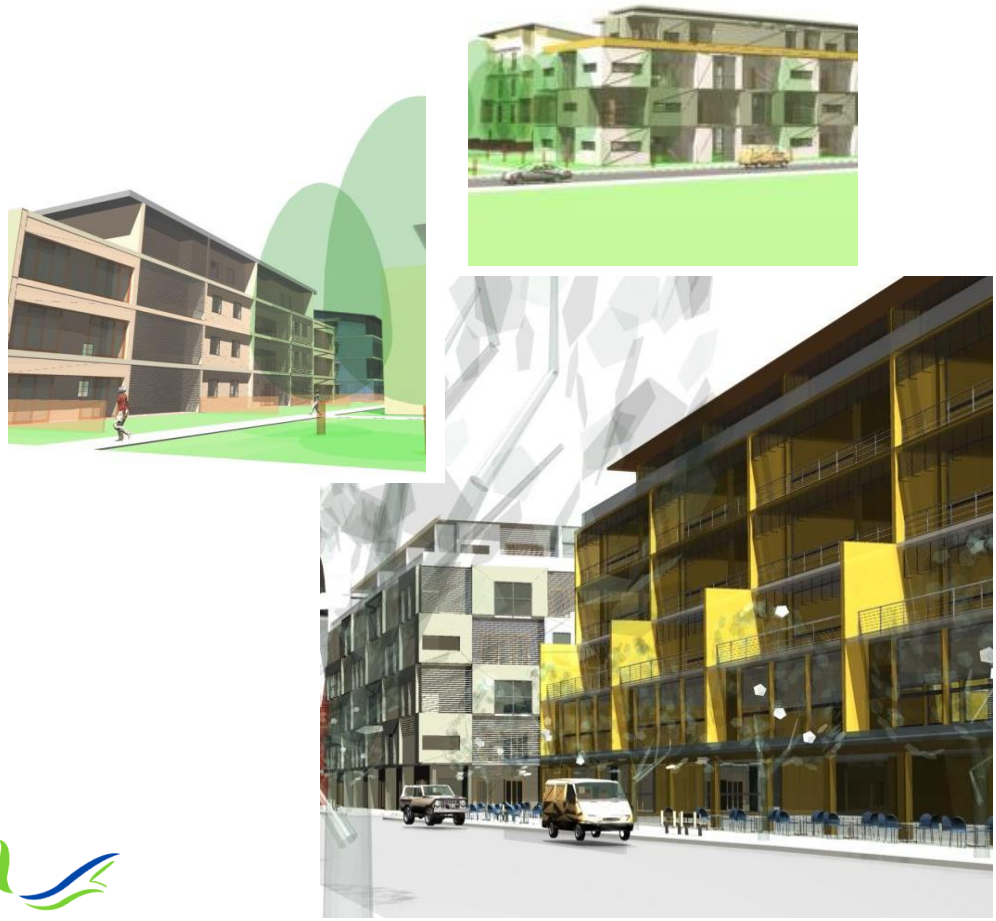
Canley Corridor Local Town Centres
Canley Vale & Canley Heights

Development Control Plan No.37

Amendment No. 9



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1. Introduction

1.1 Strategic background

With growing development pressures, and a locality undergoing a natural renewal process, a new development control plan was needed for the Canley Corridor – Canley Vale Road spine. The area affected by this plan extends from Railway Parade at Canley Vale to the Cumberland Highway at Canley Heights with the commercial and residential blocks immediately adjacent to Canley Vale Road.

The preparation of this DCP began with an intensive two-day community workshop held in July 2003. Three future desired character statements were developed by the community:

> "In the future Canley Corridor we will have:
>
> **Housing -** A variety of quality housing choices, well designed *according to desired community standards* enforced by Council through strong design rules and controls, with apartment style living along the Canley Vale Road corridor containing public spaces and mixed uses, leading out to detached housing on the edges: housing that is adaptable to changing lifestyles, with useable open spaces, developed in a controlled and sympathetic way that results in superior environmental and amenity outcomes for residents and the broader community.
>
> **Open space -** An open system that is safer, visible, easily accessed along a cleaner Orphan School Creek. The Canley Corridor will also have small parks throughout residential areas, developed so that they can be used by families and children for passive uses (like picnics, walking) and active uses (like sport, cycling) and community celebrations.
>
> Our open spaces will connect communities living in an urban setting with the natural environment that offers education to stop polluting of waterways, and work opportunities for the development of the open space system through planting colourful and native trees that do not block views into the open space. The creeks will be healthier and provide an opportunity for aquatic life that local children can see and appreciate the local biodiversity.
>
> Developments that face the open spaces along the creek are encouraged, so that people can maximise the asset and reduce anti social behaviour and dumping. New development will provide funding opportunities and structures for devices that trap rubbish and help keep Orphan School Creek cleaner than it is today.
>
> **Traffic -** Traffic along Canley Vale Road at an appropriate speed with parking along the road and behind the shops, with a reduced opportunity for accidents that result between cars and pedestrians. Through traffic will be passing at the edges of the Canley Corridor, not through the commercial centres.
>
> Traffic will also be reduced through supporting public transport that is frequent and affordable, and supported by land uses that will promote its patronage. Bus stops must be close to where people want to get on and off – about 5 minutes walking distance to a bus stop.
>
> Traffic in side streets should be calm and slow, and provide a safe and pleasant walking environment for residents be they children or the elderly. Footpaths, with local public art that gives a real community feel, shaded by trees to let us hear the birds as well as protect our skin from the sun."

After considering social, economic and environmental factors and the implications on these factors resulting from the desired future character statements, a Canley Corridor Masterplan was prepared, which underpinned the controls and objectives identified in this plan.

1.2 What is the purpose of this Plan?

The purpose of the Development Control Plan is to assist in implementing the vision identified by the community for the Canley Corridor as it applies to the local town centres of Canley Vale and Canley Heights.

This plan must be used by landowners/developers to prepare development applications. Council and Council staff must consider it when assessing 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 in Section 1.5.

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. Provide guidelines and controls for development in Canley Vale and Canley Heights local centres;
c. Ensure development minimises environmental impacts through the application of total energy efficiency, water sensitive urban design and the principles of Ecologically Sustainable Development;
d. Explain the development application process and to provide consistent advice to prospective developers, residents, local business owners and other users of the local town centres.

1.4 Land to which this Plan applies

This Plan applies to the local town centres of Canley Vale and Canley Heights as shown below:

Fig 1.1 Land in the Canley Vale Local Centre covered by this Development Control Plan

Fig 1.2 Land in the Canley Heights Local Centre covered by this Development Control Plan

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

This 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 the Act, the Fairfield Local Environmental Plan 2013 and other applicable planning instruments.

The following Legislation, Planning Instruments and Local Policies and Plans apply to development in the Town Centre:

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

- 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

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 of the Fairfield City-Wide Development Control Plan 2013. Those chapters are:

- Chapter 2 Requirements for Development Application Submission
- Chapter 3 Environmental Management and Constraints

- Chapter 10 Miscellaneous Development
- Chapter 11 Flood Risk Management
- Chapter 12 Car Parking Vehicle and Access
- Chapter 13 Child Care Centres
- Appendix A – Definitions
- Appendix B – Notifications Policy
- Appendix C – Signage
- Appendix E – Waste Not Policy to Manage Demolition and Construction Waste

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. The onus is on the developer to 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.

If the provisions of this plan are inconsistent with the provisions of any other DCP, the provisions of this plan shall prevail to extend of any inconsistency unless it is an aspect of Fairfield City-Wide Development Control Plan 2013 as referenced in Section 1.5. In this circumstance, the provisions of the Fairfield City-Wide DCP prevail above all else to the extent of the inconsistency".

1.6 Reference and Amendments

The Development Control Plan is referred to as the 'Canley Corridor Local Town Centres Development Control Plan No. 37'.

Council at its meeting held on:

- 7 December 2004 resolved to exhibit the Draft Development Control Plan (DCP) No. 37 from 22 December 2004 to 16 February 2005.
- 12 July 2005 resolved to re-exhibit the Draft DCP No. 37 from 27 July 2005 to 24 August 2005.
- 4 October 2005 requested further information on the Draft DCP No. 37.
- 18 October 2005 adopted DCP No. 37.
- 8 November 2005 resolved to make DCP No. 37 a policy.
- 28 February 2006 resolved to rescind its decision of 8 November 2005 and confirm its previous resolution of 18 October 2005 which adopts the planning controls for the local town centres of Canley Vale and Canley Heights as a DCP as well as repeal Canley Heights DCP No.9/94.

This Plan came into effect on 15 March 2006. Since this date, the following amendments have been made:

Date Amendment came into effect	Date of adoption by Council	Section/s Amended	Summary of Amendments
Not effective	12 September 2006	Appendix 4 – Site Specific DCP Process - Masterplan Site No. 2 (Page 123)	**Amendment No.1:** Development controls for Masterplan Site No. 2, Adams Reserve, Canley Vale Rd, Canley Vale
Effective	9 April 2008	Appendix 4 – Site Specific DCP – Masterplan Site No. 4 (Page 125)	**Amendment No.2:** Development controls for Masterplan Site No. 4, 45-47 Peel St, Canley Heights
Effective	3 November 2010	5.4.2 Awnings (page 89) Appendix 2 – Change of	**Amendment No.3:** Awnings controls amendments.

Date Amendment came into effect	Date of adoption by Council	Section/s Amended	Summary of Amendments
		Use Applications (Page 97)	
Effective 10 June 2011	19 April 2011	Appendix 4 – Site Specific DCP – Masterplan Site No. 5	**Amendment No.4:** Development controls for Masterplan Site No.5, 190 Canley Vale Rd, Canley Heights
Effective 31 May 2013	13 November 2012	Document changes with references to FLEP 2013	**Amendment No.5** Changes to references resulting from making of LEP 2013
Effective 5 March 2014	11 February 2013	Documents changes with reference to Councils' Outdoor Dining Policy 2013	**Amendment No. 6** Changes to make reference to Outdoor Dining Policy 2013
Effective 3 September 2014	12 August 2014	Appendix 6 – Canley Corridor Public Arts Strategy	**Amendment No. 7** Remove reference to the Fairfield City Council's Public Art Guide.
Effective 1 July 2015	26 May 2015	Chapters1, 4 and 5 – maps and diagrams	**Amendment No. 8** Include 46 Derby Street Canley heights within town centre catchment.
Effective 25 May 2016	10 May 2016	Section 6 – Public Domain Issues	**Amendment No. 9** Removal of reference to Public Arts Strategy.

2. Local Context Analysis

This section details the analysis undertaken as part of the planning process to investigate development opportunities and constraints and to identify the development that best suits the area.

The data presented in this section includes: the existing built environment, the linkages, land-uses analysis and facilities. It helps identify the relationships between the built environment and other issues such as environment, economic viability and the social characteristics of the locality.

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.

2.1 Regional Context

The Canley Vale and Canley Heights local town centres are located 32 km south west of the Sydney CBD.

They are located amongst three regional centres, Parramatta (10km to the north) Liverpool (6km to the south west) and Bankstown (10km south East). Canley Vale is located 0.9km from Cabramatta and 1.9km from Fairfield Town Centre, which are the two closest centres.

2.2 Surrounding Land Use

The Canley Vale retail precinct is directly opposite the railway station along Canley Vale Road and Railway Parade. The Canley Heights retail precinct located to the west of Canley Vale is bounded by the Cumberland Highway and runs along Canley Vale Road between Cumberland Highway and Salisbury Street.

Apart from the retail precincts of Canley Vale and Canley Heights, the Canley Corridor is characterised by residential development. For the most part, development has occurred in a grid of streets running north to south and east to west. Housing is dominated by single storey cottages, with new two storey houses or duplex developments steadily growing in number throughout the area.

A pocket of apartment buildings is located in Canley Vale close to the station in the area bounded by Canley Vale Road to the north, Railway Parade to the east, Pevensey Street to the south and Phelps Street to the west. Several apartment buildings are located along Clifford Avenue.

2.3 Community Profile

Canley Vale with a population of just over 10,000 residents in 2001 had the following characteristics:

- A lower proportion of youth and older residents than the local government area
- The main languages spoken other than English were Vietnamese, Chinese languages and other Asian languages
- A high proportion of overseas born residents had poor English language skills

- A high proportion of households with one car or no car and a high proportion of residents travelled to work by public transport
- A high proportion of single parent households and lone person households
- More than half of all residents aged over 15 years had weekly individual incomes of $399 or less
- Unemployment rates were high particularly for youth aged 15-19 years old
- A high proportion of labourers/related workers, production/transport workers and tradespersons/related workers.

Canley Heights with a stable population 9,917 residents in 2001 had the following characteristics:

- A slightly higher proportion of children aged 9 years and under
- Main languages spoken other than English were Vietnamese and Chinese language
- More than one in three residents born overseas had poor English language skills
- A significant proportion of one parent family households and a high proportion of private rental housing and public housing
- Almost two in three residents aged over 15 years had weekly individual incomes of $399 or less
- Unemployment was high for all residents aged less than 65 years particularly for youth aged 15-19 years
- A higher proportion of production/transport workers and labourers
- Low levels of computer and internet usage.

Social considerations for Canley Vale and Canley Heights:

- Low to no population growth
- Low income, higher unemployment
- Higher private and public housing rental
- Higher proportion of sole parent families
- High in cultural diversity
- Public transport usage, low car ownership
- Lower English proficiency and computer use
- Traditional working class occupations

2.4 Environmental Characteristics

2.4.1 Topography

The study area is relatively flat, with only a relatively small rise towards Canley Heights up from Canley Vale. The creekline of Orphan School Creek has a number of areas with a steeper embankment but at the top of the embankment is quite flat in all directions.

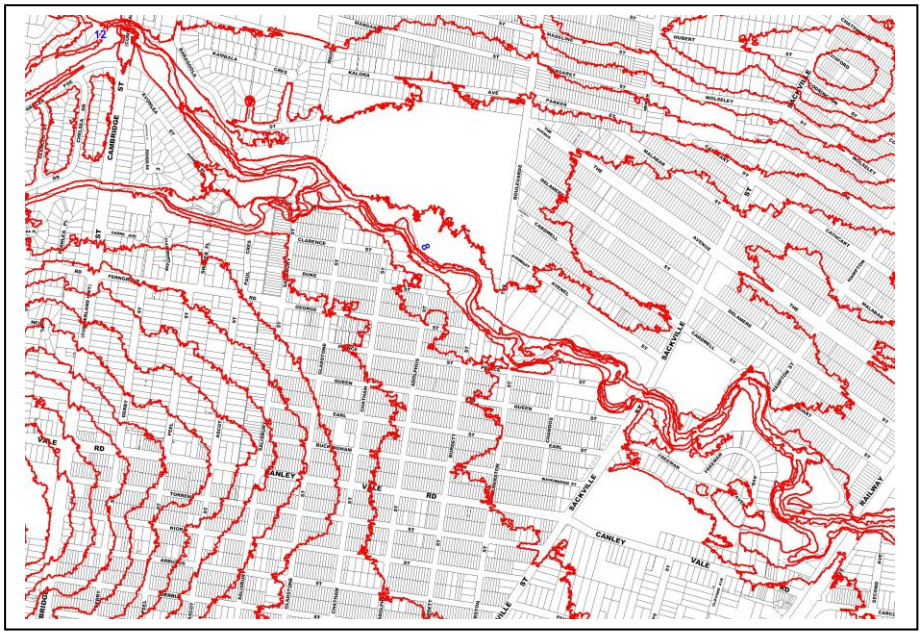


Figure 2.1 Topography Map showing contours at 2 metre intervals

2.4.2 Drainage and flooding

The major drainage system in the City consists of 97km of waterway, and part of Orphan School Creek forms the northern boundary of the Canley Corridor. Some land in the Canley Corridor is affected my either a low, medium or high risk of flooding as well as being subject to overland flooding.

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 centre or property within it.

This flood-affected land, upon redevelopment must address any flood related concerns along with provision of engineer's analysis, reports and requirements to proposed developments. Details of how proposed development will meet any flood issues must be provided, also with extraction of water from basement or semi-basement car parks. Appropriate and sustainable water management measures should be considered to ensure flooding and drainage does not become a problem.

Council is reviewing all flood liable land in accordance with the New South Wales Flood Plain Management Manual. Flood studies are being undertaken by Council and once complete, information will be made available to assist in the assessment and viability of

development sites affected either by creek flooding or overland flow paths. Contact Council's Catchment Management Branch for more information.

2.4.3 Salinity

Salinity is the accumulation of mineral salts in the soil, groundwater and surface water. Increased salinity occurs when the ground water table rises, transporting salts nearer to the surface. Recent investigations indicate that the extent and impact of salinity within the City is greater than originally expected. Further research is about to be undertaken to establish the extent of the issue and appropriate remedial/preventative action, prospective purchasers, designers and developers should make themselves aware of the most current information.

2.4.4 Sewer capacity

The Orphan School Creek subsystem is divided into two stages:

- Stage 1 capacity is 2,420l/s (EP* 118,000) estimated to be sufficient only up to the year 2000
- Stage 2 (the ultimate stage of SPS 384) will have capacity of 3,620l's (EP* 203,000)
  * Equivalent Population

Sydney Water is currently in the process of assessing performance of its systems to ensure the goals of the Overflow Abatement Program are achieved. Once the deficiencies (and needs) of the existing system have been established, the Sydney Water Corporation intends developing options in order to arrive at solutions for the system.

2.4.5 Water Capacity

Sydney Water is currently providing potable water to the Canley Corridor and will service any future development.

2.5 Built Form and Open Space

General

The town centres are characterised by continuous rows of shopfronts along the main roads, with a network of laneways providing secondary access to the rear of the properties.

Open Space

A significant park in Canley Vale, Adams Reserve, adjoins the creek corridor of Orphan School Creek that contains a regional cycleway connecting the Western Sydney Regional Park at Abbotsbury with the Georges River at Lansvale.

Adams Reserve provides both organised sports and passive recreation opportunities. The open space is within short walking distance of Canley Vale local centre and a 15minute walk from the Canley Heights local centre.

2.6 Existing Buildings and Land Use

2.6.1 Urban characteristics and structure

The Canley Vale Road Corridor consists at its eastern point of a local centre at Canley Vale which adjoins a railway station, through to older style post WWII housing on multiple narrow allotments mixed with recent redeveloped narrow lot housing known as a 'triplex'', through to at its western end the local centre of Canley Heights which is larger in nature and contains a supermarket. Canley Vale Road is an important carrier of through traffic and public transport.

The road pattern is grid in nature, with a regular pattern of intersections with north/south parallel running streets. The road network offers good vehicular and pedestrian movements. Some of the north/south side streets have been traffic calmed with landscaped mounds and narrow carriageways. An opportunity exists to utilise this road pattern to encourage redevelopment of residential land to a preferred form and style of housing.

The predominant built form in the local town centres is two storey retail/ commercial buildings with retail at ground level and commercial above and service access to the rear.

An important aspect of the built form is the prevalence of awnings. Awnings are important for protecting people from the rain and sunlight during summer.

2.6.2 Lot sizes

Canley Vale

The centre of Canley Vale has a number of varied sized blocks of land. On both north and south sides of Canley Vale Road are a number of parcels of land which are 15.2m x 39.7m, totalling an area of approximately 600sqm. There are some sites, which range in sizes of 4.8m to 43m wide and from 34m to 104m deep. These have an area of 160sqm up to 4,388sqm for the largest site in the centre. The land in the centre is zoned B2 Local Centre.

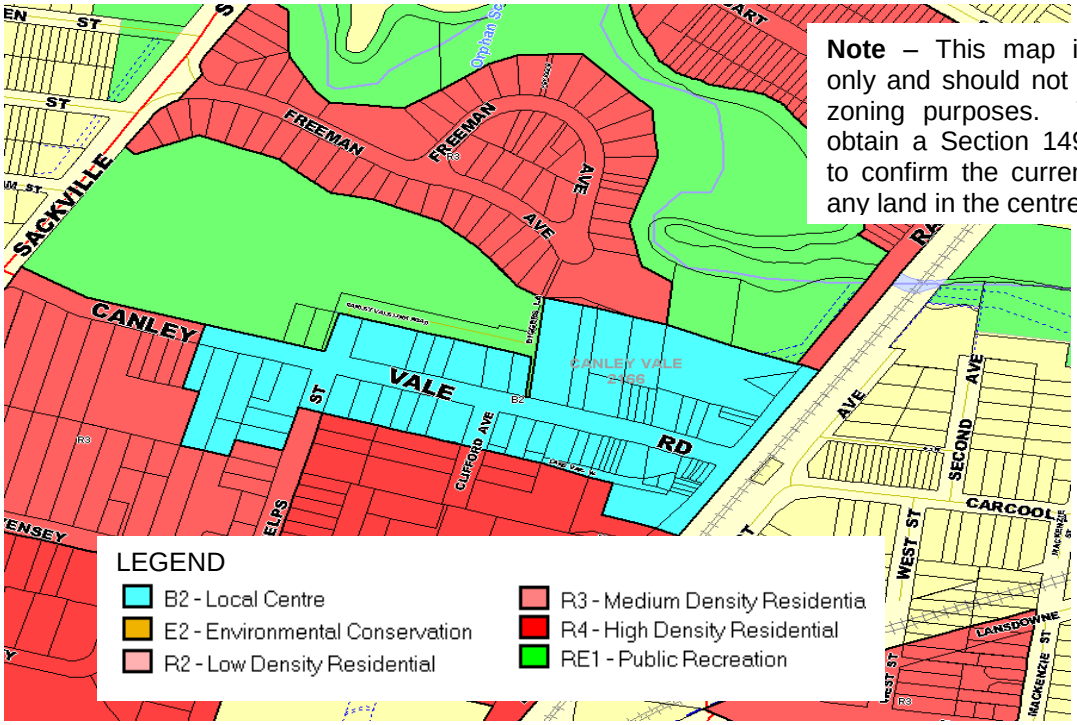
Canley Heights

In Canley Heights there are a number of varied sized blocks ranging from 5m to 39m wide and to a length of 29m to 34m deep. The most common sized block is the 6.7m wide and 33.5m deep, totalling an area of 224.45sqm. Some blocks range in area from 145sqm to 1,246sqm. The land in the centre is zoned B2 Local Centre.

The residential land in between the two centres is subdivided into a pattern of 15 blocks facing each street, in a site pattern of 30 blocks in total. The streets align to an east west direction with laneways linking these roads in a north south direction. Most of the laneways are of bitumen and are landscaped as 'slow vehicular movement' roads. The land surrounding Canley Heights Centre is zoned R4 High Density Residential and in the remaining areas is R3 Medium Density Residential and R2 Low Density Residential and the parklands and creekline corridor as RE1 Public Recreation and E2 Environmental Conservation.

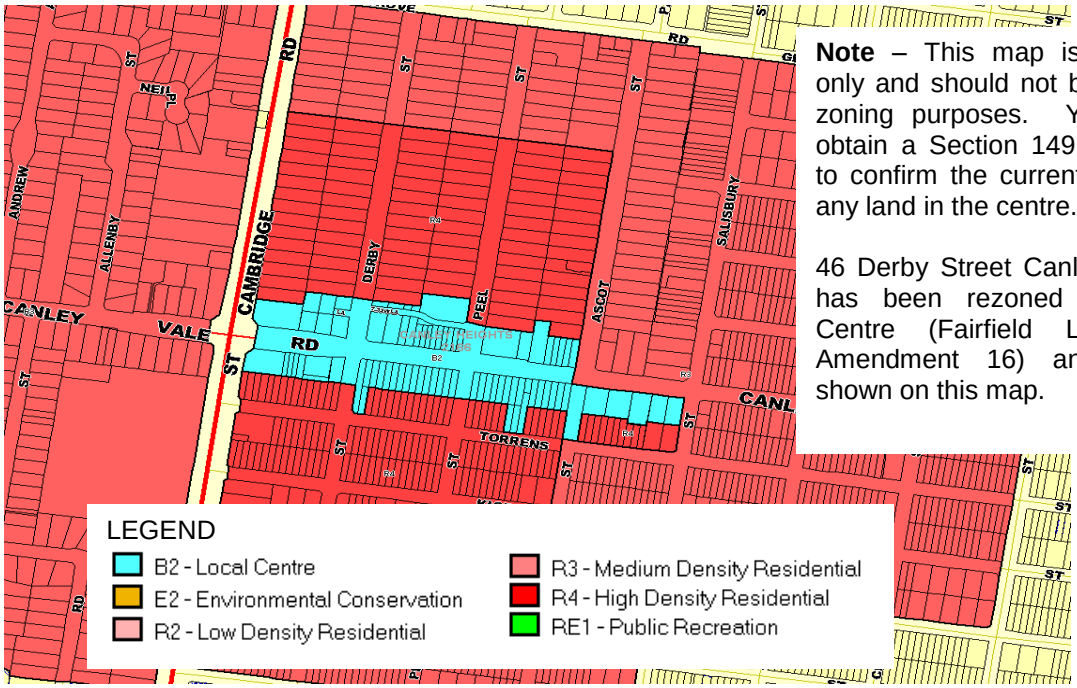
2.6.3 Existing Zoning Context

Figure 2.2 Canley Vale and surrounding area Zoning Map (an extract of Fairfield LEP 2013)



Note – This map is indicative only 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.

Figure 2.3 Canley Heights and surrounding area Zoning Map (an extract of Fairfield LEP 2013)



Note – This map is indicative only 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.

46 Derby Street Canley Heights has been rezoned B2 Local Centre (Fairfield LEP 2013 Amendment 16) and is not shown on this map.

2.6.4 Existing Floor Space Ratios and Building Heights

Canley Vale

The existing densities in the Canley Vale Centre were described in the Draft DCP of 1992. The shopping centre section along Canley Vale Road down to Railway Parade had a height limit of 2 storeys, although there are a number of buildings that are to a height of 3 storeys in places.

Canley Heights

The existing densities in the Canley Heights Centre were described in the DCP of 1994. The shopping centre section along Canley Vale Road up to the Cumberland Highway had a height limit of 3 storeys.

2.6.5 Land Ownership for Open Space

Figure 2.4 Fairfield City Council owned land within the Canley Corridor Study Area.

Fairfield City Council has a large stake in the ownership of land within the Canley Corridor Study Area. There are large parcels of land dedicated to open-space and parklands, especially along Orphan School Creekline to the north of the study area. Within the Canley Vale centre there are large areas of unused land to the north of the centre along with a sports oval, Adams Reserve that is regularly booked ahead for sports events. The centre of Canley Heights has a limited amount of public open space that can be used within the shopping precinct. The only area available is a small number of seats in front of the public toilet block facing Canley Vale Road.

Within each of the centres there are a number of owners who have purchased a number of parcels of land next to each other to make up a substantial developable sized site. In the Canley Vale centre there are two locations in which are now sites of 4000 to 5000sqm. Both of these sites face onto Canley Vale Road, and have views over parkland and Adams

Reserve. These sites have easy access to the Canley Vale Railway Station and within walking distance to Cabramatta. In the Canley Heights Centre there are a few smaller parcels of land which are a consolidation of a number of smaller lots to which now will potentially provide larger developments facing onto Canley Vale Road, and with easy access to the Cumberland Highway.

The Department of Housing are prominent owners of large parcels of land within the Fairfield City Local Government Area (FLGA). Within the Canley Corridor Study area there are also a number of properties owned and operated by the DoH. They are the second major landholder within the study area.

2.6.6 Economic viability of development

The residential property market in the Canley Corridor is relatively stable, with little evidence of development in the area. The focus of interest is in neighbourhood residential precincts where property is being purchased and converted into single storey cottages and larger two storey homes and duplexes. This trend towards building large two storey houses and duplexes is having an impact on the character of the suburban streets in that development is not uniform.

An Economic Appraisal has been commissioned to test the economic viability of planning controls for the Canley Corridor. In affect, the Council wishes to know whether or not development is financially viable in the Corridor at the new densities identified. The model used measured what a developer could afford to pay for a property while still maintaining return on investment criteria.

The viability of sites for redevelopment is affected by a number of interrelated factors including:

- Whether or not sites are consolidated in the same site ownership
- The attitude of owners of disparate sites required for consolidation
- Perceived value of the sites required for consolidation
- The income stream earned from current property holdings
- The nature and condition of existing improvements
- Site size and configuration, and
- Land use competition

Because the Canley Corridor consists of under developed residential and retail/commercial buildings, it is unlikely that owners will opt to hold on to their sites in favour of no development. Changing the density of development permissible in the Corridor will have a stimulatory effect on land values. Owners will need to decide whether they realise the unrecognised potential of a site or sell the site to developers to undertake development that would unlock the latent value.

Generally, the Economic Appraisal found that:

- **Development is feasible at different densities with higher returns for higher density development**. Each feasibility meets the benchmarks of 12% development margin and 18% IRR and does so at different residual land values. Therefore, the building envelope controls tested are unlikely to hinder development.

- **The land values for sites in the Canley Corridor vary as a result of different FSR controls**. The higher the density, the higher the land value.
- **Development on sites requiring amalgamation in the Canley Vale Road Corridor – three storey walk-up sites – is profitable at higher densities due to the fixed cost of the land**. Development at two storeys is not feasible. Development at three storeys is feasible. Development at the lower density results in a residual land value that is lower than the amalgamated value of the land.
- **Discounts needs to be applied for higher densities.** The modelling work demonstrates that a constant price per unit site is not the most effective way to value the land.
- **All options evaluated are feasible, however, high-density options may end up being marginal given the wider characteristics of supply and demand in the local and neighbouring areas**. The supply of apartments on the market in Canley Vale and Canley Heights may mean that competition with places like Fairfield and Liverpool result in slower take up rates – throwing feasibility into question.
- **The larger scale development, while financially feasible, will require substantial debt funding**. In order to secure such a substantial level of debt funding, financiers may require developers to secure up to 60% pre-sales. This level of pre-commitment may be hard to obtain from consumers not able to envisage the completed development. This is especially relevant to seed development that occurs early on in the Canley Corridor in that there will be no precedent development in the area.
- '**Global' assumptions about the economic viability of development in the Canley Corridor fail to reflect the nuances of the local development industry** - one of the limitations of the analysis.

2.7 Heritage

Three buildings with heritage value are located in the Canley Vale local centre.

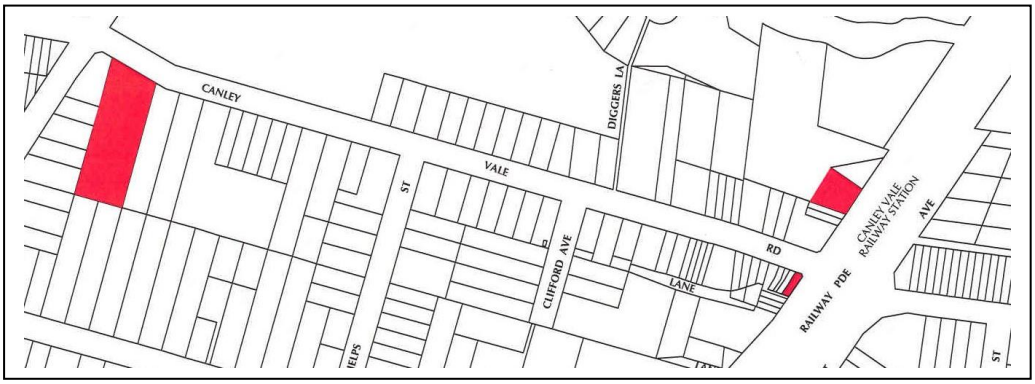


Figure 2.5 Heritage Sites in Canley Vale Local Town Centre

The three heritage sites in the Canley Corridor Study area are in Canley Vale. The sites are:

- **Westacott Cottage**: - on Railway Parade. This cottage is of the late Victorian period, a rendered masonry cottage, rare in this area. Its historical significance is for its association with William Westacott and the creation of a railway station at Canley Vale, across the road. This site is of Local Significance.

- **Shop at No. 2 Canley Vale Road**: - this shop along with the neighbouring shops are the oldest surviving commercial buildings in Canley Vale. They are a good example of Federation period corner shop in a prominent location. This site is of Local Significance.
- **Teacher's Residence at Canley Vale Public School:** - this residence is still used as a teacher's residence and is within the school grounds. It is a transitional Victorian/ Federation brick cottage, one of the oldest and the best of the city's residential buildings. It was originally designed by the Government Architect's Office, making it one of the few architect-designed houses in the City. The residence is in good condition, and is of Local Significance.

2.8 Vegetation

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.

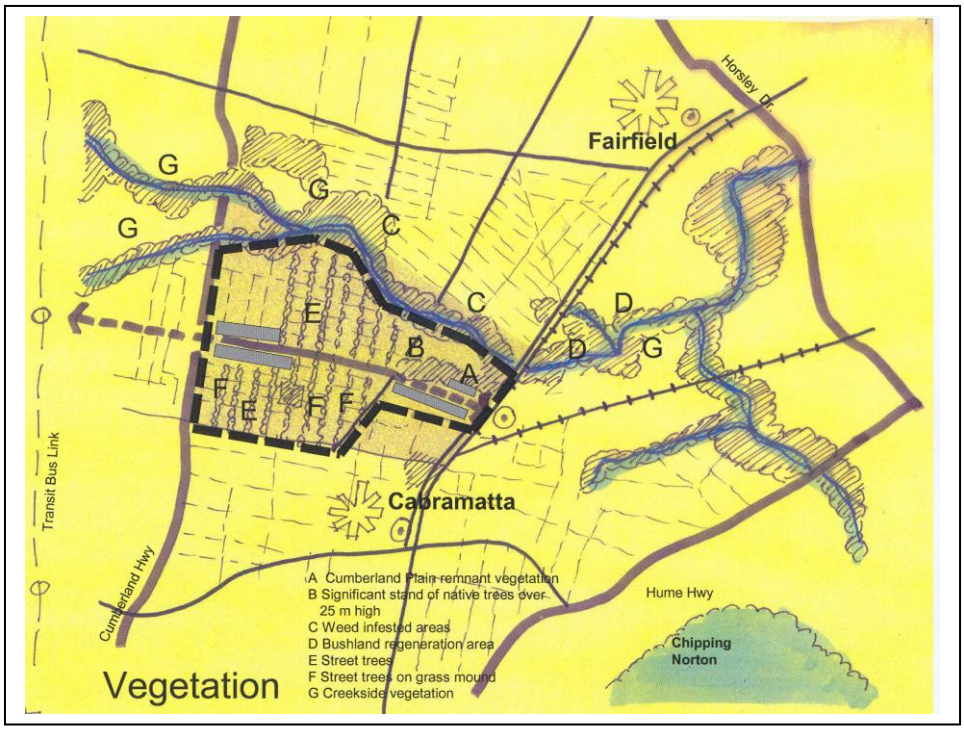


Figure 2.6 Vegetation Map depicting vegetation types in the Canley Corridor

2.9 Pedestrian Access

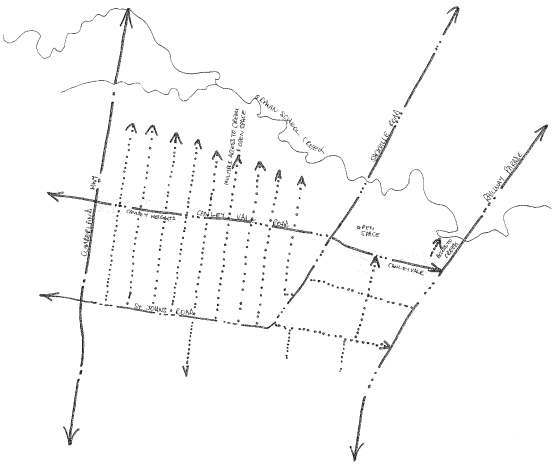


Figure 2.7 Pedestrian Access Map showing access points throughout the Canley Corridor area.

The locality is flat and relatively compact. These factors contribute to making it a good quality pedestrian environment, as each local centre is easy to walk around and to and from surrounding residential areas. The pedestrian domain shows the pedestrian pathways currently available. 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.

Redevelopments, which promote the creation of service laneways, will need to take into account potential conflicts between vehicles (including service vehicles) cyclists and pedestrians. Each of the centres have good links to surrounding areas, such as creeks and open spaces, along with walking to Cabramatta town centre, along Canley Vale Road and also along the Cumberland Highway.

2.10 Public Transport

Access is available to the Sydney Central Business District and other subregional centres via Canley Vale Railway Station. A bus service along Canley Vale Road feeds the railway station with an east-west based route.

Figure 2.8 Public Transport Map showing all bus transport routes throughout the local suburbs surrounding the Canley Corridor

2.11 Road Hierarchy and Parking

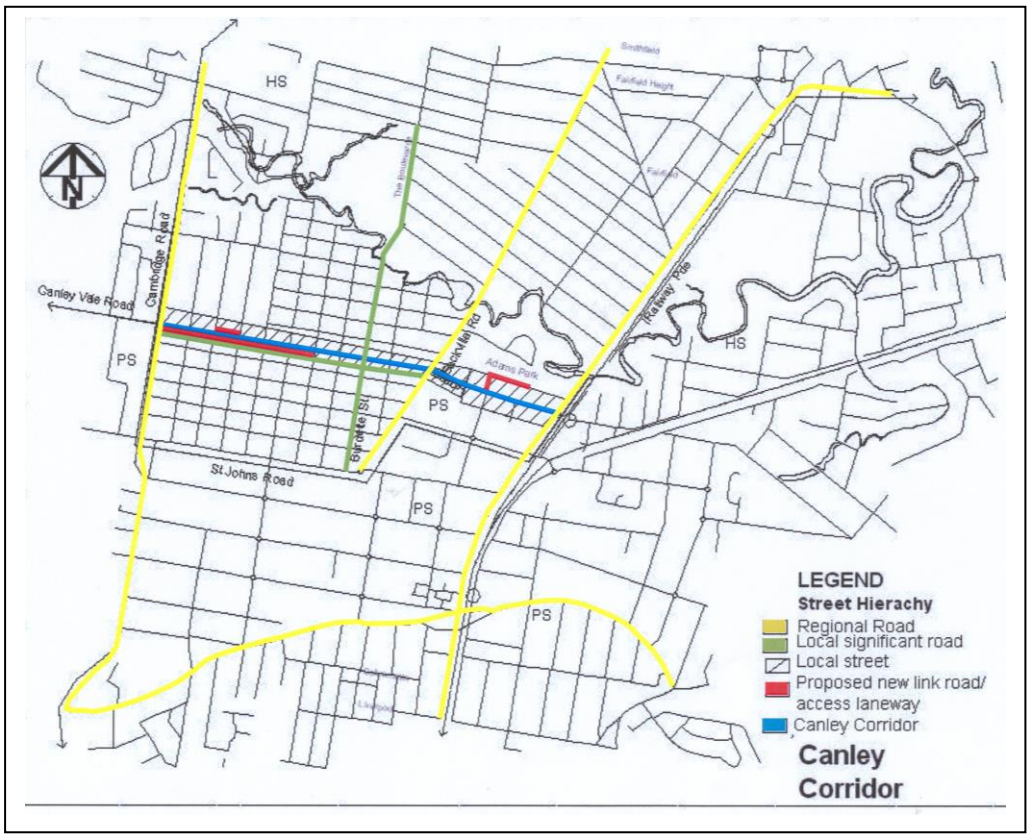


Figure 2.9 Road Hierarchy Map showing all major roads in the Canley Corridor

The local centres of Canley Vale and Canley Heights have a number of different types of roads, which are classified by the Council Traffic Team. The two centres have a number of Regional Roads passing through them. This provides access to the two centres from other local centres and for people to move through the area with ease.

The three Regional Roads are The Cumberland Highway, Railway Parade and Sackville Road, all of which travel in a roughly north south direction. Canley Vale Road is a Local Significant Road, which runs in an east west direction linking Canley Vale local centre and the railway station with Canley Heights in the west.

2.12 Educational, Cultural and Community Facilities

The provision and funding of suitable community facilities to support the community is important to ensure social sustainability.

The local town centres are supported by:

- Local primary schools either in or adjoining the town centres
- A Baby Health Centre at Canley Heights
- An arts and crafts centre in the heritage building 'Westacott Cottage' at Canley Vale.

The Canley Vale and Canley Heights suburbs contain private halls and facilities that service community interest groups such as the Scouts as well as "for profit" community reception halls.

There is a general lack of publicly owned community facility space in the middle distance suburbs where both Canley Vale and Canley Heights are located.

Figure 2.10 Community Facilities in Canley Heights

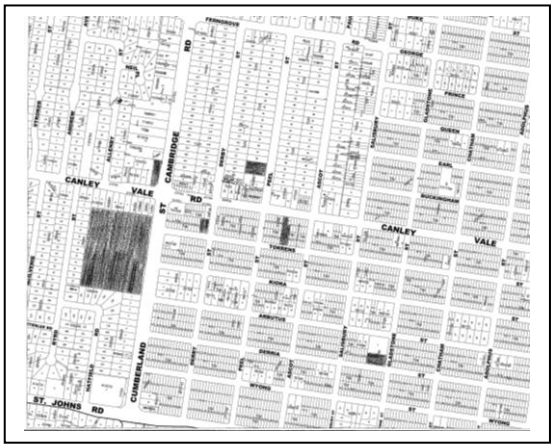
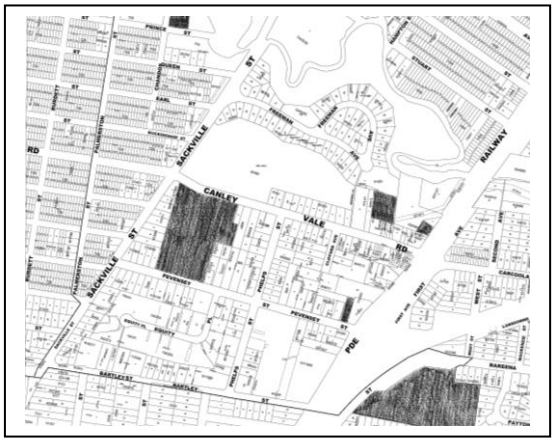


Figure 2.11 Community Facilities in Canley Vale



2.13 Community Safety – Crime Prevention Through Environmental Design.

The principles of Crime Prevention Through Environmental Design (CPTED) seek to reduce the opportunities for crime and anti social behaviour through the design process of building and public spaces. The requirement to consider CPTED as part of the design process has been a legislative requirement for some years now.

Lighting of public spaces is a key issue in any local centre, particularly the lack of lighting under awnings. Greater emphasis needs to be placed on awning lighting to provide greater security to businesses as well as increasing the safety perceptions of pedestrians walking under them.

Developments must illuminate open spaces at all times through the provision of environmentally efficient and robust lighting fixtures that can withstand interference and require minimal maintenance. Materials and finishes to floors, walls and ceilings can assist to reflect light to improve the overall lighting of open spaces and the public domain. Public spaces to be illuminated include car parks, pedestrian links and arcades, common open space and foyers and entry points to residential and commercial buildings.

Crime Prevention Through Environmental Design guidelines must be referred to when designing developments and its application shown. Practical examples of demonstrating CPTED include:

- Ensuring entrances do not provide and concealment opportunities
- Street frontages are active with adequate lighting, no shutters (see through grills are acceptable) to help in greater pedestrian activity at day/night such as window shopping
- Windows provide surveillance opportunities over public spaces and ground floor windows consider the need for security.

3. Vision for Local Town Centres

3.1 Urban Design Principles & Vision for the Built Form

The following Urban Design Principles promote development that is sustainable and which contributes to the social, economic and cultural vitality of the centres:

- New development will enhance and protect the pedestrian realm, public and open spaces within the town centres
- Buildings at the street edge should be designed to retain the human scale of the town centres
- New development is consistent with desired urban form and protects and enhances remaining heritage items, and
- New development integrates sustainable and environmentally friendly building practices that include the promotion of energy efficiency and water sensitive urban design principles.
- New development that incorporates Crime Prevention through Environmental Design strategies of surveillance, access control, territorial re-enforcement and space management to reduce crime opportunities and increase public safety.

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 footpaths and public spaces receive sunlight.

3.2 Objectives for the Canley local town centres

The following objectives have been formulated by integrating:

- The key issues arising from the local context analysis
- The vision
- Urban design principles.

Promote redevelopment of the centre that is economically, environmentally and socially sustainable by:

- Providing commercially zoned land to allow services and facilities for residents and other users of the local town centres
- Requiring the development to make efficient use of resources during the construction and operational phases in accordance with Ecological Sustainability Development principles
- Ensures development is consistent with WSUD principles and minimises environmental impacts on the water cycle during and post construction.
- Allowing residential development that provides a range of housing options retains a high standard of design and is close to public transport.

Provide for high quality open space and public domain areas by:

- Retaining the amenity of key open space and public domain areas ensuring development of adjoining land does not overshadow these areas during periods when they will be intensively used
- Retaining existing trees and promoting provision of additional trees, and
- Encouraging appropriate landscaping of developments that contribute to the appearance and amenity of the development site and adjoining public domain areas.

Encouraging good design and urban outcomes by:

- Permitting land uses that contribute to the development of vibrant and active local town centres, but at a scale that do not impact on the other retail and commercial centres within the City
- Minimising the impact of development on the amenity of adjoining sites and public areas, and
- Providing 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

Ensuring local town centres history is protected by:

- Integrating significant elements of sites listed in Council's Heritage List sensitively into any redevelopment, and
- Ensuring redevelopment of sites adjoining listed heritage sites protects their significance.

Providing for efficient and safe movement into, out of and within the local town centres by:

- Planning for the provision of rear lane access ways to allow for service access and the delivery of goods rather than through Canley Vale Road.
- Requiring accessible car parking throughout the local town centres, and
- Requiring pedestrian and cycle links in developments where they provide for a more permeable and active town centre.
- Encouraging the use of bicycles by requiring the provision of bicycle parking/storage facilities in residential developments and by their provision in the local centres.

3.3 Local Town Centre Planning Strategy

Canley Vale local town centre

The Canley Vale local town centre is located along Canley Vale Road, on the corner of Railway Parade and is adjacent to the Canley Vale railway station. It is characterized by district strip retailing surrounded by residential – both apartments (on the Cabramatta side of Canley Vale) and single residential dwellings. Duplexes are also common in this area.

Canley Vale station is situated in an important railway junction between Fairfield, Bankstown and Liverpool/Campbelltown lines. The Canley Vale town centre has 3.5 metre wide footpaths on each side of the street. Canley Vale shops are a main shopping centre in the Cabravale district. Westacott Cottage is the main heritage item located within the centre and is situated on Railway Parade and is classified as a local heritage item.

Buildings are a variety of styles, heights, sizes and combination of materials and colours and in various states of repair. Many shopfronts and new buildings are not compatible with each other or with the whole structure. Commercial buildings on the north side of the street turn their backs to the sun.

The opportunities for Canley Vale local centre are:

- To optimise the use of public transport facilities
- Expand the public domain at street level and improve the civic character
- Provide development opportunity along the retail strip with buildings stepping back as the height increases

- Putting overhead wires underground along Canley Vale Road
- Open up the area behind Canley Vale Road adjacent to the Orphan School Creek to create new frontages and supporting potential pedestrian reserves
- Improve the vehicular access and movement
- Encourage ground floors as an active frontage, and
- All pedestrian zones to be furnished with hard pavement, public lighting, street furniture and trees for new development enhancing the quality of the existing townscape as well as bicycle parking/storage facilities.

Canley Heights local town centre

The Canley Heights local town centre is located at the intersection of the Cumberland Highway and runs along Canley vale Road in an eastwards direction. The local town centre is characterised by a wide tree-lined street with good solar access. The area has good pedestrian access with 6 metre wide footpaths on each side of the street. The street has two-way traffic on two lanes plus two lanes of on-street parking. Public car parking is distributed throughout the town centre behind the local shops.

The Canley Heights local centre area is well defined by continuous lines of low scale commercial buildings with large setbacks from the main road. Continuous brick and concrete pavement gives a strong urban look that is enhanced by well-established evergreen trees that line the road.

Canley Heights suburb comprises a large section of grid planned residential blocks with a relatively high density of housing. The area has east west and north south roads that form the grid and accommodate blocks in an even distribution. Each block is surrounded by access roads. A typical subdivided lot is approximately 6.7 metres wide and 33.5 metres deep being 224.45 square metres, in both the surrounding residential area and in the local centre.

The opportunities for the Canley Heights local town centre are:

- Include a mix of uses including commercial, residential and car parking
- Maintain the existing building set back and retail frontage
- Improving vehicle access and parking
- Create a signature building on the Cumberland Highway intersection
- Variable building heights and depth along Canley Vale Road to have maximum solar exposure, and
- Provide quality hard pavement, street lighting and streetscape improvements and bicycle parking/storage facilities.

4. Development Controls

4.1 Format of Controls and Assessment Considerations

This Section details precinct based **building envelope controls** and **land use controls**. General controls for development in the local town centres can be found in Section 5: Design Controls.

For development proposals in the local town centres, development and design elements contained in Section 4 and Section 5 specify:

- **Objectives** - the desired planning or development outcome.
- **Controls** - the prescriptive means or way of achieving the 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 DCP and you may choose to satisfy the objectives by complying with the detailed controls.

The objectives and controls that are specific to each of the local town centres are provided under three themes:

- **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.
- **Site Amalgamation -** A development site amalgamation plan is provided to ensure orderly development of land and to guide provision of the new proposed laneways (described as Amalgamated Lot Pattern).
- **Building Envelope -** The building envelope details the height and setback controls for any proposed building. The building envelopes specify the height of the buildings across different parts of the site as well as the setbacks from primary road functions. The building envelopes have generally been formulated to protect the amenity of the public domain spaces and promote high quality residential developments.

Development to the upper limit prescribed in the building envelope is not an entitlement. In order to comply with other controls in Section 5, such as open space or heritage item controls it may be necessary to provide larger setbacks or lower building heights than are permitted in the building envelope described.

Section 5 of the DCP details more generic design controls that apply in both centres.

Alternative solutions that satisfy objectives

This DCP provides flexibility to the applicant and an opportunity for innovative approaches. Where a proposed development seeks to satisfy the objectives in a manner that is not consistent with the controls in either Section 4 or Section 5, written documentation to support the variation must be submitted. In considering any variation, Council will assess if the objectives of the DCP have been met and whether or not satisfying the controls provides for a better development form.

Assessment of development proposals

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.

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

4.2 Site Specific DCP Sites

The sites identified in the amalgamation plans (Figure 4.1 and Figure 4.5) as Site Specific DCP sites.

The sites identified have unique development constraints and opportunities compared to other sites or involve zoning issues, which would need to be resolved. The relevant issues need to be considered in more detail before a building envelope can be determined.

A process for the formulation of building envelopes for these sites has been set out in Appendix 4 to ensure the process is clearly specified and transparent.

4.3 Canley Vale Local Town Centre Controls

4.3.1 Canley Vale Local Town Centre Land Use & Pedestrian Access

Objectives

- To maintain a retail/commercial core in the local town centres that contributes to the on-going viability of the centre
- To maintain interesting, vibrant and safe public domain areas with active frontages
- To ensure the pedestrian connectivity of the centre is maintained and enhanced
- To ensure new development facing Adams Reserve or other public open space has an active use along the street frontage

Controls

(a) **Ground Floor Building Use** - retail or commercial with an active frontage to the primary streets of Canley Vale Road, Railway Parade, Phelps Street, Clifford Street, Fornasier Lane and the proposed new road adjoining Adams Reserve. Residential development is not permitted at Ground Level.

(b) **Building Use on first floor and above, and Pedestrian Access** - Residential development permitted on any level above the ground floor with pedestrian access to the residential component provided from Canley Vale Road with secondary pedestrian access from other side streets. However, in some of the building envelopes there may be parts of the building envelope, located above the ground floor level that will not be able to achieve high levels of direct sunlight. Where the design or orientation means that part of the building does not achieve a high level of residential amenity, Council may require them to be used for non-residential purposes regardless of their location on the site.

(c) **Car parking** – Car parking is to be provided on site and one level of car parking must be provided below ground level (See to Section 5.2.4)

4.3.2 Canley Vale Local Town Centre Site Amalgamation and Vehicular Access

Objectives

- To ensure the orderly development of land
- To ensure that sufficient site width is available to accommodate the development indicated in the building envelopes
- To ensure the new service lanes are provided in an orderly manner.

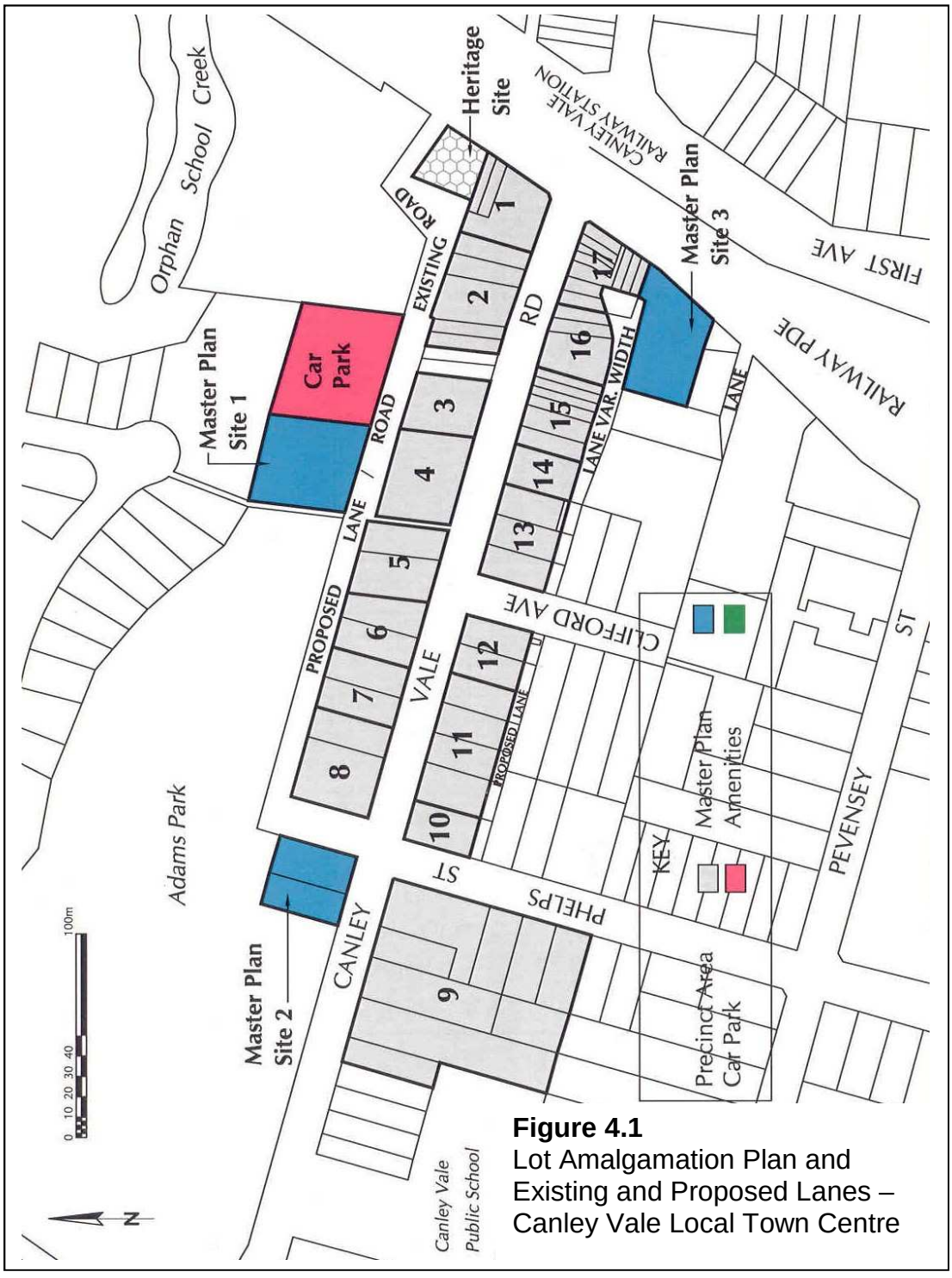


Figure 4.1
Lot Amalgamation Plan and Existing and Proposed Lanes – Canley Vale Local Town Centre

Controls

(a) Site amalgamations - development site must be amalgamated as indicated in Figure 4.1. These site amalgamations are based on:

- A minimum site width of 25m to allow an efficient basement car park for the proposed development without the need for excessive site excavation or parking on the first floor level.
- A desire to have no vehicular access to Canley Vale Road or Railway Parade breaking up the ground floor frontages and impacting on pedestrian and vehicular safety.
- A desire to ensure the lanes are provided in a sustainable and co-ordinated manner.
- A desire to minimise the number of sites that are sterilised from development because the lane network has not been established on adjoining lots or alternate access arrangements have not been formulated.

Site amalgamation width less than 25m - only the two-storey podium part of the development potential described in the building envelope Sub- Section 4.3.3 and shown in Figure 4.2.1 will be permitted to be developed, where the site amalgamation width is less than 25metres.

Alternative site amalgamation patterns - will only be considered if the proposal does not:

- Sterilise adjoining sites from redevelopment in accordance with the building envelopes in this DCP with the applicant detailing how the adjoining land could be developed
- Restrict or limit the creation of any new lane or road proposed in the DCP
- Limit the opportunity for adjoining sites to gain access to any existing or proposed lane or road
- Isolate any adjoining site so that the only access available is to Canley Vale Road

Council may require the provision of a right of carriageway to the benefit of adjoining properties to facilitate adequate access for all lots.

(b) **Vehicular access** – The preferred location for vehicle access is from existing lanes or proposed lanes/roads other than Canley Vale Road or Railway Parade. In cases where access lanes/roads are proposed but not yet created at the time the application is lodged and no alternative street frontage is available Council will permit access to Canley Vale Road in locations indicated in Figures 5.2.1 and 5.2.2 Vehicle Access Denied Maps. If at the time of any application being assessed there is an alternative access point/street frontage to Canley Vale Road/Railway Parade, no access will be permitted to these streets.

4.3.3 Canley Vale Local Town Centre Building Envelopes

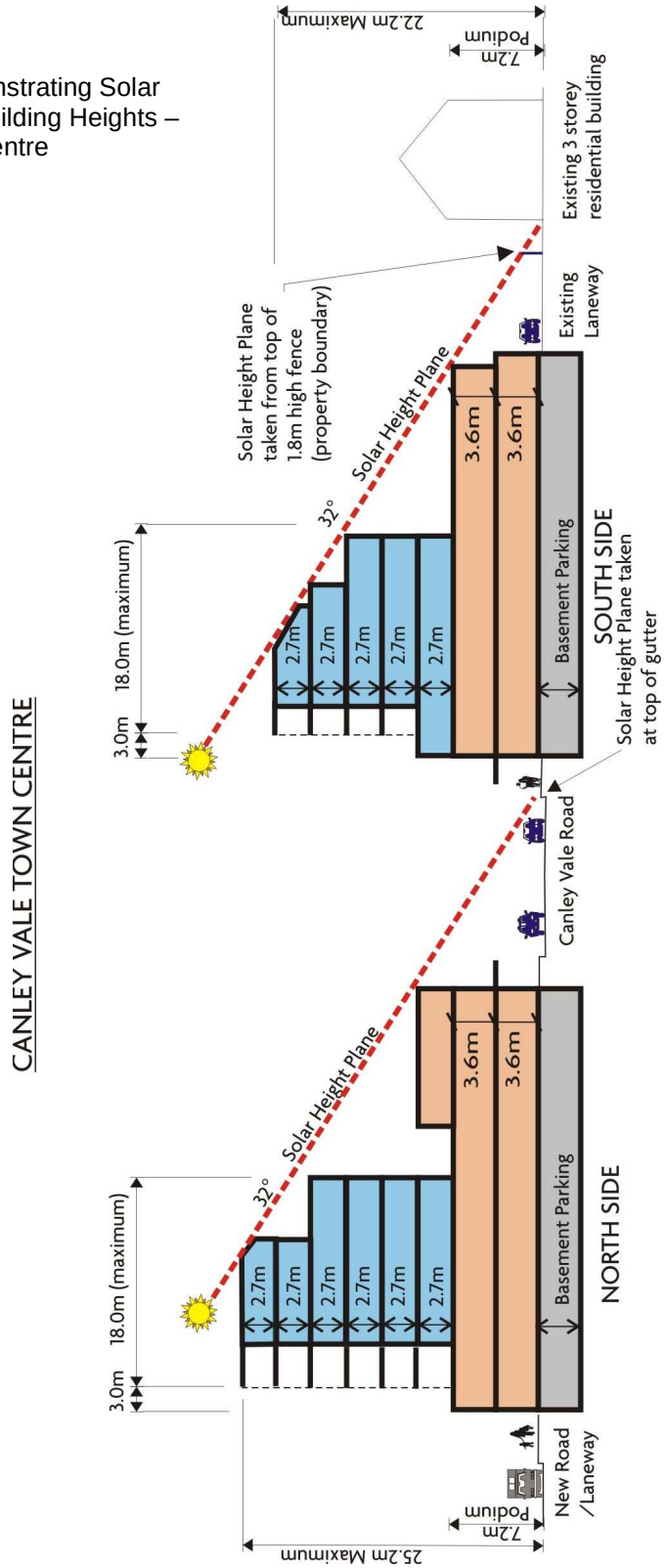
Objectives

- 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 local town centre
- To ensure the building sites are developed taking into account the development potential and solar access of adjoining sites
- To protect the amenity of the public domain areas in the local town centre from overshadowing
- 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 promotes energy efficient design practices
- To ensure development recognises and protects the significance of the heritage items identified in the local town centre

Controls

Solar Access Plane Control - No building shall extend beyond the solar access planes indicated in Figure 4.2.1. This control overrides any of the controls indicated below and the setbacks and building height may need to be amended to satisfy these criteria. In the event of an inconsistency between this criterion and any other control in this Section of the DCP, this solar access plane criterion prevails. **This Control does not apply to Precinct No. 9.**

Figure 4.2.1
Cross Section Demonstrating Solar Access Plane and Building Heights – Canley Vale Local Centre



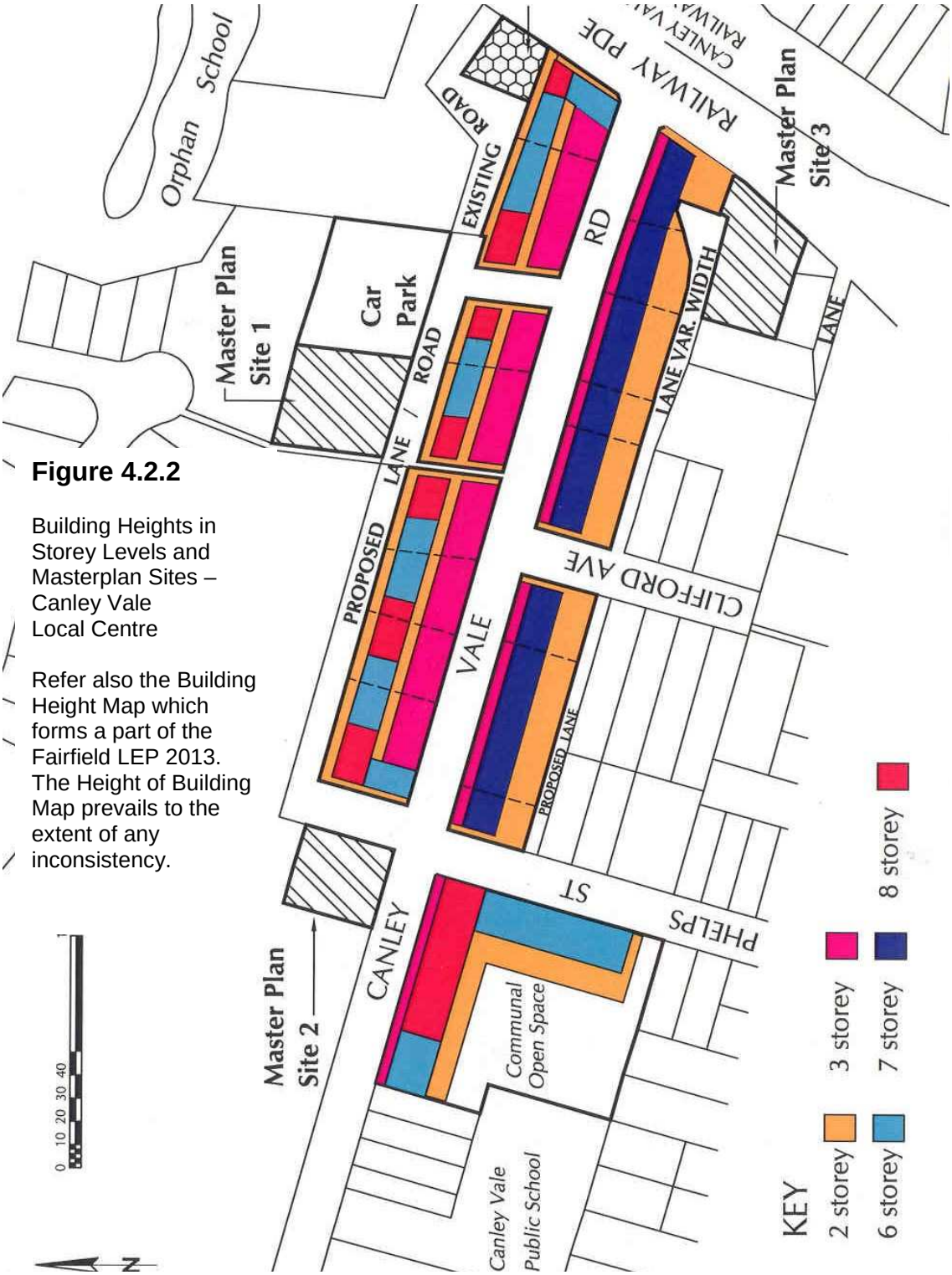
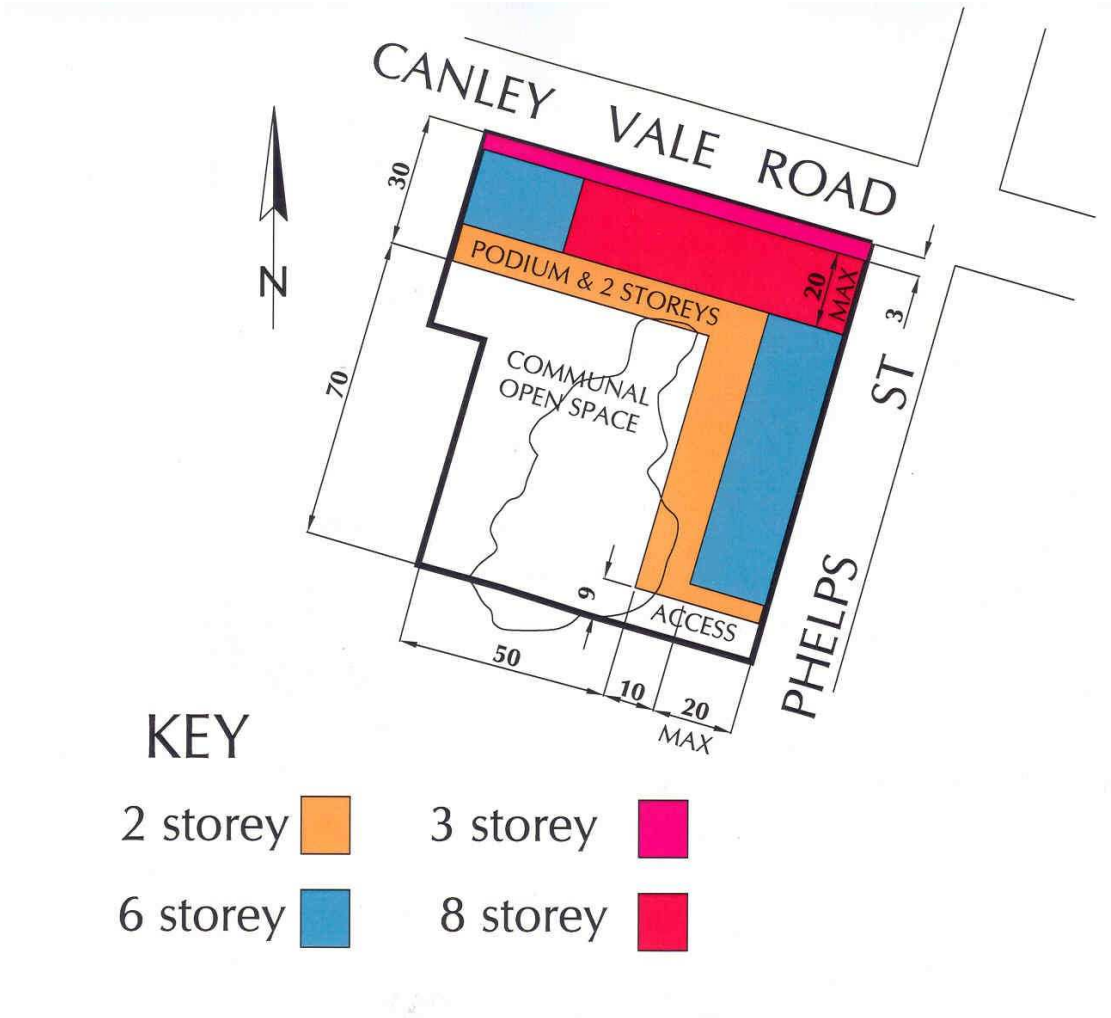


Figure 4.2.2

Building Heights in Storey Levels and Masterplan Sites – Canley Vale Local Centre

Refer also the Building Height Map which forms a part of the Fairfield LEP 2013. The Height of Building Map prevails to the extent of any inconsistency.

Figure 4.3
Amalgamated Lot 9 Building Height Controls and Dimensions –
Canley Vale Local Centre



Note: Refer also the Building Height Map which forms a part of the Fairfield LEP 2013. The Height of Building Map prevails to the extent of any inconsistency.

Controls for the Buildings - Northern side of Canley Vale Road

Maximum Height

Podium Levels (i.e. level 1 and 2) – the roof of the podium is to be no greater than 7.2m above natural ground level. Low walls balustrades, landscaping features, planting beds etc along the property boundaries can extend above this maximum height. See Figure 4.2.1 and 4.2.2

Parts of Building Above Podium (i.e. levels 3 and above):- Within the Solar Access Plane (See Figure 4.2.1) to a maximum of 25.2m with:

- 50% of any tower element of the building not exceeding 19.2m to ensure a stepped built form (See Figure 4.2.2). This is to be tested as follows: on any section drawn for the development (drawn parallel to the Canley Vale Road) no more than 50% of any building the cross section passes through can exceed 19.2m (6 storeys) in height. (See Figure 4.2.1).
- The 8 storey elements being positioned on the corner of any development site to reinforce street corners

Floor-to-Floor Heights – (See Figure 4.2.1)

Podium Levels (i.e. level 1 and 2) - Minimum 3.6m

Floor-to-Ceiling Heights – (See Figure 4.2.1)

Parts of Building Above Podium (i.e. levels 3 and above): - Minimum 2.7 metres. (See Figure 4.2.1)

Depth of Apartment Buildings – The maximum permitted depth of any apartment building from outer wall to outer wall including all balconies (measured perpendicular from the nearest road) is 18m. (See Figure 4.2.1 and 4.4)

Setback - (See Figure 4.4)

- **From Canley Vale Road**:
  Zero setback for Levels 1 to 3.
  For residential levels above Level 2, the required setback to the northern side of Canley Vale Road is determined by the Solar Access Plane with the following zero setback exceptions of up to six storeys as described below:
  - The north western corner of the intersection of Canley Vale Road and Railway Parade for a maximum length of 18 metres beginning at the corner
  - The north eastern corner of Canley Vale Road and the proposed laneway (located opposite Phelps Street) for a maximum length of 18 metres beginning at the corner

- **From all Rear Property Boundaries and any frontage to the new laneway and, Railway Parade and Fornasier Lane and Pedestrian Walkway**
  Podium Levels 1-2 – zero setback
  For residential Levels 3 and above - minimum 3 metre setback

- **From Side Property Boundaries (i.e. any side boundary shared with another property)**
  Zero setback for all levels.

Note: Refer also the Height of Building Map which forms a part of the Fairfield LEP 2013. The Height of Building Map prevails to the extent of any inconsistency**.**

Controls for Buildings - Southern Side of Canley Vale Road

Maximum Height

Podium Levels (i.e. level 1 and 2) – the roof of the podium is to be no greater than 7.2m above natural ground level and must ensure the building is within the solar plane envelope at the rear of the properties. Low walls balustrades, landscaping features, planting beds etc along the property boundaries can extend above this maximum height. See Figure 4.2.1 and 4.2.2

Parts of Building Above Podium (i.e. levels 3 and above):-Within the Solar Access Plane as discussed in the Controls contained within Section 4.4.3 (Solar Access Plane Control) to a maximum of 22.2m (7 storeys).

Except the site on the southwest corner of Canley Vale Road and Phelps Street (Amalgamated Lot 9) where a portion of the site (identified in Figure 4.3) can accommodate a height of 25.2m (8 storeys) with other parts of the site (also identified in Figure 4.3) are permitted a height of 19.2m (6 storeys).

Depth of Apartment Buildings – The maximum permitted depth of any apartment building from outer wall to outer wall including all balconies (measured perpendicular from the nearest road) is:

- Level 3 - 21m
- Level 4 and above – 18m. (See Figure 4.2.1 and 4.4)

Except the site on the southwest corner of Canley Vale Road and Phelps Street (Amalgamated Lot 9) where a 20m building width is permitted for all levels above the podium levels.

Floor-to-Floor Heights – (See Figure 4.2.1)

Podium Levels (i.e. level 1 and 2) - Minimum 3.6m

Floor-to-Ceiling Heights – (See Figure 4.2.1)

Parts of Building Above Podium (i.e. levels 3 and above): - Minimum 2.7 metres. (See Figure 4.2.1)

Setback - (See Figure 4.4)

- **From Canley Vale Road:**
  Zero setback for Levels 1 to 3.
  For levels 4 and above the required setback to the southern side of Canley Vale Road is 3 metres (no balconies will be permitted in this setback).

- **From Rear Lane/Boundary** (i.e. rear property boundary parallel to Canley Vale Rd)

  Podium Levels – In all cases the setback must ensure the building is within the Solar Access Plane control (sun angle taken from top of 1.8m high fence) and otherwise the setback must be a minimum of:
    - Zero between Railway Parade and Clifford Avenue; and
    - 7m (for the new laneway) between Clifford Avenue and Phelps Street. (Figure 4.4)

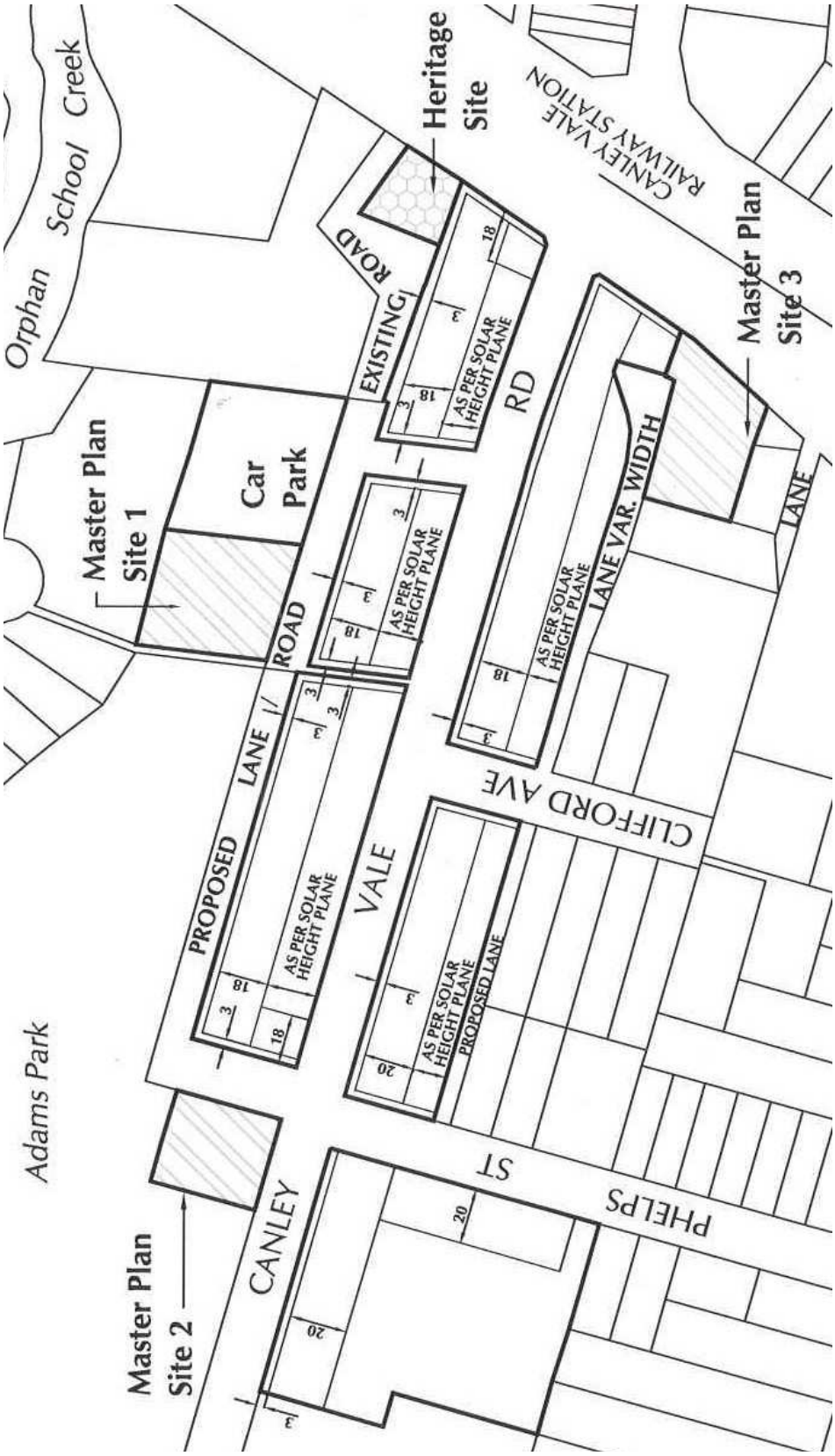
Except Amalgamated Lot 9 where the podium (levels 1 and 2) will not exceed 30m in depth from Canley Vale Road and Phelps street which will determine the setbacks from the rear and side boundaries.

Level 3 and above:
The required setbacks must ensure the building is within the Solar Access Plane control

- **From Railway Parade Clifford Avenue and Phelps Street**
    - Podium Levels 1 and 2 - zero
    - For residential Levels 3 and above a 3 metre setback to the side boundary is required

Note: Refer also the Height of Building Map which forms a part of the Fairfield LEP 2013. The Height of Building Map prevails to the extent of any inconsistency.

Figure 4.4
Building Setback and Dimensions above Podium Canley Vale Local Centre



4.4 Canley Heights Local Town Centre Controls

4.4.1 Canley Heights Local Town Centre Land Use & Pedestrian Access

Objectives

- To maintain a retail/commercial core in the local town centres that contributes to the on-going viability of the centre
- To maintain interesting, vibrant and safe public domain areas with active frontages
- To ensure the pedestrian connectivity of the centre is maintained and enhanced.

Controls

(a) **Ground Floor Building Use** - retail or commercial with an active frontage to the primary streets of Canley Vale Road, Derby Street, Peel Street and Ascot Street. Residential development is not permitted at Ground Level.

(b) **Building Use on first floor and above, and Pedestrian Access** - Residential development permitted on any level above the ground floor with pedestrian access to the residential component provided from Canley Vale Road with secondary pedestrian access from other side streets.

(c) **Car parking** – Car parking is to be provided on site and one level of car parking must be provided below ground level (See to Section 5.2.4).

4.4.2 Canley Heights Local Town Centre Site Amalgamation and Vehicular Access

Objectives

- To ensure the orderly development of land
- To ensure that sufficient site width is available to accommodate the development indicated in the building envelopes
- To ensure the new service lanes are provided in an orderly manner.

Figure 4.5
Lot Amalgamation Plan and Existing and Proposed Lanes – Canley Heights Local Centre

Controls

(a) Site Amalgamations - development site must be amalgamated as indicated in Figure 4.5. These site amalgamations are based on:

- A minimum site width of 25 metres to allow an efficient basement car park for the proposed development without the need for excessive site excavation or parking on Level 1 (Ground floor) and Level 2
- A desire to have no vehicular access to Canley Vale Road or the Cumberland Highway breaking up the ground floor frontages and impacting on pedestrian and vehicular safety
- A desire to ensure the lanes are provided in a sustainable and coordinated manner
- A desire to minimise the number of sites that are sterilised from development because the lane network has not been established on adjoining lots or alternate access arrangements have not been formulated

Site amalgamation width less than 25m - only the two-storey podium part of the development potential described in the building envelope sub section 4.4.3 and shown in Figure 4.6.1 will be permitted to be developed, where the site amalgamation width is less than 25metres.

Alternative site amalgamation patterns - will only be considered if the proposal does not:

- Sterilise adjoining sites from redevelopment in accordance with the building envelopes in this DCP with the applicant detailing how the adjoining land could be developed
- Restrict or limit the creation of any new lane or road proposed in the DCP
- Limit the opportunity for adjoining sites to gain access to any existing or proposed lane or road
- Isolate any adjoining site so that the only access available is to Canley Vale Road

Council may require the provision of a right of carriageway to the benefit of adjoining properties to facilitate adequate access for all lots.

(b) **Vehicular access** - All vehicular access must be provided from existing or proposed rear access lanes (shown in Figure 4.5) or from any street other than Canley Vale Road.

If the proposed access lane has not been fully provided, the applicant must demonstrate that an alternate temporary access to a street other than Canley Vale Road is available for the development to proceed.

4.4.3 Canley Heights Local Town Centre 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
- To protect the amenity of the public domain areas in the precinct from overshadowing

- To ensure the development along rear lanes allows sufficient space for safe and efficient movement by pedestrian, cyclists and vehicles.
- To provide a built form that promotes energy efficient design practices.

Controls

Solar Access Plane Control - No building shall extend beyond the Solar Access Planes indicated in Figure 4.6.1. This control over rides any of the controls indicated below and the setbacks and building height may need to be amended to satisfy this criterion. In the event of an inconsistency between this criteria and any other control in this Section of the DCP this solar access plane criteria prevails.

Figure 4.6.1
Cross section demonstrating Solar Access Plane and Building Heights – Canley Heights Local Town Centre

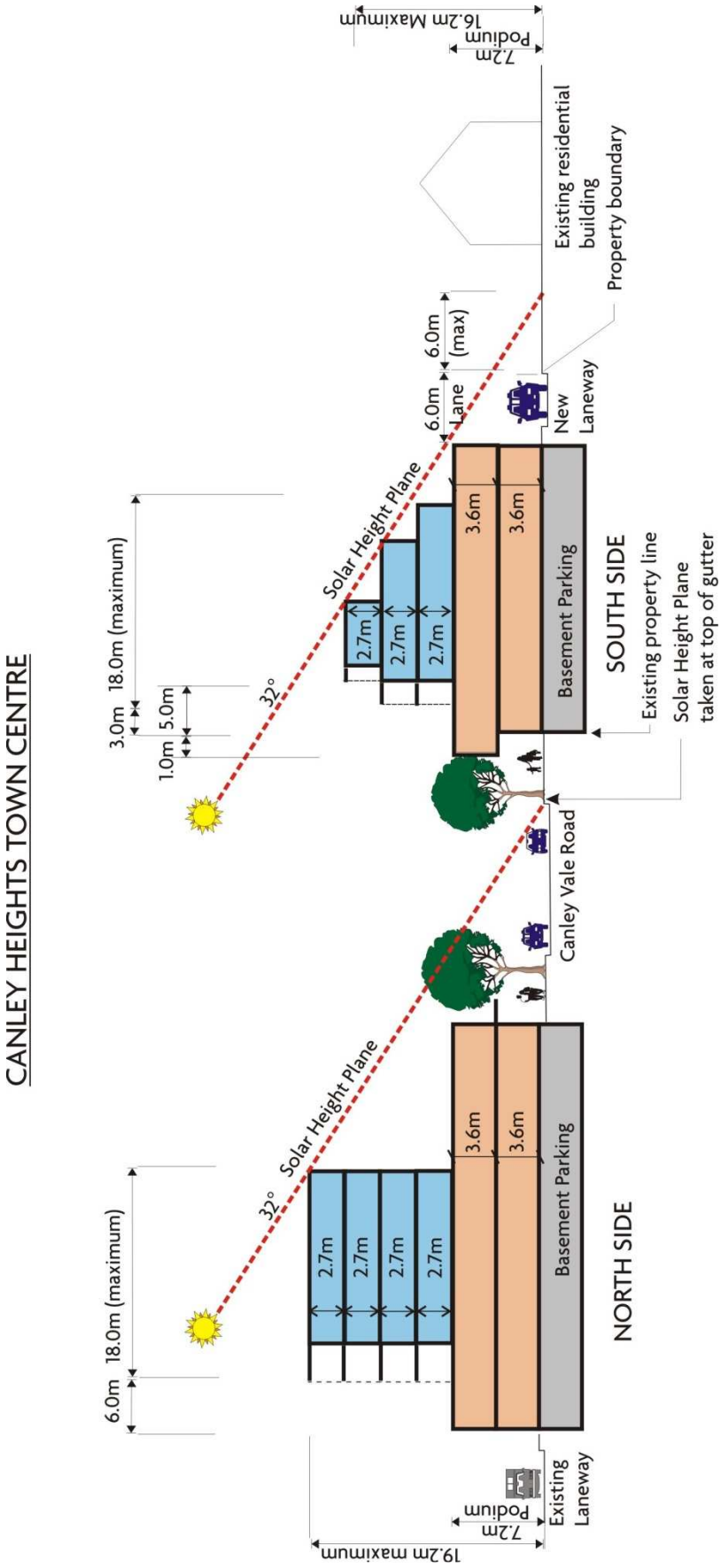
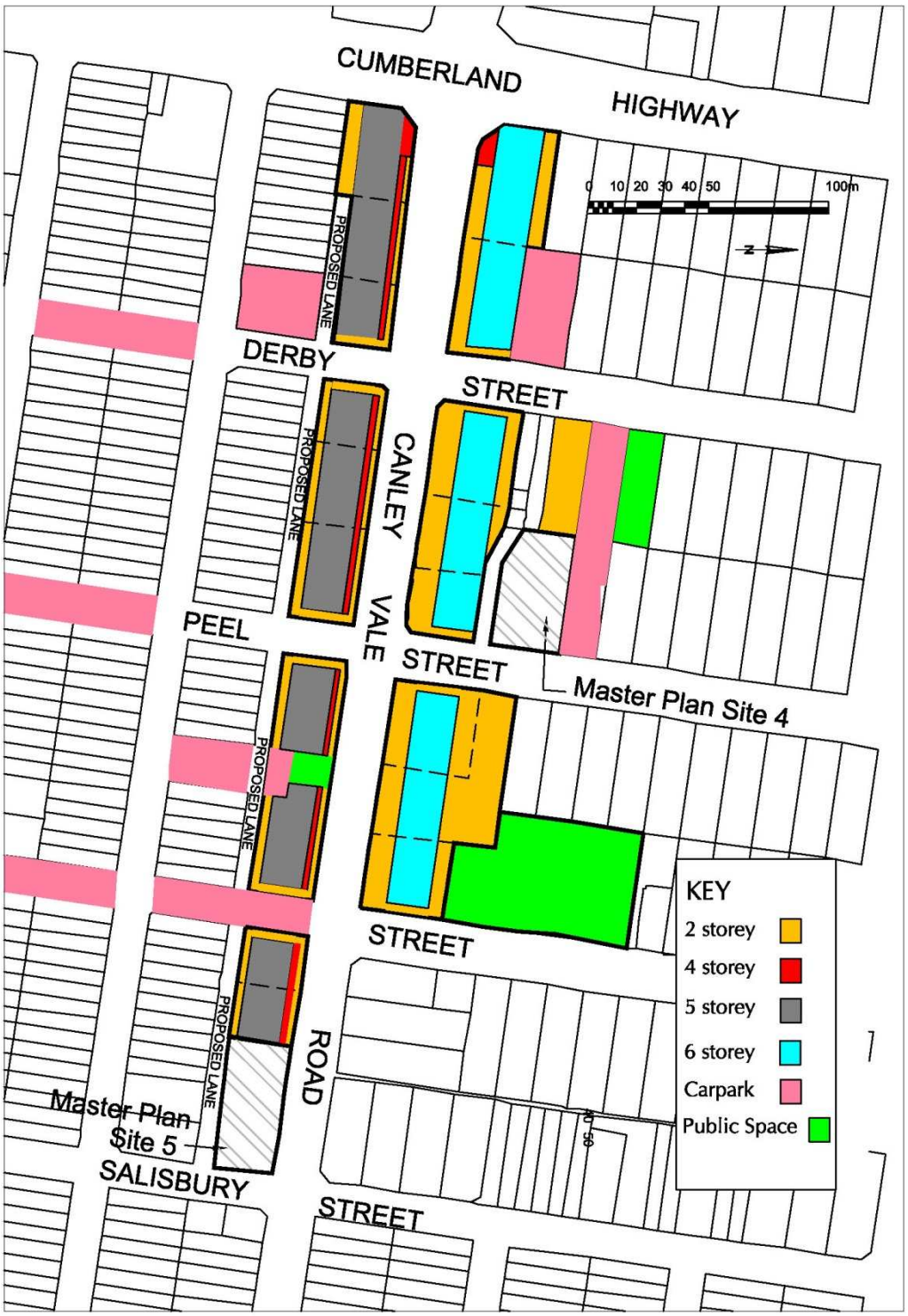


Figure 4.6.2
Building Heights in Storey Levels and Masterplan Sites - Canley Heights Local Town Centre



Controls for the Buildings on the Northern side of Canley Vale Road

Maximum Height –

Podium Levels (i.e. level 1 and 2) - the roof of the podium is to be no greater than 7.2 metres above natural ground level. Low wall balustrades, landscaping features, planting beds etc along the property boundaries can extend above this maximum height. (See Figure 4.6.1 and 4.6.2)

Parts of Building above podium (i.e. levels 3 and above) - Within the Solar Access Plane (see Section 4.4.3 Solar Access Plane Control) to a maximum of 19.2 metres. (See Figure 4.6.1 and 4.6.2)

Floor-to-Floor Heights – (See Figure 4.6.1)

Podium Levels (i.e. level 1 and 2) - Minimum 3.6m

Floor-to-Ceiling Heights – (See Figure 4.6.1)

Parts of Building Above Podium (i.e. levels 3 and above): - Minimum 2.7 metres. (See Figure 4.6.1)

Depth of Apartment Buildings – The maximum permitted depth of any apartment building from outer wall to outer wall including all balconies (measured perpendicular from the nearest road) is 18metres. (See Figure 4.6.1 and 4.7)

Setbacks – (See Figure 4.7)

From Canley Vale Road

- Zero setbacks for levels 1-2 except street numbers 203 – 217 Canley Vale Road (i.e. Lot 1-5 DP 25120 and Lot 52 DP 7225) where the existing building line (setback approximately 2.4-2.7m) must be retained.
- For residential levels above level 2 the required setback to the northern side of Canley Vale Road is determined by the Solar Access Plane with the following zero setback exceptions of up to 4 storeys in the location described below:
    - The north eastern corner of the intersection of Canley Vale Road and the Cumberland Highway for a maximum length of 18m beginning at the corner as shown in figure 4.7 & 4.6.2)

From Rear Property Boundaries (those parallel to Canley Vale Road)
Podium levels 1 and 2 – zero setbacks
For residential levels 3 and above – (see Fig 4.5 and 4.7)
For rear boundaries shared with a residentially zoned property – minimum 6m (Relevant to Amalgamated Lots 1 and 8)
Where the rear boundary is a frontage to a Council Carpark or existing laneway – zero setback permitted (relevant to Amalgamated Lots 2-7)

From any frontage to Derby Street, or Peel Street or Ascot Street

- Podium levels 1 and 2 – zero setback permitted
- For residential levels 3 and above - Minimum 3m

From any frontage to Cumberland Highway

- Zero setback permitted at all levels

Side boundaries (any side boundary shared with another property fronting Canley Vale Road)

- Zero setback permitted at all levels

Controls for Buildings on the Southern Side of Canley Vale Road

Maximum Height

Podium Levels (i.e. level 1 and 2) - the roof of the podium is to be no greater than 7.2 metres above natural ground level and within the solar access height plane. Low wall balustrades, landscaping features, planting beds etc along the property boundaries can extend above this maximum height except where they result in additional over shadowing of properties fronting Torrens Street in excess of any that indicated by the solar access height plane. (See Figure 4.6.1 and 4.6.2)

Parts of Building above podium (i.e. levels 3 and above) - Within the Solar Access Plane (see Section 4.4.3 Solar Access Plane Control) to a maximum of 16.2 metres. (See Figure 4.6.1 and 4.6.2)

Depth of Apartment Buildings – The maximum permitted depth of any apartment building from outer wall to outer wall including all balconies (measured perpendicular from the nearest road) is 18m. (See Figure 4.6.1 and 4.7)

Floor-to-Floor Heights – (See Figure 4.6.1)
Podium Levels (i.e. level 1 and 2) - Minimum 3.6m

Floor-to-Ceiling Heights – (See Figure 4.6.1)
Parts of Building Above Podium (i.e. levels 3 and above): - Minimum 2.7 metres. (See Figure 4.6.1)

Setbacks- (See Figure 4.7)

From Canley Vale Road

Podium Levels 1 and 2

Between Cumberland Highway and Derby Street –
Zero setback permitted both on level and level 2

Remainder of Canley Vale Road Frontage
The existing established front setback is to be retained at level 1 (ground floor level). The existing established building line changes up and down this street but a setback of between 2m and 2.5m has generally been established.

A variation in the existing building line exists at the corner of Derby Street and Canley Vale Road (Lot 5 DP 771346 and Lot 1 DP 589894) where a private car park is currently located in the front setback area. In any redevelopment of this site the adjoining building line setback must be maintained on this site (i.e. approx. 2m).

Level 2 may be canter levered out a further 1m from the level 1 existing building line but the awning must be adjusted to retain the same level of coverage without impacting on the street trees.

Part of Building above the podium (i.e. levels 3 and above See Fig 4.6.1)) (along all of Canley Vale Road)

- Level 3 and 4 -Minimum Setback – 3m from existing building line for level 1 except at the south eastern corner of Canley Vale Road and Cumberland Highway where a zero setback is permitted for 18m from the corner as shown in Fig 4.6.2 and 4.7)
- Level 5 – Minimum setback 5m from the existing building line for level 1.

Setback from Rear Boundary

Podium Levels 1 and 2 – 6 m to cater for the rear laneway except Lot Amalgamation 18 where a zero setback is permitted for the whole site (See Fig 4.5) or a larger setback to ensure the building is within the Solar Access Plane control.

Parts of the Building above the podium (level 3 and above) - In all cases the setback must ensure the building is within the solar access plane control (sun angle taken from point 6m into the adjoining property to the south)

From the frontage to Derby, Peel, Ascot and Salisbury Streets along Canley Vale Road

Zero setback for Podium Levels 1 to 2.
Three-metre setback for Level 3 and above.

From Side Property Boundaries (side boundaries are those perpendicular to Canley Vale Road that are not mentioned above)

Zero setback for all levels.

From the Cumberland Highway

Zero setback for all levels.

Figure 4.7
Building Setback and Dimensions above the Podium – Canley Heights Local Centre

5.0 Design Controls

Design controls directly impact the quality of the local town centre in terms of public enjoyment on the large scale and on the quality of dwelling amenity for residents on the small scale. They also ensure development is planned, designed and constructed in an environmentally sustainable way.

A number of these impacts, detailed in this section of the DCP, include:

- Private and communal open space
- Site access, parking and servicing
- Environmental management
- Design controls.

5.1 Private and Communal Open Space

Balconies form an important part of private open space for each dwelling. The use of balconies for storage and clothes drying often impacts on views gained from the street and other units. Good design can accommodate a range of balcony uses while keeping the appearance of residential flat buildings neat and tidy.

Private outdoor open spaces include areas of paving or planting located at either ground level or above ground level upon podiums, in the form of terraces, balconies or roof top gardens. Communal open spaces allow residents to have access to larger spaces for group celebrations and gatherings as well as build a sense of community amongst residents.

5.1.1 Private open space

Objectives

- To ensure every dwelling has a useable and functional private open space accessed directly from the main internal living space
- To contribute to the articulation and modulation of the building façade through the use of balconies and terraces, and
- To protect the visual amenity of public areas and residents
- To ensure anything stored or any air-conditioners installed on balconies cannot be viewed from the street.
- To encourage the use of rainwater within rooftop open space and internal green spaces

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^2)**	**Minimum Horizontal Dimension (m)**
Less than or equal to $85m^2$	10	2.0
Greater than 85 m^2	15	2.4

b) **Secondary private open space areas/balconies** – Provided where they will contribute to the amenity of the dwelling

c) **Balcony depth** - All balconies should be no deeper than 4m to ensure sunlight penetration into the dwelling.

d) **Balconies recessed** - Balconies are to be recessed and partially enclosed to ensure privacy, and façade articulation. All balconies must be recessed so that they extend no more than 1 metre from the building line and they may not encroach outside the envelopes specified in Section 4.

e) **Balcony siting design** should take into consideration the issues identified in the site analysis and be located, oriented and designed to:
   i. Take advantage of views and any natural features
   ii. Minimise the overlooking of adjoining dwellings, and
   iii. Maximise solar access.

f) **Balcony construction and design** - The design of balconies must:
   i. Be a mix of solid and opaque elements with all balustrades made from a mix of materials so that 75% of the balustrade is solid (not opaque)
   ii. Provide an attractively finished underside, and
   iii. Provide a screened drying area for each dwelling with good access to natural light and ventilation.

Balcony furniture layouts may be requested where in the assessment process there are doubts about the usability of any balcony or terrace.

g) **Balcony environmental protection devices** - Mechanisms to reduce noise impacts from the railway line and the Cumberland Highway such as glass shutters to balconies etc. must be provided. Similar measures to assist in controlling extremes in wind, rain and temperature should also be considered.

h) **Balcony utility services and drainage**
   i. All balconies must be provided with effective drainage (that includes the consideration of installing rainwater tanks) to ensure they do not overflow into internal living areas. Secondary drainage pipes to act as back up must also be provided.
   ii. Drainage pipes and services connected to the balcony must not be visible from the street.
   iii. Primary balconies and terraces that act as the main outdoor living space must be provided with water and gas connection, and
   iv. All balconies must be designed to accommodate air-conditioning units with power and drainage and sited so that air conditioning units cannot be seen from the street.

5.1.2 Communal open space

The optimal location for communal open space is on the podium because:
   i. People may need to pass the access to the open space as part of their journey to and from their unit making accessibility easy
   ii. There is more natural surveillance to protect the safety of people and property in the communal open space
   iii. There are more opportunities to control microclimates through landscaping and increase the amenity of the space.

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.

Objectives

- To ensure every development that contains more than 2 residential units has access to an area of communal open space
- 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.
- To promote natural surveillance for communal open space, and
- To provide areas of soft landscaping and deep soil planting on Corner Phelps Street, and Canley Vale Road (Amalgamated Lot 9, No. 62-74 Canley Vale Road).
- To incorporate Water Sensitive Urban Design principles in communal open space design.

Controls - Podium level communal open space

a) **Communal open space area** - Communal open space with an area equivalent to: 30% of the site area or 200 square metres (whichever is the greater) must be provided on the podium level in one contiguous area in all residential developments.

b) **Communal open space dimensions and siting** - of the required communal open space area:
   i. 50% must be provided in the form of a primary communal courtyard on the podium of a minimum dimension of 8 metres or greater exposed to no less than 3 hours direct sunlight between 9am and 3pm on 21 June.. Where the primary communal courtyard cannot achieve the direct sunlight requirements, a secondary communal open space area on the rooftop with a dimension of 8 metres must be provided.
   ii. 50% of the remaining communal open space must have a minimum dimension of 3 metres.

Ground level communal open space (Applies only to Amalgamated Lot 9, No. 62-74 Canley Vale Road)

c) **Soft landscaping zone** – landscaped communal or private open space must be provided at ground level:
   i. The area of communal open space required will generally be at at least 30% of the site area.
   ii. A minimum of 25% of the open space area of a site must be a deep soil zone.

d) **At-grade car parking** will be considered on this site if permeable paving surfaces are incorporated.

e) **Remnant indigenous vegetation within landscaping** – For Masterplan sites and sites where the building envelopes result in less than 100% site coverage, any remnant indigenous vegetation should be conserved and where possible re-establishment promoted on site with linkages created to any adjoining remnant vegetation.

Controls - Communal Open Space Design – All Sites

f) **Communal open space design** – The 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, and
iv. The design and landscaping should not limit sunlight penetration into dwellings.

Landscaping of all communal areas is to be in accordance with Section 5.1.3 of this DCP.

5.1.3 Landscape design

High quality landscaping helps to integrate new development with surrounding development and improve the amenity of open space for residents and the visual quality of local town centres.

Objectives

- To contribute to local biodiversity
- To maintain and enhance the existing landscape on private land
- To retain existing significant trees
- To maximise the amenity of building occupants in terms of shading, privacy, outlook and air quality
- To reduce the quantity and improve the quality of stormwater
- To create purposeful structured open spaces as part of each development
- To maximise site infiltration through the use of on site storm water detention and permeable surfaces
- To avoid landscaping which obstructs casual surveillance and allows intruders to hide
- To highlight the transition between public, communal and private open space parking and service areas

Controls

a) **Landscape plan** - A landscape plan, prepared by a qualified landscape architect must be submitted with each application.

b) **Plant species** - Use plant material and pavements that integrate the development with the adjoining area. Endemic plant species should be used.

c) **Soil depth** - Provide sufficient soil depth (min 1.0m) over underground garages and landscaped roof areas/podiums to support the growth of medium size species of 2.0 metres or more.

d) **Microclimates** - Use the landscape design as part of the environmental strategy for improving the microclimate around the dwellings. Examples include:
   i. Use native plants or water saving plants
   ii. 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
   iii. 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
   iv. Use evergreen material to enhance visual privacy between buildings
   v. Use the landscape design as part of the stormwater management system that integrates Water Sensitive Urban Design principles, and
   vi. Use porous paving wherever possible.

e) **Transition zones** - Use features such 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) **Sun penetration -** Trees with dense low growth foliage should be spaced or crown raised to avoid a continuous barrier.

g) **Child friendly design** - 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.

Objectives
- To define boundaries between properties with different owners or functions
- To provide privacy by screening views and security by restricting access
- To characterise a place within the built environment by marking the change in landscape
- 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) **Fence and wall articulation** - 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
c) **Fence heights along side and rear boundaries** at ground or podium level shall be a minimum of 1.5 m high
d) **Fence heights 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 designed and constructed to facilitate surveillance of the street.
e) **Retaining wall design** - 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 benches, and seats, planter boxes, public art, barbeques etc.

5.2 Site Access, Parking and Servicing, and Bicycle Storage

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 local town 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

Access for people with disabilities - Comply with the Australian Standards 1428.1 2009 BCA 2011 Part D3 Disability (Access to Premises-Buildings) Standards 2010 Disability Discrimination Act 1992. 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 convenient seating.
v. Provide toilet facilities in accordance with Australian Standards and BCA.
vi. Provide 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 Bicycle Facilities

Excellent cycling opportunities exist along the Orphan School Creek open space corridor for both recreation and movement between places. Bicycle facilities promote the convenient use of bikes.

Objectives

- To ensure that appropriate bicycle facilities are available to permit safe and convenient storage of bicycles

Controls

Bicycle facilities in residential developments - a bicycle parking rack (or racks), that can accommodate 1 bicycle for every 3 residential units must be provided within a secured, sheltered common area. This requirement will be waived if the applicant can demonstrate that each residential unit has sufficient secured storage within the garage for a bicycle and the required number of vehicles.

Bicycle Standards – and bicycle facility or planning must make reference to Section 10 of "Austroads Guide to Traffic Practice, Part 14 Bicycles" and the Australian Standard AS2890.3.

5.2.3 Street Network and Vehicular Access

The preferred vehicular access to sites is as indicated in the control drawings.

Objectives

- To retain the existing street hierarchy of primary streets (Canley Vale Road, Cumberland Highway, Railway Parade) and secondary roads/lanes which provide vehicular access to sites in the local town centres

- To minimise vehicular access to development sites from primary streets
- To provide additional lanes in locations that will improve connectivity of the local town centres and provide alternative access for sites that currently only have a primary street frontage
- To plan for the long-term traffic management needs of the Canley Vale Local Town Centre that includes the development of a loop road system.
- To maximise pedestrian safety and bicycle safety
- To maximise the extent of active frontage along any street, and
- To encourage discrete vehicular access to each site.

Controls

Dedication of land for laneways: The land required for laneways (shown in Figures 4.1and 4.5) will be required to be dedicated to Council as a condition of any consent to redevelop the relevant sites. The construction of the laneway will also be required as a condition of any consent.

Driveway access, design and location must:

i. Be in accordance with Fairfield Citywide DCP 2013 – Car Parking Chapter
ii. Minimise the visual prominence of the drive way when viewed from the public domain or adjoining sites
iii. Minimise transfer of noise and/or vehicle emissions into residential units in the subject and adjoining sites.
iv. Loading/unloading zones must be capable of accommodating at a minimum, a rigid truck which should enter and leave the site in a forward direction.

Access to Sites: In cases where access lanes/roads are proposed but not yet created at the time the application is lodged and no alternative street frontage is available Council will permit access to Canley Vale Road in locations indicated in Figures 5.2.1 and 5.2.2 Vehicle Access Denied Maps. If at the time of any application being assessed there is an alternative access point/street frontage to Canley Vale Road/Railway Parade, no access will be permitted to these streets.

Loop Road Proposal: As development precedes the operation of the intersection of Canley Vale Road and Railway Parade will deteriorate. To ensure adequate access and circulation is maintained a loop road system utilizing the proposed link road will be implemented when traffic conditions justify the change.

Note: A number of properties in Fairfield City are affected by restrictions covering: vehicular access denied (e.g. to a major road or heavy pedestrianised areas where alternative access should be provided as part of a new development), road widening, splay corner (to improve sight lines on corner blocks) and road closure provisions.

These restrictions are updated from time to time based on advice from the RTA and investigations carried out by Council and need to be considered as part of new development. Up-to-date information is relation to the above can be obtained from Council by requesting a Planning (s.149) Certificate.

Figure 5.2.1
Vehicle Access Denied Map of Canley Vale – Locations identified by a dotted line

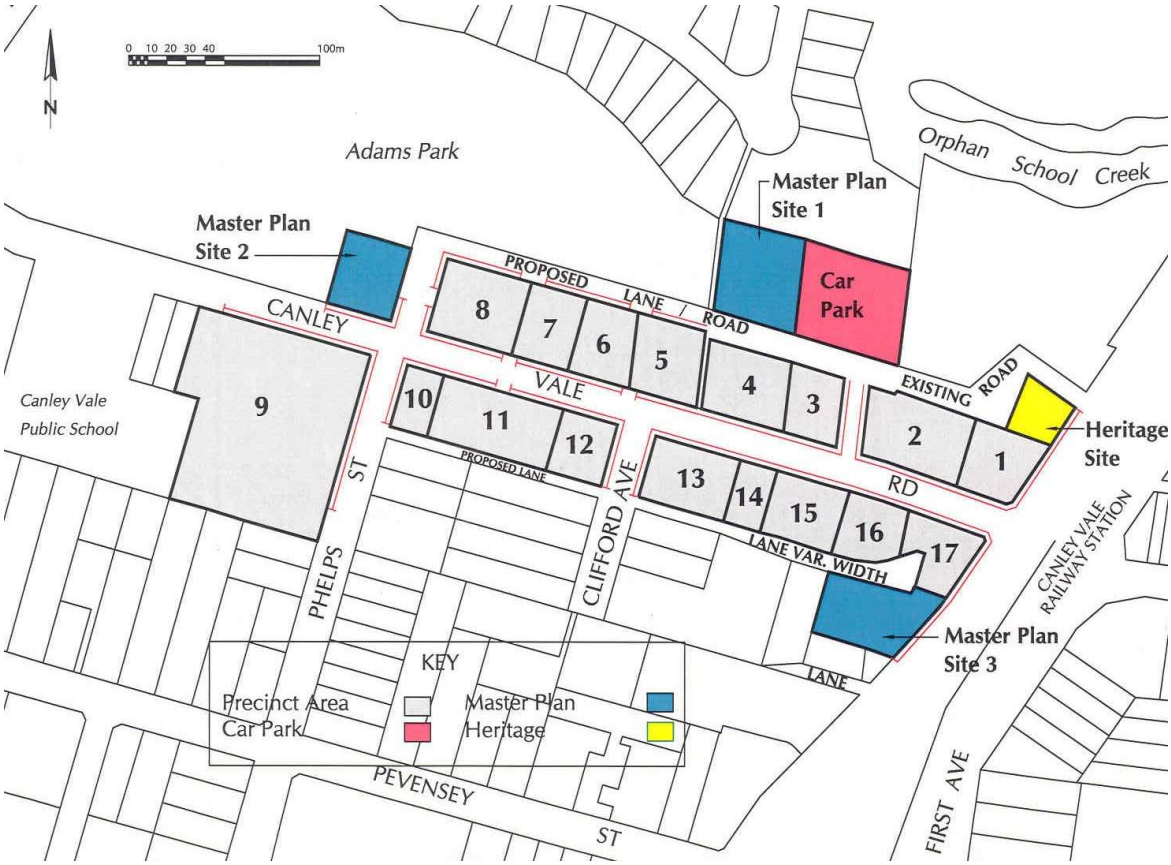


Figure 5.2.2
Vehicle Access Denied Map of Canley Heights – Locations identified by a dotted line

5.2.4 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 water table limits the opportunity to excavate for basement areas.

Objectives

- To ensure the amount of on site 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
- To make most efficient use of land by encouraging basement car parking wherever it is feasible, and
- To design car parking areas with Water Sensitive Urban Design elements such as porous pavers where applicable.

Controls

a) **Car park provision rate** - On–site car parking shall be provided at the rate specified in Appendix 5 of this DCP.

b) **Car park location** - 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 water table levels)

   Council's preference would be for all parking to be provided below natural ground level in a single level basement arrangement but where the required parking spaces cannot be provided in a single level basement, additional spaces may be located above natural ground level.

c) **Screened above ground car parking** - 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.

d) **Car park design** - The design and layout of car parking areas must be in accordance with Fairfield Citywide DCP 2013 Car Parking, Vehicle and Access Management. Chapter.

e) **Car parks and pedestrian safety** - 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.

h) **Water Sensitive Urban Design** – The design of roads and car parks offers opportunities to install best management practice Water Sensitive Urban Design elements for better water quality and quantity outcomes and consideration of these must be demonstrated.

5.2.5 Site Servicing

Development should make adequate and appropriate provisions for site facilities and waste. Their location and their design should minimise impact to the streetscape and minimises opportunities for criminal and anti-social behaviour.

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:
    - Garbage storage and collection areas
    - Loading and unloading areas
    - Ventilation stacks from shops and basements
    - Laundries
    - Telecommunication
    - Electricity sub-stations
    - Fire-fighting equipment
- To ensure the streetscape retains active frontages and the building enhances the visual amenity of the town centre by ensuring the location and provision of services considers the presentation of the development to the street.

Controls

a) **Garbage storage areas** should not be accessible from locations shown as access denied.

b) **Loading areas: In cases where it is not possible to service a rear lane in a manner that does not restrict safe pedestrian or vehicular movement a service (loading/unloading) area must be provided on site**. It should be located adjacent to the secondary lane frontages or 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.

c) **Garbage storage areas must not be visually prominent from the street**. Any storage areas located in proximity to the street must be screened.

d) **Access for service vehicles** to the garbage collection point and any service area is restricted to one point along the site's street frontage, which must be shared with other vehicles accessing the site.

e) **Waste Management** - Refer to section 5.4.8 Waste Management for information on waste storage and collection.

f) **Ventilation stacks** - Utilise ventilation stacks wherever possible to vent shops and basements. The stacks should be integrated into the overall design and not visible from the roof structure.

g) **Laundries** and drying facilities - Individual laundries and screened drying spaces with a single line length of no less than 1.5 metres are to be provided for every unit.

Note: Where feasible a secure communal drying area with a single line length of no less than 2.5 metres, that receives at least 3 hours of direct sunlight between 9am and 3pm on June 21, is to be provided.

h) **Utility availability** - 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

i) **Utility location and screening** - 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.

j) **Safe environment** – Any service or utility area must be well lit and secured for the sole use of building occupiers and be designed using the principles of Crime Prevention through Environmental Design.

5.3 Environmental Management

Fairfield City 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, which has been developed and implemented by the NSW State Government.

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. Stage 1 of BASIX will deal with the first four issues listed above with the other areas to be integrated as the tool develops.

Under Stage 1 of BASIX residential developments will be required to achieve a score of 40 for water, which in practice means the development will potentially achieve a 40% decrease in potable water use during the operation of the development. Energy use within developments must achieve a score of 25 that would result in energy saving measures reducing greenhouse gas emissions by 25%. In 2006, the energy score requirement is expected to increase to 40.

All applications involving residential development must submit a BASIX certificate. Information on how this certificate is obtained is available from the web site www.basix.nsw.gov.au

5.3.1 Solar access, overshadowing and natural daylight

This DCP identifies building envelopes that have been formulated to protect the solar access to important public domain areas. Redevelopments must also provide reasonable access to sunlight for living spaces within existing and proposed buildings, and communal open space areas.

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, Surveyor or a Town 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. The solar access plane as identified in Section 4 will also need to be prepared by a suitably qualified architect.

b) **Access to sunlight is to be substantially** maintained for adjoining sites 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 by orientating living rooms and private and communal open spaces to the north.

d) **Adjustable window shading devices** for sun and glare control for windows facing east and west.

e) **Windows of adequate size, proportion and number** in regard to their solar orientation (increase on north facing walls, decrease on east and west facing walls), function of the room and maintaining privacy between dwellings.

f) **Windows facing south** – Design buildings to allow southern facing windows to use reflected light from external light coloured walls.

5.3.2 Energy Conservation

Objectives

To reduce the 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) **Living areas to face north/northeast** - Face balconies, living rooms, dining rooms to the north and northeast if the orientation allows to maximise solar gain in the wintertime.

c) **Shade windows** to minimise solar gain in the summertime and to allow solar gain during the winter months.

d) **Single aspect units** with a southerly orientation will not be permitted

e) **Service rooms face south** - Locate non habitable rooms such as laundries, bathrooms and kitchens in the southern parts of the buildings

5.3.3 Water conservation

Objectives
To minimise potable water consumption.

Controls
Residential development - 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. Grouping wet areas such as bathrooms, kitchens and laundries to minimize pipe runs
iii. Water use of appliances such as clothes washers and dishwashers
iv. Use of water re-use/recycling systems, and
v. Use of water efficient irrigation methods for landscaped areas.

Commercial and other development – the principles of a BASIX assessment required for residential development must also be demonstrated for commercial and other types of development.

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) A minimum of 60% of residential units must achieve natural cross flow ventilation by:
i. Siting and through the layout of rooms
ii. 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
iii. Avoiding double loaded corridor apartment layouts

b) **BCA ventilation requirements** - All habitable rooms must meet the requirements of natural ventilation in the BCA.

5.3.5 Stormwater management

The urban area of Fairfield City Council is located in the Prospect Creek catchment. Overland flow paths that stormwater uses to drain through the Canley Vale local town centre in particular must be taken in to consideration as part of any redevelopment.

Objectives
To reduce the impact of stormwater on adjoining properties and the environment.

Controls

a) **A stormwater drainage concept plan** must be submitted in accordance with Council's On-site Detention Policy and any Flood Risk Management Study and Plan with each Development Application. Note the requirement for water reuse through rainwater tanks that provide for both on site detention and BASIX objectives.

b) **Impact of development on flooding** - Development must not affect existing overland flow paths, flood paths, flood storage or flood levels on adjoining properties

c) **Soft landscaping zone**– where landscaped communal or private open space can be provided at ground level a minimum of 25% of the open space area of a site must be a deep soil zone.

d) **On-site stormwater detention** must be provided 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.

e) **Floor levels** - Set building floor levels with freeboard of at least 300 mm above the 1 in 100 year flood level (subject to flood investigations, to be submitted with Development Applications), whilst still maintaining accessibility for all users.

f) **Gravity drainage connections** to stormwater system are to be used wherever possible.

g) **Loading and unloading areas isolated from the stormwater drainage system** are required to prevent the entry of contaminants into the system where appropriate.

5.3.6 Material selection

The selective use of materials can do much to help preserve biodiversity and limit the use of resources.

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

Controls
a) Environmentally friendly timber selection - Plantation, recycled or Australian regrowth timbers should be used instead of rainforest and old growth forest timber.

b) Ecologically sustainable friendly material selection - Materials should be selected on the basis of the following criteria:
   i. Contain 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 its "life"
v. Are durable, low maintenance, and non-toxic to the building's occupants, and
vi. Embodied water-use.

5.3.7 Visual and acoustic privacy

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
- To ensure acoustic privacy within and between bedrooms and internal living areas for dwelling occupants and adjoining neighbours.
- To ensure the acoustic design of new development takes into account surrounding existing development and implements appropriate sounds attenuation measures to mitigate any conflict between the existing development and the proposed new residential development.

Controls

Visual Amenity

a) **Minimum distances between windows** – 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 SEPP 65. The guidelines provide for increasing separation as the building height increases. The guidelines suggest the following minimum separation should be provided:
   i. 6 metres between non habitable rooms in adjoining buildings
   ii. 9 metres between a habitable room and a non-habitable room in adjoining buildings, and
   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 Town Centre. Where the building envelopes require a greater separation the building envelope supersedes the guidelines.

b) **Balcony screening** must be provided 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 rear gardens (in designing the layouts this will need to be balanced against other criteria such as solar access).

e) **Lighting within developments** 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 Amenity

f) **Noise transmission BCA requirements** - development must comply with the noise transmission requirements of the Building Code of Australia 2004. Noise transmission must be minimised through the design of internal layouts of apartments and the location of courtyards, terraces / balconies, and openings

g) **Noise impact assessments** must be provided with each Development Application submission. An assessment of the existing and expected future noise levels together with a mitigation strategy must be provided in the noise impact assessment.

h) **Noise attenuation measures** must be incorporated in all new development along the Cumberland Highway, Canley vale Road and Railway Parade and properties in proximity to the railway line.

i) **Land uses/activities noise conflicts minimised** - In mixed-use developments, the design must minimise the transfer of noise between business and commercial activities and residential development by using measures that will address noise associated with:
   i. Goods and service deliveries as well as waste and garbage disposal and collections, particularly if this is occurring early in the morning or late at night
   ii. Restaurants and cafes particularly those operating at night or those with outdoor seating; and
   iii. Extraction fans and air conditioning units.

j) **Land use conflicts between existing and new development** – Noise attention measures must be incorporated into all new residential development proposed near an existing retail/commercial property that generates noise at times or levels not compatible with residential living. An acoustic assessment and chosen acoustic attenuation measures are to be detailed in an Acoustic Report prepared by an Acoustic Engineer or suitably qualified individual.

k) **Air conditioning units** are to be approved and installed in accordance with the requirements of Council.

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 town 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:
   i **Garbage compartment areas** shall:
      i. be provided for each level containing residential units being not less than 1.5m^2 in area for each 6 residential units or part of each additional 6 residential units on that level.
      ii. display posters providing educational material on how to use the system.
      iii. be provided with a loading opening to the garbage chute connected directly to a main garbage room.

iv. 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.

ii **Garbage chutes** shall:
i. have a minimum diameter of 500mm and be constructed to comply with the relevant requirements of the Building Code of Australia.
ii. be provided with manual access for clearing blockages.
iii. discharge directly to a suitably constructed main garbage room housing a bulk waste container or mobile garbage bins carousel.

iii **Garbage rooms** shall:
i. be accessible and cause minimal visual impact, noise, vermin or odour to public and adjoining private spaces.
ii. include adequate space for separation of waste material for recycling.
iii. include separation facilities for waste to be divided into separate waste streams in order to recycle materials
iv. be secured to prevent unauthorised access.
v. utilise ventilation stacks wherever possible to vent the area.

iv **All garbage compartments and garbage rooms** shall:
i. be constructed using materials impervious to water, capable of being washed out to maintain them clean
ii. be supplied with a fresh supply of water and provided with a drain connected to the sewer.

v **Waste separation facilities** must be provided in all kitchens to separate waste at its source.

vi **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:
i. 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 improve the character and appearance of local town centres.

Objectives
- To promote high quality architectural design
- To ensure building design reinforces the desired character of the street
- To ensure the design takes into account the history of the site and the nature and character of listed heritage items in the Canley Vale local centre.

Controls
a) Requirements of SEPP 65 for building design must be followed regarding the design of buildings and the certification of the design process must be satisfied.

b) A Heritage Analysis by a qualified Heritage Architect/Advisor must be undertaken before designing any buildings in vicinity of a heritage item. (See Section 2.7) 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.

c) Attractive building facades - Building should have a clear expression of its different parts, to avoid monotone single plane façades, with:
   i. Blank ground floor walls not permitted along primary streets
   ii. 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 attractive awnings to ensure weather protection to pedestrians.
- To ensure a safe and secure environment for pedestrians through the provision of awnings that 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 of awnings on Heritage Listed Properties maintains the heritage significance of the site

Controls
a) **Awning design and location** - Where there is an active frontage an awning must be provided and must wrap around corners on street corner buildings. Awnings must be provided in modules to match building frontages. Breaks in a continuous run of awnings will not be permitted. Awnings should be complimentary to each other.

b) **Awning dimensions and height** - 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. All awnings shall be cantilevered from the buildings with a minimum height to its underside of 3.3 metres.

c) **Under awning lighting** must be provided to facilitate night use as well as improve public safety.

d) **Ensure all awnings are structurally sound and safe** and comply with relevant BCA requirements

e) **Carry out regular maintenance or repair work** to awnings and their stormwater disposal systems e.g. painting, repairing any leaks, etc

f) **An Awnings Maintenance Plan** is required to be submitted with all Development Applications 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 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."

g) **Awnings associated with Heritage Items** as specified in Schedule 5 of the Fairfield Local Environmental Plan 2013 must comply with Clause 5.10 Heritage Conservation of the Fairfield LEP 2013.

5.4.3 Active street frontages

Active street frontages are critical to the viability and vitality of local town centres 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 activities along the street
- To enhance the retail and commercial viability of the local town centre
- To allow access to other uses whilst retaining the continuity of the retail frontage
- To promote community safety and crime prevention.

Controls
a) **Where access** is shown as being denied in Fig 5.2.3 an active frontage must be provided.

b) **Active Retail/Commercial street frontages** - The façade treatment and design of ground floors in all buildings must ensure an active frontage is provided. The design/treatment of the ground floor facades must:
   i. Avoid blank or solid walls and the use of dark or obscured glass on street frontages
   ii. Maximise glazing for retail uses, with the glazing being broken into sections to avoid large expanses of glass;
   iii. Provide direct access from the footpath to the shop
   iv. Wrap shopfronts around any street corner
   v. Have manual inward opening or automatic sliding doors
   vi. Ensure all commercial uses are internally oriented to the street to provide casual surveillance

vii. Ensure all under awning areas are well lit
viii. Provide see through security shutters to promote nighttime viewing into premises.

c) **Ground floor entrances and foyers in local town centres** - 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 between 2 and 3.5metres wide.

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.
- To ensure entrances of building do not fragment activity along retail and commercial streets
- To ensure entrances do not provide concealment opportunities

Controls
a) **Building entrance legibility** - Entrances should be visible from the street, easily recognisable through design features and directional signage and be well lit. Separate the street address for retail uses from residential and commercial uses within each building. Each building entry should clearly state the address of the property and the unit numbers accessed from that entry.

b) **Building entrance width for servicing** - 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.

c) **Non recessed and recessed entries** - Entries to shopfronts must not be recessed but entry spaces to residential and commercial activities and foyers may be recessed but should limit concealment opportunities.

d) **Dwelling legibility** - Each individual dwelling should be clearly numbered and unit numbers should be clearly provided on each level.

5.4.5 Materials and Finishes

Materials and finishes used in building design can do much to create a positive image for a local town centre, help in the creation of a pleasant microclimate and reduce long term maintenance costs for the future owners and occupants of buildings.

Objectives
- To use materials which reinforce building proportions and façade articulation
- To ensure colours and materials contribute to an aesthetic character for the local town centres
- To ensure colours and materials are in sympathy with any adjoining heritage items.
- To promote materials and finishes that reflects light to improve the overall lighting of open spaces and the public domain.

Controls

a) **Building material and colour selection** - 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) **Building material and colour selection near heritage items** - For 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 shall specifically comment on these matters.

5.4.6 Residential unit mix, area and room size

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 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 meet the needs of the occupants and their changing needs over time.

Controls
a) Residential unit mix - 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 be 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) Residential unit dwelling size - The Residential Flat Design Code provides examples of appropriate unit sizes that will be used to assess the appropriateness of unit size proposed in any development.

c) Residential units for disabled or elderly users – Developments must provide dwellings that are able to be adapted for disabled or elderly users at the following rates:
   i. 0-10 dwellings – 1 adaptable dwelling
   ii. 11 + dwellings – 5% of total number of dwellings (to the nearest whole number)

d) Adaptable housing design - 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 to meet the storage needs of occupants.

Objectives

- To provide storage space within each dwelling for household items as well as within each building for larger items such as recreational, sporting and hobby equipment
- To keep balconies free from items that can be stored conveniently elsewhere

Controls

a) **Storage space for dwellings** - 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. Three+ bed apartments - 12 cubic metres.

b) **Storage space in dwellings** - At least 50% of this storage must be provided within the dwelling.

c) **Storage space outside of dwellings** - 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

Occupants and users of all types of developments must be encouraged to feel safe to ensure a vibrant local town centre and neighbourhood.

Objectives

- To ensure the design of any building provides a safe environment for occupants/ users of the buildings in the local town centre and the safety of those in the public domain
- To ensure the design of buildings discourages criminal activity

Controls

a) **Public and private domain definition** - 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) **Safety surveillance in and around buildings** - Casual surveillance opportunities for common internal areas such as lobbies and foyers, hallways, recreation areas and car parks should be provided by:
   i. Orienting living areas with views over public or communal open spaces
   ii. Providing clear lines of sight between building entrances, foyers and the street
   iii. Allowing balconies which protrude beyond the building line by no more than 1metre and enable a wider angle of vision to the street
   iv. Using corner windows, which provide oblique views of the street
   v. Providing graded illumination to car parks and illuminating entrances higher than the minimum acceptable standard

vi. Providing well-lit routes throughout the development and energy efficient illuminated common areas.

c) **Secure access** - Access to all residential 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
   v. Controlling car park access from public and common areas.

d) **Crime risk assessments**, consistent with the Department of Infrastructure, Planning and Natural Resources (DIPNR) *Crime Prevention and the Assessment of Development Applications* guidelines, are to be carried out for all residential developments of 20 or more new dwellings and submitted to Council.

5.4.9 Signs and advertising in local town centres

Signs play 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 local town centres should be integrated in to the design of the new buildings

Objectives
- To ensure that signs adds to the visual quality of the streetscape
- To ensure that signs are in keeping with the development in their scale and quality.

Controls
All signs must comply with Fairfield City Council's Citywide DCP 2013 Appendix C and SEPP No. 64 (Advertising and Signage)

6. Public Domain Issues

6.1 Urban Art

Urban 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

Urban 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.

Public art is encouraged to link sustainable water management in public open space with a water focus and use or reuse of stormwater in some way. This is particularly relevant with the close proximity of Orphan School Creek to the Canley Vale local centre and the water quality being affected by both town centres.

Objectives

- To ensure public art is provided in a manner that is integrated into the development and planning framework established in this DCP.

Controls

a) Public art must be provided in accordance with the themes and guidelines provided for public art in the Canley corridor local town centre DCP in appendix 6.

6.2 Outdoor Dining

All Outdoor Dining activities must comply with the requirements of Council's Outdoor Dining Policy 2013

6.3 Public Footpaths

Footpaths provide a safe means for pedestrians to move about the town centres and access local business and premises. Attractive, well maintained, and clean footpaths do much to help create a positive image for a town centre.

Objectives

- To ensure the public footpaths in the local town centres provide a safe pedestrian environment for residents, businesses and other users of the centre.

Controls

Pavement reconstruction – pavements will be re-constructed in front of any development site in accordance with any Council specifications.

7. The Development Application Process

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

Appendix 1 Definitions and Explanations

Access Denied	Vehicular access is not permitted across a property frontage designated as "Access Denied"
Active frontage	An active frontage is a frontages that: • Permits views from the building to the street and vice versa from the street into the building • Promotes activities that provide displays of goods visible from the street or views into restaurants or services businesses where people passing by can see people undertaking the activity in the building.
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.
BASIX	Introduced as part of the NSW planning system, BASIX (the Building Sustainability Index), is a web-based planning tool that measures the potential performance of new residential dwellings against sustainability indices. Each development application for a residential dwelling must be submitted with a BASIX Certificate. A Certificate is issued once a BASIX assessment has been satisfactorily completed, using the on-line tool.
Building Envelope	A *building envelope* 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.
Building Height	Means the height of the building as measured from ground level to the highest portion of the structure (i.e. up to the ridgeline if the roof is pitched), including parapets, fins or other architectural features

CPTED	Means Crime Prevention Through Environmental Design – it is a strategy that aims to reduces crime opportunities by increasing the reality or perception of risk to offenders, increasing the effort required to commit crime, reducing opportunities for excuse making and reducing the likely rewards of criminal behaviour. CPTED strategies fall into 4 broad categories; surveillance, access control, territorial reinforcement and space management.
DCP	Means Development Control Plan
Existing Ground Level	Means the level of the site as if no development has taken place.
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 level immediately above the subject level.
Floor to Floor Height	The Floor-to-floor height for any level of building is the distance between the floor of the subject level and the floor of the level immediately above the subject level.
Heritage Item	Means a building, work relic, tree or place identified as being of heritage significance in the Fairfield Local Environmental Plan 2013
Heritage Significance	Means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.
LEP	Means Fairfield Local Environmental Plan 2013
Level (building)	Means the floor to ceiling space of each storey of the building and each building level begins from the natural ground at level 1 (Ground floor) i.e. Level 1 = Ground Floor Level 2 = First Floor
Office Premises	Means a building or place used for the purposes of administration, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Primary Street Frontage	A Primary Street Frontage is any boundary that fronts onto a Regional Road, Local Significant Road or Local Road as identified in Street Hierarchy in Fig 2.11 of this DCP.
Public Building	Means a building or place used as an office, community service, or business by a public statutory authority or an authority established for public purposes.
Public Space/Public Domain Streets	Means an area or place which is accessible to the public and is designed to enhance public amenity and includes landscaped areas, plaza's, courts, public art, pedestrians areas and the like.
Shop	Means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.
WSUD	Water Sensitive Urban Design
Zero Setback	Means the external building wall is built along the property boundary (or another identified boundary such as the existing building line as is the case in the Canley Heights Local Centre)

Appendix 2 Change of Use Applications

Introduction

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

For example:	Clothing Retail Shop	➔ Photo Printing Shop
	Bargain Shop	➔ Café
	Grocery Shop	➔ Restaurant

A Development Application (DA) may be required for each change of use depending on:

- The impacts of the new use
- To need to upgrade premises for fire safety or hygiene and public health.
- Whether the proposed change of use is exempt or complying development which meets the criteria set out in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, also known as the CODES SEPP.

A Development Application may not be required where:

- The use being proposed is the same as the previous approved use
- The use being proposed is similar to the previous approved use.
- The use is exempt or complying development.

Council will confirm if a Development Application is not required if it receives a letter containing information describing what kind of business is proposed if it is the same or similar to the previous use or if a fire safety, hygiene or public health upgrade is not necessary.

General information required

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 being occupied 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.

Delays in assessing "change of use" applications can be avoided if:

- The information checklist is followed carefully
- All the information needed for assessment is provided to Council.

Special requirements for specific uses

(A) Food Shops

Council's **Food Premises Code** provides information on coving requirements, ventilation, 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.

Contact a Council Community Health and Safety Officer to identify any specific additional requirements before preparing a development application.

(B) Hairdressing/Beauty Salons

Premises 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) must be fitted out 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.

Contact a Council Community Health and Safety Officer to identify any specific additional requirements before preparing a development application.

(C) Chemical Use

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 Town Centres, however a **License Agreement** payment is needed for the use of the footpath.

The following information is needed:

- The address of the property where the outdoor dining is proposed
- The number of chairs and tables being used
- Plans showing the location of chairs, tables and width of unobstructed pedestrian footpath
- Certificate of Currency demonstrating the activity is covered with appropriate public liability insurance, and
- A photo of the available unobstructed pedestrian footpath with the tables and chairs laid out.

Council's Policy for Outdoor Dining outlines the submission requirements, and 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 must provide:

- Details of what the display is made of
- Details of the type of goods being displayed
- Details of the total unobstructed pedestrian footpath (in metres) with the display laid out
- A photo of the footpath showing the display must also 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) Signs and advertising

Any new signs or advertising requires Council approval unless it meets the criteria set out in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, also known as the CODES SEPP.
Refer to the NSW Department of Planning and Infrastructure website www.planning.nsw.gov.au

Checklist for "Change of Use" Development Applications

REQUIRED	APPLICANT Yes / No	Office use
COMPLETED 'APPLICATION FOR APPROVAL' FORM * 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		
PLANS **4 Copies of each plan to be provided** All plans submitted will be required to be in a suitable scale and show the position of true north. If there is any **building/construction work** being proposed, Council will require the submission of construction and engineering details including materials used, what is being demolished and what is being proposed. **Note**: Depending on the level of building work a **Construction Certificate** may be required before occupation of the development. Please talk to the Duty Building Surveyor to see if your application requires a CC. **NOTE:** 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.		
SITE PLAN 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.		
FLOOR PLAN 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.		
WASTE MANAGEMENT PLAN 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.		
STATEMENT OF ENVIRONMENTAL EFFECTS (SOE) **Note:** This document is to accompany **ALL** 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 Town 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 * Provide details of any special equipment used and specifications, e.g. Model Number and function. * Number of employees * 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) * Proposed loading/unloading arrangements including what type of delivery vehicle/s will be used and how often these would be frequenting the site? * Amount of traffic to be generated * Proposed parking arrangements and access * 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) * Effect on any residential development in the vicinity * Impacts on the natural or built environment * Any other matters relevant that would assist in the assessment of the application		
MISCELLANEOUS Please refer to the relevant section for further details. ***Outdoor Dining Detail** Note: Only required when lodged together with the "change of use" DA. **Written submission** to Council outlining the number of chairs and tables being used **4 copies of the site plan** showing the location of chairs, tables and width of unobstructed footpath in relation to the premises (drawn to scale) **Certificate of Currency** demonstrating the activity is covered with appropriate public liability insurance **A photo** of the available unobstructed pedestrian footpath with the table and chairs laid out. *** Display of Goods on Council Owned Footpath detail** **4 copies of a Statement of Environmental Effects** indicating what type goods are being displayed, the material of the display and compliance with the *Policy for the Display of Goods on Council owned Footpaths* **4 copies of the site plan** 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) **Certificate of Currency** demonstrating the activity is covered with appropriate public liability insurance **A photo** of the available unobstructed pedestrian footpath		

with the display laid out **Awnings** • An Awnings Maintenance plan is required for Developments which includes an existing awning or proposes a new awning. • 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. • 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. ***** **Signage detail** **4 copies of the site plan** showing the location of the proposed signage in relation to the building **4 copies of elevation plans** showing location of the sign and signage detail i.e. size, colour, wording, material of sign etc. **Statement of Environmental Effects** to make reference to any proposed signage demonstrating compliance with the Fairfield City Wide DCP, Chapter 8.2.2 Advertising. **Pylon signs** will be required to submit engineering detail and construction details **Proposal checked against SEPP No. 64** requirements– Advertising and Signage. **BEAUTY SALONS/HAIRDRESSING SALONS** In addition to the information required above, **4 copies of an elevation plan** showing the materials of the floors and walls, location of hand wash basins and height of the ceiling will be required to be submitted. **FOOD SHOPS** In addition to the information required above, **4 copies of an elevation plan** 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. 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.		

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

Site-specific DCP sites have been selected for one or more of the following reasons:

- They are in single ownership or have a small number of owners with the majority of the lots in the ownership one owner
- They have different planning opportunities and constraints to most other sites in the town centre because their primary frontage is not to Canley Vale Road or the site would require some form of rezoning before a planning framework for these sites can be formulated.

Because of the orientation and nature of these sites there are a number of potential design solutions for these sites.

The objectives 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 design responses that could still achieve Council's objectives for the centre but would not be permitted under these controls.

The Site Specific Masterplan 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 to suited to both the owner and the community.

The controls for Canley Corridor shown in Section 4 identified the following sites as Site Specific Masterplan sites:

Masterplan Site No.	Site Specific Masterplan Sites	Area (sq metres)	Number of Current Owners
1	Rear of block at No. 41 (Lot U, DP 974167 and Lot 1, DP 945978) Canley Vale Road, Canley Vale (2 blocks)	2,580 (approx.)	1
	Masterplan site no. 2 has been removed as the site is no longer required to allow the Canley Vale Link Road to proceed.		
3	No. 123 (Lot 10 DP 826537) Railway Parade, Canley Vale (This site has a Strata Plan)	1,871	14
4	No. 45-47 (Lots 7 & 8, DP 809657) Peel Street, Canley Heights (2 blocks)	1,435	1
5	No. 190-192 (Lots 6, 7 & 8, Sec 35, DP 728, and Lots A & B, DP 344784) Canley Vale Road, Canley Heights (5 blocks)	2,473	2

Note: Refer to Figures 4.1 and 4.5 for location of Masterplan Sites.

Site Specific Masterplan Process

The Site Specific Masterplan 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:

Site Specific Masterplan Process

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 Specific DCP site. 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 Council's website for a minimum of 28 days. The applicant may chose to lodge a development application that complies with the Site Specific Masterplan and have it publicly exhibited at the same time as the Site Specific Masterplan.

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 will be processed in accordance with the EP & A Act 1979 and Council's processes.

The Site Specific Masterplan 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 Masterplan 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 any development application will be considered against the objectives and recommendation set out in the Residential Flat Design Code that supports SEPP 65 and the aims and objectives of this DCP.

The height will be limited to three storeys or ten metres for all Masterplan sites where a Masterplan DCP has not been adopted by Council.

Requirements for a Site Specific Masterplan

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 studies will be specified at the inception meeting.

3. Town Centre Objectives – The Site Specific DCP must still achieve the objectives set out in Sections 3, 4 and 5, and must not prejudice the implementation of this DCP on other sites in the Local Town Centres.

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, 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.

Objectives for each development (Masterplan) 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 local town centre and the objectives for the relevant precinct should be achieved to ensure the Site Specific Masterplan integrates into the wider vision for the local town centre.

Masterplan Site No 1

Masterplan Site No.	Specific Masterplan Site: Development Principles
Masterplan Site 1 Rear of block at No. 41 (Lot U, DP 974167 and Lot 1, DP 945978) Canley Vale Road, Canley Vale (2 blocks)	**Land Use Issue:** • Land use should ensure active frontages are presented to the proposed road and open space • Residential uses should be located so as to minimise nuisance from the existing tavern/hotel or other similar businesses in the locality. **Design Principles:** • Car parking is required to be provided on site. • The adjoining public domain and properties are to receive no less than three hours sunlight between 9am to 3pm on the 21st June. • The height of any development must not exceed the limits of the Solar Access Plane control as described in the DCP. • Flood affectation of the site requires special design and land-use considerations – see Council's **Flood DCP.** • Building separation between residential units on this site and adjoining sites must satisfy the requirements of SEPP65 Residential Flat Design Code. **Access/Movement:** • Any design must include an access lane/road connecting Fornasier Lane and the proposed lane behind Amalgamated Lots 5 to 8. • Pedestrian amenity and safety to be designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles.

Masterplan Site No 2

Masterplan Site No.	Specific Masterplan Site: Development Principles
Masterplan Site 2 Lots A & B DP 35362 Canley Vale Road, Canley Vale – Adams Reserve, adjacent to New Lane (2 blocks)	**NOTE:** Masterplan Site No. 2 has been removed from the Canley Corridor DCP. The site is a Council owned site (part of Adams Reserve) and is no longer required to allow the Canley Vale Link Road to proceed.

Masterplan Site No 3

Masterplan Site No.	Specific Masterplan Site: Development Principles
Masterplan Site 3 No. 123 (Lot 10 DP 826537) Railway Parade, Canley Vale (this site has a Strata Plan)	**Land Use Issue:** • The mix of retail and religious uses may be retained on this site • Residential development if proposed should be located so as to minimise any conflict in terms of noise/congestion/privacy with any religious/temple activities. • Active Ground level use should be retained **Design Principles:** • Car parking is required to be provided on site. • The adjoining public domain and properties are to receive no less than three hours sun light between 9am to 3pm on the 21st June. • The height of any development must not exceed the limits of the Solar Access Plane control as described in the DCP. • The built form on this site must respond to the higher density to the north of up to seven storeys and low density residential development to the south of two and three storeys, any design must include building transition down towards the lower residential to the south. • Building separation between residential units on this site and adjoining sites must satisfy the requirements of SEPP65 Residential Flat Design Code. **Access/Movement:** • Pedestrian amenity and safety to be designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles. • Vehicular access to this site must be from the rear laneway off Clifford Avenue as described in Figure 5.2.1 • Truck movements, loading and unloading must take place from the rear laneway to the north of the property.

Masterplan Site No 4

45-47 Peels Street, Canley Heights
Canley Corridor Local Town Centres – Development Control Plan No 37

The nominated development site has been identified as 'Masterplan Site No 4' – 45-47 Peel Street, Canley Heights. Canley Heights is characterised by residential development. The town 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. The predominant built form in the local town centre is two-storey retail/commercial buildings with retail at ground level and commercial above and service access to the rear.

Precinct-based development controls
Site specific objective/development principles

Land use

Objectives:
Commercial/residential – Height 17.2m:
[See Elevation for diagrammatic representation]

- Ground-floor commercial component to enable services and facilities for residents and other users of the town centre. The commercial component will contribute in reinforcing the character, economics and function of the local area
- Allows for residential development that provides a range of housing options which retains a high standard of design and is close to public transport
- Will provide a safe environment by ensuring that the design minimises the opportunity for crime and provides for natural surveillance of public and communal spaces
- Planning for the provision of lane access to allow for service access and the delivery of goods

Controls:
- Retail/commercial activity permissible at ground and first floor level, with residential above
- Car parking requirements will be in accordance with the Canley Corridor DCP requirements.

Building envelope

Objective:
- Built form/scale to be appropriate to context. Proposal to respect scale of medium density to the south and single storey hall to the north. The building should establish the transition between adjoining properties whilst addressing criteria in SEPP 65 and objectives of DCP 37

Control:

- Inclusion of staggered façade incorporating podium and residential balconies. Setbacks have been determined by the solar access plane as well as design principles which form part of the SEPP 65 and Residential Flat Design Code

Setback requirements as follows:

- Ground Floor (Commercial/Parking) – nil setback to Peel Street frontage. Car parking entry and building base to be staggered
- Podium Level 1 (Residential) – setback minimum 3m from property boundary to Peel Street, 6m to northern boundary, minimum 3m setback to laneway and 3m minimum to rear western boundary (courtyard areas may encroach these nominated setbacks by maximum 2m). Architectural fenestration and façade detailing, including feature blade walls and pergolas, are excluded from the nominated setbacks
- Level 2-4 (Residential) – maintain setbacks as per those specified for Podium – no encroachment permitted for balconies

Maximum Heights: in precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area:1

- Maximum heights to be delineated by a 32 degree solar plane which will enable appropriate levels of solar exposure to adjoining public precincts
- Pitched roof form may incorporate loft-style residential units on upper floor levels
- Podium level will be no greater than 4.0 metres above natural ground level
- Floor to ceiling heights for residential component to be no less than 2.7 metres
- Depth of residential units to be no more than 18m (not including balconies)

Building Separation: Building separation between residential units on Masterplan Site No 4 and adjoining properties must consider the effects on general amenity

- Primary balconies to apartments shall have a minimum depth of 2m
- The western facing walls of the subject sites 5 residential levels shall only be permitted to have small windows, primarily for ventilation and be required to take privacy measures such as frosted glazing, be screened or use some other method to maximise privacy.

Design principles

***Design quality principles outlined in SEPP 65 should be considered and addressed**

- Aesthetics: The architectural quality of the external façade should provide appropriate composition of building elements, textures, materials and colours
- Ensure entrances do not provide concealment opportunities
- Street frontages achieve adequate lighting
- Windows provide surveillance opportunities over public/private spaces
- Incorporate strategies to reduce vandal/graffiti attack along the laneway and street frontage to Peel Street

Site specific design principles:

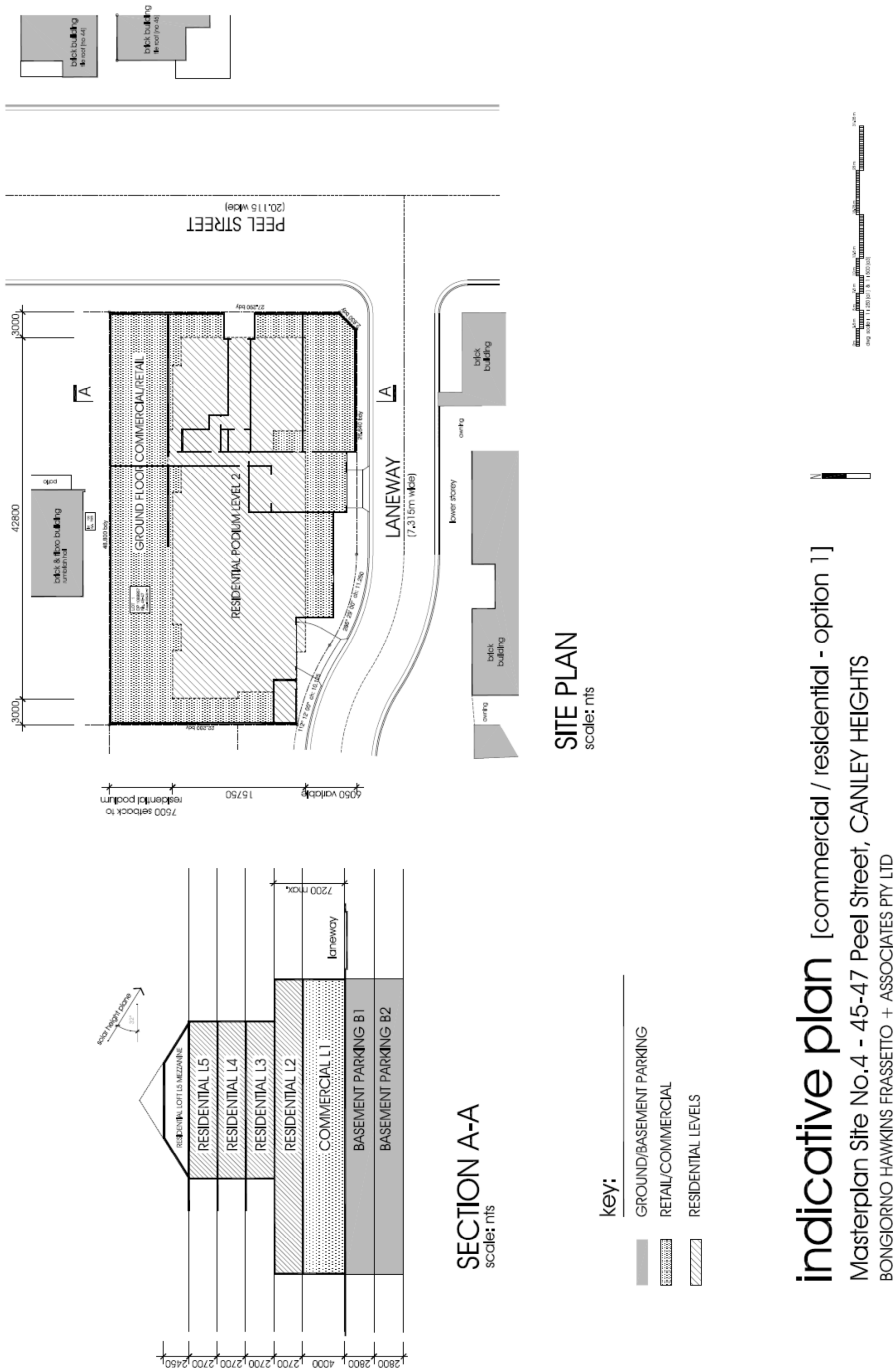
- Car parking is required to be provided on site at the rate specified in Council's parking code

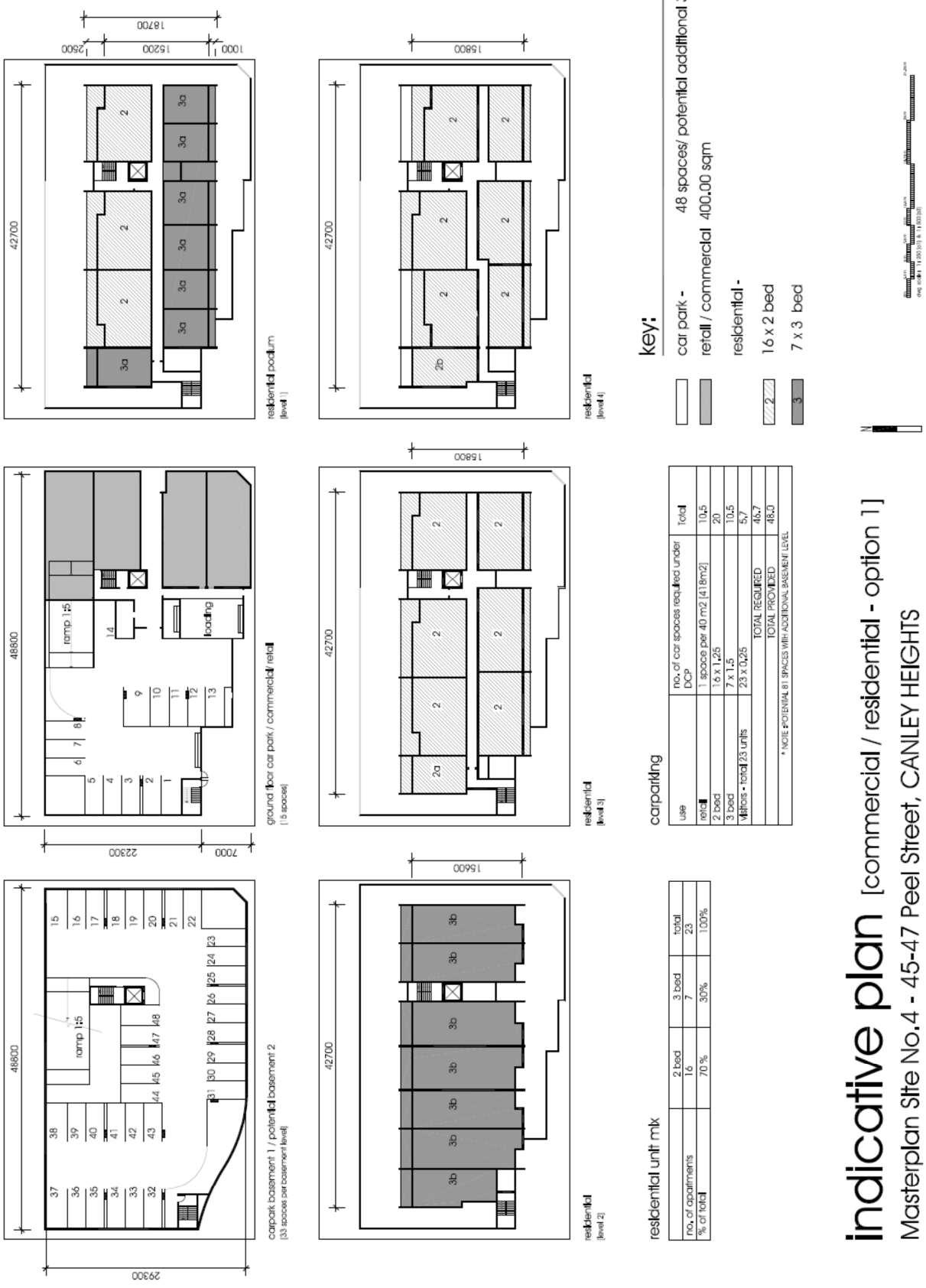
[1] NSW Department of Planning and Environment, Apartment Design Guide, 2015

- An additional level of basement parking may be provided as a 'paid parking' facility to the area. The benefit will be in alleviating on-street parking which is proving to be an escalating problem in the local town centre
- Living rooms and private open spaces for at least 70% of apartments should receive at least three hours sunlight between 9:00 am-3:00 pm on 21 June
- Apartment types should consider the demographic requirements of the area

Access movement:

- Ground Floor Building Use – the integration of commercial use as well as entry points (foyer) to the residential component, will establish an active frontage along Peel Street
- Pedestrian amenity and safety to be designed to incorporate CPTED principles
- Vehicular access is preferred from the connecting side laneway off Peel Street. This will reduce the impact of increased traffic movements along Peel Street
- Truck movements, loading and unloading, will take place from the rear laneway to the south


PEEL STREET
(20.115 wide)
LANEWAY
(7.315m wide)
GROUND FLOOR COMMERCIAL/RETAIL
RESIDENTIAL PODIUM LEVEL 2
brick building
brick & fibro building
lower storey
awning
42800
3000
7500 setback to residential podium
15750
6050 variable
SITE PLAN
scale: nts
RESIDENTIAL LOFT L5 MEZZANINE
RESIDENTIAL L5
RESIDENTIAL L4
RESIDENTIAL L3
RESIDENTIAL L2
COMMERCIAL L1
BASEMENT PARKING B1
BASEMENT PARKING B2
laneway
7200 max.
solar height plane
SECTION A-A
scale: nts
key:
GROUND/BASEMENT PARKING
RETAIL/COMMERCIAL
RESIDENTIAL LEVELS
indicative plan [commercial / residential - option 1]
Masterplan Site No.4 - 45-47 Peel Street, CANLEY HEIGHTS
BONGIORNO HAWKINS FRASSETTO + ASSOCIATES PTY LTD

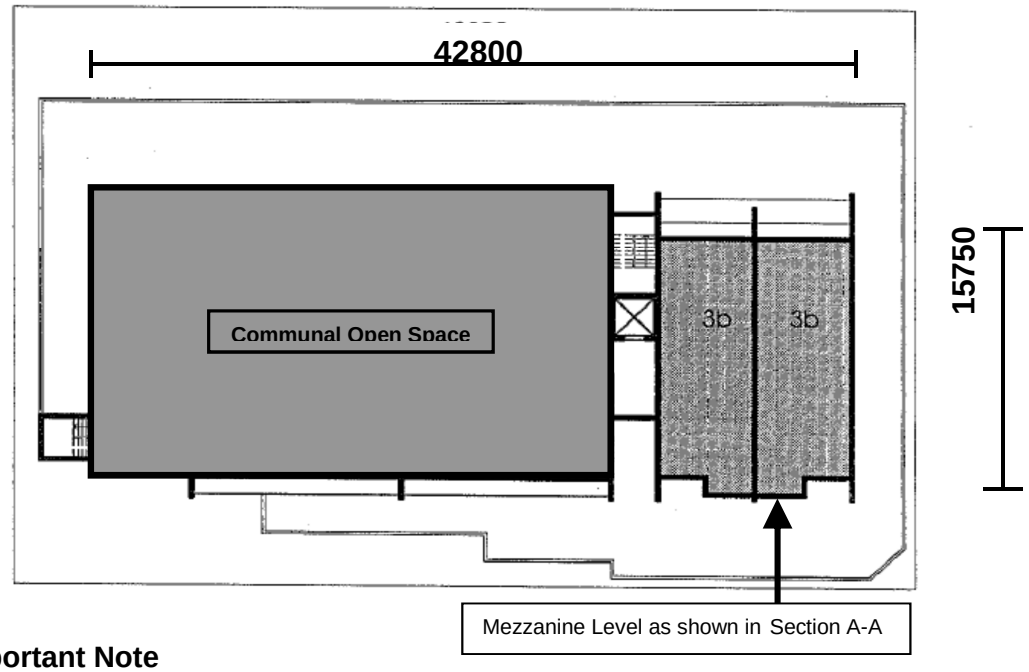


use	no. of car spaces required under DCP	total
retail	1 space per 40 m2 [418m2]	10.5
2 bed	1.6 x 1.25	20
3 bed	7 x 1.5	10.5
visitors - total 23 units	23 x 0.25	5.7
	TOTAL REQUIRED	46.7
	TOTAL PROVIDED	48.0

* NOTE: POTENTIAL 61 SPACES WITH ADDITIONAL BASEMENT LEVEL

	2 bed	3 bed	total
no. of apartments	16	7	23
% of total	70 %	30%	100%

LEVEL 6



Important Note

Should the owners / developers wish to replace this with a new or different version of the Site Specific DCP, any new version should then be assessed against the Specific Masterplan Site No. 4 Development Principles below:

Masterplan Site No.	**Specific Masterplan Site: Development Principles**
Masterplan Site 4 No. 45-47 (Lots 7 & 8, DP 809657) Peel Street, Canley Heights (2 blocks)	**Land Use Issue**: • Retail commercial activity should be limited to the ground floor alone with residential above. • Any proposal to erect solely residential units on this site would be supported by Council if the applicant demonstrated all units achieve a satisfactory amenity. **Design Principles:** • Car parking is required to be provided on site. • The adjoining public domain and properties are to receive no less than three hours sun light between 9am to 3pm on the 21st June. • The built form on this site must suit the location of medium density to the south, which faces on to Canley Vale Road, and single storey hall to the north. Building transition between the two is very important, along with the low level residential to the west. • Building separation between residential units on this site and adjoining sites must satisfy the requirements of SEPP65 Residential Flat Design Code. **Access/Movement:** • Pedestrian amenity and safety to be designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles. • Vehicular access to this site must be from the laneway off Peel Street as described in Figure 5.2.2 • Truck movements, loading and unloading must take place from the rear laneway to the south of the property.

Masterplan Site No 5

Design Principles and Controls apply to 190 Canley Vale Road, Canley Heights - Canley Corridor Local Town Centres – Development Control Plan No 37

The nominated development site has been identified as 'Masterplan Site No 5' –190 Canley Vale Road, Canley Heights.

Canley Heights town centre is characterised by continuous rows of shopfronts along Canley Vale Road with a network of laneways providing secondary access to the rear of the properties. The predominant built form in the town centre is two-storey retail/commercial buildings with retail at ground level and commercial above and service access to the rear. Surrounding the town centre is residential development.

The controls in this site specific DCP replace the building envelope controls set out in Chapter 4 of the Canley Corridor DCP. However, any application will be considered against Chapter 5 of the Canley Corridor DCP.

Precinct-based development controls
Site specific objective/development principles

Land Use

Objectives:
Commercial/residential – Height 16.2m:
[See Section for diagrammatic representation]

- Ground-floor commercial component to enable services and facilities for residents and other users of the town centre. The commercial component will contribute in reinforcing the character, economics and function of the local area
- Allows for residential development that provides a range of housing options which retains a high standard of design and is close to public transport
- Will provide a safe environment by ensuring that the design minimises the opportunity for crime and provides for natural surveillance of public and communal spaces
- Planning for the provision of lane access to allow for service access and the delivery of goods

Controls:

- Retail/commercial activity permissible at ground floor level, with residential above
- Car parking requirements will be in accordance with the Canley Corridor DCP requirements.

Building envelope

Objectives:

- Built form/scale to be appropriate to context. The building should establish the transition between adjoining properties whilst addressing criteria in SEPP 65 and objectives of the Canley Corridor DCP (DCP 37).

Controls:

- Inclusion of staggered façade incorporating podium and residential balconies. Setbacks have been determined by the solar access plane as well as design principles which form part of the SEPP 65 and Residential Flat Design Code

Setback requirements as follows:

- Ground Floor (Level 1) (Commercial/Parking) – 1.7m setback to Canley Vale Road and 1.7m to Salisbury Street frontage. Six metre splay to Canley Vale Road and Salisbury Street. Car parking entry and building base to be staggered
- Level 2 - Podium (Residential) – 1.7 metre overhang from property boundary to Canley Vale Road and 1.7m to Salisbury Street frontage. Architectural fenestration and façade detailing, including feature blade walls and pergolas, are excluded from the nominated setbacks
- Levels 3 - 5 (Residential) – 5.0m setback to Canley Vale Road and 3.0m to Salisbury Street frontage – no encroachment permitted for balconies.

Maximum Heights – in precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area:2

- Maximum heights to be delineated by a 32 degree solar plane which will enable appropriate levels of solar exposure to adjoining public precincts
- Pitched roof form may incorporate loft-style residential units on upper floor levels
- Podium level will be no greater than 4.0 metres above natural ground level
- Floor to ceiling heights for residential component to be no less than 2.7 metres
- Depth of residential units to be no more than 18m (not including balconies)

Building Separation: Building separation between residential units on Masterplan Site No 5 and adjoining properties must consider the effects on general amenity.

- Primary balconies to apartments shall have a minimum depth of 2m.
- The western facing walls shall only be permitted to have small windows, primarily for ventilation and be required to take privacy measures such as frosted glazing, be screened or use some other method to maximise privacy.

Design principles

***Design quality principles outlined in SEPP 65 should be considered and addressed**

Public domain:

- Ground Floor Building Use – the integration of commercial use as well as entry points (foyer) to the residential component, will establish an active frontage along Canley Vale Road and Salisbury Street.

[2] NSW Department of Planning and Environment, Apartment Design Guide, 2015

Aesthetics:

- The architectural quality of the external façade should provide appropriate composition of building elements, textures, materials and colours

Community Safety:

- Pedestrian amenity and safety to be designed to incorporate CPTED principles
- Ensure entrances do not provide concealment opportunities
- Street frontages achieve adequate lighting
- Windows provide surveillance opportunities over public/private spaces
- Incorporate strategies to reduce vandal/graffiti attack along Salisbury Street

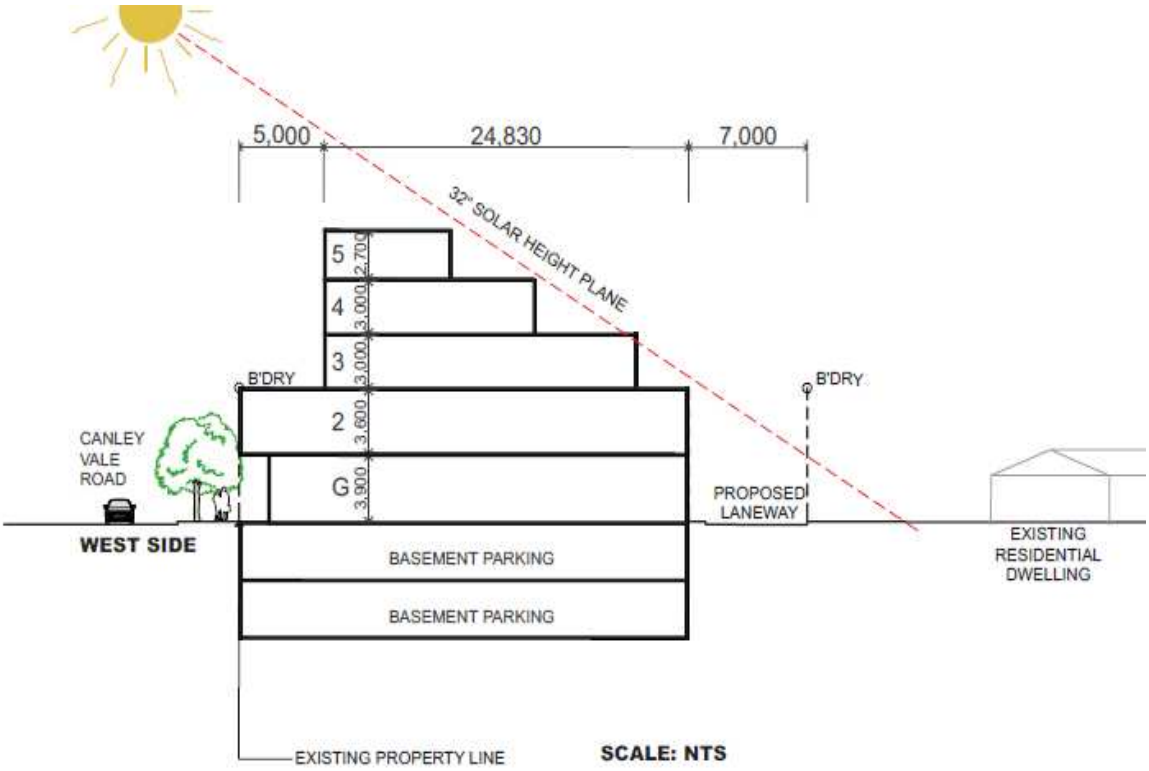
Site specific design principles:

- Living rooms and private open spaces for at least 70% of apartments should receive at least three hours sunlight between 9:00 am-3:00 pm on 21 June
- Apartment types should consider the demographic requirements of the area

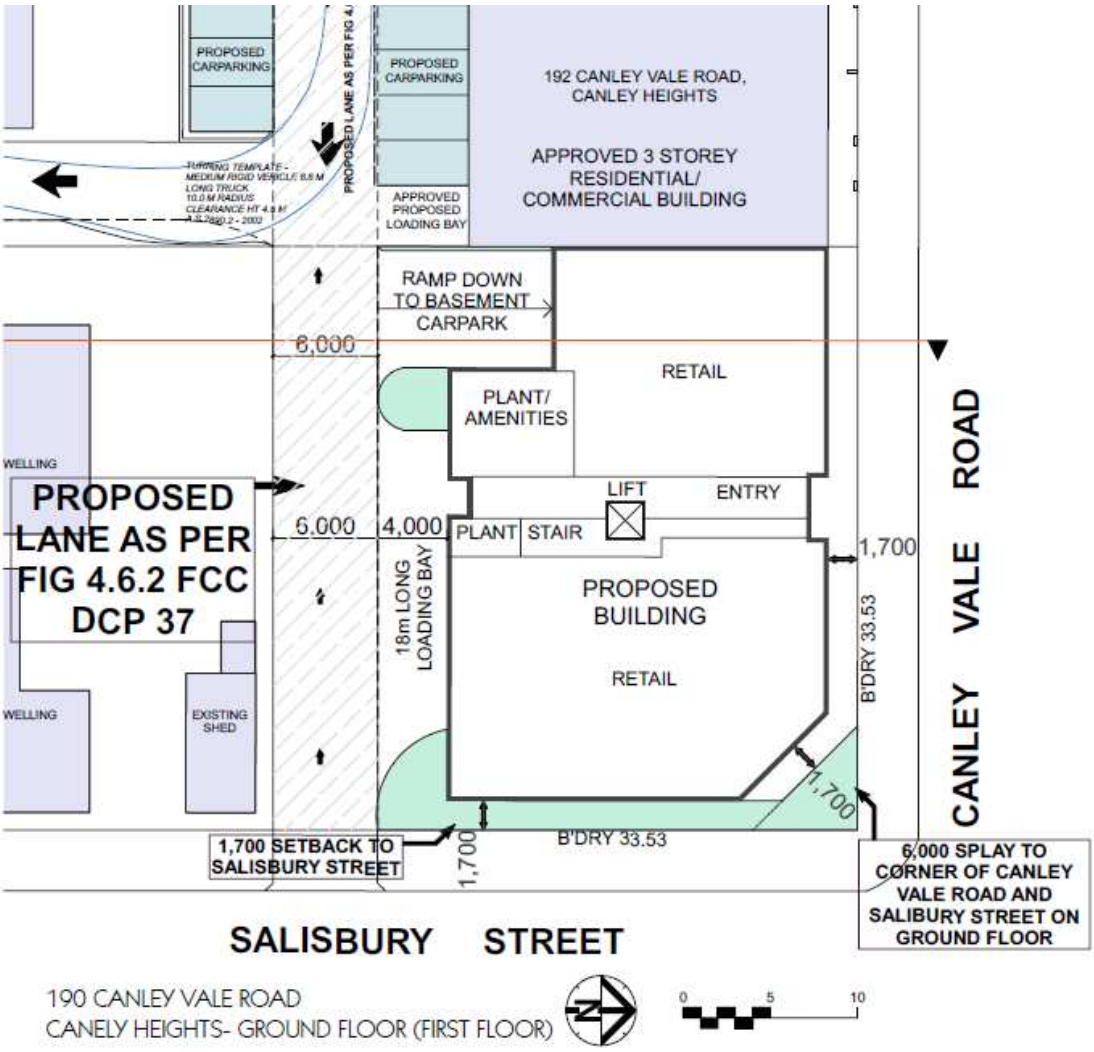
Car parking and access movement:

- A laneway is to be provided at the rear of the property which will connect Salisbury and Ascot Streets.
- Vehicular access is from the rear laneway.
- Truck movements, loading and unloading, will take place from the rear laneway to the south
- Car parking is required to be provided on site at the rate specified in Council's parking code

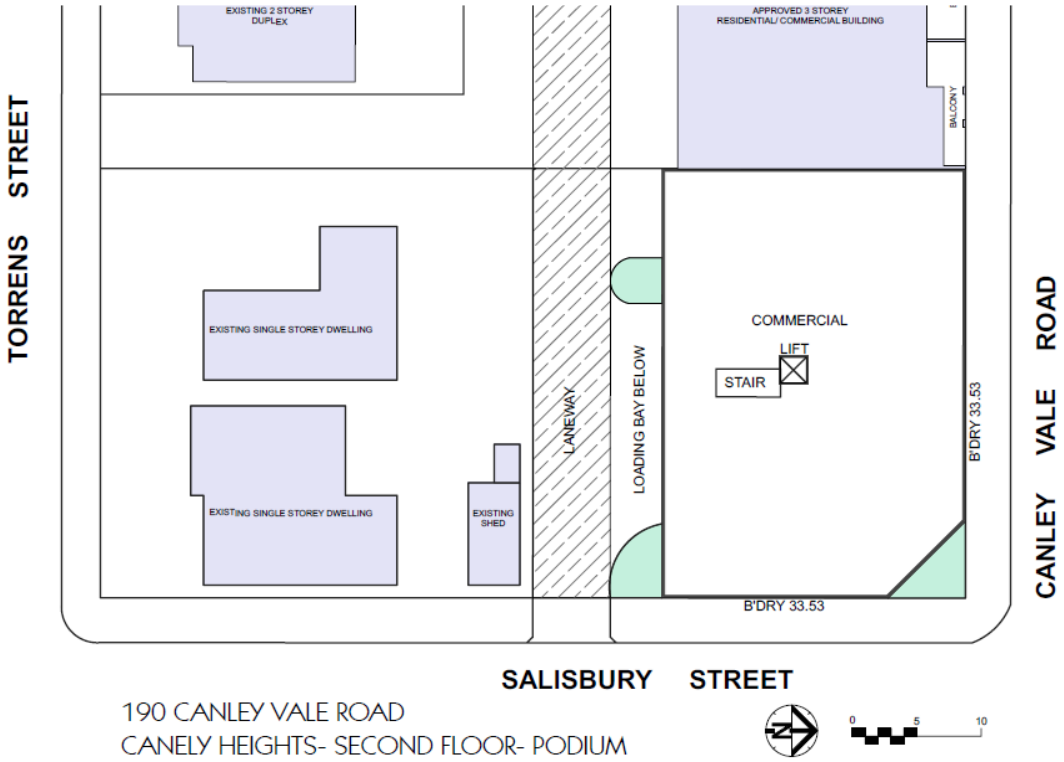
Section



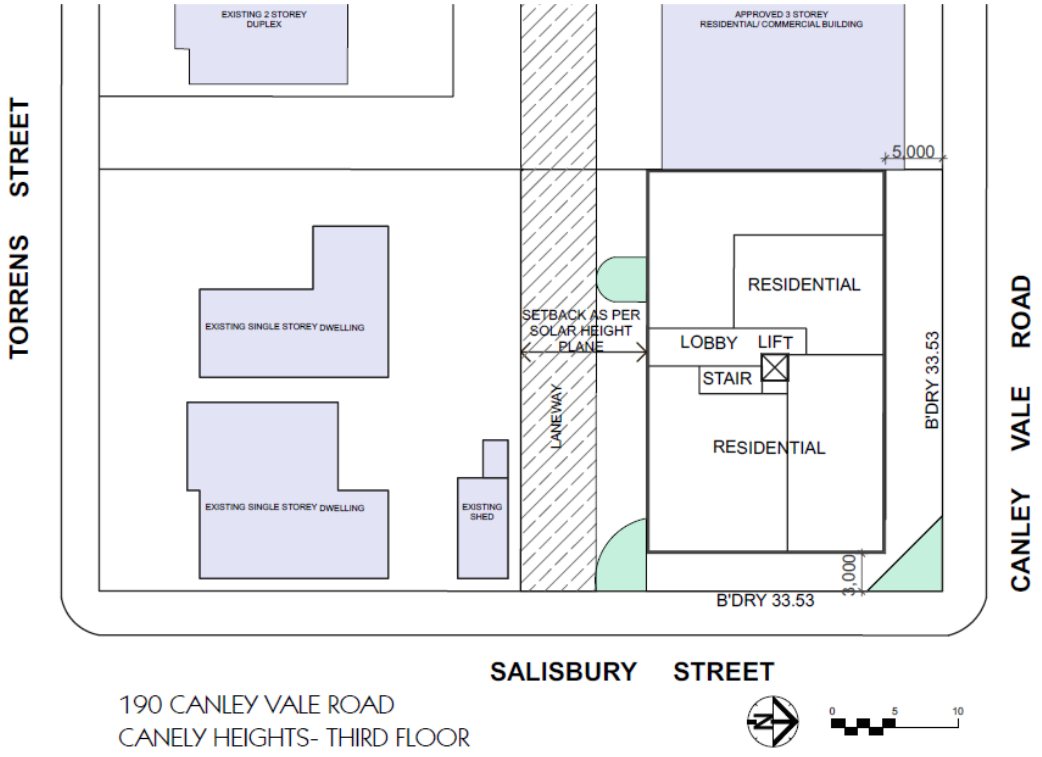
Ground floor


PROPOSED CARPARKING
PROPOSED CARPARKING
192 CANLEY VALE ROAD, CANLEY HEIGHTS
APPROVED 3 STOREY RESIDENTIAL/ COMMERCIAL BUILDING
APPROVED PROPOSED LOADING BAY
RAMP DOWN TO BASEMENT CARPARK
6,000
RETAIL
PLANT/ AMENITIES
LIFT
ENTRY
PROPOSED LANE AS PER FIG 4.6.2 FCC DCP 37
6,000
4,000
PLANT
STAIR
1,700
18m LONG LOADING BAY
PROPOSED BUILDING
RETAIL
B'DRY 33.53
CANLEY VALE ROAD
WELLING
EXISTING SHED
WELLING
1,700
1,700 SETBACK TO SALISBURY STREET
1,700
B'DRY 33.53
6,000 SPLAY TO CORNER OF CANLEY VALE ROAD AND SALIBURY STREET ON GROUND FLOOR
SALISBURY STREET
190 CANLEY VALE ROAD
CANELY HEIGHTS- GROUND FLOOR (FIRST FLOOR)
0
5
10

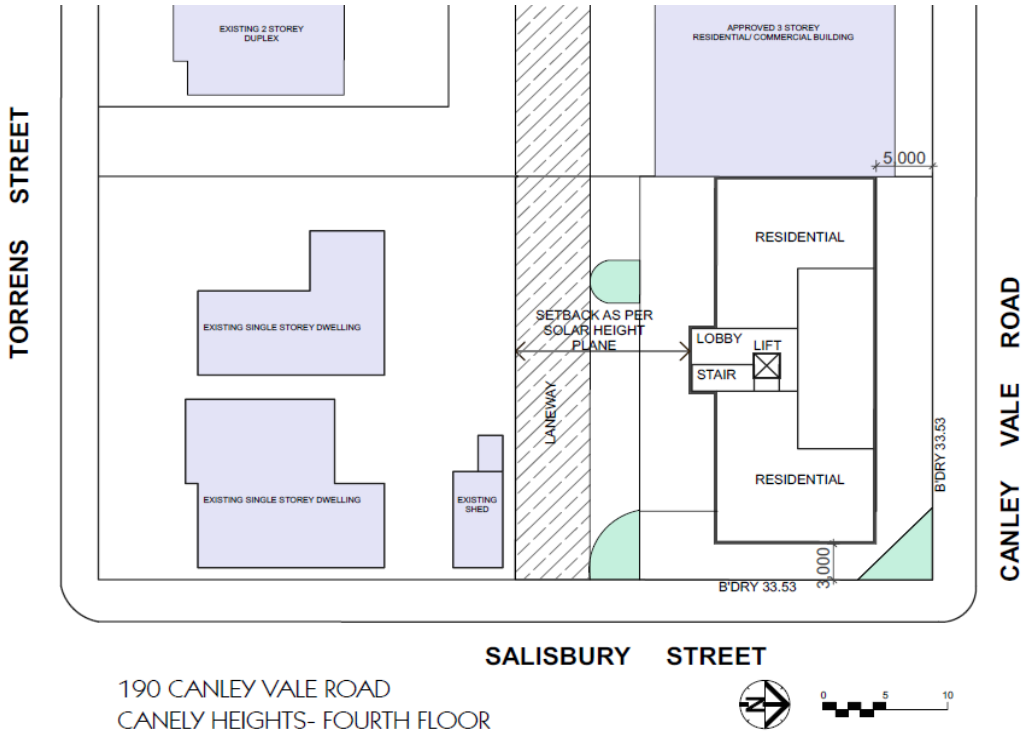
Level 2 – Podium



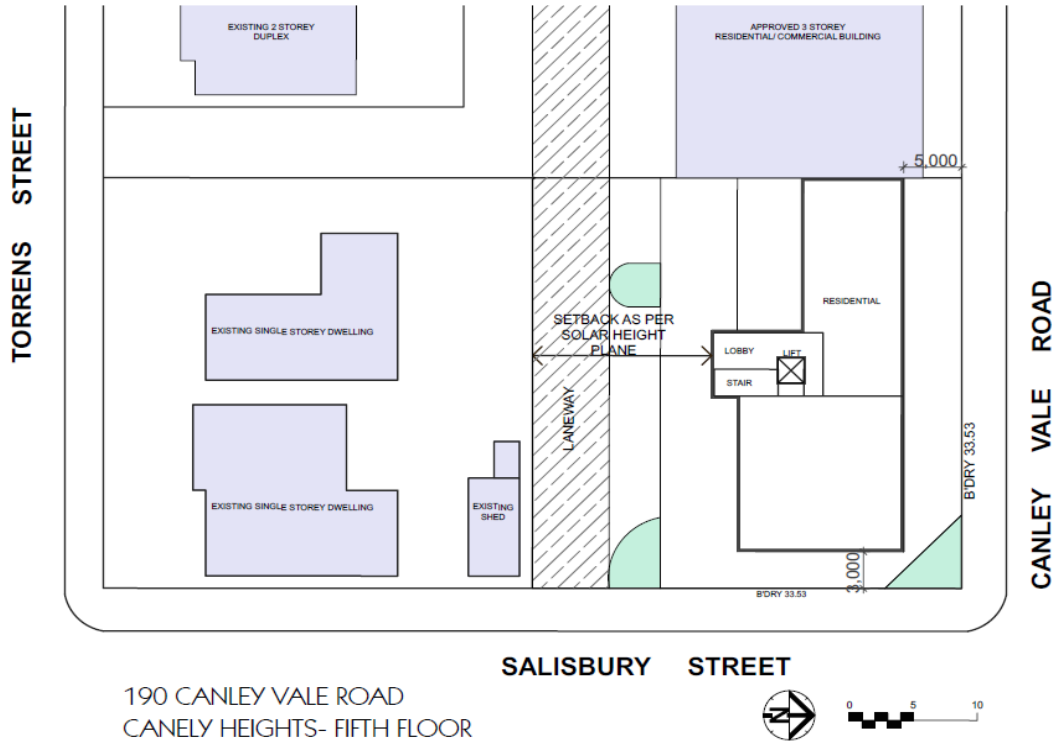
Level 3



Level 4



Level 5



Important Note

Should the owners / developers wish to replace this with a new or different version of the Site Specific DCP, any new version should then be assessed against the Specific Masterplan Site No. 5 Development Principles below:

Masterplan Site No.	Specific Masterplan Site: Development Principles
Masterplan Site 5 No. 190-192 (Lots 6, 7 & 8, Sec 35, DP 728, and Lots A & B, DP 344784) Canley Vale Road, Canley Heights (5 blocks)	**Land Use Issue:** • Commercial activity limited to one storey with direct street access. **Design Principles:** • Car parking is required to be provided on site. • The adjoining public domain and properties are to receive no less than three hours sunlight between 9am to 3pm on the 21st June. • The height of any development must not exceed the limits of the Solar Access Plane control as described in the DCP. • The built form on this site must respond to existing built form described in this DCP for properties to the west of this site and the building height consistent with the controls for the southern side of Canley Vale Road. • To the rear of the property, 7 metres of land must be allocated for dedications to Council for a proposed laneway. • Active street frontages to Canley Vale Road on ground level (Level 1) • This building needs to identify as an 'entrance' point into the Canley Heights town centre • Building separation between residential units on this site and adjoining sites must satisfy the requirements of SEPP65 Residential Flat Design Code. **Access/Movement:** • Pedestrian amenity and safety to be designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles. • Vehicular access to this site must be from the new laneway and as described in Figure 5.2.2 • Truck movements, loading and unloading must take place from the rear laneway to the south of the property. • A laneway is to be provided at the rear of the property which will connect Salisbury and Ascot Streets

Appendix 5 Parking requirements

Car Parking Provision Rates

For applicable car parking rates refer to Fairfield City Wide Development Control Plan 2013 Chapter – Car Parking, Vehicle and Access Management.

Appendix 6 Canley Corridor Public Arts Strategy

1. Public Art and Canley Corridor

This Public Art Strategy was developed to assist moving toward the new vision for Canley Corridor. The aim of the Strategy is to provide a number of cultural themes and public art project ideas to assist in the development of public art along the Canley Corridor.

2. Benefits of Public Art

Public Art in the Canley Corridor will add to the social, economic, environmental and cultural sustainability of the area by creating a sense of place, making public spaces attractive and welcoming, and promoting a local identity that attracts business confidence and investment. Public art will benefit the Canley Corridor by:

- Celebrating the everyday culture and contemporary traditions the place.
- Enhancing new development, streetscapes, parks, gardens and other public spaces creating interest and a sense of place.
- Providing a creative reference point that helps in branding or positioning.
- Providing opportunities for community involvement leading to increased social capital and ownership of place.
- Animating spaces and making them lively and inviting during business hours, in the evening and on weekends.
- Acknowledging the cultural heritage of a community including Aboriginal heritage, migration heritage, events and customs.
- Representing and celebrating cultural diversity in new and exciting ways.
- Creating symbols of recognition that build a distinctive identity and sense of destination.
- Providing employment, mentoring and skills development opportunities for local artists.
- Inspiring the imagination and hearts of the public by encouraging reflection and learning about place.

Fairfield Council expects public art to be relevant to the area and its communities. This means that the cultural themes identified in the Canley Corridor Public Art Strategy should be used in the development of the artwork.

3. Canley Corridor Public Art Strategy – Objectives and Principles

The following public art objectives and principles will assist to achieve the vision for the Canley Corridor.

3.1 Objectives

The objectives for public art in the Canley Corridor are:

- To strengthen and reflect the character of Canley Corridor by enhancing new development, streetscapes, parks, and other public spaces improving the aesthetic appeal, creating interest and a sense of pride in place.
- To enhance community safety and the perception of safety by animating spaces, making them vibrant, lively, energised, attractive and distinctive.
- To strengthen gateways and entry points into the Canley Corridor to create strong identification and destination points.
- To stimulate street life, promote social interactions and provide opportunities for community involvement in public art processes.
- To integrate public art work into new developments along the corridor.

3.2 Principles

- Reflect the character of the Canley Corridor 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 5,000 square metres to the value of 1% of the total project cost.
- Respond to the cultural heritage, civic traditions and stories to develop public art partnerships and community collaborations.
- Provide effective planning and management of arts and cultural projects.

4. Key Cultural Themes for Public Art in Canley Corridor

Public art will hold meaning and be most effective for local communities if it is able to respond and reflect local cultural themes. The following themes were identified to assist the development of public art projects for Canley Corridor.

Project	Function	Place
Entry Points into the Corridor.	Key entry points to the Canley Vale and Canley Heights local town centres provide an opportunity to build its image and welcome people.	Major entry points/ leading into the local town centres.
Street Treatments	Provide an historical or contemporary narrative and assist way finding; reflecting local identity; aesthetic embellishment. May include tree grates, paving, and installations.	Identified areas for upgrade.
Public Grove	Installation of indigenous and exotic planting to lift the harshness of some parts of the Corridor, explore diversity and unity, develop connectivity between the two local town centres, respite from the hot summer sun and add a fragrant and green atmosphere.	Along Corridor and through local town centres.
Lighting	Up lighting that adds a sense of atmosphere to eating experiences in the local town centres and enhancing public grove.	Throughout local town centres.
Water Elements	Use natural waterways to design a water feature to raise awareness of environmental themes i.e. recycling and water management, and also add a cooling component.	Square or meeting place in Canley Vale.
Cycleway Orientation	Creating welcoming and interesting public art elements along the cycleway and creeks to assist orientation, and promote environmental messages.	Cycleways
History and Heritage	Acknowledging the layers of cultural heritage and creating a sense of belonging.	Westacott Cottage, Canley Grange, J.W. Thomas general store
Electricity and Traffic Signal Boxes	Adding colour; reflecting cultural themes and identities; improving safety.	Locations along the Corridor.
New Developments	Public art creating an identity for the development and the local town centres, creating a sense of place and image to outside investment.	Locations along Canley Corridor.
Bus Shelters/ Stops	Explore the social elements of the transport route along the Corridor.	Bus shelters along the Corridor.