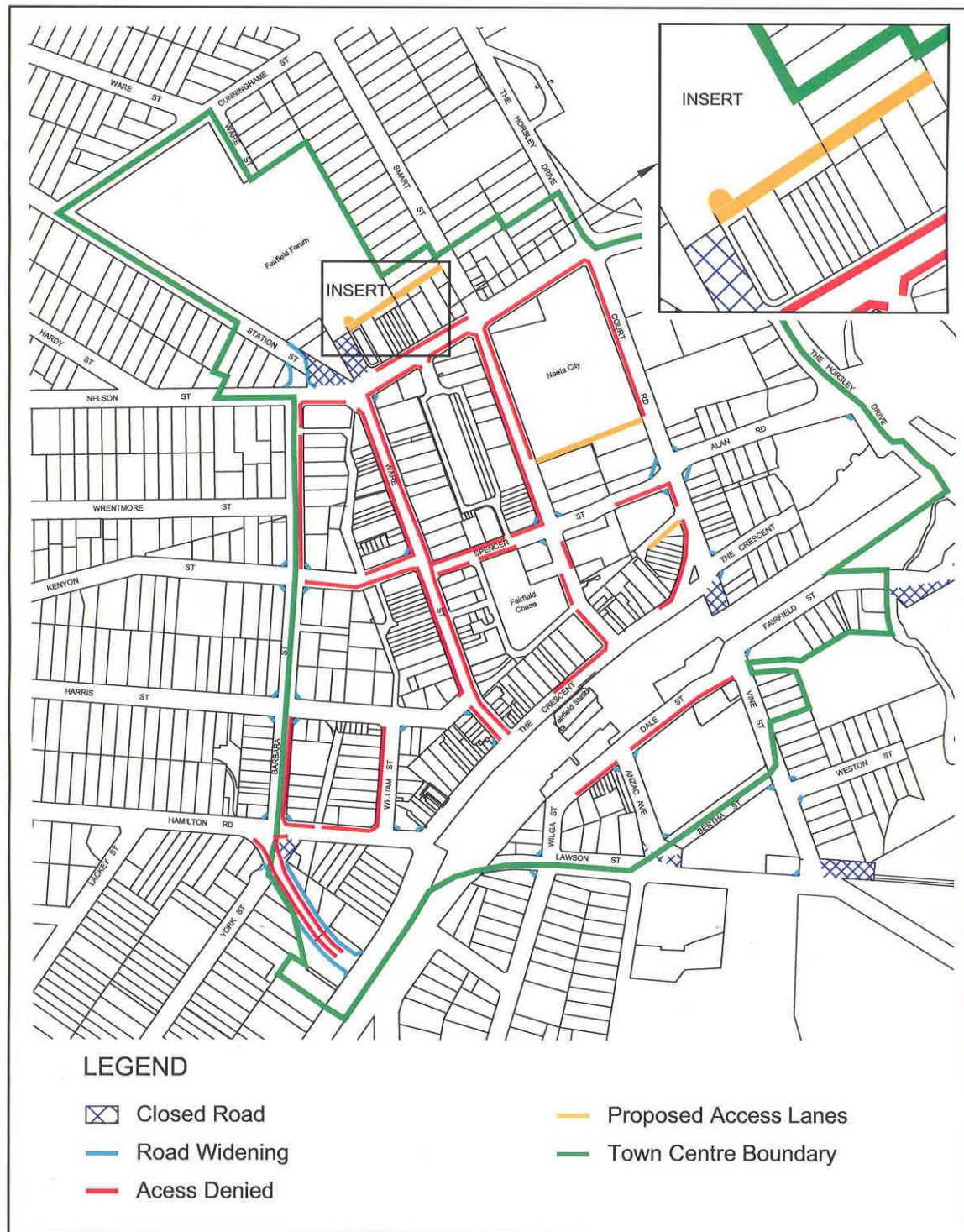
- (l) Where a development site has more than one street frontage vehicular access should be from a lane if available or the street with the lower traffic count as identified in Figure 2.11(b).
- (m) All vehicular access to the site (including all service vehicles) should be limited to one point along the site boundary.

**(\*) Note:**

The provisions in this section covering; vehicle access denied (e.g. to a major road or heavy use pedestrian areas, where alternative access should be provided as part of new development, road widening, splay corners (to improve sight lines on corner blocks) and road closure provisions are current as at the date of adoption of this DCP. These restrictions are updated from time to time based on advice from the RMS and investigations carried out by Council and the new changes may alter or supersede the information provided in this section. Up-to date information in relation to the above can be obtained from Council by requesting a Planning (s149) certificate.



**Fig 5.2.4 Proposed Road Works & Access**



### 5.2.5 On-site parking

On-site parking includes; surface parking, car parking structures and semi or underground parking areas. The provision of at least a part of the on-site parking should be in the form of underground parking except where the watertable limits the opportunity to excavate for basement areas.

In the core areas below ground parking may be accommodated across the entire site whereas in the periphery area landscaping and deep soil planting requirements will not permit the entire site to be excavated for car parking purposes. For controls relating to bicycle parking and storage refer to Section 5.2.3 Bicycle Facilities.

#### Objectives

- To ensure the amount of onsite car parking balances the needs of residents and businesses with the desire to promote use of other forms of transport that do not rely on the private motor vehicle;
- To integrate parking facilities with the overall site planning and landscape treatment;
- To ensure on-site parking is designed to minimise the visual impact on the public domain and adjoining properties; and
- To make most efficient use of land in the Fairfield City Centre by encouraging basement car parking wherever it is feasible.

#### Controls

- (a) All car parking shall be provided on site at the rate specified in Appendix 5 of this DCP. However Council may consider entering into a Voluntary Planning Agreement (VPA) for a shortfall of on-site car parking for non-residential uses only where the VPA meets the Voluntary Planning Agreement Policy requirements.
- (b) At least one level of car parking must be provided below existing natural ground level in a basement arrangement unless:-
  - i. The water table below the subject site is at a level that will impact upon the construction of the basement level (this must be supported by a detailed study which indicates the watertable levels) and the applicant can demonstrate that the provision of a basement will impact on the viability of the development; or
  - ii. The assessment of the impact on acid sulphate soils required by Clause 27A of the Fairfield Local Environmental Plan 1994 identifies the provision of a basement as inappropriate;
  - iii. The applicant can demonstrate that the provision of a basement is not feasible because of the size or dimensions of the development site.Council's preference would be for all parking to be provided below natural ground level but where the required parking spaces cannot be provided in a single level basement Council will consider permitting the additional spaces required to be located above natural ground level.
- (c) Where parking is permitted above natural ground level the car parking areas must not be visible from a primary street or the public open space area near the station. Car parking areas are not permitted within 10m of any primary street frontage boundary as this floor area should instead be used for active retail or commercial functions. The exception to this is in the basement where the parking area may extend to any boundary.
- (d) The design and layout of car parking areas must be in accordance with Chapter 12 of the Fairfield City Wide Development Control Plan 2013.
- (e) The design of parking areas must include suitable pedestrian paths that ensure pedestrian safety.
- (f) Disabled car parking spaces shall be allocated as communal car parking spaces.

- (g) Adaptable dwellings shall be provided with car parking spaces with dimensions equivalent to a disabled parking space.

### **5.2.6 Site Servicing**

Site facilities include:

Development should make adequate and appropriate provisions for site facilities and waste. Their location and their design should minimise impact to the streetscape.

#### **Objectives**

- To minimise the impact of service access on pedestrians and the retail frontage,
- To ensure that sufficient provision is made for the following services in residential, commercial and mixed use developments
  - i. Garbage storage and collection areas,
  - ii. Loading and unloading areas,
  - iii. Ventilation stacks from shops and basements,
  - iv. Laundries
  - v. Telecommunication,
  - vi. Electricity sub-stations
  - vii. Fire-fighting equipment; and
- To ensure the streetscape retains active frontages and the building enhances the visual amenity of the City centre by ensuring the location and provision of services considers the presentation of the development to the street.

#### **Controls - Core Area**

- (a) Garbage storage areas should not be accessible from locations shown as access denied in Figure 5.2.4 above the secondary lane frontage and shall not be visually prominent from the public domain area.
- (b) A service (loading/unloading) area must be provided on site. It should be located adjacent to the secondary lane frontages and must not be visible from any primary street. No servicing of retail, commercial or residential activities should occur from the primary street frontage. The service area should be available for use by furniture trucks etc servicing residential development with a suitable travel path from this area to the lift core and all residential units.

#### **Controls - Periphery Area**

- (c) Garbage storage areas must not be visually prominent from the street. Any storage areas located in proximity to any street or lane must be screened.
- (d) Where a development site contains a frontage that, according to the Site Specific DCP, requires an active retail/commercial frontage, a service area for the retail/commercial functions must be provided on site. Ideally this service area should also be available for loading/unloading of furniture. Access to this service area and the garbage storage area required in (c) above should be shared. Ideally this service area should be available for use by furniture trucks etc servicing residential development with a suitable travel path from this area to the lift cores and all residential units.
- (e) Access for service vehicles to the garbage collection point, and any service area is restricted to one point along the sites street frontage, which must be shared with other vehicles accessing the site.

## **Controls - Across the Entire Centre**

- (f) Refer to section 5.4.8 Waste Management for information on waste storage and collection.
- (g) Utilise ventilation stacks wherever possible to vent shops and basements.
- (h) Provide individual laundries for every unit. Should be considered but in the core area must not be provided in a location that will be visually prominent from the public domain or adjoining residential sites.
- (i) Appropriate conditions will be inserted in any development consents granted requiring certification on the availability of suitable telecommunications, electricity, water and sewer services for the development
- (j) Any service closets, fire hose cupboards, electricity base stations etc required as part of any servicing arrangement or system must not be visible from a primary street.
- (k) Loading/ unloading zones shall be designed to accommodate at a minimum, medium rigid trucks and should be designed to allow trucks to enter and leave in a forward direction.
- (l) Council's Drug Action Plan includes objectives relating to the management of needles. In any redevelopment where a public toilet are to be provided a needle disposal bin must be provided and maintained whilst the toilets are available for use by visitors to the site. A condition will be included on consents approved.

## **5.3 Environmental Management**

Fairfield Council strives for the successful management of the environment, reconciling economic development, environmental protection, and social equity.

Improving the environmental performance of residential development is the aim of the BASIX system.

BASIX is a comprehensive web-based tool for Council's and proponents of residential development to assess the potential performance of their developments against an agreed set of sustainability criteria. When applied in full it will address the following sustainability issues:

- Water
- Stormwater
- Energy
- Indoor Amenity
- Landscape
- Waste
- Materials
- Transport
- Social

BASIX is a mandatory part of the development approval process for residential development in New South Wales. .

All applications involving residential dwellings (i.e. including apartment building or mixed use development) must submit a BASIX certificate. Information on how this certificate is obtained is available from the BASIX web site [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

### **5.3.1 Solar access, overshadowing and natural daylight**

Solar access is a major determinant of environmental comfort. Good passive solar design solutions offer a resource and financial benefit by reducing the need for artificial heating and cooling.

#### **Objectives**

- To ensure new development will not unduly overshadow public open space and the public domain areas along primary streets;
- To ensure new development do not unduly impact on solar or natural daylight access to habitable areas and rooms of existing dwellings;

- To ensure building layouts facilitate good solar access to both internal and external living spaces and communal open space areas;
- To maximise the use of natural light to reduce energy consumption; and
- To minimise the need for artificial lighting during daylight hours.

#### **Controls**

- (a) Certified shadow diagrams prepared by a suitably qualified person such as an Architect, Engineer, or a City Planner that accurately describe the overshadowing impact of built form proposals must be submitted indicating the extent of overshadowing including any overshadowing of public domain areas.
- (b) Access to sunlight is to be substantially maintained so that existing private and public open spaces and the existing windows of all habitable rooms in adjoining buildings receives at least 3 hours of sunlight between 9am and 3pm on 21 June as the result of the construction of any proposed building or structure.
- (c) Ensure that living spaces of at least 70% of apartments in new developments receives a minimum of 3 hours of sunlight between 9 am and 3.00 pm on 21 June.
- (d) Locate living spaces and open spaces to maximise access to sunlight.
- (e) Provide adjustable shading devices for shading and glare control.
- (f) Ensure windows are of adequate size and proportion.
- (g) Use reflected light from light coloured walls and ceilings.

### **5.3.2 Energy Conservation**

#### **Objectives**

- To reduce demand on energy consumption and reduce greenhouse gas emissions by encouraging design options that improve energy efficiency in terms of heating, cooling and artificial lighting; and
- To ensure the use of energy efficient materials with adequate insulation properties.

#### **Controls**

- (a) A BASIX assessment must be submitted with any application involving residential development; relevant design issues that need to be considered as part of the assessment include:
  - i. Energy efficiency of the hot water, cooking, heating, cooling and lighting systems as well as appliances used for clothes washing and refrigeration;
  - ii. method for clothes drying;
  - iii. method of construction i.e. slab on ground or framed floors and brick veneer, double brick, timber or weatherboard construction;
  - iv. The amount, orientation and treatment of any glazing; and
  - v. Use of insulation
- (b) Orientate all the buildings to maximise solar gain in the wintertime and to minimise solar gain in the summer time into living and dining rooms and balconies.
- (c) Face balconies, living rooms, dining rooms to the north and northeast if the orientation allows.
- (d) Locate non-habitable rooms such as laundries, bathrooms and kitchens in the southern parts of the buildings.
- (e) Single aspect units with a southerly orientation will not be permitted.
- (f) Group wet areas such as bathrooms, kitchens and laundries to minimize pipe runs.
- (g) Orientate the unit doors and windows to allow natural ventilation and utilise cooling breezes in the summer time.
- (h) Shade windows to minimise solar gain in the summertime and to allow solar gain during the winter months.
- (i) Locate openings to facilitate cross ventilation.



- (j) Provide non-mechanical clothes drying facilities as discussed in other sections of this DCP.

### **5.3.3 Water conservation**

#### **Objectives**

- To minimise portable water consumption.

#### **Controls**

- (a) A BASIX assessment must be submitted with any application involving residential development; relevant design issues that need to be considered as part of the assessment include:-
- i. Toilet, tap and shower fittings;
  - ii. Water use of appliances such as clothes washers and dishwashers;
  - iii. Use of water re-use/recycling systems; and
  - iv. Use of water efficient irrigation methods for landscaped areas.
- (b) To ensure that water consumption is minimized for commercial and retail development the relevant controls shall be considered and complied with under the Water Efficiency Labelling and Standards scheme known as the WELS scheme being that:
- i. New or replacement bathroom and kitchen taps must be rated at least 3 stars under the WELS scheme for water efficient appliances;
  - ii. New or replacement toilet (s) being dual flush must be rated at least 3 stars under the WELS scheme for water efficient appliances;
  - iii. New or replacement urinals must be rated at least 3 stars under the WELS scheme;
  - iv. Clothes washing machines must be rated at least 3 stars under the WELS scheme for water efficient appliances; and
  - v. Any dishwasher must be rated at least 3 stars under the WELS scheme for water efficient appliances.

### **5.3.4 Natural ventilation**

#### **Objectives**

- To reduce the use of mechanical means of heating and cooling to minimise energy consumption;
- To ensure natural ventilation is available to all habitable rooms of a dwelling; and
- To allow the opportunity for mixed modes of ventilation in commercial buildings.

#### **Controls**

- a) Ensure each dwelling can be naturally ventilated:
- i. By siting and through the layout of rooms,
  - ii. Through the arrangement and selection of windows, doorways and other openings to allow free internal air movements and which allow residents to control and manipulate the movement of air through a unit, and
  - iii. By avoiding double loaded corridor apartment layouts.
- b) All habitable rooms must meet the requirements of natural ventilation in the BCA.
- c) A minimum of 60% of the units must achieve natural cross flow ventilation.

### **5.3.5 Stormwater management**

Fairfield Council is located adjacent to Prospect Creek (See Fig 2.3). Some parts of the City are affected by overland flow paths and some by flooding from the creek. The effects of overland flow and flooding need to be taken into consideration in any re development.

### **Objectives**

- To control the quality and quantity of storm water to reduce impacts on adjoining properties and the environment; and
- To reduce the impact of flooding on any developments or on adjoining properties.

### **Controls**

- (a) Submit a storm water concept plan in accordance with Council's On-Site Detention Policy and/or Floodplain Risk Management Study and Plan with each Development Application.
- (b) Ensure the development does not impact on existing overland flow paths, flood storage, or flood levels on adjoining properties.
- (c) In the periphery precinct a minimum landscape area equal to 50% of the site area must be provided as landscaping zone to assist in minimising the run-off and a deep root zone equal to 25% of the site area must be provided which will assist with recharge of existing groundwater. WSUD design elements such as bioswales to capture first flush contaminants; porous pavers where applicable etc. However, the use of permeable paving should also be considered to achieve these objectives but areas of permeable paving will not be included when calculating Landscaping and Deep Soil Zones.
- (d) Provide on-site detention to mitigate flow into the existing stormwater system. Design of an integrated system that performs on-site detention functions and permits re-use of stormwater in ways that will minimise the use of potable water is encouraged and is part of the BASIX Assessment.
- (e) Some sites in the City centre may be flood affected and a flood study may be required to be submitted with your application. (Note: Council has exhibited a Draft DCP for all flood liable land and any development will be required to comply with this Council DCP).
- (f) Set floor levels with freeboard of at least 300 mm above the 1 in 100 year water surface levels of the basin. The properties affected by overland flow paths and creek flooding require a different freeboard subject to further investigations/ calculations which need to be submitted with the Development Application, whilst still maintaining accessibility for all users.
- (g) Use gravity drainage connections to storm water system wherever possible.
- (h) Stormwater drains/pits on the site are to be stencilled with the message: This pit drains to the Georges River. Lettering shall be 100 mm high block bold yellow painted lettering. Paints used shall be of road line marking standard.
- (i) Use silt and trash arrestors in the stormwater drainage system where appropriate.
- (j) Loading and unloading areas shall be isolated from the stormwater drainage system where appropriate to prevent the entry of contaminants into the system.

### **5.3.6 Material selection**

#### **Objectives**

- To minimise the impact of material selection on the environment.

#### **Controls**

- (a) Plantation, recycled or Australian regrowth timbers should be used instead of rainforest and old growth forest timber.
- (b) Materials should be selected on the basis of the following criteria:
  - i. Have a low-embodied energy;
  - ii. Do not pollute during the manufacturing process;

- iii. Are sourced from renewable sources;
- iv. Are recycled, or can be recycled after it's "life";
- v. Are durable, low maintenance, and non-toxic to the building's occupants; and
- vi. Embodied water-use.

### **5.3.7 Visual privacy, acoustic and vibration amenity, and stray currents from Rail operations**

When managing the impacts of a new development, the ability to maintain adequate visual and acoustic privacy is a critical contribution to the quality of life of future residents.

#### **Objectives**

- To minimise the direct overlooking of internal and external living areas through site layout and building layout, location of windows and balconies, design of windows and use of screening devices;
- To ensure adequate visual and acoustic privacy of residential developments in the City Centre and to associated private open space;
- Ensure lighting does not produce glare or dark shadows; and
- To minimize the risk of noise and vibration impacts on noise sensitive developments located near the rail corridor and major arterial roads such as The Horsley Drive.

#### **Controls**

##### **Visual Amenity**

- (a) Where residential development is involved, adequate distances must be provided between opposite windows and private open spaces. The building envelopes in Section 4 have been formulated using the guidelines published in the Residential Flat Design Code which supports SEPP65. The guidelines provide for increasing separation as the building height increases. The guidelines suggest the following minimum separation should be provided:
  - i. metres between non habitable rooms in adjoining buildings;
  - ii. metres between a habitable room and a non-habitable room in adjoining buildings;
  - iii. 12 metres between two habitable rooms in adjoining buildings.The building separation guidelines do not supersede the building envelopes specified in Section 4, which are the major determinants of the building separation in the City Centre. Where the building envelope requires a greater separation the building envelope supersedes the guidelines.
- (b) Ensure adequate screening between balconies to protect the privacy of residents.
- (c) Offset windows from one building to another building to minimise overlooking.
- (d) Orientate the main living spaces within apartments to the street and/or communal open space (in designing the layouts this will need to be balanced against other criteria such as solar access).
- (e) With regard to lighting the development should ensure the following criteria are satisfied:
  - i. Use diffused lights and/or movement sensitive lights.
  - ii. Direct these lights towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.
  - iii. Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed.
  - iv. Avoid lighting spillage onto neighbouring properties as this can cause nuisance and reduce opportunities for natural surveillance.
  - v. As a guide areas should be lit to enable users to identify a face 15 metres away.

- vi. Illuminate possible places for intruders to hide.
- vii. Use energy efficient lamps/fittings/switches to save energy

### Acoustic and Vibration Amenity

- (f) Provide a noise impact assessment with each Development Application submission.
- (g) Design the internal layouts of apartments and the location of courtyards, terraces / balconies, and openings to minimise noise transmission.
- (h) The development must comply with the requirements of the Building Code of Australia 2004 in relation to noise transmission issues.
- (i) Incorporate noise attenuation measures in all new development along major roads, The Horsley Drive, Railway Street, Lawson Road and properties in proximity to the Railway line. The RMS requires developments located within 100m of a major arterial road or transit way provide a noise and vibration assessment. This is to provide an assessment of the existing and expected future noise and vibration levels together with a mitigation strategy.
- (j) Development within 60m of a railway line will be required to submit a noise and vibration assessment in accordance with RailCorp's *Interim Guidelines for Councils – consideration of rail noise and vibration in the planning process*. This is to ensure that the resulting development will not be adversely affected by noise and vibration impacts stemming from developing sites in close proximity to the rail way line (**Note:** More information can be attained from the *Interim Guidelines for Applicants – consideration of rail noise and vibration* which can be downloaded from RailCorp's website, [www.railcorp.info](http://www.railcorp.info)).
- (k) Air conditioning units are to be approved and installed in accordance with the requirements of Council.
- (l) In mixed-use developments the design should seek to minimise the transfer of noise between business/commercial/City centre activities and residential development by maximising the distance between conflicting uses or via noise mitigation measures. Land uses/activities that can result in nuisance conflicts include:-
  - i. Noise associated with goods and service deliveries as well as waste and garbage collections, particularly if this is occurring early in the morning;
  - ii. Noise associated with restaurants and cafes particularly those operating at night or those with outdoor seating; and
  - iii. Noise associated with extraction fans and air conditioning units.

### Stray Currents from Rail Operations

- (m) Stray currents as a result of rail operations can impact on the structure of future development in the vicinity of a rail corridor. Electric current from overhead wires can pass through the trains motor and return to the power substation via the rail tracks. Occasionally, these currents may stray from the tracks and into the ground. Depending on the type and condition of the ground, these may be passed to the nearest conductive material (concrete reinforcement, piling, conduits, pipework, and earthing rods) accelerating corrosion of metals and leading to concrete cancer.

As such, Council upon RailCorp's advice may require an Electrolysis Risk report to be prepared by a suitably qualified consultant on developments in close proximity to the rail corridor.

**Note:** Development Applications lodged for land located within 60m of a rail line will be required to be referred to RailCorp for comments. RailCorp may require additional studies (i.e. Noise and Vibration Report, Geotechnical Reports, Electrolysis Risk Reports, etc) to be completed, or impose

setbacks that vary the requirements contained within the DCP for development within the vicinity of a rail corridor.

### 5.3.8 Waste management

The responsibility of reducing the demand on the world's resources and limiting the need for landfill space is shared by all communities and local City centres.

#### Objectives

- To encourage waste minimisation, source separation, reuse and recycling.

#### Controls

- a. **A Waste Management Plan** must be submitted as part of the approval process and shall incorporate the following:
- Garbage compartment areas** shall:
    - be provided for each level containing residential units being not less than 1.5m<sup>2</sup> in area for each 6 residential units or part of each additional 6 residential units on that level,
    - display posters providing educational material on how to use the system,
    - be provided with a loading opening to the garbage chute connected directly to a main garbage room, and
    - be located within a shaft and the shaft shall be maintained under a negative air pressure and ventilated to outside atmosphere of sufficient distance from air intake locations.
  - Garbage chutes** shall:
    - have a minimum diameter of 500mm and be constructed to comply with the relevant requirements of the Building Code of Australia,
    - be provided with manual access for clearing blockages, and
    - discharge directly to a suitably constructed main garbage room housing a bulk waste container or mobile garbage bins carousel.
  - Garbage rooms** shall:
    - be accessible and cause minimal visual impact, noise, vermin or odour to public and adjoining private spaces,
    - include adequate space for separation of waste material for recycling,
    - include separation facilities for waste to be divided into separate waste streams in order to recycle materials,
    - be secured to prevent unauthorised access, and
    - utilise ventilation stacks wherever possible to vent the area.
  - All garbage compartments and garbage rooms** shall:
    - be constructed using materials impervious to water, capable of being washed out to maintain them clean, and
    - be supplied with a fresh supply of water and provided with a drain connected to the sewer.
  - Waste separation facilities** must be provided in all kitchens to separate waste at its source.
  - Management and cleaning of waste services** including all compartments, garbage rooms and associated equipment shall be incorporated into the duty statement of the building caretaker.
- b. **For the commercial and retail component** of mixed use development:
- Air handling systems in Commercial / Retail premises - Commercial / Retail premises that require an air handling system such as a cooling tower are required to obtain Development Approval from Council. The installation and operation of the cooling



tower is to be conducted in accordance with the Public Health Act and Public Health (Microbial) Regulation. An approved air handling system is to be installed to the cooking appliances in accordance with AS/NZS 1668.2 – 2002 The Use of Mechanical Ventilation and Air Conditioning in Buildings.

- ii. Odour Impact Assessments - Commercial / Retail premises that generate odour from their activity may be required to submit an Odour Impact Assessment to Council conducted in accordance with The Assessment and Management of Odour from Stationary Sources in NSW (November 2006), Department of Environment and Conservation NSW.
  - iii. An approved air handling system is to be installed to the cooking appliances in accordance with applicable Australian Standards (AS1668 the use of mechanical ventilation and air conditioners in buildings).
  - iv. Utilise ventilation stacks wherever possible to vent shops and basements.
  - v. Liquid waste storage areas shall be covered and bundled to prevent external spillage.
- c. The collection of waste materials from the site shall be in accordance with the NSW Environment Protection Authority, Industrial Noise Policy (2000), so as not to generate excessive noise.

**Note:** Refer to Appendix E Waste Not Policy concerning requirements for the management of demolition and construction waste.

**Note for Food Premises:** New food premises or existing food premises that are requiring a refit are required to obtain development approval from Council prior to commencement of trade. The fit out of a food premises is to be conducted in accordance with Council's Food Premises Code.

## **5.4 Building Design**

### **5.4.1 Architectural character**

A high level of urban design quality is greatly dependent on the design and appearance of buildings. Well-designed new buildings not only improve the character and appearance but also contribute to the coherence of the City Centre.

#### **Objectives**

- To promote high quality architectural design;
- To ensure building design reinforces the character of the street;
- To ensure the design takes into account the history nature and character of the area including any of listed heritage items in the centre.

#### **Controls**

- (a) The requirements of SEPP 65 regarding the design of building and the certification of the design process must be satisfied.
- (b) Prior to designing any buildings in vicinity of
  - i. Fairfield Railway Station and other Listed items in the Crescent;
  - ii. The Fire Station Site in William Street
  - iii. The dwelling at 23 Lawson Street

A Heritage analysis by a qualified Heritage Architect/Advisor must be undertaken. The design and façade treatment should be informed by the heritage assessment and a formal Heritage Impact Assessment (containing a copy of the original analysis) must accompany the final design to ensure the significance of the listed Heritage items is protected.

For the purpose of this clause “in the vicinity” includes any site which shares a common boundary or is immediately opposite a heritage site listed in the FLEP 1994 and any site in William Street, Harris Street, The Crescent, Dale Street, Fairfield Street.

- (c) Buildings should express internal functions.
- (d) Building should have a clear expression of its different parts, to avoid monotone single plane façades.
- (e) Provide predominately glazed shop fronts to all ground floor retail areas except in The Crescent and Dale Street where the style of the shopfront should be dictated by the heritage assessment.
- (f) Opaque or blank walls on the ground floor will not be permitted along primary streets.
- (g) Highly reflective finishes and curtain wall glazing is not permitted above the ground floor.

#### **5.4.2 Awnings**

Awnings assist in providing a pleasant pedestrian environment, weather protection, and contribute to the creation of a pedestrian scaled environment.

##### **Objectives**

- To provide awnings to ensure weather protection to pedestrians.
- To ensure awnings are structurally sound.
- To ensure the visual amenity of the structure is maintained through the proper maintenance of existing awnings.
- To ensure maintenance and upgrade on awnings of Heritage Listed Properties maintains the heritage significance of the site

##### **Controls**

- (a) On all primary street frontages in the Core Area an awning must be provided. In the periphery area only those frontages identified in Fig.4.1 as an active frontage must have an awning provided.
- (b) Provide awnings in modules to match building frontages. Breaks in a continuous run of awnings will not be permitted.
- (c) Wrap awnings around corners on street corner buildings.
- (d) Awnings shall cover as much of the footpath as possible so the awning is setback 600mm from the kerb. The only exception to this is where a greater setback from the kerb is required to protect existing or proposed street trees.
- (e) All awnings shall be cantilevered from the buildings with a minimum height from the footpath to its underside of 3.3 metres.
- (f) Awnings should be complimentary to other awnings within the development and any adjoining sites.
- (g) Provide under awning lighting to facilitate night use as well as improve public safety.
- (h) Ensure all awnings are structurally sound and safe and comply with relevant BCA requirements.
- (i) Carry out regular maintenance or repair work to awnings and their stormwater disposal systems e.g. painting, repairing any leaks, etc.
- (j) An Awnings Maintenance Plan is required to be submitted with all Development Application for the construction of a building proposing an awning or occupation of a building that already contains an awning.
  - i. The Maintenance Plan for development including the construction of a new building will include maintenance details that cover the life of the awnings
  - ii. The Maintenance Plan for awnings that are on existing buildings will provide details of repair that will be carried out.

- (k) Awnings associated with Heritage Items as specified in Schedule 5 of the Fairfield Local Environmental Plan 2013 must comply with the Heritage Provisions of the Fairfield LEP 2013.

### 5.4.3 Active street frontages

Active street frontages are critical to the viability and vitality of the centre as direct, easy access from the footpath draws people from the street into the shop. Active street frontages also add to the safety and security of a street by enabling casual surveillance.

#### Objectives

- To retain and reinforce the prevailing character and continuity of activities along the street;
- To maintain and enhance the retail and commercial viability of the centre by ensuring that these activities are not fragmented and isolated in the core of the City centre; and
- To allow access to other uses whilst retaining the continuity of the retail frontage.

#### Controls

**Active Retail/Commercial Street Frontages** - The façade treatment and design of the ground floors of all buildings in the core area must ensure an active frontage is provided. In the periphery area the ground floor areas, which must have an active frontage, are identified in Fig. 4.1.

Active frontages must satisfy the following criteria:-

- (a) The design/treatment of the ground floor facades:
- i. Must avoid blank or solid walls and the use of dark or obscured glass on street frontages. It should maximise glazing for retail uses, with the glazing being broken into sections to avoid large expanses of glass;
  - ii. Must not include roller shutters that obscure windows;
  - iii. Must provide direct access from the footpath to the shop;
  - iv. Corner sites must wrap the shopfronts around the corner;
  - v. Must not include recessed shop fronts;
  - vi. Should avoid manually sliding glass doors;
  - vii. Should provide opportunities for table seating along the shop frontage; and
  - viii. Should ensure all commercial uses are located near the street and orientated to the street to provide casual surveillance.
- (b) On ground floor elevations fronting primary streets the width of the building facade used for entrances/foyers (including service areas for mail, intercom systems or service cupboards and the like) must be no more than 3.5metres wide.

**Residential Street Frontages:** The buildings in the periphery area, where residential is permitted at ground level fronting the street, must satisfy the following criteria:-

- (c) Ground floor apartments should incorporate sills and balustrades located a minimum of 1.5 metres above the finished footpath level.
- (d) Minimise high opaque fences. Front fences should be low and translucent and designed in accordance with the requirements of Section 5.1.4; and
- (e) Orientate residential uses to the street to provide casual surveillance

### 5.4.4 Entrances

Building entrances provide an interface between the public and private domain. Entrances give a building an identity and define the entry to the street.

### **Objectives**

- To provide an identifiable and desirable street address to each building; and
- To ensure entrances of building do not fragment activity along retail and commercial streets.

### **Controls**

- (a) Separate the street address for retail uses from residential and commercial uses within each building.
- (b) Entries to shopfronts must not be recessed but entry spaces to residential and commercial activities and foyers may be recessed.
- (c) Entrances should be visible from the street and well lit.
- (d) Given the built form encourages buildings that define the street edge pick up or set downs are not permitted within front setback areas.
- (e) Entry to the building should provide for movement of furniture into and out of the building. Where the building has a secondary street frontage use of the primary street frontage for furniture movement should be discouraged. The design should encourage use of the service area (Refer to Section 5.2.6) for loading/unloading. A suitable path from this area to all residential units should also be provided.
- (f) Ground floor units, (only permitted in certain locations in the periphery precincts) should have direct separate entrances from the street.
- (g) Entrances should be easily recognisable through design features and directional signage.
- (h) Minimise the number of entry points – no more than 6 to 8 dwellings should share a common building entry.
- (i) Each building entry should clearly state the address of the property and the unit numbers accessed from that entry and each individual dwelling should be clearly numbered and unit numbers should be clearly provided on each level.

### **5.4.5 Materials and Finishes**

#### **Objectives**

- To ensure new materials do not detract from the materials found within the centre;
- To use materials which reinforce building proportions and façade articulation, and; and
- To ensure colours and materials are in character with the existing centre and surrounding buildings and in particular the developments adjoining or in proximity to the centres heritage items.

#### **Controls**

- (a) When identifying materials and colours to be used the following issues must be considered:-
  - i. Avoid expanses of any single material;
  - ii. Utilise high quality and durable materials and finishes that are low maintenance;
  - iii. Use limited colour palette for each building;
  - iv. Avoid corporate colour schemes; and
  - v. Paint the ceiling and walls of car parks in light colour to enhance brightness.
- (b) For sites in The Crescent, Dale Street and other sites in vicinity of a heritage item, the form, materials, finishes, colours, details and extent and proportions of any openings shall complement those of any heritage items in the vicinity. The Statement of Heritage Impact required to be submitted with these applications shall specifically comment on these matters.

#### 5.4.6 Residential unit mix, area and room size

Where residential development is permitted a mix of apartment types and sizes is promoted to cater to a variety of socio-economic groups. A range of dwelling sizes and types create a housing mix that will cater for a diverse population, as well as provide for changing use over time. The *Residential Flat Design Code* outlines some rules of thumb in terms of appropriate mixes and sizes.

##### Objectives

- To ensure development provides a mix of apartment types and sizes to accommodate a range of household types; and
- To ensure apartment sizes and room proportions are adequate to meet the needs of the occupants and to afford a range of changing activities over time.

##### Controls

- (a) Developments comprising residential uses must provide a variety of residential units mix, sizes, and layouts within each residential development. In developments exceeding 6 units the mix of units must satisfy the following criteria:

Unit Type	Minimum Proportion of total number of units on site
Studios/1 bedroom	10%
2 bedroom	20%
3 bedroom	20%

- (b) Provide apartments especially in the perimeter building open to the podium that are flexible enough to support a change in their use.
- (c) The Residential Flat Design Code provides examples of appropriate unit sizes which will be used to assess the appropriateness of unit size proposed in any development.
- (d) Provide dwellings that are able to be adapted for disabled or elderly users at the following rates:
- 0-10 dwellings – 1 adaptable dwelling
  - 11 + dwellings – 5% of total number of dwellings (to the nearest whole number)
- (e) In the periphery area, locate dwellings that are adaptable on the ground floor for ease of access and ensure a simple accessible path is provided to these units.
- (f) Adaptable housing should be designed in compliance with AS 1428 Parts 1, 2 and 4, and AS 4299 Adaptable Housing.



#### **5.4.7 Storage**

Storage space is an often-neglected feature of many apartment complexes and should be provided.

##### **Objectives**

- To provide adequate storage space within each dwelling for household items as well as within each building for larger items, such as recreational, sporting and hobby equipment; and
- To discourage people from storing household, recreational, sporting or hobby equipment on balconies by providing an alternative storage area.

##### **Controls**

- (a) Storage space must be provided for each unit at the following rate:-
  - i. Studios - 6 cubic metres
  - ii. One bed apartments - 8 cubic metres
  - iii. Two bedrooms apartments - 10 cubic metres
  - iv. 3+ bed apartments - 12 cubic metres
- (b) At least 50% of this storage must be provided within the dwelling.
- (c) Where some of the required storage space is provided in the car park or other common areas it must be safely secured and linked in any strata subdivision to the parent unit so it cannot be allocated to other units.

#### **5.4.8 Safety and Security**

##### **Objectives**

- To ensure the design of any building provides a safe environment for occupants/ users of the buildings in the centre and the safety of those in the public domain; and
- To ensure the design of buildings discourages criminal activities by ensuring all spaces, both public and private are well lit with appropriate levels of natural surveillance.

##### **Controls**

- (a) The development boundary should clearly define public and private space through one or more of the following:
  - i. A level change at the site and/or building threshold;
  - ii. Signs;
  - iii. Entry awnings;
  - iv. Fences, walls and gates; and
  - v. Changes of material in paving between the street and the development.
- (b) Casual surveillance opportunities should be provided by:
  - i. Orienting retail/ commercial activities and living areas with views over public or communal open spaces;
  - ii. Providing clear lines of sight between building entrances, foyers and the street;
  - iii. Using corner windows, which provide oblique views of the street; and
  - iv. Providing casual views of common internal areas, such as lobbies and foyers; hallways, recreation areas and car parks.

- (c) Opportunities for concealment are to be minimised by:
- i. Avoiding blind or dark alcoves near lifts and stairwells at the entrance and within indoor car parks; along corridors and walkways;
  - ii. Providing well-lit routes throughout the development;
  - iii. Providing appropriate levels of illumination for all common areas; and
  - iv. Providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard.
- (d) Access to the development is to be controlled by:
- i. Making apartments inaccessible from the balconies, roofs and windows of neighbouring buildings;
  - ii. Separating the residential car parking component from any other building use;
  - iii. Providing direct access from car parks to apartment lobbies for residents;
  - iv. Providing separate access for residents in mixed use buildings; and
  - v. Controlling car park access from public and common areas.
- (e) A formal **crime risk assessment**, consistent with the Department of Infrastructure, Planning and Natural Resources (DIPNR) *Crime Prevention and the Assessment of Development Applications* guidelines, is to be carried out for all residential developments of 20 or more new dwellings.

#### 5.4.9 Signage

Signage plays a significant part in indicating retail and commercial uses as well as creating a lively retail strip. In some instances, businesses require or desire too much signage, creating visual clutter detracting from the streetscape quality. Signage in the City Centre should be integrated in to the design of the new buildings

##### Objectives

- To ensure that signage does not detract, but adds to the visual quality of the streetscape; and
- To ensure that signage is in keeping with the development in terms of scale and quality.

##### Controls

- (a) All signage must comply with the Fairfield City Wide DCP 2013 Chapter 8A 1.3 and 8B1.3.

**Note:** Any advertising sign that requires the concurrence of the Roads and Maritime Services under SEPP 64 Advertising and Signage also requires a concurrence fee to be paid to the concurrence authority. Under Section 252A of the Environmental Planning and Assessment Regulations 2000, a fee of \$250 is payable to each concurrence authority.

## 6. Public Domain Issues

### 6.1 Public art

Public art includes cultural and design elements, installations, fixtures and treatments that enhance public environments and buildings. These may include:

- Paving treatments
- Lighting design
- Sculpture
- Fencing design
- Decorative elements such as parts of architectural and engineering work
- Landscape and planting works with special designed elements
- Temporary works

Public art can celebrate local heritage, explore community cultural identity and set the mood for city spaces. It can be a functional means of making design elements such as seating, paving, bus shelters and other street furniture visually appealing.

#### **Objective**

To ensure public art is provided in Fairfield in a manner that is integrated into the development and planning framework established in this DCP and the Fairfield City Centre Strategic Plan.

#### **Controls**

- (a) Public art must be provided in accordance with the themes and guidelines provided for public art in the Fairfield City centre in appendix 6.

### 6.2 Outdoor Dining

Refer to Council's Outdoor Dining Policy 2013

### 6.3 Public Footways

#### **Objectives**

- To ensure the public footpaths in the City centre provide an appropriate pedestrian environment for residents, businesses and other users of the centre; and
- To ensure the footpaths in the City centre are able to accommodate active uses that contribute to the vibrancy of the centre without impacting on the pedestrian flow or amenity.

#### **Controls**

The applicant will be required to re-construct the pavement in front of any development site in accordance with the "Fairfield City Centre Streetscape Specifications".

## 7. The Development Application Process

### 7.1 Prior to lodging your application

As well as considering the plans and policies identified in Section 1.4 applicants should consider the following:-

#### 7.1.1 Consultation

##### **Council staff**

Applicants are strongly advised to discuss a development proposal with Council's Development Control Advisory Unit before submitting an application, preferably at an early concept stage. The Officers in this section may refer you to other Council Officers or Government Authorities who can advise you on different aspects of your application.

Any applicant proposing a mixed-use development in the Fairfield City Centre must attend a Formal Pre-lodgement with Council Officers. A site survey, photographs, site analysis (preliminary heritage study if required) and rough concept plans must be prepared at this stage for review and discussion at the pre-lodgement. Arrangements for these meetings can be made by phoning 9725-0323.

##### **Adjoining Property Owners**

Issues or concerns raised by adjoining owners are often most easily addressed at the preliminary design and scoping stage prior to lodgement of an application. For this reason you are encouraged to have preliminary discussions with adjoining landowners when preparing your application.

##### **Government Authorities**

A Developer Certificate from Sydney Water will need to be obtained before the development can proceed. You should discuss this matter with Sydney Water prior to designing the proposal to identify any requirements which should be integrated into the design. Applicants are advised to contact the Urban Development Section of Sydney Water's Liverpool office on telephone 132 092.

Depending on the nature and scale of the development other government authorities such as the RMS or Railway Authorities may also be relevant. Council's Planners will provide you advice regarding the public authorities relevant to your particular application.

#### 7.1.2 Preparing Plans and Studies

For Residential Flat Building developments and most mixed-use developments involving residential uses SEPP 65 requires the designs to be endorsed by a qualified architect or similar building design professional.

Council recommends that in all cases a qualified architect or similar building design professional, a qualified engineer, surveyor, City planner, qualified landscape designer/architect be engaged to prepare development applications plans and statements. All drawings and reports should show the names of persons responsible for their preparation.

## **7.2 Lodging the Application**

### **7.2.1 Information to be Submitted to Council**

Appendix 3 describes the form, nature and level of detail required when submitting the documents/plans. The information in Appendix 3 is to be submitted with any application to redevelop a site involving a new development or redevelopment/refurbishment.

Development application requirements for more minor change of use applications are included in Appendix 2.

### **7.2.2 Fees and Charges**

The following contribution/fees apply to development in the Fairfield City Centre:

- i) Development Application (DA) fees are based on cost of construction and are payable upon DA lodgement.
- ii) An advertising fee applies to certain DAs and is payable upon DA lodgement.

## **7.3 Processing of the Application**

### **7.3.1 Notification and Advertising Requirements**

Upon receipt and initial processing of an application it will be exhibited in accordance with Council's Notifications Policy – Fairfield City Wide Development Control Plan 2013 – Appendix B Notification Policy. Appendix B does not specifically refer to commercial or retail developments. Development applications involving the construction of a new building or major expansions to any existing building in the Fairfield City Centre will be notified to adjoining landowners via a letter and they will be given 14 days to lodge any submissions. Council will also exhibit the Development Proposal in Council's Administration Office for 14 days.

### **7.3.2 Contact with Council Officers**

After lodgement keep in touch with the relevant reporting officer for your application so that any unsatisfactory matters or issues arising can be discussed and where possible resolved, before a final decision is made.

### **7.3.3 Determination of Applications**

Where no objections are received to a development proposal and the proposal complies with Council's Plans and Policies an application may be approved by Council Officers under delegation from Council. This is subject to the application not being required to be reported to the Joint Regional Planning Panel for determination.

Where objection is received in relation to an application a report will be prepared by Council's Officers, including a recommendation on whether the application should be approved or refused. This report will be referred to Council's Independent Development Assessment Committee (IDAC). At the panel meeting objectors and supporters of an application are given an opportunity to address the Panel who will then make a recommendation on whether the application should be approved. The report including the recommendation of the reporting officer, the IDAC Committee and further comments from Council's Director Environmental Standards will be forwarded to Council to allow the application to be determined.



#### **7.4 Once a decision has been made on the Application**

Any approval granted will in almost all cases include conditions which will be applied to the development. These conditions will need to be satisfied as part of the development and on-going management of the site.

For residential development there will be a condition requiring payment of a Direct (Section 94) Development Contribution Plan 2011 for the development.

If an application is refused the applicant may request Council review its determination under Section 82A of the EP& A Act 1979 or lodge an appeal seeking to have the refusal overturned by the Land and Environment Court.

If an application has been approved but the applicant is unhappy with any of the conditions on the approval these can also be reviewed by Council or appealed with the Land and Environment Court.

## APPENDIX 1 Definitions

A list of relevant definitions is provided in the Local Environmental Plan (LEP) which applies to Fairfield City Centre. The definitions provided below are terms discussed in this DCP that do not appear in the Local Environmental Plan. In the case of any inconsistency between a definition in a DCP and a LEP the definition in the LEP shall prevail.

Access Denied	Vehicular access is not permitted across a property frontage designated as "Access Denied" in Fig 5.2.4
Active frontage	An active frontage is a frontages that:- i. Permits views from the building to the street and vice versa from the street into the building; and i. promotes shop activities that provide displays of goods visible from the street or activities such as restaurants, or service businesses where people passing by can see people undertaking the activity in the building and vice versa.
Average Site Width	Is a measure of the average width of the site and is calculated as follows:- (a)Where the site is a rectangle or trapezoid with the parallel sides located perpendicular to the street the distance between the parallel boundaries is the average width (b) Where the site is not a rectangle or a trapezoid with the parallel sides located perpendicular to the street the site will be deemed to have an average width of 34m if it can accommodate within its boundaries a 34m square.
Building Envelope	A <i>building envelope</i> is a 3-dimensional illustration showing the limits to which a building can be built. This includes all elements of the building such as balconies, walls and roof structures, except where extension of these elements outside the envelope is expressly permitted in the DCP controls.
Building Height	Building height has the meaning contained within the Dictionary to Fairfield LEP 2013.
Central Area	The core area includes the Ware Street, Smart Street, Nelson Road and The Crescent Precincts identified in Section 3 of the DCP.
Courtyard Building Form	The courtyard building form sits upon the podium in the area behind the perimeter building form. A courtyard building can be in a tower form and can be attached or detached from the Perimeter Building form
DCP	Means Fairfield City Centre Development Control Plan.
Existing Ground Level	Means the level of the site prior to development taking place.
LEP	Means Fairfield Local Environmental Plan 2013.
Fairfield City Centre	The Fairfield City Centre as described in this DCP is the area of commercially zoned land identified in Fig 1.1 in this DCP.
Floor to Ceiling Height	The floor-to-ceiling height for any level of a building is the distance between the floor of the subject level and the ceiling of the subject level.
Perimeter Building Form	The perimeter building form sits upon the podium level. It must vary in height depending on the precinct. The elevation facing any street or lane on a perimeter building must be parallel to the street and must be setback between 3 and 6 metres depending on the precinct.
Periphery Area	Are the areas on the edge of the City centre that form the transition to the adjoining residential zone 5. The Periphery Area is mapped in Section 3.
Podium Building Form	The podium is a continuous base of the building. In the Core Precincts and the Nelson Street Precinct the podium may cover the entire site and must be built to the boundary if the boundary fronts a Primary Street frontage, thereby defining the street edge.
Primary Street Frontage	A Primary Street Frontage is any boundary that fronts onto a major road, major street or minor street as identified in Fig 2.11(b) Street Hierarchy in Section 2 of this DCP.
Secondary Street/Lane Frontage	A Secondary Street/Lane Frontage is any boundary that fronts a Laneway as identified in Fig 2.11(b) Street Hierarchy in Section 2 of this DCP.
Tower Building Form	See Courtyard Building Form above

## APPENDIX 2 "Change of Use" Applications

### When Is An Application Required?

A "change of use" is where an existing shop/premises changes the activities and processes that were previously undertaken in the shop.

For example:

Clothing Retail Shop	→ Photo Printing Shop
Bargain Shop	→ Café
Grocery Shop	→ Restaurant

Council must take into account the impacts of the new use and depending on the nature of the new use Council may require the premises to be upgraded in regards to fire safety or hygiene and public health.

**Council therefore requires a Development Application (DA) to be lodged for each change of use.**

However, there may be some cases where the nature of operations and activities being proposed is similar or the same as that of the previous approved use. In these cases a development application may not be required. If you believe this applies in your case you must send a letter to Council describing what kind of business you are operating. Council will then reply stating whether the proposed use will require the lodgement of a DA.

Other developments that are exempt from the requirement to lodge a development application are referred to in Fairfield City Wide Development Control Plan - Chapter 2 and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

### Information Required with a Development Application

Applications for changes of use generally require the submission of the following information:

- A description of the use;
- A dimensioned plan of the shop/office/unit you will be occupying and the internal layout including details of the proposed use of various areas of the building, e.g., office, retail etc;
- Details of existing parking spaces and area(s), loading and unloading areas and landscaped areas;
- Details of any changes to the building's elevations; and
- Details of any changes to the parking provided.

One copy of plans should be coloured and a statement indicating compliance with the objectives of Fairfield LEP 2013 and this DCP should be included in your development application.

Council will be able to assess "change of use" applications a lot faster if all the information required by Council is submitted when the application is submitted to Council. Included in this appendix is a checklist describing in detail the materials required when submitting a DA. You must complete this checklist ensuring you have all the information listed prior to submitting your application to Council to ensure your application is determined in the minimum possible time.

## Special Requirements for Specific Uses

### (A) Food Shops

Food shops in particular need to also demonstrate compliance with Council's **Food Premises Code** (which can be picked up from the front counter of Council for free). The Code stipulates coving requirements, ventilation, etc. There may also be other issues pertaining to grease traps, Trade Waste Requirements and odour impact assessments.

Fact sheets for **Food Shops, Grease Traps & Trade Waste, Odour Impact Assessments, and Registration of Premises** are available at Council's Administration Building at Wakeley and **you should discuss your proposal with Council's Community Health and Safety Officer to identify any specific additional requirements prior to lodging the application**

### (B) Hairdressing/Beauty Salons

Due to these types of uses providing services that have direct human contact or skin penetration (i.e. hair removal, tattooing, acupuncture, ear piercing and any other procedure which involve skin penetration) it is vital that the subject premises is fitted out in an acceptable manner to ensure public hygiene and safe and healthy work practices are maintained.

Fact sheets for **Hairdressing Salons, Beauty Salons, Skin Penetration Business and Registration of Premises** are available at Council's Administration Building at Wakeley and will assist the applicant in preparing the DA submission. **You should discuss your proposal with Council's Community Health and Safety Officer to identify any specific additional requirements prior to lodging the application.**

### (C) Shops Requiring the Use of Chemicals

Uses including printing/photo shops or any other uses requiring the use of chemicals will also need to fill out a **Chemicals Inventory Sheet** indicating the type of chemicals used, for what purposes and quantities. A **Material Safety Data Sheet** may also be required to be submitted to Council's Environmental Management Branch.

### (D) Outdoor Dining

No DA or fee needs to be lodged for outdoor dining within the Fairfield City Centre; however the applicant will be required to **pay** for a **License Agreement** for the use of the footpath.

Council requires you to provide:

- a written submission to Council outlining the number of chairs and tables being used and address of the subject property,
- associated plans exhibiting the location of chairs, tables and width of unobstructed pedestrian footpath in relation to the premises,
- Certificate of Currency demonstrating the activity is covered with appropriate public liability insurance, and
- If possible a photo of the available unobstructed pedestrian footpath with the tables and chairs laid out should be provided.

**Council's Policy for Outdoor Dining** outlines the submission requirements, the cost of the **License Agreement**. It also provides a set of conditions and requirements that must be satisfied at all times.

### **(E) Display of Goods on Council owned footpath**

Any change of use requiring use of Council's footpath will need to include:

- the details of the display on the site plan showing the total width of unobstructed footpath in relation to the display and the subject premises, and
- Certificate of Currency demonstrating the activity is covered with appropriate public liability insurance.

The Statement of Environmental Effects shall also refer to the display including details on:

- what the display is made of,
- the type of goods being displayed,
- the total unobstructed pedestrian footpath (in metres) with the display laid out, and
- if possible a photo of the footpath with the display on it should be provided.

If the application is approved, the applicant will have to **pay** a License Agreement Fee to use the footpath.

Council's **Policy for the Display of Goods on Council Owned Footpaths** describes specific condition and requirements applying to footpath displays, the cost of License Agreements and all submission requirements.

### **(F) Signage**

Any new signage associated with a new use may also require Council approval unless it meets the criteria set out in Council's Exempt and Complying Development DCP No. 29. (Note there may be cases where the use may not require approval but the new signage associated with the use does require Council approval).

As indicated in Section 5.4.9 Signage all signage proposals will be assessed against the requirements in Council's City Wide DCP. An additional fee as nominated in Council' Pricing Policy - Fees and Charges will be added to the DA fee to cover the cost of the additional assessment.



## Checklist for "Change of Use" Development Applications

REQUIRED	APPLICANT Yes / No	Office use
<input type="checkbox"/> <b>COMPLETED 'APPLICATION FOR APPROVAL' FORM</b> * Owners consent * Applicants Details – mailing address and contact details * Adequate description of proposed use * Estimated project cost (\$) – i.e. the cost of fit out and/or any other costs associated with relocation and establishment of the business/shop	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <b>PLANS</b> <b>4 Copies of each plan to be provided</b> All plans submitted will be required to be in a suitable scale and show the position of true north. If there is any <b>building/construction work</b> being proposed, Council will require the submission of construction and engineering details including materials used, what is being demolished and what is being proposed.  <b>Note:</b> Depending on the level of building work a <b>Construction Certificate</b> may be required before occupation of the development. Please talk to the Duty Building Surveyor to see if your application requires a CC.  <b>NOTE:</b> All plans shall be drawn in ink and be of a high standard and quality exhibiting all the relevant information. Free hand or illegible drawings will not be accepted or alternatively the applicant may be required to resubmit suitable plans within a specified time frame.	<input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <b>SITE PLAN</b> A plan showing the subject premises/site in relation to the nearest road/s, on-site car spaces, loading bays, site boundaries and location and uses of adjoining buildings.	<input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <b>FLOOR PLAN</b> A plan showing the internal layout of the subject premises. This includes the room configuration and uses, location of walls, amenities (toilets/hand wash basins), counters, equipment/machinery, location of chemicals and for food shops, location of chairs and tables.	<input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <b>WASTE MANAGEMENT PLAN</b> If any demolition/construction is being undertaken please ensure a Waste Management Plan (WMP) is completed. The checklist provides Council with the volume and type of waste to be generated, how waste is stored and treated on site, and how waste to be disposed of. A WMP can be picked up from Council's front counter.	<input type="checkbox"/> <input type="checkbox"/>	
<input type="checkbox"/> <b>STATEMENT OF ENVIRONMENTAL EFFECTS (SOE)</b> <b>Note:</b> This document is to accompany <b>ALL</b> development applications even if no building work is being proposed. The following is not an exhaustive list of the issues that need to be addressed in the SOE as there may be other matters relevant to the subject use that may be required to assist in the assessment of the application. * What is the zoning of the subject site and is the proposal permissible? * Demonstrate compliance with Council's LEP and relevant DCP, Codes or Policies (Note: Council's LEP can be reviewed at Council and on Council's website. A Duty City Planner will be available during normal working hours who can advise you of the DCP's/Codes/Policies that apply and the relevant clauses that need to be addressed)  * Full description of the proposed use including all processes * Details of any chemicals used and storage * Type of business, nature of goods and materials used and/or sold * Hours of operation	<input type="checkbox"/> <input type="checkbox"/>	

<p>* Provide details of any special equipment used and specifications, e.g. Model Number and function.</p> <p>* Number of employees</p> <p>* Likely number of visitors to the premises including customers and sales representatives. (Note: Council realises that it is often difficult to provide an exact figure on the customer turnover however, an estimation is generally sufficient e.g. for Hairdressing Salons – 3 customers serviced at any one time)</p> <p>* Proposed loading/unloading arrangements including what type of delivery vehicle/s will be used and how often these would be frequenting the site?</p> <p>* Amount of traffic to be generated</p> <p>* Proposed parking arrangements and access</p> <p>* Waste disposal processes (Note: This includes the type of waste generated and where the rubbish is to be disposed of, e.g. communal skip bin, licensed waste contractors, etc. Details of the contractor, such as the disposal company's name and how often they visit the site, must be provided in the SOE)</p> <p>* Effect on any residential development in the vicinity</p> <p>* Impacts on the natural or built environment</p> <p>* Any other matters relevant that would assist in the assessment of the application</p>		
<p><input type="checkbox"/> <b>MISCELLANEOUS</b> Please refer to the relevant section for further details.</p> <p><b>*Outdoor Dining Detail</b> Note: Only required when lodged together with the "change of use" DA.</p> <p><b>Written submission</b> to Council outlining the number of chairs and tables being used</p> <p><b>4 copies of the site plan</b> showing the location of chairs, tables and width of unobstructed footpath in relation to the premises (drawn to scale)</p> <p><b>Certificate of Currency</b> demonstrating the activity is covered with appropriate public liability insurance</p> <p><b>A photo</b> of the available unobstructed pedestrian footpath with the table and chairs laid out.</p> <p><b>* Display of Goods on Council Owned Footpath detail</b></p> <p><b>4 copies of a Statement of Environmental Effects</b> indicating what type goods are being displayed, the material of the display and compliance with the <i>Policy for the Display of Goods on Council owned Footpaths</i></p> <p><b>4 copies of the site plan</b> showing details of the display as well the total width of the unobstructed footpath in relation to the display and the subject premises (drawn to scale)</p> <p><b>Certificate of Currency</b> demonstrating the activity is covered with appropriate public liability insurance</p> <p><b>A photo</b> of the available unobstructed pedestrian footpath with the display laid out</p> <p><b>Awnings</b></p> <ul style="list-style-type: none"> <li>• An Awnings Maintenance plan is required for Developments which includes an existing awning or proposes a new awning.</li> <li>• A Change of Use development which includes an existing awning requires a Maintenance Plan which covers upgrade and maintenance details for the life of the consent.</li> </ul>	<p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p>	

<ul style="list-style-type: none"> <li>• A development which proposes the construction of a new Awning requires a Maintenance Plan which details the upgrade and maintenance details for the life of the Awning.</li> </ul> <p>*</p> <p><b>Signage detail</b></p> <p><b>4 copies of the site plan</b> showing the location of the proposed signage in relation to the building <input type="checkbox"/> <input type="checkbox"/></p> <p><b>4 copies of elevation plans</b> showing location of the sign and signage detail i.e. size, colour, wording, material of sign etc. <input type="checkbox"/> <input type="checkbox"/></p> <p><b>Statement of Environmental Effects</b> to make reference to any proposed signage demonstrating compliance with the Fairfield City Wide DCP, Chapter 8.2.2 Advertising. <input type="checkbox"/> <input type="checkbox"/></p> <p><b>Pylon signs</b> will be required to submit engineering detail and construction details <input type="checkbox"/> <input type="checkbox"/></p> <p><b>Proposal checked against SEPP No. 64</b> requirements– Advertising and Signage. <input type="checkbox"/> <input type="checkbox"/></p> <p><b>BEAUTY SALONS/HAIRDRESSING SALONS</b></p> <p>In addition to the information required above, <b>4 copies of an elevation plan</b> showing the materials of the floors and walls, location of hand wash basins and height of the ceiling will be required to be submitted. <input type="checkbox"/> <input type="checkbox"/></p> <p><b>FOOD SHOPS</b></p> <p>In addition to the information required above, <b>4 copies of an elevation plan</b> showing the materials of the floors and walls, coving detail, location of hand wash basins and mechanical ventilation, and height of the ceiling will be required to be submitted. <input type="checkbox"/> <input type="checkbox"/></p> <p>Note: An elevation is a section of the subject premises showing the internals of the shop in relation to the height of the ceiling. This type of plan is required for food shops, hairdressing/beauty salons as well as any other uses Council believes are necessary.</p>		
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Applicant's Signature

**Council Use Only**

Matters requiring attention prior to accepting application

## APPENDIX 3      Development Application Requirements

The provisions for preparing development proposals are contained in Chapter 2 of the Fairfield City Wide Development Control Plan 2013.

## APPENDIX 4 Site Specific DCP Sites

### Introduction

The controls for Fairfield City Centre shown in Section 4 identified the following sites as Site Specific DCP sites:-

Site Specific DCP Sites	Area (m <sup>2</sup> )	No of Current Owners
The Fairfield RSL Club Site – all the properties bounded by Dale Street, Vine Street, Anzac Avenue and Lawson Street	19007.9	2
The Community Precinct bounded by Kenyon Street, Barbara Street, Harris Street and Downey Lane.	11162.3	6
The Forum Shopping Centre Site – Lot 1031 DP 1049068 which has its longest frontage onto Station St.	42820	2
Neeta City Shopping Centre – bounded by Nelson Street, Court Road, Smart Street and the Police Station and Court House sites to the south.	28606.3	1
The Fairfield Chase Site – all the properties bounded by Spencer Street, Smart Street and Council Lane	6977.3	3
Court Road Site located at the corner of The Horsley Drive and Court Street (not including smaller sites closer to Alan Street)	22650	4
Fairfield Tavern Site located at the corner of The Horsley Drive and Allan Street	5847	2

The sites have been selected for one or more of the following reasons:

- They are relatively large sites;
- They are generally self contained sites with few adjoining properties and most neighbouring properties are separated from these sites by a road;
- They are in single ownership or have a small number of owners

If a landowner is able to amalgamate other properties to form a large development site, they should be permitted to benefit from the site-specific DCP process. Where a single applicant is able to demonstrate that they can amalgamate a site of no less than 4000m<sup>2</sup> they will also be permitted to follow the site specific DCP process as described in this Appendix. Due to the size, orientation and nature of these sites there are more potential design solutions than for smaller blocks with more complicated ownership patterns.

The controls set out in this DCP are one design response for these sites and they will be applied in cases where the owners do not wish to pursue the Site Specific DCP process. However, there are many other design responses that could still achieve Council's objectives for the centre but would not be permitted under these controls.

The Site Specific DCP process has been included in this DCP:

- to allow Council the flexibility to consider other, possibly more suitable options within a structure that allows Council to set the policy objectives; and
- to permit the owners greater design flexibility for larger sites where a site-specific response is likely to generate an outcome better suited to the needs of both the owner and the community.



## Site Specific DCP Process

The Site Specific DCP process has been modelled on the Development Control Plan process. The process allows for consultation with adjoining owners, the community and relevant public authorities to ensure the process is open. The steps in the process are set out in the diagram below:-

### **Step 1 Inception Meeting**

The owner and their consultant's should hold an inception meeting with Council Officers to identify the issues that should be considered in the preliminary analysis of the site. Evidence shall also be provided to Council that consultation with adjoining land owners has been undertaken. The Councillor's will be advised of the initiation of this process via a memorandum.



### **Step 2 Preliminary Consultation**

The owner and his consultant's prepare a preliminary analysis and draft Site Specific DCP and submit this to Council.



### **Step 3 Report to Council**

The draft Site Specific DCP will be reported to Council (or the relevant Council committee) to determine whether the Site Specific DCP should be exhibited.



### **Step 4 Public Exhibition**

The Site Specific DCP is placed on public exhibition at Council's Administration Centre and either, Council's Fairfield Office or the Fairfield Library for a minimum of 30 days. The applicant may chose to lodge a development application that complies with the Site Specific DCP and have it publicly exhibited at the same time as the Site Specific DCP.



### **Step 5 Post Exhibition Report to Council**

A report is prepared for Council regarding the issues raised during the consultation to determine whether the plan should be adopted.



### **Step 6 Determined Development Application**

If the DA has already been lodged Council may determine it, otherwise the development application can be lodged and processed in accordance with the EP & A Act 1979 and Councils processes.

The Site Specific DCP process is equivalent to formally amending the development control plan, which takes much longer than 40 days (i.e. the statutory period for determining development applications). However, in practice applications for large scale development with significant departures from Council's Development Control Plan are very rarely processed in 40 days. The work undertaken by the applicant to justify the variations from Council's policies and the level of assessment required by Council Officers to determine these applications is equivalent to the work both parties must undertake in the proposed Site Specific DCP process.

This process identifies sites where some flexibility may be of benefit and sets out a clear process for all parties to identify the optimal design solution.

**Where Council has not adopted a Site Specific DCP for a site any application to develop that site will be considered against the controls in the body of this Development Control Plan.**

### **Requirements for a Site Specific DCP**

When preparing a Site Specific DCP for consideration by Council under this process the following issues need to be satisfied:-

**1. Site Analysis** – The site analysis should include a detailed description of the local context and site analysis as described in Appendix 3 of this DCP.

**2. Other Documents and Studies** – consideration will need to be given to the documents identified in Section 1 of this DCP and any other new policies in place at the time the Site Specific DCP is prepared. These documents and any studies required will be specified at the inception meeting.

**3. City Centre Objectives** – The Site Specific DCP must still achieve the objectives set out in Section 3 and must not prejudice the implementation of the DCP on other sites in the City Centre.

**4. Development Controls** – The Site Specific DCP should identify an alternate building envelope to supersede the envelopes set out in Section 4 of the DCP for the site being considered. It should identify all elements of the envelope and specify the maximum heights, setbacks from all boundaries, and minimum separation distances between buildings on the site. It should detail floor to ceiling heights and thereby give a clear indication of the massing of the building. However the site specific DCP's should adopt the planning and development controls in Section 5 of this DCP as these controls will apply across the City centre including all site specific DCP sites.

### **Objectives for each Development Site**

Site-specific objectives/planning issues that must be considered as part of the Site Specific DCP process are identified below. However, for all of the sites the objectives for the City Centre and the objectives for the relevant precinct should be achieved to ensure the Site Specific DCP integrates into the wider vision for the centre

## The Fairfield RSL Club Site

### Land Use Issue

- The car park of the RSL located south of Bertha Street is zoned R4 High Density Residential. Any redevelopment of the car park must be in accordance with the existing zoning unless the Site Specific DCP proposal is accompanied by a rezoning request, which will be considered in conjunction with the Site Specific DCP process.

### Design Issues

- The existing building does not provide an active frontage along all of Dale Street. It is important that an active frontage is provided to Dale Street and the proposed Boulevard along Vine Street.
- The proposal should not involve overshadowing of the public domain or adjoining properties between 9am-3pm on 21 June, any greater than that expected if the site was developed under the controls set out in Section 4 of this DCP.
- The impact of any re-development of this site on the state listed Railway Station opposite must be taken into consideration. A heritage analysis must be prepared as part of the site analysis which must guide the design of the building envelope. The massing of any buildings along the street edge should be consistent with and complimentary to the scale of buildings proposed in the building envelope in Section 4 of this DCP for adjoining sites.
- In Section 3 this site is identified as being in a periphery zone on the edge of the centre, which acts as a transition from the core area to the surrounding residential. Accordingly to ensure the development takes into account this context a maximum height of 8 storey (27m maximum height) will be permitted subject to compliance with the design issues specified above.



### Amalgamation

- There are currently two properties on the corner of Dale and Vine Street that are not owned by the RSL and a third site at the corner of Vine and Lawson Street that has not been amalgamated with the car park site adjoining. In relation to the orderly development of land it would be ideal if these sites were integrated into a single Site Specific DCP. The Site Specific DCP must make adequate provision for these sites to be developed independently from the rest of the RSL site if the owner/s do not agree to become involved in the Site Specific DCP process. It must include building envelopes that demonstrate how these adjoining sites may be redeveloped in accordance with this DCP.

### **Access/Movement**

- Development on the site should put in place clear traffic and pedestrian management that relieves the current access issues near the site.
- Consideration could be given to :
  - an engineered right turn movement ban into Westin Street from Vine Street.
  - aligning Westin and Bertha Streets with a scramble phase lights to allow ordered pedestrian access to the school and adjacent car parks. The pedestrian lights further along Vine Street, would then be removed. However, access to Westin should be limited or removed by the light phasing.
- Pedestrian amenity needs to be the prevailing demand behind any design for this area and that cars should access car parking in order to remove the congestion from Westin, Bertha and Dale Streets. The area would benefit by providing clear vehicle parking entries and attractive pedestrian walking areas to access the school, railway station and the shopping precinct.
- The Strategic Plan for Fairfield seeks to link the City centre and future residential development to Fairfield Park along Vine Street. The intention is to create a pedestrian boulevard linking to an improved bridge over the railway to facilitate access from the centre to the regional open space. The creation of the boulevard requires an 8m strip on the eastern side of the RSL Club site to be acquired to Council and this should be discussed with Council Officers as part of the redevelopment of the site.
- The Site Specific DCP for the site should investigate the option of extending the existing (or any future replacement) pedestrian bridge, which crosses the railway line so that a more direct pedestrian path is provided over the railway line to the proposed pedestrian boulevard without having to cross Dale Street at Ground level. The Site Specific DCP should provide for the opportunity for this to occur even if it is not constructed as part of the redevelopment of the site.

## The Forum Shopping Centre Site

Refer to site specific development control plan – Appendix 7

## Neeta City Shopping Centre Site

### Design Issues

- Any Site Specific DCP should provide for active frontages along Smart and Nelson Streets and Court Road
- The proposal shall not involve overshadowing of the public domain or adjoining properties between 9am-3pm 21 June any greater than that expected if the site was developed under the controls set out in Section 4 of this DCP. The massing of any buildings along the street edge should be consistent with and complimentary to the scale of buildings proposed in the building envelope in Section 4 of this DCP for adjoining sites.
- This site is located in the central zone. As discussed in Section 3, this is the central retail/ commercial/ hub and the central area for the activity and the building height permitted in the building envelope acknowledge this. To ensure development respects this context and to ensure a uniformity of form across the core is maintained a maximum height of 14 storeys (42m maximum) will be permitted, subject to compliance with the design issues above.



### Amalgamation

- To the south of the existing Shopping Centre are the Police Station and Court House as well as two additional sites on the corner of Smart and Spencer Street. The Site Specific DCP process must make adequate provision for these sites to be developed independently from the rest of the Neeta City site if the owner/s do not agree to become formally involved in the Site Specific DCP process. The DCP must include envelopes to demonstrate how these sites may be redeveloped given the site-specific DCP controls.

### Access/Movement

- The creation of an additional service lane linking Smart Street to Court Street must be provided as described in Section 5.2 of this DCP. All servicing and vehicular access to this development should be from this service lane. The lane should be dedicated to Council and be a minimum of 6m wide with a minimum clearance of 4.5m.
- Pedestrian linkages between Smart Street and Court Road must also be provided to improve pedestrian connectivity between different parts of the City centre

## **The Fairfield Chase Site**

### **1 Site Specific DCP Controls**

#### **1.1 Overall Objectives**

The general objectives including the Urban Design Principles and Vision in Section 3 for Fairfield City Centre are adopted for the site.

#### **1.2 Land to which the Site Specific DCP controls apply**

This Site Specific DCP applies to Lot 1 DCP 730010 (otherwise known as 49 -61 Spencer Street, Fairfield)

#### **1.3 Environmental Planning Instruments that apply to the site**

The Site Specific DCP Site identified above is zoned B4 Mixed Use under the Fairfield Local Environmental Plan 2013 (FLEP 2013). All development undertaken in accordance with this Site Specific DCP must meet the objectives of the zone and be permissible in the zone and comply with all relevant clauses of the plan.

When preparing or assessing a development application in relation to the subject site any application is assessed against the Local Environmental Plan provisions.

State Environmental Planning Policy No 65 and the associated Residential Flat Design Code will apply to this development as well as other relevant SEPPs.

#### **1.4 Ware Street Precinct Objectives**

The objectives of the Ware Street Precinct as contained in Section 4.2 of the Fairfield City Centre Development control Plan 2013 (FTCDCP 2013) are adopted for the site.

#### **1.5 Site-Specific Objectives**

The objectives for the subject site are:-

- 1.5.1 Active frontages must be provided along Spencer Street and Smart Street;
- 1.5.2 Development should not involve the overshadowing of the public domain or adjoining properties between 9am and 3pm on 21 June any greater than expected if the site was developed under the controls set out in Section 4 of the FTCDCP 2013. For the avoidance of doubt, a slender built form, locating a taller tower to the north of the site, and a shorter tower to the south of the site that complies with Section 1.6 (Building Envelopes) is taken to comply with this requirement.
- 1.5.3 The massing of any buildings along the street edge should be consistent with and complimentary to the scale of existing buildings proposed in the building envelope of Section 4 of the FTCDCP 2013 for adjoining sites, being 4 storeys along the street



edge. However, nothing in this objective requires the demolition of a pre-existing non-compliant built form.

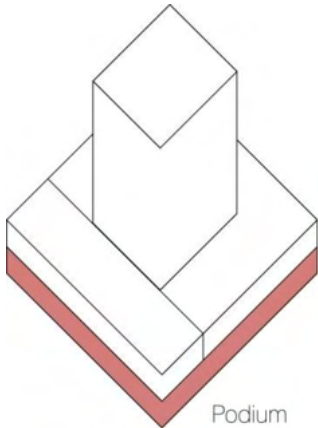
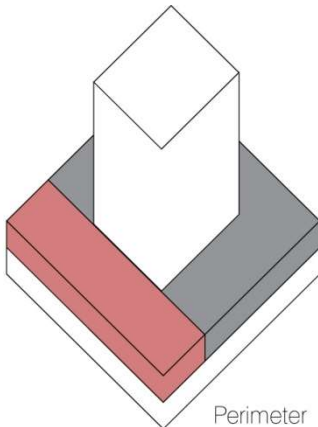
- 1.5.4 The sites on the corner of Spencer and Smart Street are excluded from this Site Specific DCP. These sites will be required to comply with the provisions of the FTCDP 2013 unless a separate site specific DCP process as identified in Appendix 4 of the FTCDP2013 to determine the appropriate building form is undertaken. Rights of Way should be provided on the subject site to enable future access to these sites.
- 1.5.5 Pedestrian linkages as indicated in Section 5.2.2 of the FTCDP 2013 through the site must be maintained and all vehicular access should be from the Council Lane.

## **1.6 Building Envelopes**

The development of the land is to conform with the following principles:

- (1) The existing office building may be retained to enable continuity of commercial occupation in the Fairfield City Centre;
- (2) Maintain consistent zero setback at ground floor level to define street edge except where road widening is required along Council Lane where the building should define the new street edge taking into account the new vehicle and pedestrian access arrangements
- (3) Establish a 4 storey height for the street wall along Spencer Street and Council Lane as indicated in Table 1.6.1 – Building Envelope Controls
- (4) Establish tall slender towers located as close to the centre of the site as possible to:
  - Minimise the shadow impacts and the impact on the amenity of the primary streets.
  - Maintain good separation between residential towers on site and adjoining sites by adopting the setbacks set out in Table 1.6.1 – Building Envelope Controls.
  - Allow height of development greater than permitted on adjoining sites that encourages redevelopment of the subject site in a manner that allows for retention of components of the existing building subject to modifications that improve the safety and amenity of the area.

**Table 1.6.1 – Building Envelope Controls**

<p>The following controls apply to the site-specific DCP site:</p> <p><b>Land Uses</b></p> <p>Podium – retail/commercial with an active frontage to the street – residential not permitted.</p> <ul style="list-style-type: none"> <li>• Perimeter – retail/commercial and parking permitted. Residential not permitted.</li> <li>• Tower – Retail, commercial or residential uses permitted.</li> <li>• Car parking – see section 5.2.5 of the FTCDP 2013, as modified in accordance with Section 1.8 below</li> <li>• Pedestrian Links – must be maintained through the site in accordance with diagram 5.2.2 of the FTCDP 2013, being: East - West connecting the Civic Centre Arcade to Smart Street, and North - South connecting The Crescent Arcade to Spencer Lane.</li> </ul>	
<p><b>PODIUM:</b> Height – maximum 4.5m above natural ground level - 1 storey Setbacks to all boundaries – zero required except to the southern section of the Council Lane where a setback is required to facilitate road widening and a further 3 metre recess from the new proposed boundary for access purposes.</p> <p>Refer to Section 1.8.2 below</p> <p>Floor to Ceiling Height – to match existing retail</p> <p><i>Refer to Figure 1.6.2</i></p>	
<p><b>PERIMETER:</b> Height – maximum 15m above natural ground level - 3 storeys above podium level ( total 4 storeys)</p> <p><b>Setbacks</b></p> <p>Spencer Street - nil setback</p> <p>Western Boundary fronting Council Lane - nil for all storeys</p> <p>Southern Boundary fronting Council lane – nil setback measured from proposed new boundary arising from the road widening discussed in Section 1.8.2</p> <p>Floor to Ceiling Height – to match existing office</p> <p><i>Refer to Figure 1.6.2</i></p>	

**TOWER:**

**First Tower ( Northern end of site)**

Height - maximum 66m above natural ground level and 16 storeys above perimeter component (so maximum of 20 storeys)

Setback Spencer Street – 9m

Setback Council Lane – 5m

**Second Tower (Southern end of site)**

Height - maximum 55m above natural ground level and 10 storeys above perimeter component (so maximum of 16 storeys)

Setback – Southern section of Council lane - 5m from new boundary created as a result of road widening in Section 1.8.2

Setback – western section of Council lane – 5m

Floorplate - a maximum 450sqm GFA floorplate applies to the towers for slender tower forms

Building Separation between two proposed towers – minimum 24m

Floor to ceiling height – minimum 2.7m

*Refer to Figure 1.6.2*

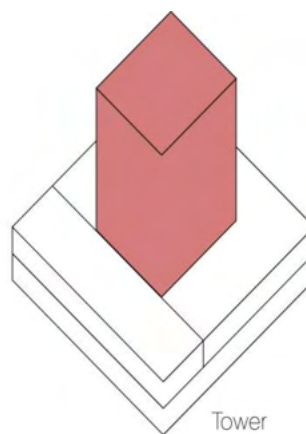
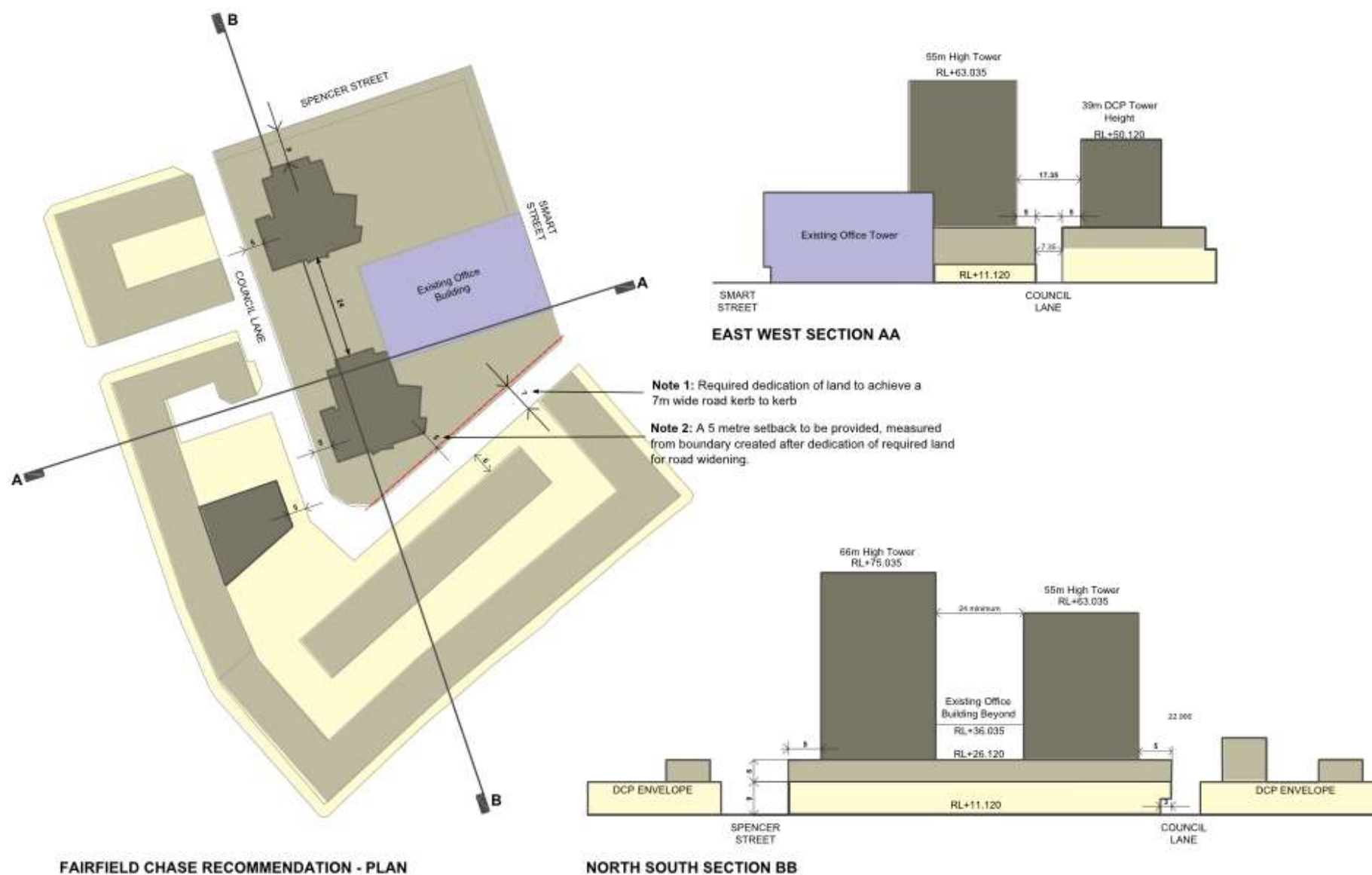


Figure 1.6.2 – Building Envelope Diagrams



## **1.7. Floor Space Ratio**

The maximum Floor Space Ratio achievable on the site is specified on Fairfield LEP 2013 Floor Space Map.

## **1.8 Modifications to Section 5 of the Fairfield City Centre DCP 2013**

Any development should comply with all the requirements of Section 5 of the FTCDP 2013 except where it is amended by the following:-

### **1.8.1 Open Space**

In addition to the meeting the requirements of Section 5.1 Private and Communal Open Space a small public plaza will be located between The Crescent Arcade on Council Lane and the southern retail entrance of the development.

### **1.8.2 Vehicular and Pedestrian Access**

In addition to the controls for the core area in Section 5.2.4 of FTCDP 2013

(a) a setback sufficient for the widening of Council Lane to a 7m carriageway, to permit two way access, for the distance from the car park entrance to the nearest street (being Spencer Street or Smart Street, as appropriate); and

(b) a 3m wide public pedestrian path for the distance from the entrance to any residential lobby and the nearest street (being Spencer Street or Smart Street, as appropriate).

### **1.8.3 Activation of Street in Podium Building**

In Section 5.2.5 onsite parking Objective 5.2.5(c) of the FTCDP 2013 is replaced with the following:

*“(c1) where parking is permitted above natural ground level, the car parking areas must be screened from any adjacent primary street or public open space. A zone extending 10m from any primary street frontage boundary should be used for active retail or commercial functions, or designed with sufficient floor heights to permit the conversion to such uses in the future. The exception to this is in a basement where the parking area may extend to any boundary.”*

### **1.8.4 Site Access, Parking and Servicing**

The following site servicing controls apply in addition to those included in the FTCDP 2013 Section 5.2.6 Site Servicing:

“Core Area”

(c) *at least one loading dock, 20m long or of such other dimension and size required to meet the goods loading needs of the development must be provided on site, that is accessible by all tenants (commercial and residential), and includes sufficient space for unloading of goods within the site.*

*(d) separate commercial and residential waste areas must be provided, sufficient to accommodate all waste generated by the development. However, any medical use may manage its own waste (due to the special requirements of medical waste), provided that it has its own access to Council Lane. A detailed Waste Management Plan is required to be submitted with the Development Application such plan is to detail the waste management needs of the various uses proposed to be accommodated on the site, as well as the waste management strategies to be employed during the construction phase.*

*(e) A right of carriage way to benefit the two sites located between the subject site and Smart and Spencer Streets is to be established. The objective is to avoid additional driveway access having to be provided across Smart or Spencer Street to service any future redevelopment of the subject sites and instead allow vehicle access to these sites from Council Lane.*

### **1.8.5 Residential Unit Mix, Area and Room Size**

The mix of units will be as required by section 5.4 Residential Unit Mix, Area and Room Size

## **1.9 Supporting Documentation**

In addition to the requirements of the Appendix 3 of the FTCDP 2013, the following documentation is also required when submitting a Development Application:

- Acoustic Assessment
- Traffic and Parking Report
- Wind Impact Report
- Waste Management Report for future development as well as during construction
- BASIX Certificate
- Design Verification Statement – SEPP 65 Compliance
- CPTED Assessment
- Quantity Surveyors Report assessing value in accordance with Capital Investment Value Definition.
- 2 Soft Copies of all plans and documentation provided on a CD.

### **1.9.1 Notes**

**Note 1:** The determining authority for this proposal will be the JRPP and as such the minimum number of plans and documentation required is 8 sets.

## **1.10 Amalgamation Issues**

The subject DCP only applies to the subject site identified in Section 1.2 of this Site Specific DCP. Two sites isolated between the subject site and the corner of Smart and Spencer Street are not included in this Site Specific DCP.

These sites cannot ( individually or as a pair amalgamated together) meet both the minimum site area and site width requirements contained in the Fairfield City Centre DCP to achieve a tower development or a height greater than 15m. This Site Specific DCP does not impart or attach any special development concessions or benefits, apart from the right of way referred



to in Clause 1.7.4(e), to the future redevelopment of these isolated sites. Applicants seeking the redevelopment of these sites in the future may however seek to develop a Site Specific DCP in accordance with the process outlines in Appendix 4 of FTCDP 2013.

## Court Road Site

In regard to this site, Council has recently issued development consents for:

- 48 Court Road and
- 360 – 364 The Horsley Drive

Construction has commenced at 360-364 The Horsley Drive but 48 Court Road was only recently approved. No 48 Court Road will only be included in the Site Specific DCP process if the approved development does not proceed and the existing consent lapses. Unless this occurs the Site Specific DCP will be restricted to the two sites at the northern end currently occupied by a McDonalds outlet and an Aldi Supermarket.

## Design Issues

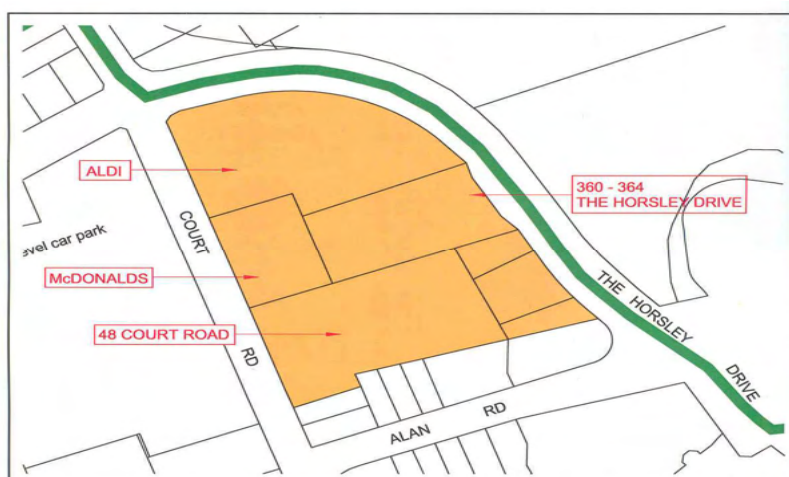
- Any Site Specific DCP should provide for active frontages along Court Road
- The Site Specific DCP must address noise impacts from The Horsley Drive
- The proposal should not involve overshadowing of the public domain or adjoining properties between 9am and 3pm on 21 June any greater than that expected if the site was developed under the controls set out in Section 4 of this DCP. The massing of any buildings along the street edge should be consistent with and complimentary to the scale of buildings approved in adjacent sites and indicated in the building envelope in Section 4 of this DCP.
- While this site is in the periphery zone, the adjoining land uses are industrial or core City centre uses. Also, Council has already approved tower development of approximately 10-12 storeys in this area. Accordingly, a maximum of 12 storeys (38m maximum height) is permitted as indicated on the Fairfield LEP 2013 Building Height Map.

## Amalgamation

- The Site Specific DCP process must make adequate provision for these sites to be developed in a coordinated manner even if the redevelopment does not proceed at the same time.

## Access/Movement

- Vehicular Access must be via Court Road and a shared single access point is encouraged for the McDonalds and Aldi sites.



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## Fairfield Tavern Site

### Design Issues

- The Site Specific DCP must address noise impacts from The Horsley Drive
- The proposal should not involve overshadowing of the public domain or adjoining properties between 9am and 3pm on 21 June any greater than that expected if the site was developed under the controls set out in Section 4 of this DCP. The massing of any buildings along the street edge should be consistent with and complimentary to the scale of buildings proposed in the building envelope in Section 4 of this DCP for adjoining sites
- In Section 3 this site is identified as being in a periphery zone on the edge of the centre, which acts as a transition from the core area to the surrounding residential. Accordingly to ensure the development takes into account this context a maximum height of 8 storey (27m maximum height) will be permitted subject to compliance with the design issues above.

### Access/Movement

- Vehicular Access must be via Alan Road or The Crescent.



## The Community Precinct

**Please Note:** On 8 May 2007, Council resolved to adopt the Barbara Street Masterplan for The Community Precinct in the Fairfield City Centre. The Masterplan should be referred to by prospective applicants when considering development in this precinct.

A copy of the Barbara Street Masterplan can be downloaded from Council's website [www.fairfieldcity.nsw.gov.au](http://www.fairfieldcity.nsw.gov.au) under Development/Planning Controls/Development Control Plans and Masterplans.

This site contains the following Council owned facilities:

- Library
- Community Centre

Uncontrolled document when printed – check Council's website for current version

- Meals on Wheels
- Car Park
- Senior Citizens Centre

However, there are four other properties in the precinct that are not Council owned;

- Fruit Shop – 13 Kenyan Street, Fairfield
- RMS – 36 Harris Street, Fairfield
- Vacant site – 38 Harris Street, Fairfield
- Commercial Building – 40 Harris Street, Fairfield

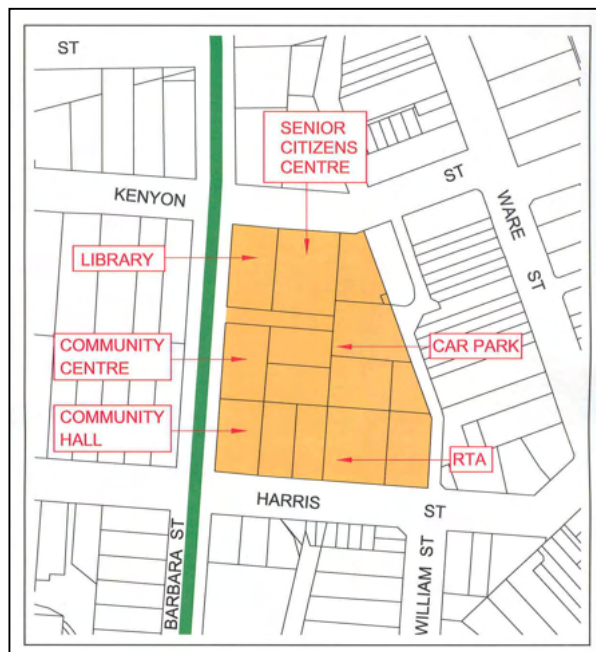
The Strategic Plan includes actions related to the upgrading of the library, and possible changes to the community centre. Council will prepare a Site Specific DCP for all its sites with inclusion of adjoining sites subject to the agreement of adjoining areas. The principles Council shall consider include:

### Amalgamation

- Ideally the plan would include as many of the sites identified above as possible. The Site Specific DCP must make adequate provision for adjoining sites to be developed in a coordinated manner even if they are not included in the Site Specific DCP.

### Design

- The impact of the redevelopment of this site on the adjoining Heritage items in Harris Street (Uniting Church and School of Arts Buildings) must be taken into consideration when preparing the Site Specific DCP. A heritage analysis must be prepared as part of the site analysis, to guide the Site Specific DCP
- Active frontages must be provided to Harris and Kenyon Streets
- The proposal should not involve overshadowing of the public domain or adjoining properties between 9am and 3pm on 21 June any greater than that expected if the site was developed under the controls set out in Section 4 of this DCP.
- In Section 3 this site is identified as being in a periphery zone on the edge of the centre, which acts as a transition from the core area to the surrounding residential. Accordingly to ensure the development takes into account this context a maximum height of 8 storey (27m maximum height) will be permitted subject to compliance with the design issues above.



### Access/Movement

- Pedestrian access links from the community facilities to Ware Street should be maintained. The massing of any buildings along the street edge should be consistent with and complimentary to the scale of buildings proposed in the building envelope in Section 4 of this DCP for adjoining sites.

## APPENDIX 5      Parking Requirements

The following rates apply within the area covered by this DCP:

USE/ACTIVITY	NUMBER OF CAR SPACES REQUIRED
<b>Business Premises</b>	<ol style="list-style-type: none"> <li>1. Sites identified as Site Specific DCP sites in Appendix 4 – 1 space per 40m<sup>2</sup> gross leasable area.</li> <li>2. Sites not identified as Site Specific DCP Sites in Appendix 4: <ol style="list-style-type: none"> <li>a. Where sites meet amalgamation requirements to achieve a tower development set out in Section 4 of the DCP – 1 space per 100m<sup>2</sup> floor area for all existing and proposed floor area regardless of existing parking provisions, or</li> <li>b. Where sites do not meet amalgamation requirements to achieve a tower development set out in Section 4 of the DCP – 1 space per 100m<sup>2</sup> gross leasable area for all additional floor space proposed and existing parking on site, associated with existing floor space, be retained or reinstated at existing levels.</li> </ol> </li> </ol>
<b>-Clubs /community facilities</b>	1 space per 5m <sup>2</sup> gross leasable area or 1 space per 6 seats (whichever is the greater) of entertainment/recreation area plus 1 space per 5m <sup>2</sup> gross leasable area of bar/lounge/gaming area, plus a compilation of the requirements for each of the specific activities the club incorporates (e.g. restaurant, recreation facility, place of public entertainment).
<b>Entertainment Facilities (includes cinemas, theatres etc)</b>	1 space per 5m <sup>2</sup> gross leasable area or 1 space per 6 seats, whichever is greater
<b>Offices and Business Premises</b>	<ol style="list-style-type: none"> <li>1. Sites identified as Site Specific DCP sites in Appendix 4 – 1 space per 40m<sup>2</sup> gross leasable area.</li> <li>2. Sites not identified as Site Specific DCP Sites in Appendix 4: <ol style="list-style-type: none"> <li>a. Where sites meet amalgamation requirements to achieve a tower development set out in Section 4 of the DCP – 1 space per 100m<sup>2</sup> floor area for all existing and proposed floor area regardless of existing parking provisions, or</li> <li>b. Where sites do not meet amalgamation requirements to achieve a tower development set out in Section 4 of the DCP – 1 space per 100m<sup>2</sup> gross leasable area for all additional floor space proposed and existing parking on site, associated with existing floor space, be retained or reinstated at existing levels.</li> </ol> </li> </ol>

Residential - Parking spaces determined according to the following table	Dwelling Size or No. of Bedrooms	Car Spaces per dwelling
	1-2 Bedroom unit (less than 110m <sup>2</sup> )	1 per dwelling
	3 or more bedroom unit (i.e. greater than 110m <sup>2</sup> )	1.50 per dwelling
	Add for visitors per dwelling	0.25 per dwelling
Restaurants/Cafes/ Refreshment Rooms etc	Refer to rate for shops/retail below	
Shops/ Retail	<ol style="list-style-type: none"> <li>1. Sites identified as Site Specific DCP sites in Appendix 4 – 1 space per 25m<sup>2</sup> gross leasable area.</li> <li>2. Sites not identified as Site Specific DCP Sites in Appendix 4: <ol style="list-style-type: none"> <li>a. Where sites meet amalgamation requirements to achieve a tower development set out in Section 4 of the DCP – 1 space per 100m<sup>2</sup> floor area for all existing and proposed floor area regardless of existing parking provisions, or</li> <li>b. Where sites do not meet amalgamation requirements to achieve a tower development set out in Section 4 of the DCP – 1 space per 100m<sup>2</sup> gross leasable area for all additional floor space proposed and existing parking on site, associated with existing floor space, be retained or reinstated at existing levels.</li> </ol> </li> </ol>	

### Other Rates

Refer to Chapter 12 Car Parking, Vehicle and Access Management of the Fairfield City Wide DCP 2013

## APPENDIX 6      Fairfield City Centre Public Art Strategy

### 1.      Public Art and Fairfield City Centre

The Fairfield City Centre Public Art Strategy was developed to assist in moving toward the new vision for Fairfield City Centre. Public art has a number of benefits that link with the seven Vision elements contained in the Fairfield City Centre Strategic Plan.

**Public art can assist in achieving *inclusive design that strengthens and reflects the unique character of the City centre* by:**

- Enhancing new development, streetscapes, parks, gardens and other public spaces improving the aesthetic appeal, creating interest and a sense of pride in place and belonging.
- Creating symbols of recognition that attribute and celebrate a distinctive character and identity.

**Public art can assist to *enhance community safety and the perception of safety through partnerships and initiatives* by:**

- Animating spaces making them vibrant, lively, energised, attractive and distinctive destinations.

**Public art can assist to *strengthen gateways, access and way finding in and around the City centre* by:**

- Creating a sense and point of destination, and strong landmarks.

**Public art can assist to *encourage street and laneway life that attracts all and excludes no one* by:**

- Providing opportunities for community involvement that leads to social interactions, and ownership of place.
- **Creating journeys of exploration that add focal points, interest and excitement to the streets.**

**Public art can assist to *stimulate economic development and increase employment opportunities* by:**

- Assisting to make the place vibrant, interesting, and colourful so to encourage inward investment.
- Providing employment opportunities for local artists.

**Public art can assist to *nurture social and cultural development, and maximise education and training opportunities* by:**

- Mentoring and skills development opportunities for local artists.
- Encouraging reflection and learning about place, and fuelling the imagination and hearts of the public.
- Acknowledging the history, cultural heritage and contemporary traditions in a place.



**Public art can assist to build a new image for the City centre by:**

- Providing a reference point or image for a place that helps in branding or positioning.
- Representing and celebrating cultural diversity, and depicting the culture of a place in new and exciting ways.

**The Fairfield City Centre Public Art Strategy provides objectives to assist in achieving the seven vision elements identified in the Fairfield City Centre Strategic Plan.**

## **2. Fairfield City Centre Site**

The requirements set out in the the Fairfield City Centre Public Art Strategy apply to the following zones as identified below in Figure 1.

### **2.1 Public Art in Zone 1**

Developments and buildings within Zone 1 and including identified master plan sites where the project is over 5,000m<sup>2</sup> will be required to include public art to the value of 1 per cent of the total project cost.

The provision of details concerning proposed public art will be the responsibility of the private developer or property owner at the time of submitting a Development Application.

### **2.2 Public Art in Zone 2**

Developments and buildings in Zone 2 where the project is over 5,000m<sup>2</sup> will be required to include public art to the value of 1 per cent of the total project cost.

The provision of details concerning proposed public art will be the responsibility of the private developer or property owner at the time of submitting a Development Application.

**Note:** Masterplan sites will be treated as Zone 1 sites regardless of their location.



**Figure 1 – Fairfield City Centre Public Art Zones**

### 3. Fairfield City Centre Public Art Strategy – Objectives and Principles

The following objectives and principles are inherent in working toward achieving the vision for Fairfield City centre.

#### 3.1 Objectives

- To initiate & encourage public art work in that assist to achieve the vision for Fairfield City centre.
- To integrate public art work into new developments and overall planning for the City centre.

#### 3.2 Principles

- Reflect the unique character of the City centre by interpreting the culture and reflecting the social, environmental and historical contexts.
- Integrate public art and design projects into public and private/commercial developments with development areas over 5,000m<sup>2</sup> to the value of 1 per cent of the total project cost.
- Respond to the cultural heritage, civic traditions and stories to develop public art partnerships and community collaborations.
- Enhance pedestrian experiences, way finding, identity and image.
- Provide effective planning and management of arts and cultural projects.

### 4. Key Cultural Themes for Public Art in Fairfield City Centre

These Themes will assist the development of public art or public art plans in Fairfield City centre. Public art will have meaning and interest for the local community if it is able to respond and reflect local cultural themes. The following themes were identified in the Fairfield City Centre strategic planning process.

A village atmosphere	What many people liked about Fairfield City Centre was the friendly village feel, cited as the reason many people come to shop and visit. The wide footpaths, one-way streets, slow traffic and shady trees in Ware Street have helped grow the relaxed village feel. Activity in Ware Street is often less about a destination, and more about meandering, people watching at 'outdoor cafés, and playing the board games imbedded in street furniture are well used throughout the day. Complimenting the 'village feel' means making reference to the heritage of the place in a way that captures it as part of a journey towards a modern City centre.
City centre culture	Fairfield City is well known for its large most culturally diverse population, and the identities that result are never more obvious than in our City centres. The services, retail and commercial make up of Fairfield City centre are representative of the growing diversity of the area, although the large Assyrian community has given some parts of the centre a Middle Eastern feel. Delicatessens, butchers, Jewellery shops, cake shops, cafes and restaurants, bread shops and imported goods reflect the cultural mix, add to the atmosphere and visual character of the centre, and make for an interesting shopping experience.

A place to remember	Fairfield City centre is not the focus of commercial activity as it once was, but is still considered by many as the traditional centre of the City. Fairfield Railway Station, the oldest in NSW, is located in the Crescent and is the heart of the City centre. It is the focal point of the street and functions as a major transport node. Located on the rail line, Fairfield City centre was the first commercial centre established in the City. While only a few heritage items remain, strong memories exist, particularly for the older citizens residing in the City. Social occasions at Fairfield School of Arts, memories of Cambridge House's grand architecture, recreation on Prospect Creek, retail outlets and cinemas, and fond occasions at a neighbour's house play an important part in the story of Fairfield City centre.
A place to meet	Fairfield City has always been a meeting place. From the original inhabitants, the Dharug people, through European settlement and more recent waves of migration, Fairfield City has been a place for people and communities to come together. Fairfield City Centre has maintained the meeting place status for many different groups. It is the meeting place for new and emerging communities. It is where meetings with family and friends are publicly expressed on shopping journeys, drinking coffee, playing board games or 'doing the circuit' around the centre by car.
A sense of pride	Whether they use the centre to shop, have coffee, meet friends, people watch or just to enjoy the atmosphere, people feel a great sense of pride in Fairfield City Centre. Even people visiting the centre usually have a good feeling for the place. The mix of people living together, its history, village atmosphere, friendly people that live or have lived in Fairfield, and its traditional place as the centre of the City give it a status people are proud of.
New beginnings	Agencies assisting new migrants and refugees settle in Australia are located in Fairfield City Centre. Combined with the availability of accommodation and the desire for families and friends to be together, these are some of the factors that have attracted new communities to the centre. Fairfield City centre continues to grow with communities making a new beginning.

## 5. Fairfield City Centre Public Art Ideas

The following table provides a number of projects to assist the development of public art in the Centre. The table also provides Zone 2 private developers or property owners a list of Council managed a public art projects to fund as an alternative to including art in their own development or building.

PROJECT	FUNCTION	PLACE
ENTRY POINTS INTO THE CITY.	Key entry points to the City centre provide an opportunity to build its image, welcome people and assist way finding.	All major entry points/ roundabouts leading into the City centre.
STREET TREATMENTS	Provide an historical or contemporary narrative and assist way finding; reflecting local identity; aesthetic embellishment.	Identified areas for upgrade i.e. Spencer Street and Harris Street
FACES OF FAIRFIELD	Acknowledges people from Fairfield City that have made a major contribution to society.	Throughout the City centre.
FAIRFIELD LIBRARY, COMMUNITY CENTRE & HALL	Creating welcoming community facilities, entry statements, meeting points and recognisable landmarks.	Between Barbara Street and Kenyon Street.
HERITAGE WALK	Acknowledging the City's layers of cultural heritage and creating a sense of belonging. Creating links between the City centre, leisure facilities and open space.	Fairfield to Carramar Station, include Cambridge House site, cinema, other landmarks.
INTRODUCING FAIRFIELD	Providing information on the centre, providing a directory, & creating an interesting and inviting public space for people to relax and recreate.	Fairfield station and The Crescent Park.
ELECTRICITY AND TRAFFIC SIGNAL BOXES	Adding colour; reflecting cultural themes and identities; improving safety.	Nelson Street car park and other locations.

## APPENDIX 7

### Fairfield Forum Site Specific Development Control Plan 8-36 Station Street, Fairfield

# **Fairfield Forum**

## **Site Specific Development Control Plan**

### **Effective 10 December 2021**



<b>Section</b>	<b>Title</b>	<b>Page</b>
<b>1</b>	<b>Introduction</b>	145
<b>2</b>	<b>Desired Future Character</b>	<b>Error! Bookmark not defined.</b>
	Urban Framework Plan	<b>Error! Bookmark not defined.</b>
<b>3</b>	<b>Public Domain</b>	<b>Error! Bookmark not defined.</b>
	Street, Pedestrian and Cycle Network	<b>Error! Bookmark not defined.</b>
	Public Open Space	<b>Error! Bookmark not defined.</b>
	Staging	<b>Error! Bookmark not defined.</b>
<b>4</b>	<b>Building Use, Layout, Form and Design</b>	<b>Error! Bookmark not defined.</b>
	Building Height	<b>Error! Bookmark not defined.</b>
	Building Form and Design	<b>Error! Bookmark not defined.</b>
	Building Setbacks	<b>Error! Bookmark not defined.</b>
	Building Use	<b>Error! Bookmark not defined.</b>
	Landscaping	<b>Error! Bookmark not defined.</b>

Car Parking

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Bicycle Parking

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Service and Loading Areas

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7	Street Section 2 – Station Street (Mid)	<b>Error! Bookmark not defined.</b>
8	Street Section 3 – Park	<b>Error! Bookmark not defined.</b>
9	Street Section 4 – Cunninghame Street	<b>Error! Bookmark not defined.</b>
10	Street Section 5 – Ware Street	<b>Error! Bookmark not defined.</b>
11	Street Section 6 – New Street	<b>Error! Bookmark not defined.</b>
12	Street Section 7 – New Plaza	<b>Error! Bookmark not defined.</b>
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## 1.0 Introduction

This section of the Development Control Plan (DCP) establishes a framework to guide development on the Fairfield Forum Precinct (the Precinct).

### 1.1 Land to which the DCP applies

This section of the DCP applies to development within the boundary of the precinct as shown in

**Figure 1.**



**Figure 1 Land Application Map**

### 1.2 Aims of this DCP

The purpose of this section of the DCP is to guide the future development of the Precinct by:

- Identifying the desired future character, development principles, key elements and indicative structure for the future development of the Precinct;
- Communicating the planning, design and environmental objectives and controls against which the consent authority will assess future development applications;
- Ensuring the orderly, efficient and environmentally sensitive development of the Fairfield Forum Precinct; and
- Promoting a high quality urban design outcome.

### 1.3 Consistency with Objectives and Controls in this DCP

Clauses in this section contain objectives and controls relating to various aspects of Precinct. The objectives enable Council and applicants to consider whether a particular proposal will achieve the development outcomes established for the Precinct. The controls, if met, mean that development would be consistent with the objectives.

However, in some circumstances, strict compliance with the controls may not be essential, or may be difficult to achieve because of the particular characteristics of a development site. In these situations, Council may grant consent to a proposal that does not comply with the controls in this section, providing that the relevant objectives are achieved. Where a variation is sought it must be justified demonstrating how the development will meet the desired future character and development principles as well as the objectives of the relevant control.

#### **1.4 Relationship to other Sections of the Fairfield City Wide DCP 2013 and Fairfield City Centre DCP 2013**

This section of the DCP sets out specific controls to guide the future development of the Fairfield Forum. Development of the Fairfield Forum will need to have regards to this section of the DCP as well as other relevant provisions in the Fairfield City Wide DCP 2013 and the Fairfield City Centre DCP 2013. In the event of any inconsistency between this section and other sections of the Fairfield City Wide DCP 2013 and the Fairfield City Centre DCP 2013, this section will prevail to the extent of the inconsistency.

#### **1.5 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide**

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65) applies to residential flat buildings and the residential component of a shop top housing development in the Precinct. Such development is to have regard to SEPP 65 and the Apartment Design Guide in addition to the relevant provisions below.

### **2.0 Desired Future Character**

This DCP aims to encourage the transition of Fairfield Forum into a mixed-use gateway for Fairfield City Centre, which is visually attractive, vibrant and pedestrian-friendly.

The Fairfield Forum will be anchored by 4,000m<sup>2</sup> of public open space (that Council intends to rezone this land to RE1 Public Recreation, as a separate and later matter) on the corner of Station Street and Cunninghame Street (named Fairfield Cultural Park). Fairfield Cultural Park will include deep soil planting areas that allow for extensive landscaping and the planting of native tree species that provide good tree canopy cover and contribute to strengthening the 'Green Grid' in Fairfield. It will address the existing shortfall in public open space within Fairfield through a future rezoning of dedicated land to Council as part of the staged redevelopment of the Fairfield Forum site, providing for informal passive and active recreation for residents, workers and visitors.

A new street between Ware Street to Station Street, as well as a new through-site Pedestrian Plaza connecting Thomas Ware Plaza to Ware Street, along with a further through-site link to Fairfield Cultural Park will greatly improve permeability within the Fairfield Forum Precinct. These new connections will also strengthen the relationship between the Fairfield City Centre and the residential areas to the north of the city centre. Upgrades to the streetscape and extensive landscaping will further improve pedestrian amenity, reduce the urban heat island effect and help manage stormwater.

Its renewal will deliver higher density mixed-use buildings that reinforce Fairfield's status as a Strategic Centre within the Western City District. The buildings will lift the bar for high-amenity apartment living in Fairfield, while providing fine-grain retail and dining uses that provide activation throughout the day and night. The layout, form and design of future buildings within the Fairfield Forum Precinct will serve to reduce the perceived bulk and scale of the buildings, while retaining solar access to key areas of public open space.



## 2.1 Urban Framework

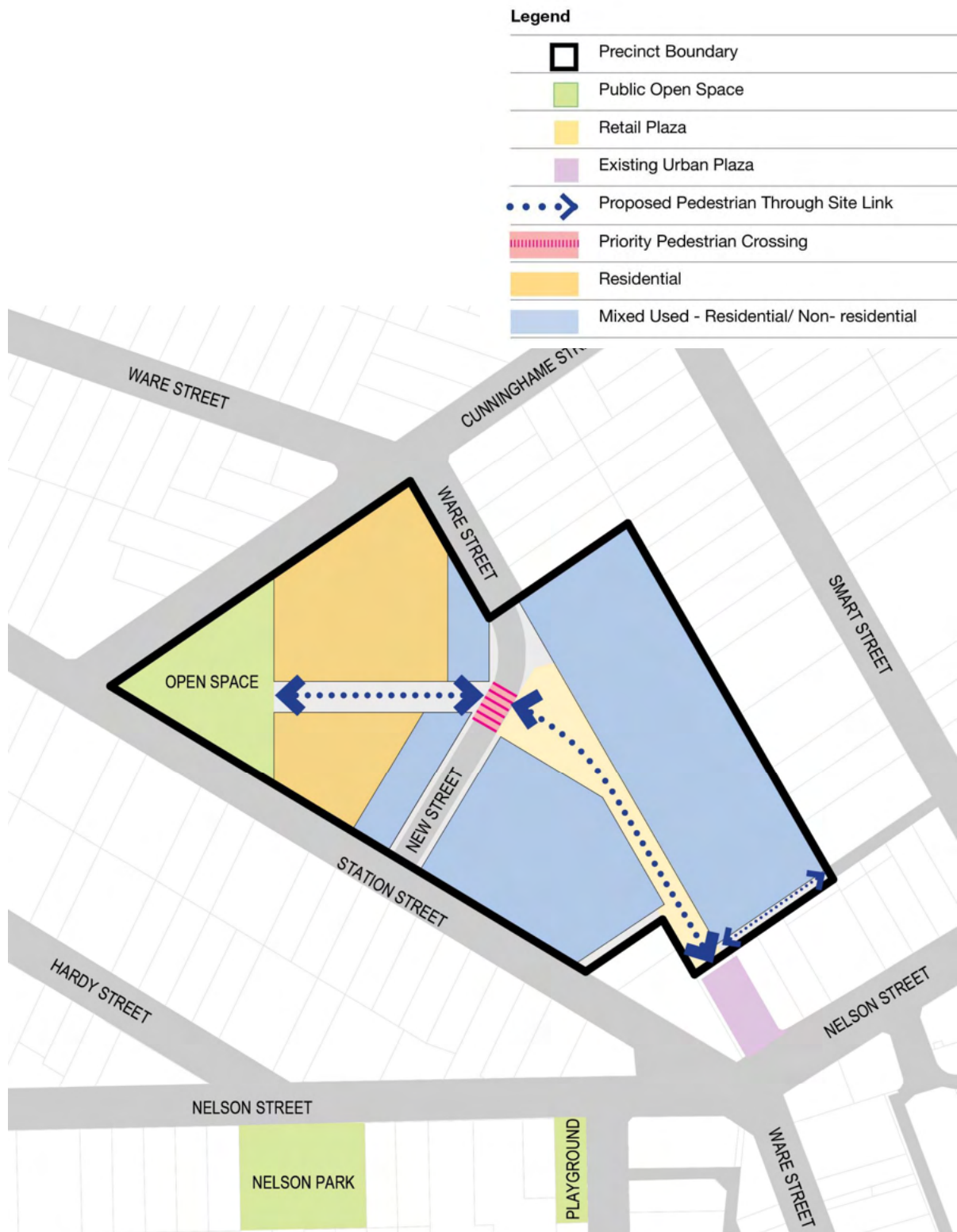
An Urban Framework Plan has been established to guide future development to realise the desired future character of Fairfield Forum.

- (1) New pedestrian connections should be provided to allow greater connectivity with adjacent areas, encourage use of active and public transport and respond to local traffic and urban design considerations.
- (2) High quality streetscapes are to be provided throughout the Precinct with streets that prioritise pedestrians through a new low-speed street and generous street landscaping for amenity.
- (3) A new park with an overall area of no less than 4,000m<sup>2</sup>, is to be provided on the corner of Station Street and Cunninghame Street and is designed to have a strong landscape character, serve the recreational needs of the community and encourage social interaction.
- (4) Buildings are to be of high design quality and varied design and should allow for high residential amenity and solar access to public and private open spaces, both within the development and on adjacent properties.
- (5) The design of buildings, in particular towers, is to be varied and of high architectural quality so that development individually and collectively contributes to the overall urban design quality of the Fairfield City Centre.
- (6) The design of buildings should respond to the lower scale of buildings to the west by providing a coherent, human scale street wall along Station Street.
- (7) Fine-grain non-residential uses, such as retail and dining, are to be provided along the main pedestrian thoroughfares to create activation during the day and night.

### Development Control

- (1) Development within the Fairfield Forum is to be undertaken generally in accordance with the Urban Framework Plan as shown in *Figure 2 Urban Framework Plan*.

**Note:** variations to the location and layout of certain elements of this Urban Framework Plan such as the proposed new street and pedestrian plaza may be considered by the consent authority in accordance with *Section 1.3 Consistency with Objectives and Controls in this DCP*.



**Figure 2 Urban Framework Plan**

### **3.0 Public Domain**

#### **3.1 Street, Pedestrian and Cycle Network**

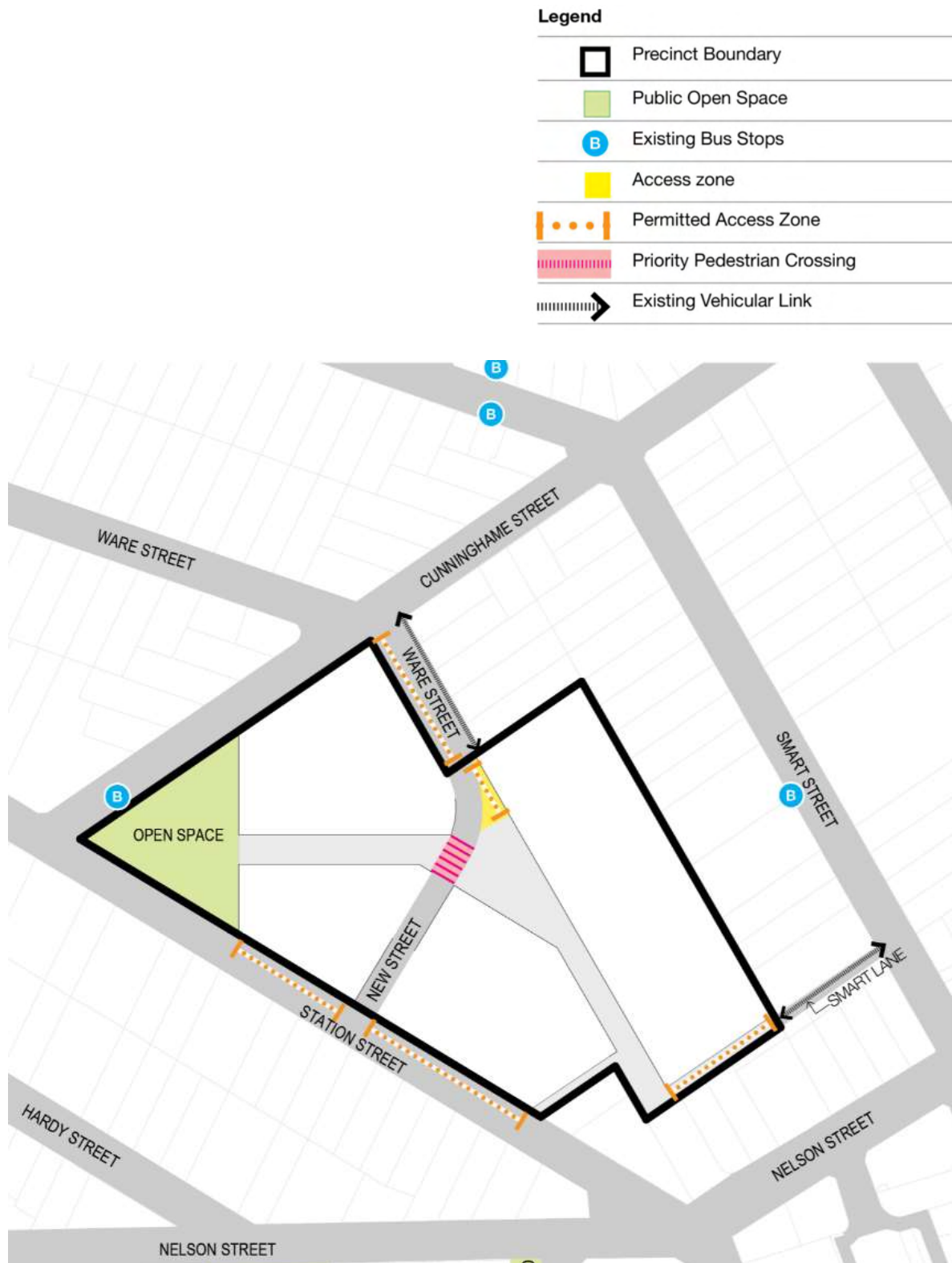
##### **Objectives**

- (1) To encourage the use of public transport, walking and cycling and ensure streets achieve a balance between facilitating vehicle movement and promoting active travel.
- (2) To ensure new streets are integrated with the surrounding street network, and establish a clear and legible movement network.
- (3) To ensure streets are designed and constructed to a high standard and provide a high level of comfort, amenity and safety.
- (4) To provide a comfortable and attractive environment for pedestrians and enhance pedestrian connections to the Fairfield City Centre.
- (5) To integrate green links that primarily serve a movement function, but which also improve environmental performance, visual amenity and comfort of the public domain.
- (6) To provide a public domain that reduces the urban heat island effect, manages stormwater and makes walking and cycling more attractive.

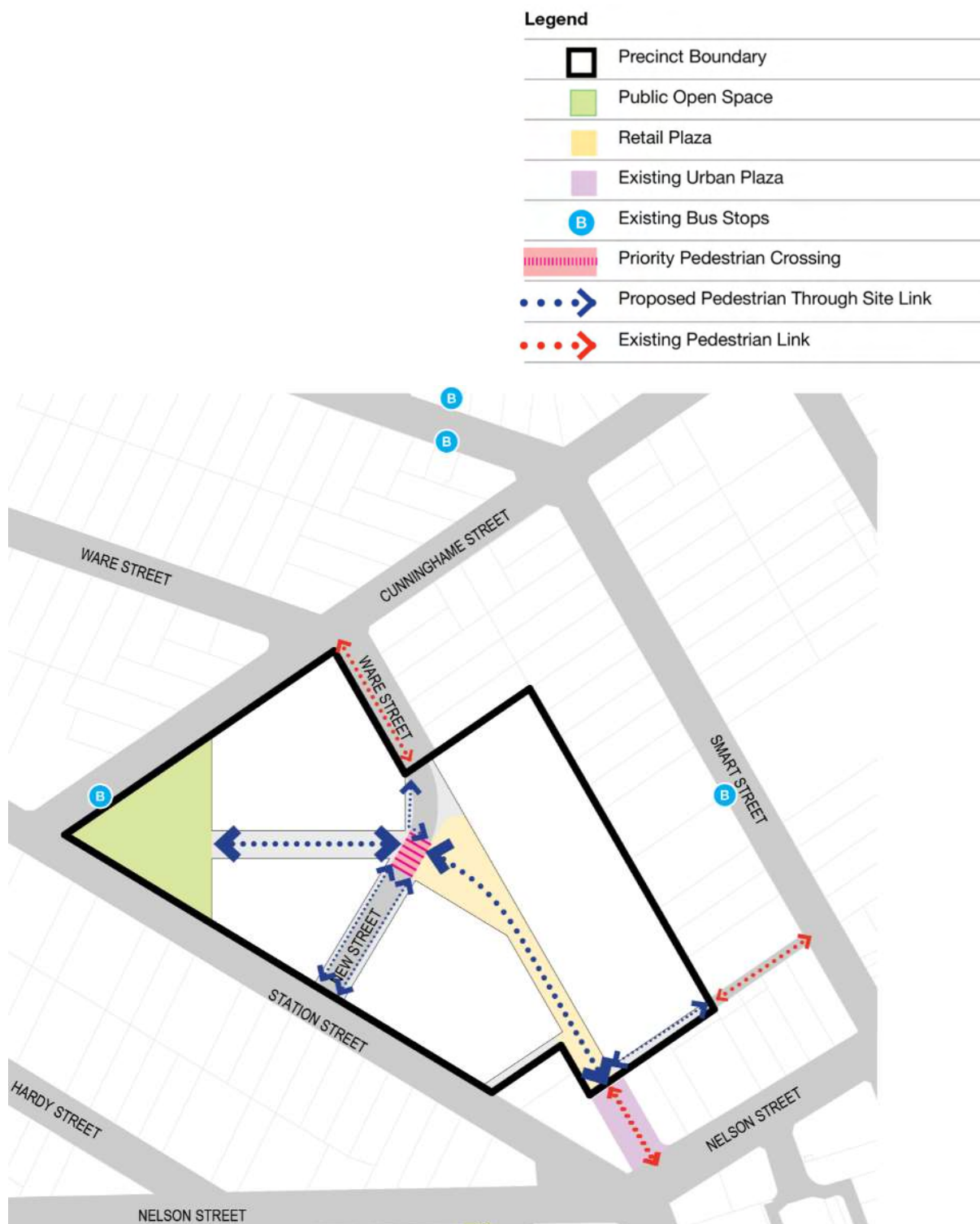
##### **Development Controls**

- (1) Development of the Fairfield Forum should be generally consistent with Figure 3 Vehicular Access Plan and Figure 4 Pedestrian Access Plan which includes:
  - a. a new two-way slow-speed street that provides direct connection between Ware Street and Station Street
  - b. a pedestrian link extending from Thomas Ware Plaza to the corner of Ware Street and New Street
  - c. a new 6m wide through site link connection from New Street to the future Fairfield Cultural Park
- (2) Development occurs generally in accordance with the standards set out in Table 1 Fairfield Forum Street Characteristics and the street sections shown at Figure 5 to Figure 15.
- (3) A Public Domain Plan is to be prepared demonstrating a high quality, co-ordinated public domain, addressing:
  - a. street trees and other vegetation
  - b. paving and other hard surfaces
  - c. lighting, including the use of LED
  - d. seating
  - e. refuse bins
  - f. signage, including wayfinding signage
  - g. public art.
- (4) Pedestrian paths:
  - a. are to have generous widths to accommodate pedestrian flows
  - b. are clearly distinguished from vehicle access-ways
  - c. are well-lit to safety standards

- (5) A new slow-speed street is to be provided and generally consistent with the following characteristics:
  - a. paving should be used to indicate parking areas and drop-off points
  - b. pedestrian amenity is prioritised over the ease of vehicular movements
  - c. a pedestrian priority crossing at the intersection of the market square and the pedestrian link to the Fairfield Cultural Park
  - d. active ground floor uses should open towards/spill out onto the new street (e.g. café tables and chairs)
  - e. is capable of accommodating street trees.
- (6) Street landscaping and planting should be:
  - a. aligned along existing and proposed footpaths and streets
  - b. planted in a co-ordinated, regularly spaced manner
  - c. designed to integrate with the broader Fairfield City Centre street tree and public domain strategy.
- (7) Deep soil verges are to be provided as part of any street tree planting to allow for the infiltration of stormwater.
- (8) Vehicular access points are to be located along 'Permitted Access Zones identified in Figure 3 Vehicular Access Plan.
- (9) Adequate separation between vehicle entry points is to be provided to minimise impact on streetscape design and pedestrian amenity.
- (10) Where possible, vehicle entry points are to be combined between commercial, retail and loading/unloading activities to minimise impact on streetscape design and pedestrian amenity.
- (11) Vehicle entry points on Station Street are to be located a minimum 60m from Nelson Street.
- (12) A Green Travel Plan is to be submitted with any future Development Application that encourages greater use of alternative sustainable transport options and an associated reduction in the required car parking rates.



**Figure 3**      **Vehicular Access Plan**

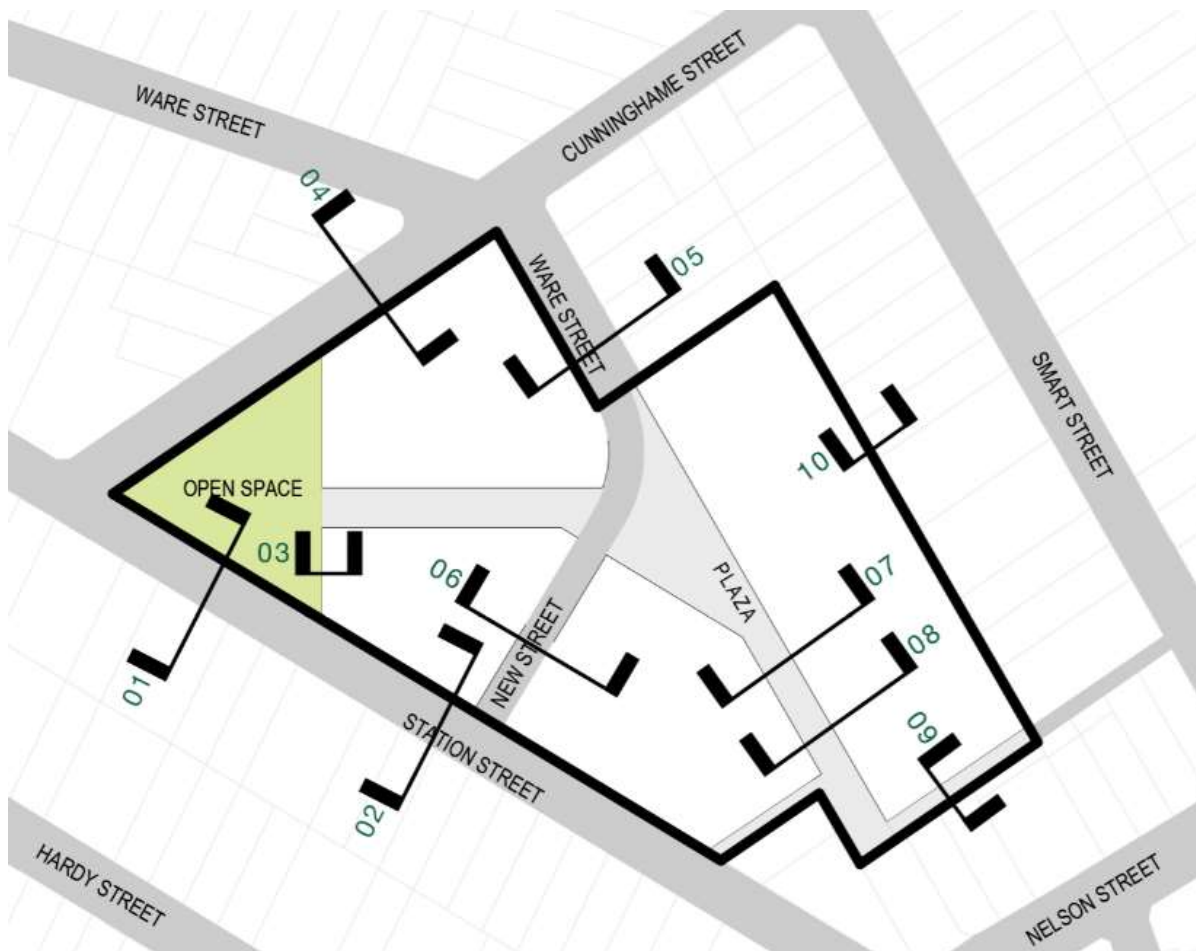


**Figure 4 Pedestrian Access Plan**



**Table 1     Fairfield Forum Street Characteristics**

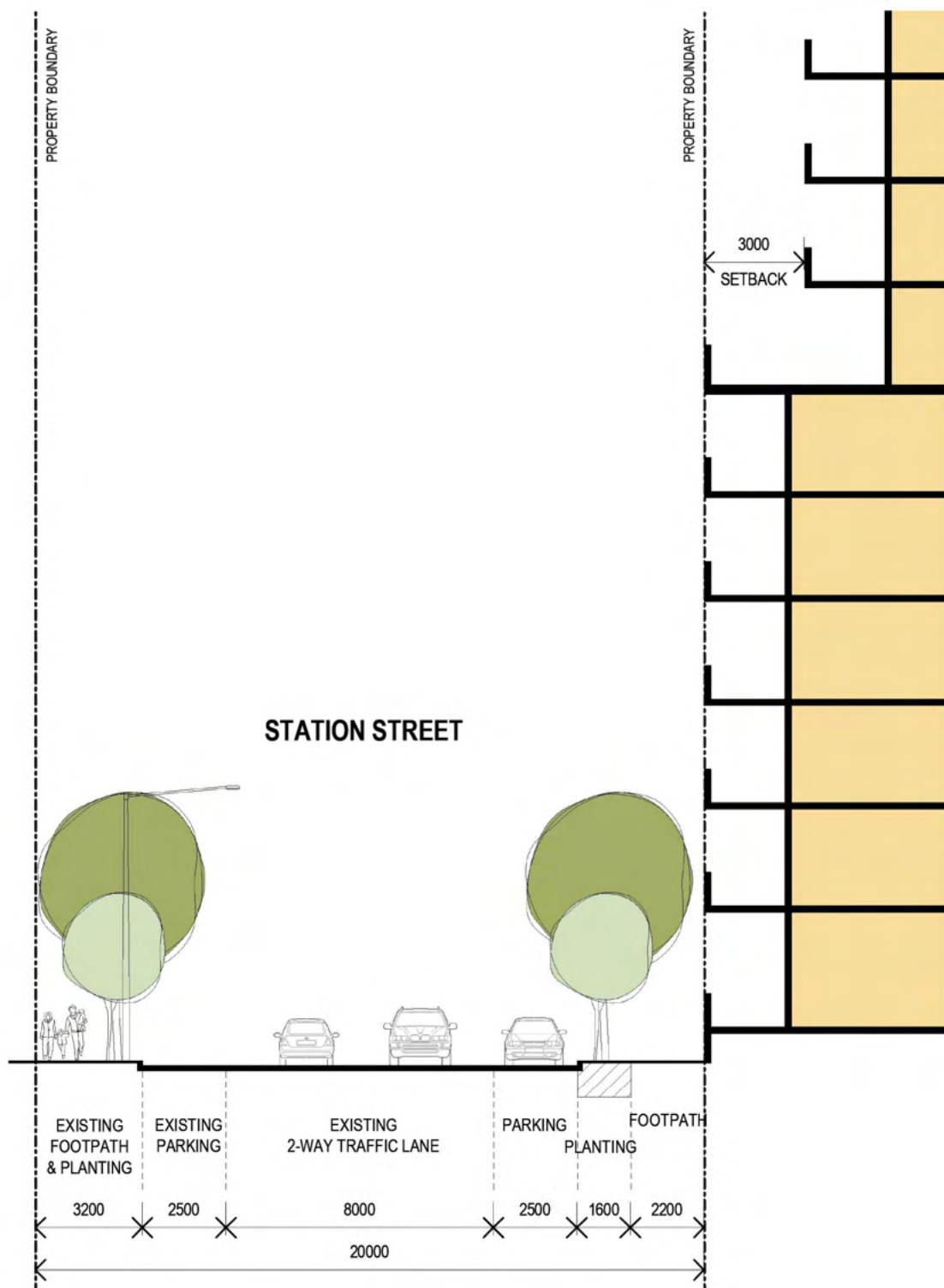
Type	Reservati on Width	Lane width	Verge width
Local Street <i>Cunninghame Street Existing</i>	20.35m	2 travel lanes 2 x 4m 2 parking lanes 2 x 2.5m	Southern verge: 3.8m (2.2m footpath + 1.6m nature strip) Northern verge: 3.55m
Local Street <i>Station Street Existing</i>	20.0m	2 travel lanes 2 x 4m 2 parking lanes 2 x 2.5m	Eastern verge: 3.8m (2.2m footpath + 1.6m nature strip) Western verge: 3.2m
Local Street <i>Ware Street Existing</i>	19.88m	2 travel lanes 2 x 3.74m 1 parking lane 1 x 2.5m 1 parking + street tree lane 1 x 2.3m	Western verge: 3.7m Eastern verge: 3.89m
New Slow-Speed Street <i>Proposed</i>	18.0m	2 travel lanes 2 x 3.0 m 2 parking lanes 2 x 2.3m	Northern verge: 3.7m Southern verge: 3.7m



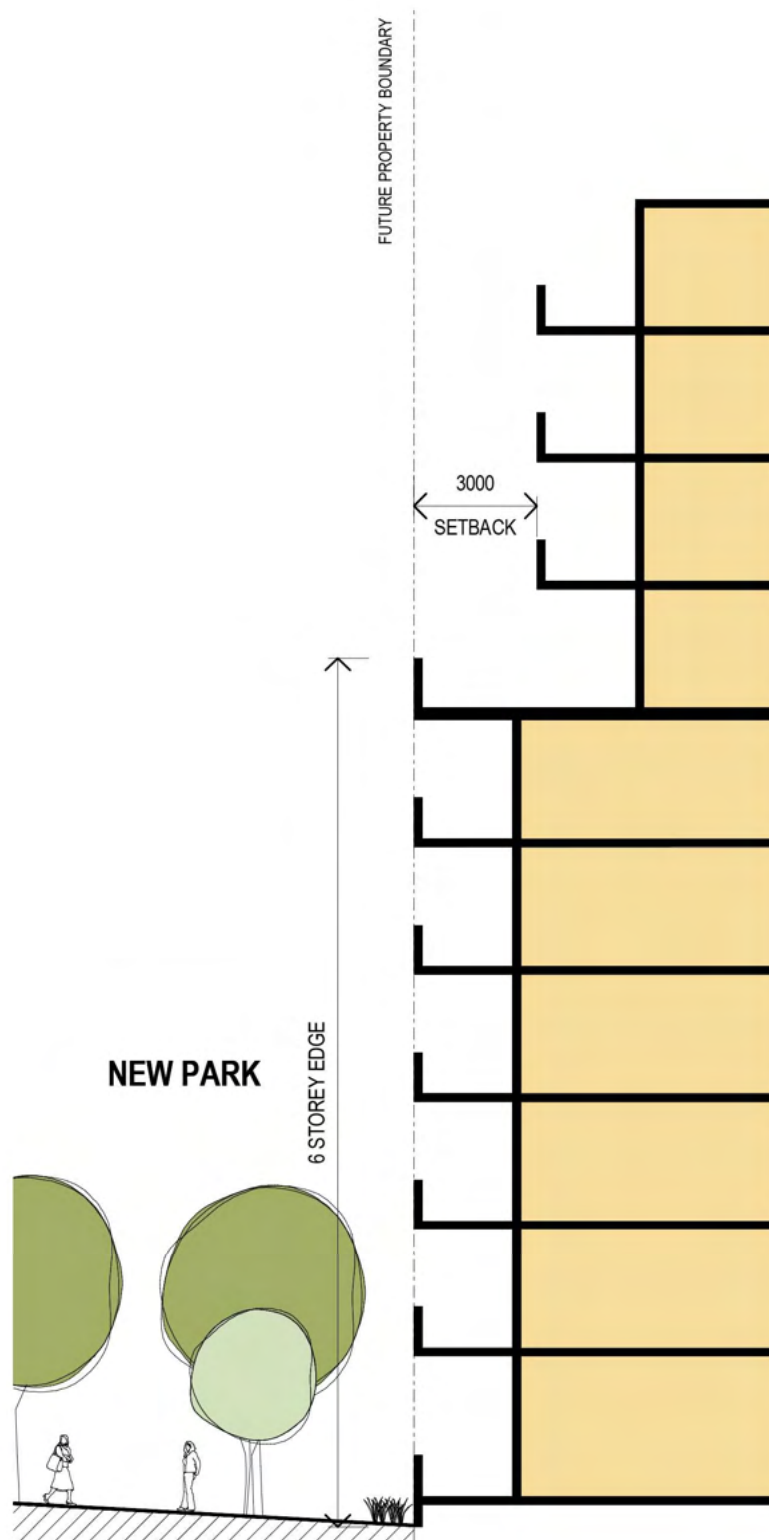
**Figure 5 Indicative Street Section Locations**



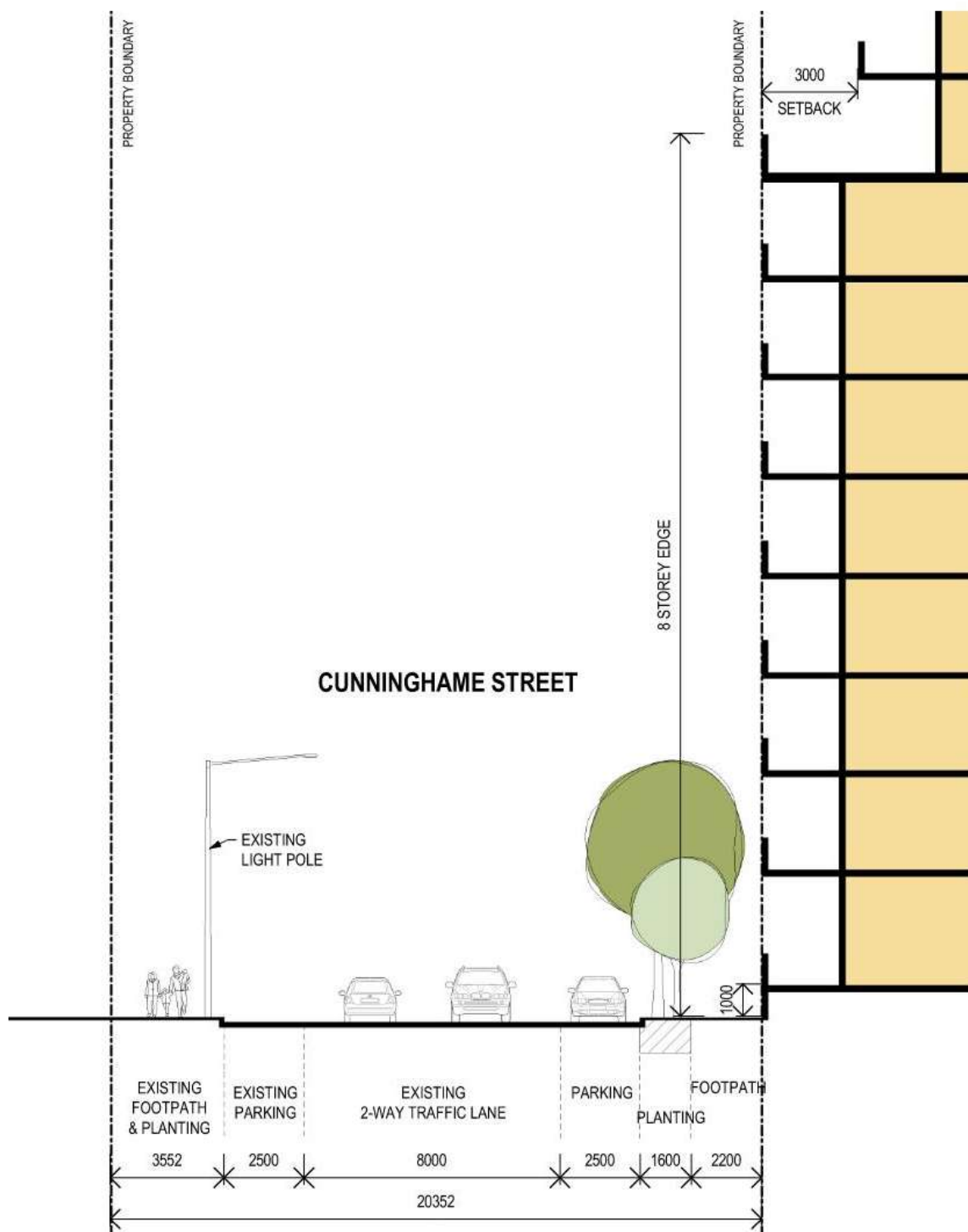
**Figure 6** Street Section 1 – Station Street (Upper)



**Figure 7** Street Section 2 – Station Street (Mid)

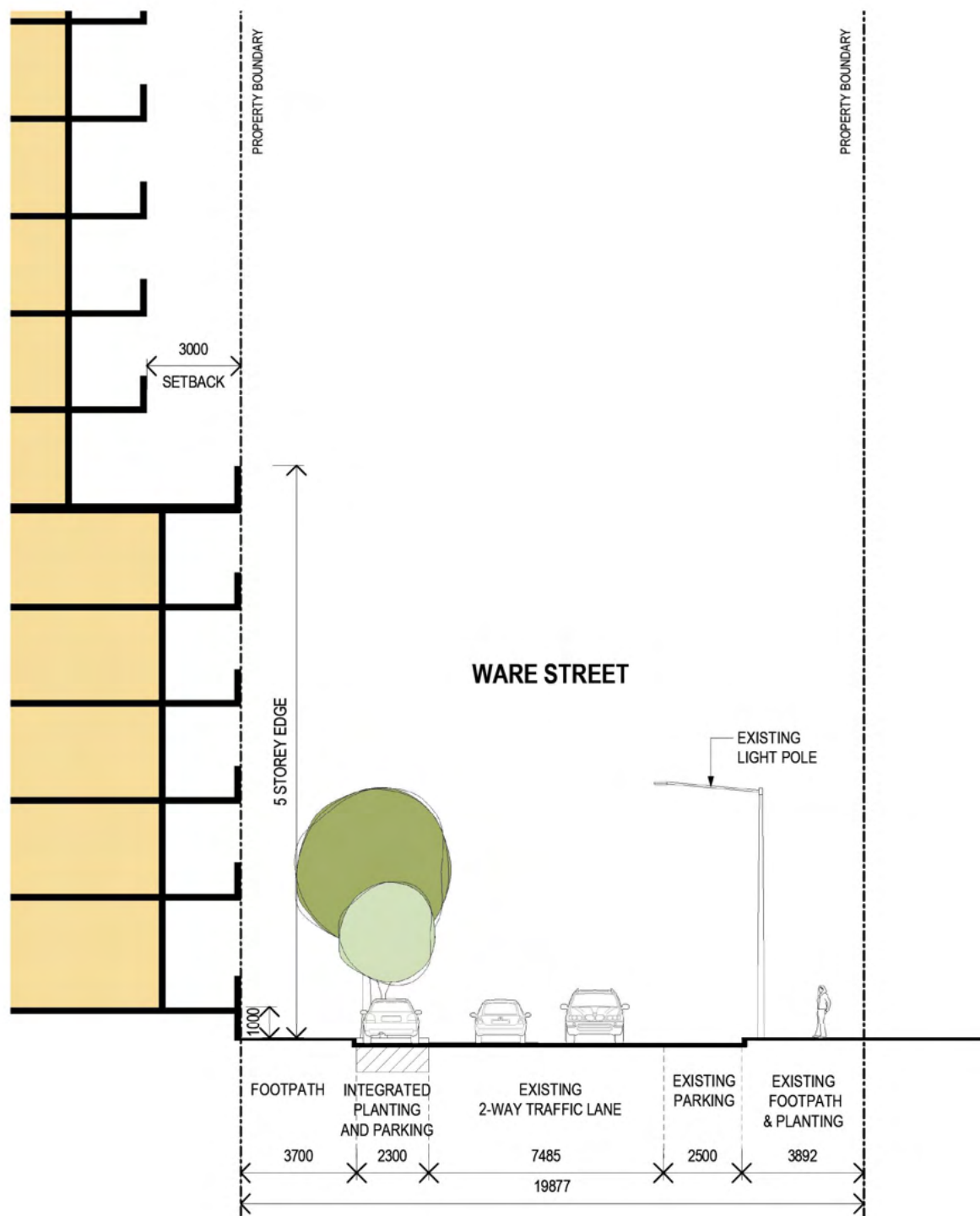


**Figure 8**      **Street Section 3 – Park**

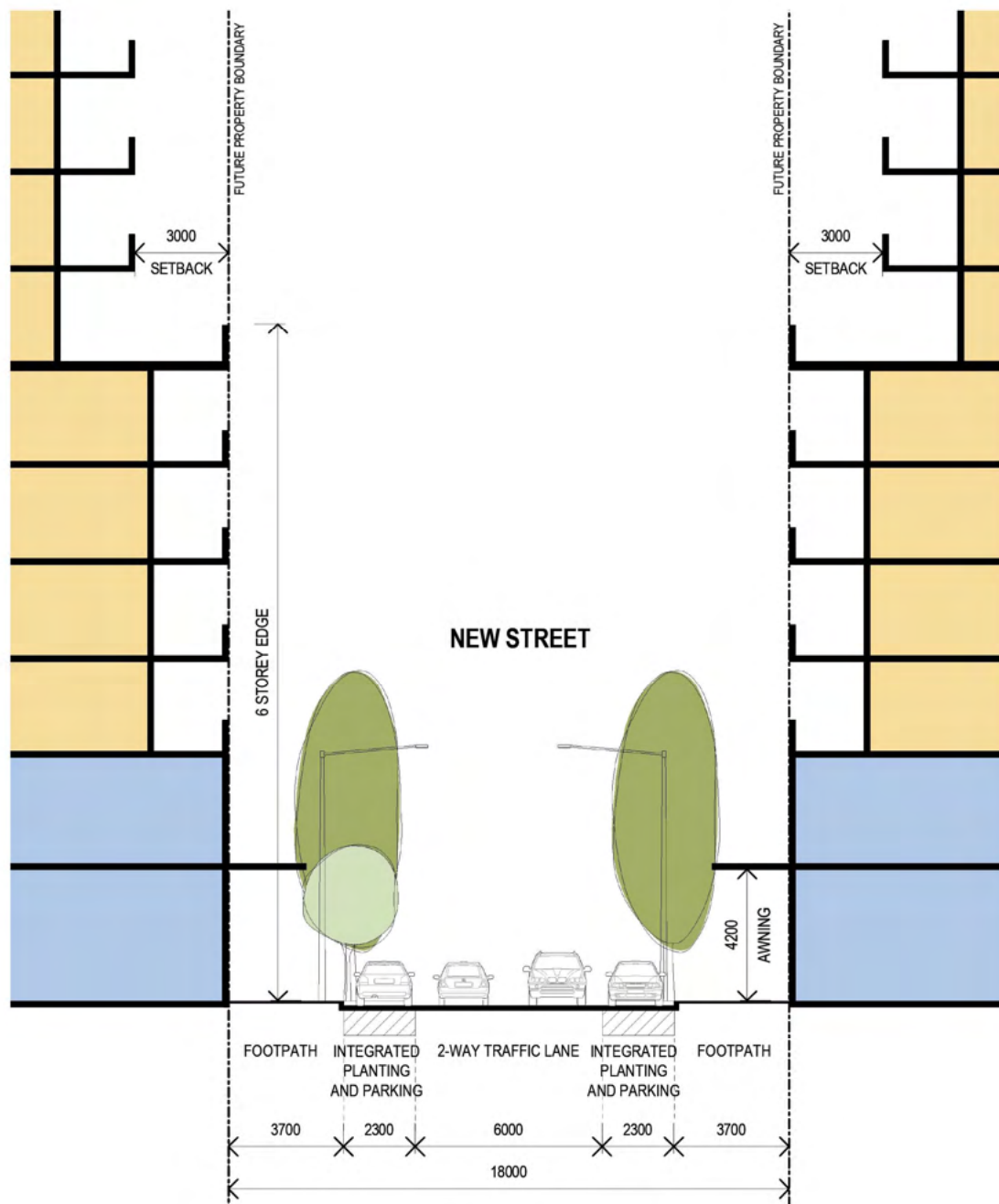


**Figure 9** Street Section 4 – Cunninghame Street

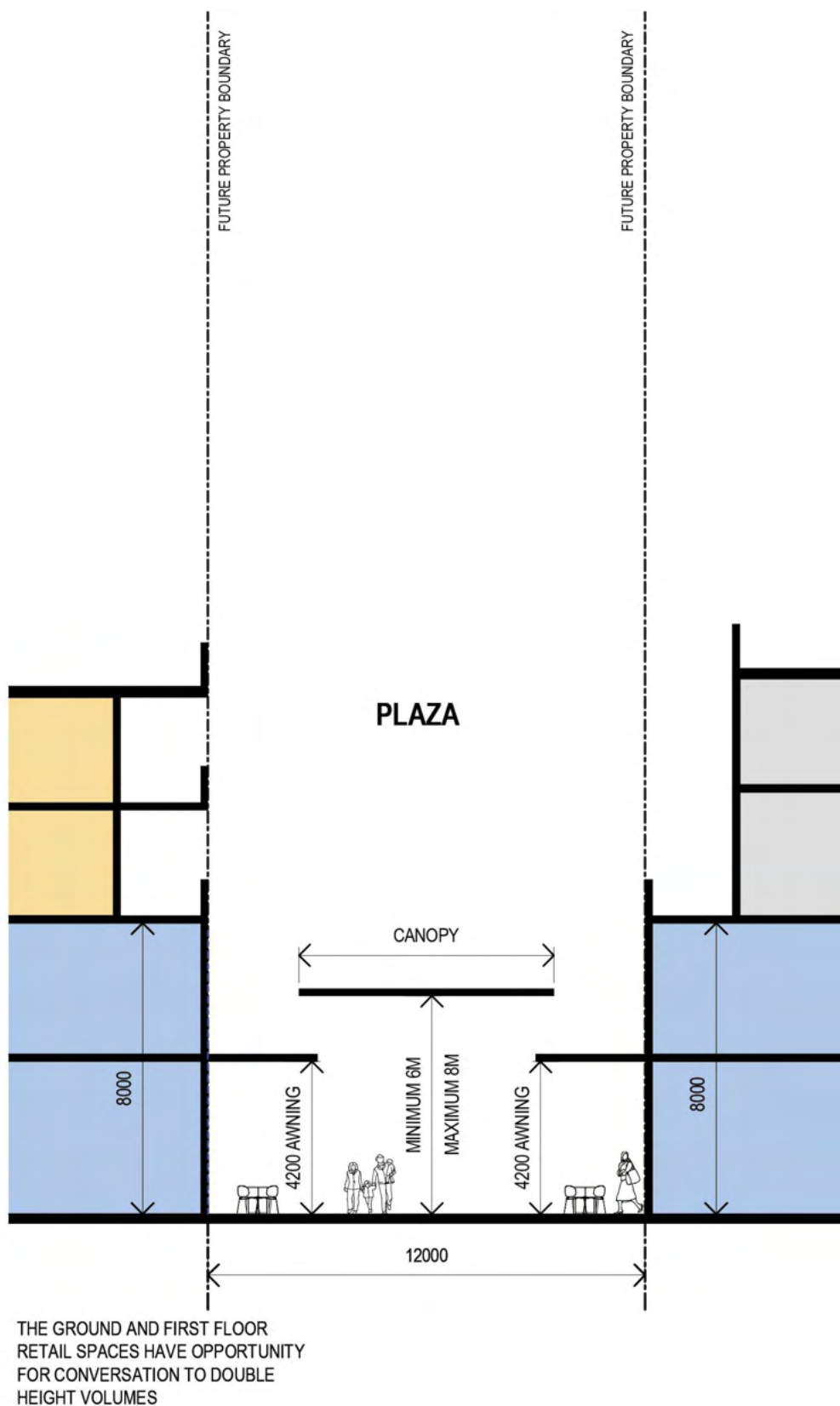




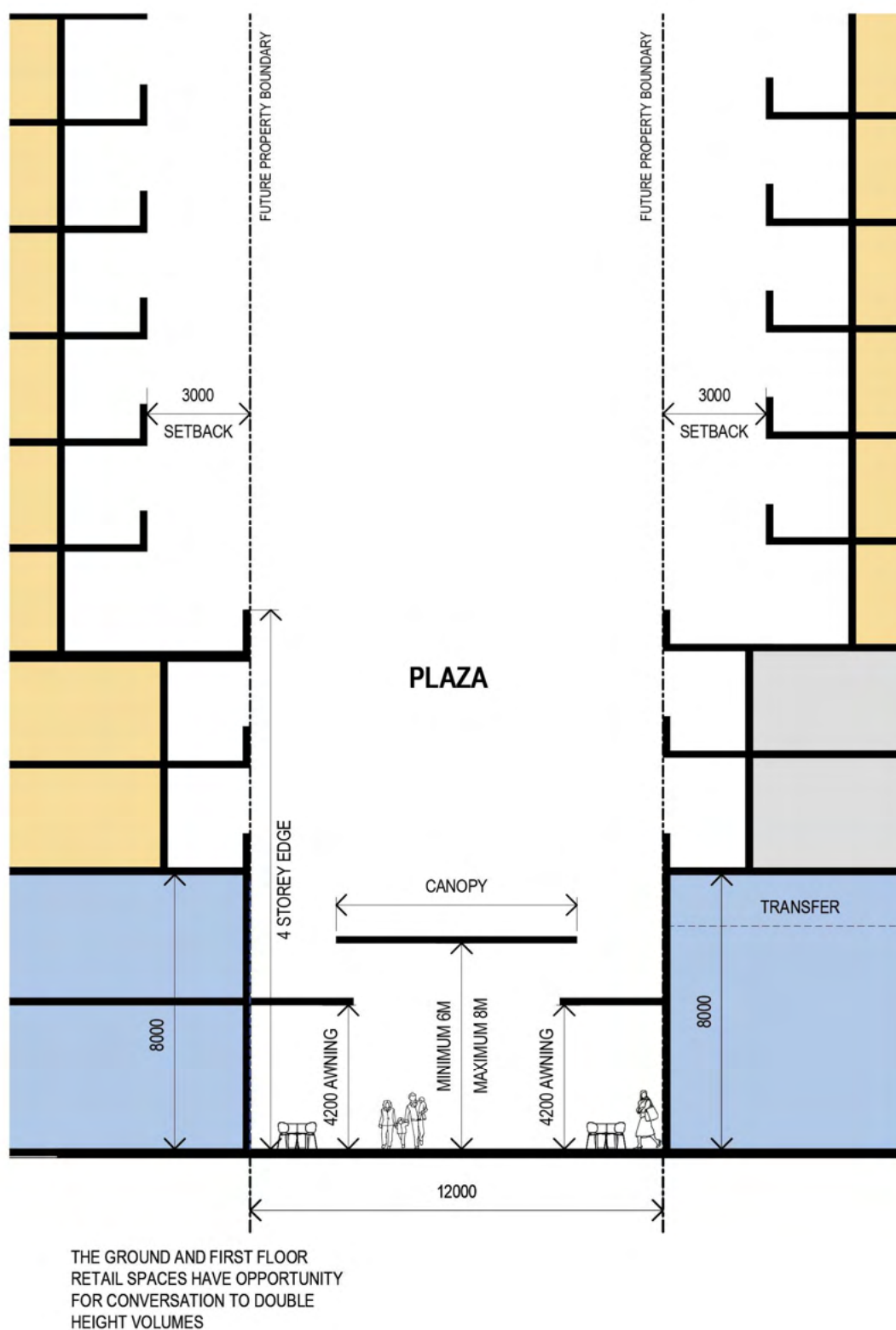
**Figure 10 Street Section 5 – Ware Street**



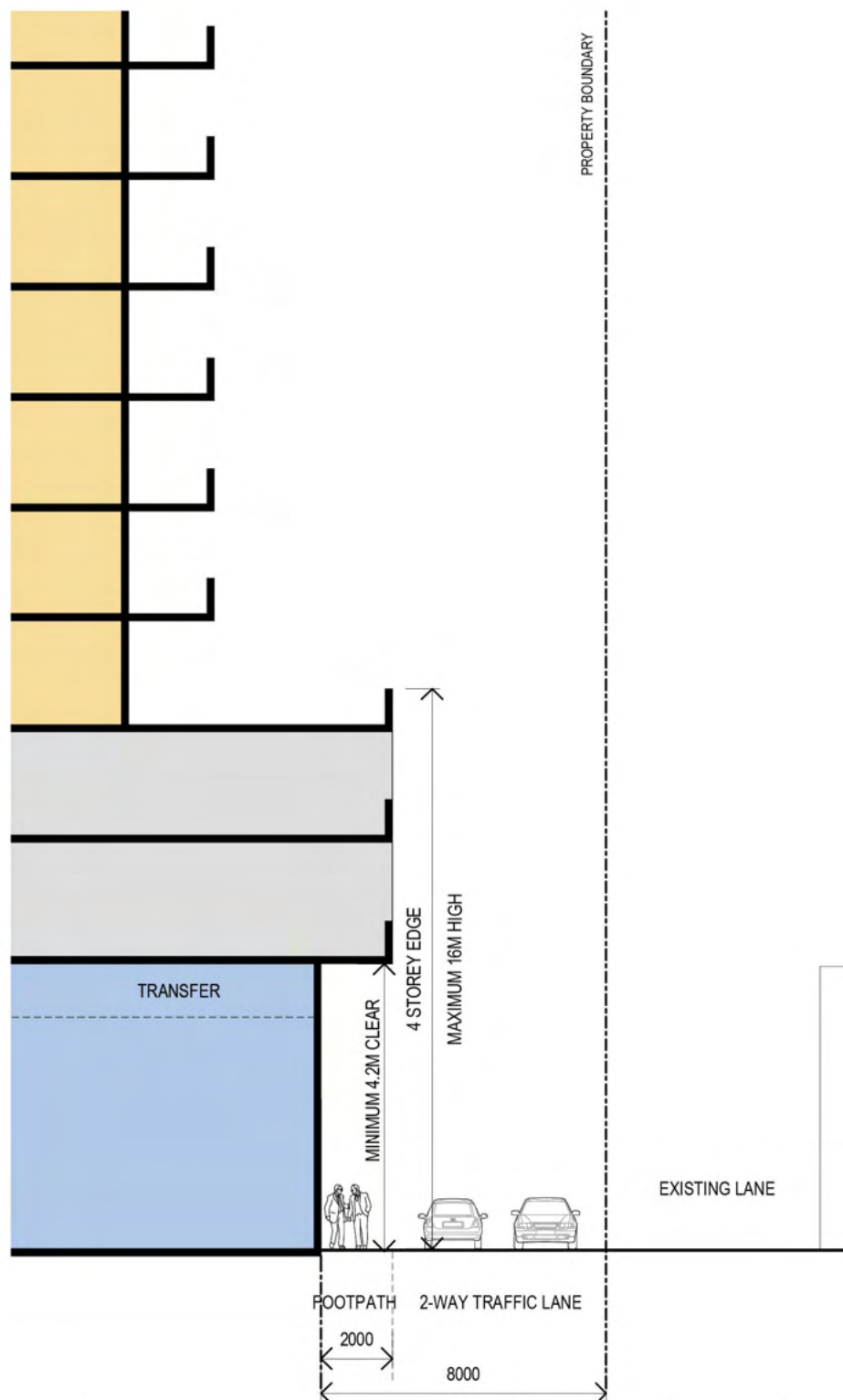
**Figure 11** Street Section 6 – New Street



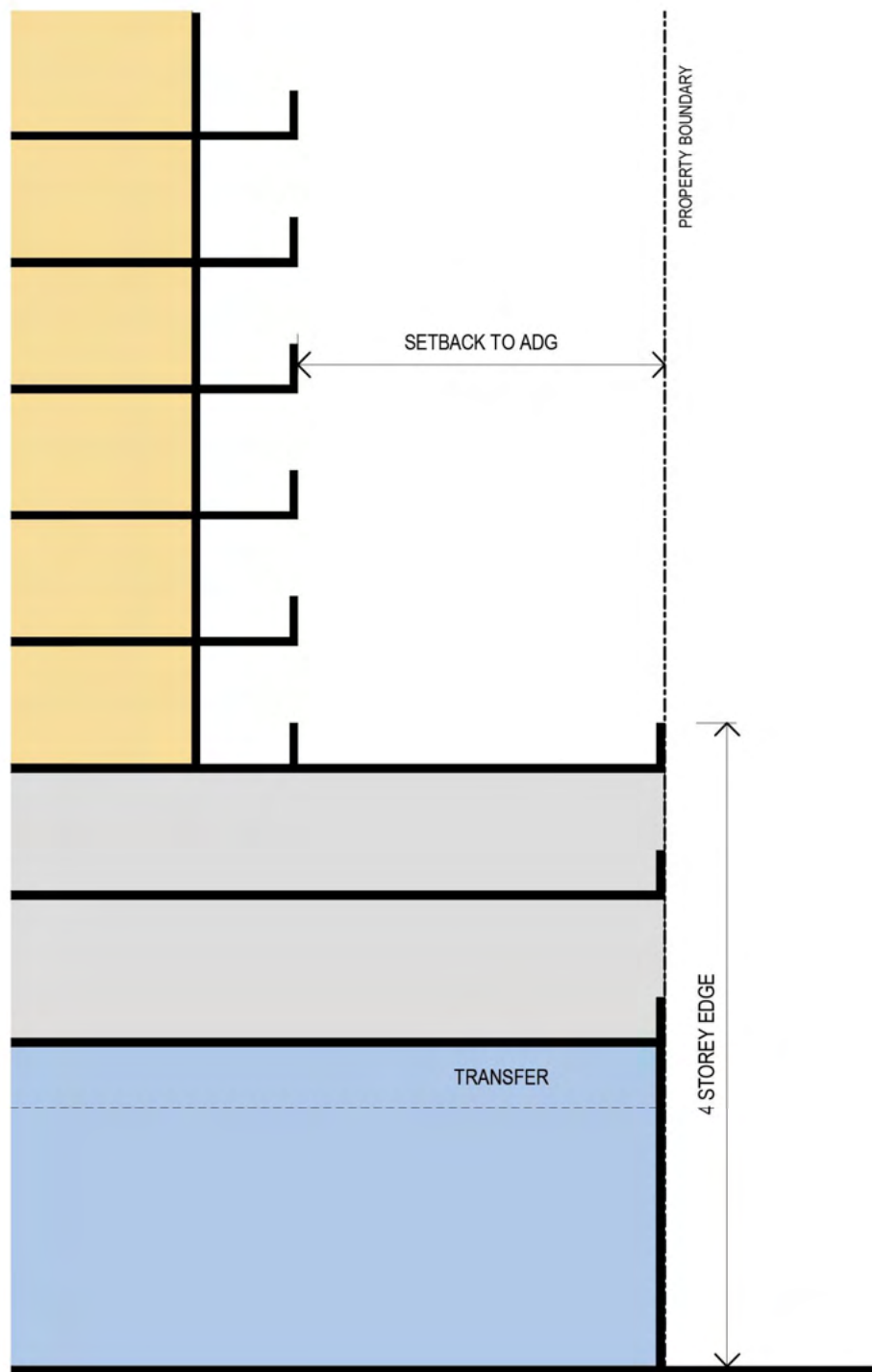
**Figure 12**      **Street Section 7 – New Plaza**



**Figure 13**      **Street Section 8 – New Plaza (South)**



**Figure 14** Street Section 9 – Smart Lane



**Figure 15**      **Street Section 10 – Eastern Boundary Condition**



## 3.2 Public Open Space

### Objectives

- (1) To establish a new area of public open space (that Council intends to rezone this land to RE1 Public Recreation, as a separate and later matter) on the corner of Station Street and Cunninghame Street, which will provide functional recreation space for residents and wider community.
- (2) To create a network of high quality open space, extending from Thomas Ware Plaza to the corner of Station Street and Cunninghame Street.
- (3) To ensure high levels of amenity, including enabling appropriate levels of solar access to key areas of the public domain such as the Market Square and the Fairfield Cultural park.

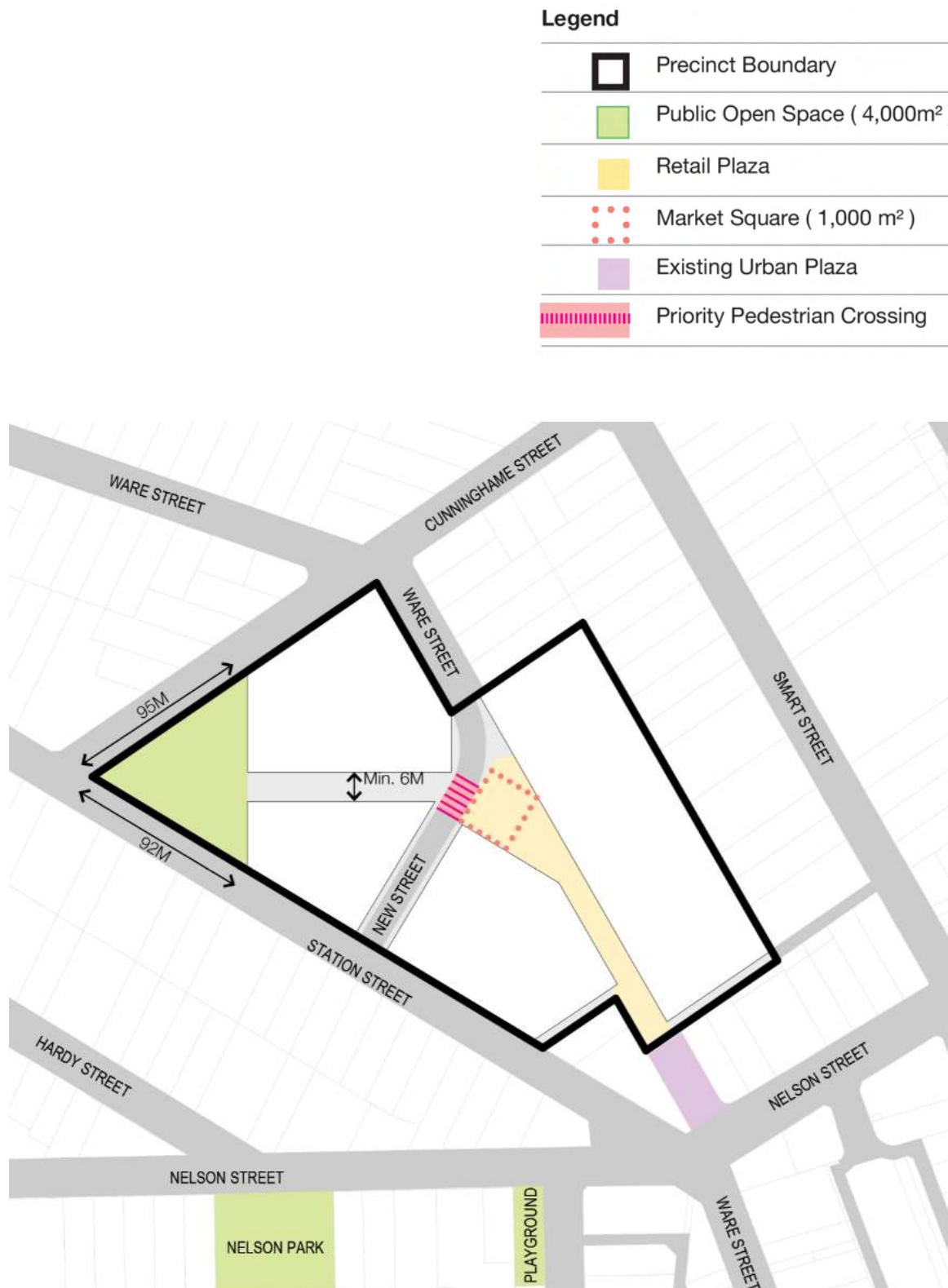
### Development Controls

- (1) Development must establish new areas of public open space identified in Figure 16 Public Open Space Network.
- (2) The design of the new areas of public open space is to be generally consistent with Table 2 Public Open Space Characteristics.
- (3) The design of new areas of public space should be designed to:
  - a. Maximise visual permeability and opportunities for passive surveillance including improving views from the surrounding streets and buildings
  - b. Be inclusive and universally accessible, to cater for all ages, enrich the community and provide infrastructure that promotes leisure time and maximises social interaction.
  - c. Provide meeting places, points of interest, shade and grouped social seating opportunities are to be located at predicted nodes of activity.
- (4) New development at Fairfield Forum is to ensure that the total area of Fairfield Cultural Park receives uninterrupted sunlight after 12pm on 21 June.
- (5) A minimum of 50% of the total area of Market Square is to have two hours of direct solar access between 9am and 3pm on 21 June.

**Table 2 Public Open Space Characteristics**

Type	Requirements	Guidelines
Local Park	Minimum area of 4,000m <sup>2</sup> .	<ul style="list-style-type: none"> <li>Located on the corner of Station Street and Cunninghame Street.</li> </ul>
<i>Fairfield Cultural Park</i>	Primarily for informal passive and active recreation	<ul style="list-style-type: none"> <li>To be used primarily for the purposes of informal passive and active recreation.</li> <li>Has a predominantly open, natural character, with large grassed areas dominating the open space area.</li> <li>To provide for deep soil planting.</li> <li>Where appropriate provide informal active spaces, such as fitness stations, that complement the public domain and provide activity.</li> <li>Trees are incorporated into the design of the park</li> </ul>

Type	Requirements	Guidelines
		<ul style="list-style-type: none"> <li>Tree species should be native species that provide good tree canopy cover.</li> <li>New pathways along the edges of the park.</li> </ul>
Market Square	Minimum area of 1,000m <sup>2</sup> Primarily for retail and other community uses	<ul style="list-style-type: none"> <li>Located at the corner of Ware and New Streets</li> <li>Provide outdoor dining opportunities at the interface with adjacent buildings for local cafes and restaurants, which provide activation during the day and night.</li> </ul>
Retail Mall	Primarily for active retail uses	<ul style="list-style-type: none"> <li>Connecting between Thomas Ware Plaza and the future Market Square on the corner of Ware Street and New Street</li> <li>Provide a space with active edges both day and night</li> <li>Provide 24hr through site access.</li> <li>Space is roofed to provide weather protection</li> <li>Potential to provide for outdoor dining opportunities for appropriate retail uses</li> </ul>
Fairfield Cultural Park Link	Minimum 6m width Minimum Clear height 6m	<ul style="list-style-type: none"> <li>Provide pedestrian connection between New Street and Fairfield Cultural Park</li> <li>Provide 24hr access for pedestrians</li> <li>Provide appropriate shade and shelter through landscaping</li> </ul>



**Figure 16 Public Open Space Network**

### 3.3 Staging

#### Objectives

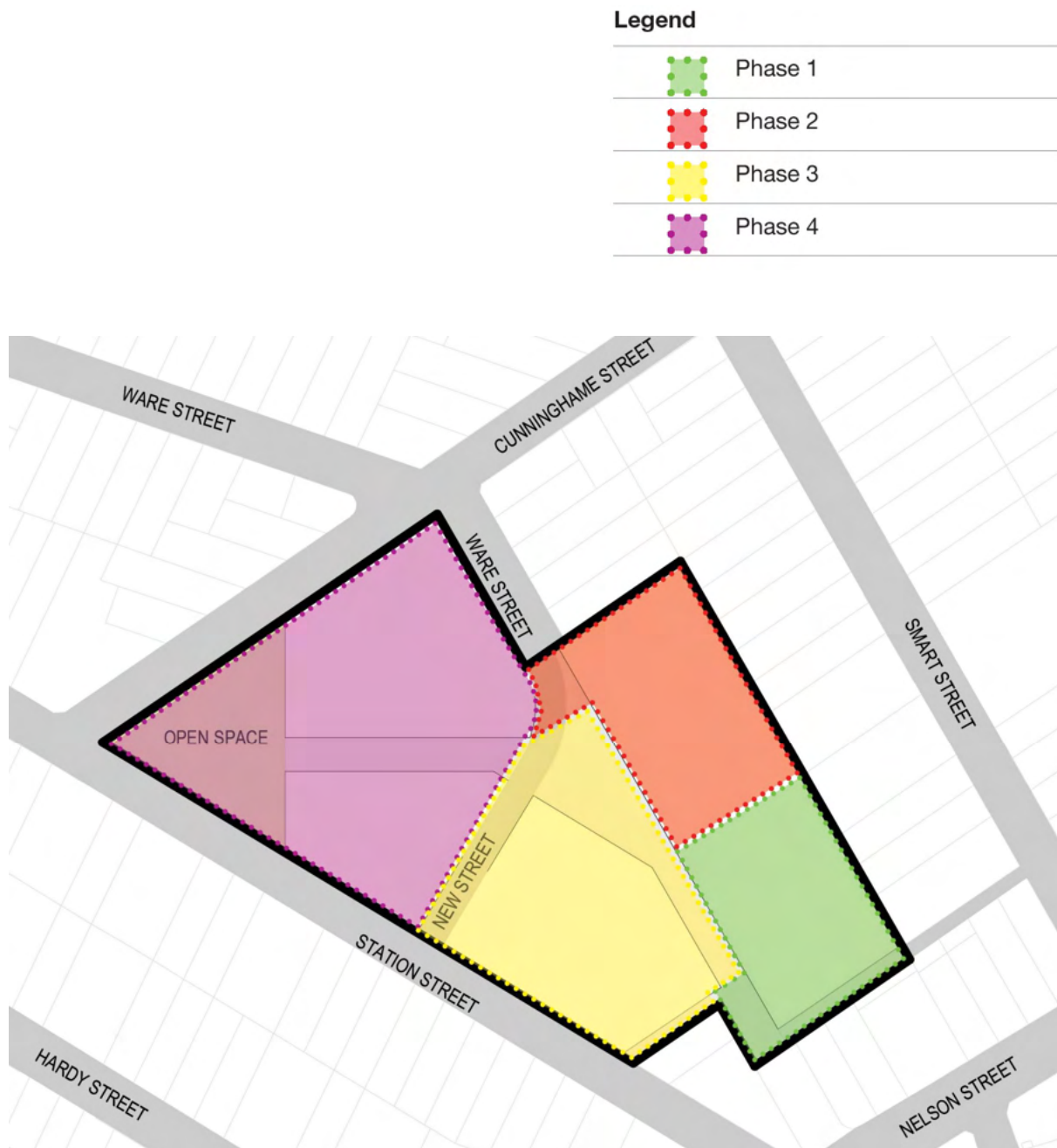
- (1) To enable the continued operation of the retail centre throughout redevelopment.
- (2) The staged delivery of public domain improvements commensurate with the size of the individual stage.
- (3) To minimise disruption for surrounding neighbours.

#### Development Controls

- (1) The delivery sequence for the public domain improvements is to be in accordance with the phases set out in Table 3 Phases for the Delivery of Public Domain Improvements and Figure 17 Staging Plan Map.

**Table 3 Phases for the Delivery of Public Domain Improvements**

Phase	Public domain elements
<b>Phase 1</b>	<ul style="list-style-type: none"><li>• Delivery of widening to Smart Lane</li><li>• Extension of Thomas Ware Plaza</li><li>• Delivery of pedestrian link from Smart Lane to Thomas Ware Plaza</li></ul>
<b>Phase 2</b>	<ul style="list-style-type: none"><li>• Construction of part of Ware Street extension into New Street</li><li>• Public domain improvements to relevant frontage to New Street</li></ul>
<b>Phase 3</b>	<ul style="list-style-type: none"><li>• Completion of New Street through to Station Street</li><li>• Construction of “Covered Retail Mall”</li><li>• Public domain improvements to relevant frontage on Station Street</li></ul>
<b>Phase 4</b>	<ul style="list-style-type: none"><li>• Construction of “Fairfield Cultural Park”</li><li>• Public Domain improvements to relevant frontage of Ware Street, Station Street and Cunningham Street</li><li>• Provision for a through site link between “Fairfield Cultural Park” and New Street</li></ul>



**Figure 2      Staging Plan Map**

## 4.0 Building Use, Layout, Form and Design

### 4.1 Building Height

Maximum building heights across the Fairfield Forum have been shown by number of storeys *Figure 18 Building Height Map*. They should be read in conjunction with the maximum building heights shown on the Fairfield LEP 2013 Height of Buildings Map and the indicative street sections in Section 3.

#### Objectives

- (1) Building heights reinforce Fairfield's status as a Strategic Centre within the Western City District.
- (2) Building heights contribute to the creation of a high density, urban neighbourhood character compatible with the character of the Fairfield City Centre.
- (3) Building heights are varied to create a visually interesting urban form.
- (4) Building heights encourage a height and scale that transitions towards surrounding residential areas.

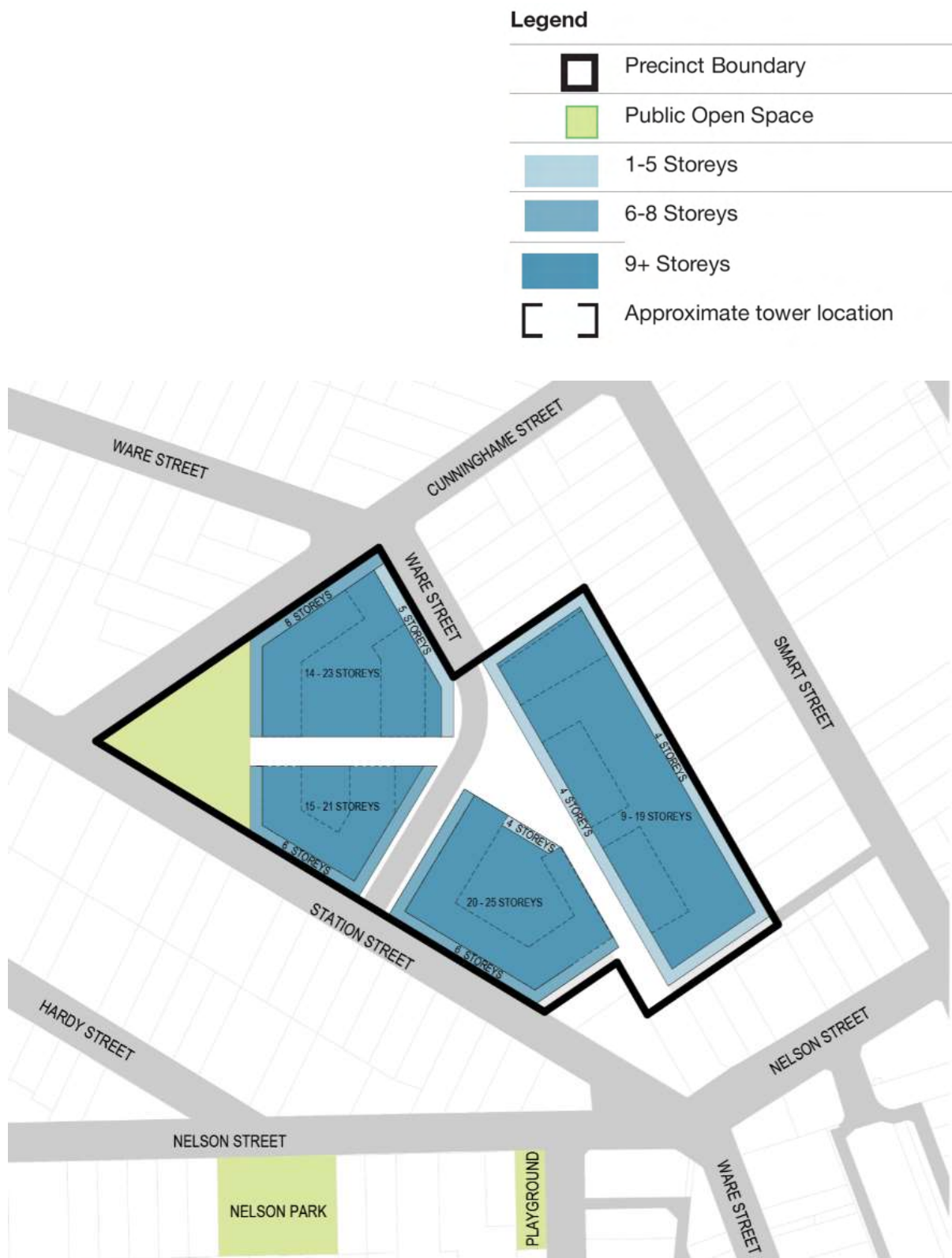
#### Development Controls

- (1) The height of buildings is to be generally consistent with the maximum number of storeys as shown on Figure 18 Building Height Map.

**Note:** 'Approximate Tower Location' denotes the preferred general location of tower buildings.

- (2) Variation to the location and distribution of heights for each block as shown in *Figure 18 Building Height Map* may occur where they:
  - a. comply with maximum building height in the LEP
  - b. meet the objectives of this section of the DCP.
- (3) Building heights are to be read in conjunction with the indicative street sections shown at *Figure 5 to Figure 15*.





**Figure 18 Building Height Map**

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## 4.2 Building Form and Design

### Objectives

- (1) To provide a range of building heights, types and architectural styles to create architectural diversity and visual interest.
- (2) To ensure the design of buildings contribute to the physical definition of existing and proposed street network.
- (3) To ensure buildings provide a fine grain that enriches and enlivens the streetscape and public domain, with high quality architecture, materials and finishes to encourage greater pedestrian activity within the public domain.
- (4) To ensure the use of high quality façade design and finishes, with particular attention to tall buildings that terminates a vista or is highly visible.
- (5) To ensure buildings are designed to minimise negative impacts on surrounding development in terms of privacy and solar access.
- (6) To ensure the design of ground floor apartments delivers safety and amenity for residents.

### Development Controls

- (1) Buildings are to address existing and proposed streets within and surrounding the Fairfield Forum Precinct.
- (2) Buildings are to be designed to maximise apartment orientation to adjoining private or public open spaces to optimise outlooks and views to areas of high amenity.
- (3) Buildings incorporate design measures to visually break long building facades through façade modulation.
- (4) Building facades are articulated within a cohesive overall design composition that incorporates measures such as:
  - a. recessed and / or projecting balconies
  - b. windows and other openings
  - c. sun control devices such as eaves, louvres and screens
  - d. privacy screens
  - e. blades or fins.
- (5) High quality communal open space is to be provided and designed to be usable and appealing to maximise activity and to provide pleasant views for residents.
- (6) Maximise the number of individual entries for ground floor apartments that are facing the public domain.
- (7) The design of ground floor apartments are to consider:
  - a. a 1-metre elevation of private courtyards and terraces above the street level;
  - b. framing fin walls to delineate individual dwellings
  - c. window sill heights that minimise sight lines into apartments from the street
- (8) Front fences for ground floor apartments are to:
  - a. be sufficiently transparent to enable some outlook from the front doors of ground level apartments to the street for safety and surveillance.
  - b. assist in highlighting entrances and in creating a sense of communal identity within the streetscape.
  - c. be designed and detailed to provide visual interest to the streetscape.
- (9) The length of building entry foyers is to be minimised.
- (10) Buildings must avoid long sections of blank walls in order to positively contribute to the public domain.

- (11) All development applications for new buildings or extensions must be accompanied by details of the materials to be used on external walls.

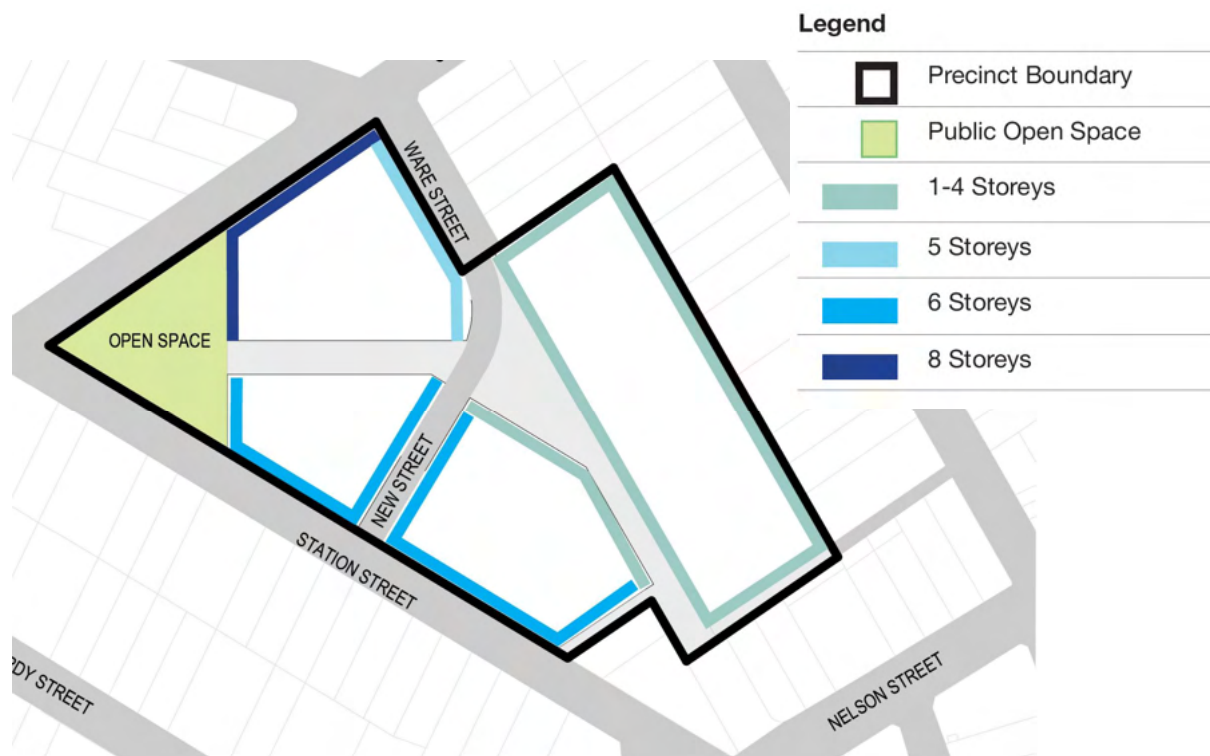
### 4.3 Building Setbacks

#### Objectives

- (1) To ensure that buildings in the Fairfield Forum Precinct create a coherent street wall along Station Street.
- (2) To ensure that development retains a high level of residential amenity, including allowing for appropriate public domain interfaces and solar and daylight access to dwellings and the public domain.
- (3) To minimise potential adverse amenity impacts on public open space areas, and surrounding residential areas surrounding the precinct.

#### Development Controls

- (1) Buildings are to provide a minimum 3-metre upper level setback above the maximum edge height identified in Figure 19 Edge Height Map.
- (2) Setbacks must be read in conjunction with the indicative street sections shown at Figure 5 to Figure 15.



**Figure 19** Edge Height Map

## **4.4 Building Use**

### **Objectives**

- (1) To encourage a mix of uses, consistent with the zoning of the land, with a mix of retail and / or commercial uses on ground floor and residential primarily above.
- (2) To encourage active ground floor uses comprising a mix of non-residential uses to enhance activity along the new street, retail mall and market square.
- (3) To encourage greater pedestrian activity and reinforce the commercial character of the Fairfield City Centre.
- (4) To ensure active frontages make a positive contribution to the public domain and streetscape.

### **Development Controls**

- (1) The location of active land uses (such as food and beverage, outdoor dining and retail) and frontages at ground floor is to be generally in accordance with Figure 20  
Active Frontage Map
- (2) Active frontages are to have a layout and design that activates the adjoining public domain, including through measures such as:
  - a. locating fine grain retail tenancies along key pedestrian movement corridors
  - b. establishing high activity areas such as seating overlooking the public domain
  - c. incorporating large doors or windows
  - d. not locating activities that are sensitive to public view overlooking the public domain
  - e. not including grilles or other security measures
- (3) Active frontages are to be designed with the ground floor level at the same level as the footpath.
- (4) Active frontages incorporate large areas of transparent glazing or other openings that enable clear sightlines between the public domain and internal areas, in particular those with high levels of activity such as reception, seating and dining areas.
- (5) Residential foyer entries are to be minimised along active frontages.
- (6) Development provides fixed awnings at the ceiling height of the ground level that have active ground floor uses.
- (7) Awnings are to provide adequate protection for pedestrians from rain, wind and sun and are integrated with the overall design of the building.
- (8) Vehicular access to the site is located and designed to minimise disruption to active frontages.



**Figure 3 Active Frontage Map**

## **4.5 Landscaping**

### **Objectives**

- (1) To improve the quality and amenity of communal and public open spaces.
- (2) To minimise the impact of heat island effects.
- (3) To encourage the provision of locally endemic species to enhance and improve biodiversity and native wildlife.

### **Development Controls**

- (1) A Landscape Plan is to be submitted as part of any future development application for new buildings in the Precinct.
- (2) Landscape design is to:
  - a. provide for private gardens on ground floor apartments where appropriate;
  - b. provide for communal open space at podium or roof levels;
  - c. facilitate stormwater infiltration by use of permeable surfaces; and
  - d. reduce the overland flow with vegetation.
- (3) High quality landscape design should be incorporated including indigenous species, landmark sculptures, pavement design and other appropriate elements.
- (4) Native species are to form the basic plant material for all streets and public open spaces.

## **4.6 Car Parking**

### **Objectives**

- (1) To ensure the amount of onsite car parking balances the needs of residents and businesses with the desire to promote the use of other forms of transport that do not rely on the private motor vehicles.
- (2) To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land, the nature of the locality and the applicable development control plan for the Fairfield City Centre.
- (3) To ensure that car parking does not adversely affect the amenity of the locality.

### **Development Controls**

- (1) The car parking requirement for residents and visitors shall be based on the applicable development control plan for the Fairfield City Centre at the time of the Development Application.
- (2) By way of reference, the current car parking requirements are as set out within the Fairfield City Centre DCP 2013.
- (3) Note that the controls are subject to future amendments and the relevant development control plan that relates to the Fairfield City Centre should be referenced at the time of making a Development Application.
- (4) The car parking requirements for non-residential land uses shall be based on the applicable development control plan for the Fairfield City Centre at the time of the Development Application.



## **4.7 Bicycle Parking**

### **Objectives**

- (1) To encourage the use of bicycles for trips that might otherwise involve a private motor vehicle.
- (2) To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

### **Development Controls**

- (1) The bicycle parking requirement for residents and visitors is based on the applicable development control plan for the Fairfield City Centre.  
Note that this control are subject to future amendments and the relevant development control plan that relates to the Fairfield City Centre should be referenced at the time of the Development Application.

## **4.8 Service and Loading Areas**

### **Objectives**

- (1) To set aside areas for the loading and unloading of commercial vehicles to minimise adverse effect on traffic flow and safety.
- (2) To ensure that loading and unloading activities do not adversely affect the amenity of the locality.

### **Development Controls**

- (1) Loading, storage, refuse areas and building services should be concealed and integrated into building design so as to minimise the visible impact to public areas.
- (2) Access to loading and unloading areas is to be designed to minimise conflict with residential and commercial car parking traffic.
- (3) All loading manoeuvring is to occur within the designated loading and unloading areas.
- (4) All loading vehicles are to enter and exit the loading and unloading areas in a forward direction where practicable.

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