



Ashfield
Council

Interim Development Assessment Policy 2013

Part C23

Zone B1

Neighbourhood Centres

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SECTION 1 PRELIMINARY

Introduction

Ashfield Local Environmental Plan (**LEP**) is Council's main planning control for development in business centres in the Ashfield Council Local Government Area. A number of B1 Neighbourhood zones are located within heritage conservation areas identified in Ashfield LEP 2013 and/or contain heritage items. If this is the case applicants will need to refer to the relevant heritage conservation area statement of significance, heritage item inventory and the heritage provisions of Clause 5.10 and Schedule 5 Parts 1 & 2 of Ashfield LEP 2013, and also refer to Section 3 of this part.

Part C23 of Interim Development Assessment Policy 2013 (IDAP 2013) supports the LEP by providing additional objectives and development standards to enhance the function and appearance of development within the B1 Business Neighbourhood Zone.

Application

Part C23 was adopted 25 November 2014 and applies to land within areas zoned B1 - Neighbourhood Centre as shown on the zoning map for Ashfield LEP 2013. These areas are referred to as a "Neighbourhood Business Zone" in this document.

Objectives

Context

- 1 Provide additional guidelines which complement the specific Ashfield LEP objectives for B1-Neighbourhood Zones which are:
 - ***To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood: and,***
 - ***To ensure that new development has regard to the character and amenity of adjacent and nearby residential areas.***

Built form and scale

- 2 Define the desired character of the Neighbourhood Centre townscape and streetscape (see Definitions), in terms of building scale, building setback, building design, streetscape and open space requirements.

- 3 Detail the desired interface between the public and private domain in order to promote development outcomes that will have a positive, transformative impact and achieves a desired character consistent with the specific Ashfield LEP 2013 objectives applicable to this zone.

Standard of architectural composition

- 4 Achieve a high level of architectural composition (see Definitions) in order to provide an attractive built form, a “sense of place” for residents, and create a distinct spatial character that achieves Ashfield LEP objectives for this zone.

Active interface between street and buildings

- 5 Require active street frontages (see “Definitions”) where appropriate, with good physical and visual connections between buildings and the street in order to enhance pedestrian safety.

Amenity

- 6 Ensure development maintains adequate standards of privacy and solar access to existing residential development.

How to use this Part of Ashfield Interim Development Assessment Policy 2013

Ashfield Interim Development Assessment Policy is a multi-layered document. The objectives and development standards of this Part of cannot be read in isolation. A development application must consider all relevant Parts of this Policy.

Part A contains an index of the parts and sections in the Ashfield Interim Development Assessment Policy 2013 and guidelines on how to use the Policy; including the steps you need to follow before you prepare your development application.

Relationship of Part C23 to other planning documents

Council will assess a development application according to:

- (a) **Section 79C of the Environmental Planning and Assessment Act, 1979;**
- (b) State Environmental Planning Policies;
- (c) Ashfield Local Environmental Plan 2013;
- (d) Ashfield Interim Development Assessment Policy 2013;
- (e) Section 94 & 94A Contribution Plans;

- (f) Ashfield Stormwater Management Code;
- (g) **Policies, legislation or studies adopted or** recognized by Council that are relevant to the development application.

Lodging a Development Application

Our development application forms can be downloaded (www.ashfield.nsw.gov.au) or contact Council on 9716 1800. The form contains a self-assessment checklist to help you complete your application.

Note 1 : Ashfield Council has a free Development Application pre-lodgement Process in place which aims to reduce processing times by assisting applicants with submission of their application. Please visit: [DA Assessment](#) for more information.

Note 3: Certain residential and commercial development as specified in **State Environmental Planning Plan (Exempt and Complying Development Codes) 2008** and in the **Schedules to Ashfield LEP 2013** may be carried out without the need for development consent subject to meeting specific requirements.

Useful links:

- [Ashfield LEP](#)
- [NSW Commercial & Industrial Code](#)

SECTION 2 – BUILDING AND LANDSCAPE DESIGN CONTROLS

Applicability

Section 2 applies to sites which are not located within the Croydon Urban Village Heritage Conservation Area and which are not Heritage Items.

1 CONTEXT AND AMENITY

OBJECTIVES

- 1 To identify key matters that affect building design and influence the “desired character” of the townscape or streetscape of the Neighbourhood Centres.
- 2 Promote pedestrian activity and safety in the public domain.
- 3 Ensure developments are safe and secure for occupants, by reducing opportunities for crime through environmental design.
- 4 Ensure that amenity considerations for residents include impacts on adjacent and nearby residential properties.

CONTROLS

Building Appearance

- 1 Building design composition shall be of a high standard and be sympathetic (see Definitions) and take architectural cues from the desirable parts of the existing residential streetscape or townscape (see “Definitions”). The desired design character shall be of a traditional architectural composition, (see “Definitions”), and includes the following requirements:
 - a) Primary street frontages shall not have long runs of blank façades.
 - a) Facades of new commercial buildings are to be divided into bays of dimensions appropriate to the scale of the building proposed
 - b) Articulation of building facades is required through techniques which include position, spacing and design of major vertical and horizontal elements such as building bays, fenestration, string course, cornices and bays. The size, preparation and placement of windows and doors should relate to the size and design characteristics of the new building.
 - c) New building materials are to be compatible with/complement the materials used for similar buildings within the precinct.

- 2 Council will support a modern/contemporary architectural appearance, for sites which are not within a heritage conservation area, only in circumstances where a “high compositional standard” (refer to “Definitions”) is achieved.
- 3 Large side wall facades which are prominent/visible must be modelled to give the building an attractive, articulated appearance and a high compositional standard.

Built Form and site layout principles.

- 4 Refer to **Figure 1** which shows site layout principles and location of the desired “built form” for parts of buildings above ground level. New development is required to achieve the following:
 - give adequate regard to the character and amenity of adjacent and nearby residential areas including any heritage items or heritage conservation areas.
 - buildings are positioned to give spatial definition to a road frontage or along the corners sites
 - upper levels of buildings are designed to maximise building separation (setback) from adjoining residential properties to retain amenity.
 - buildings incorporate a transitional sympathetic (lower) building scale in the vicinity of dwelling houses.
 - buildings are setback from 2m to side boundaries or 3m to rear boundaries in order to provide for deep soil perimeter landscaped “buffer” areas.

Upper level apartments and objectives of Ashfield LEP 2013

- 5 Apartments comprising “shop top housing”, must be located above a ground level commercial level. In addition, in order to meet the objectives of Ashfield LEP 2013 apartments are not to constitute the majority land uses on a site within a B1-Neighbourhood Business Zone. Refer also to Part 3 - Commercial Development which details minimum gross floor area requirements for ground level non residential uses.

Residential Amenity

- 6 Apartments shall incorporate living areas which achieve a minimum of three hours of solar access in winter months.
- 7 Apartments shall have windows and balconies located to meet the minimum 12m building separation requirements from any other window or balcony of a nearby apartment, as recommended in the Residential Flat Design Code. Apartments must not directly overlook adjacent dwelling – houses. rooftop gardens for communal open space are not acceptable due to potential for overlooking of adjacent house properties.

Landscaped buffer areas adjoining neighbouring residential sites

- 9 Where development is located adjacent to dwelling-houses in nearby R2 or R3 residential zones, the perimeter of sites shall have deep soil areas for tree planting in order to provide a landscape “amenity buffer” and screening to neighbouring houses, as shown in **Figure 1 - Site Layout principles**. These areas shall be a minimum of 2 m wide adjacent side boundaries , or 3m adjacent rear boundaries , and contain deep soil and not have any structures located beneath them. This is in order to have an adequate soil volume plus good drainage conditions and sufficient width to allow for tree canopies.

Note: This clause does not apply to minor alterations and additions to existing buildings.

- 10 Where apartments are subject to State Environmental Planning Policy no 65, pursuant to the Residential Flat Design Code a minimum of 25 percent communal open space is required, and that area is to contain a deep soil area sized to be a minimum of 10 percent of site area.

Active Street Frontages

- 11 All sites are to have, where practical, ground level “active street frontages”, refer to **Section 3 – “Commercial Development”** for specific controls. Large voids or blank walls at ground floor level are to be avoided.

Signage

- 12 Signs must visually complement (not challenge) the architectural composition of buildings and should enhance the townscape. Refer to **Part C2** of this Plan for guidelines. **Ashfield Local Environmental Plan 2013** permits certain types of signs to be erected or replaced without approval (subject to conditions) Refer also to **Schedule 2** (Exempt Development) of the Ashfield Local Environmental Plan.

Access for people with disabilities

- 13 Refer to **Part C1** for requirements that need to be met for access to the point of entry to dwellings and access within any upper level apartments, in situations where apartments have lift access.

Security

- 14 The following security devices are required in buildings containing mixed business and residential uses:
- First floor levels shall have security devices fitted which comply with the Australian Standard.
 - Ground floor and entry porticos shall have as a minimum double barrel security and fire locks.
 - Lighting which meets the relevant Australian standard of 40 lux, spaced at appropriate intervals to provide the required surveillance in basement parking areas and along pedestrian paths.

BUILDING HEIGHT AND BUILDING SEPARATION FOLLOWS

2 BUILDING HEIGHT AND BUILDING SEPARATION

OBJECTIVES

Overall Building Height and number of storeys.

- 1 Define the maximum permitted number of storeys, taking into account the following definitions of building height in the Ashfield LEP 2013:

Building height (or height of building) means the vertical distance between ground level, existing and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles chimneys, flues and the like.

Ground level Commercial

- 2 Provide adequately sized ground floor ceiling heights to establish flexible and functional commercial ground floor layouts.

CONTROLS

Maximum Building height

- 1 Maximum building heights are in the Ashfield LEP 2013 Building Heights Map. The maximum number of **storeys** shall be as follows:

(a) B1 zones not within Heritage Conservation Areas: Maximum 3 storeys .

Note: Utilisation of roof space may be permitted as an additional level provided the space is wholly contained within a pitched roof plane which has a roof pitch-no lower than 22° and the roof ridge does not exceed the maximum building height of the Ashfield LEP 2014.

- 2 New buildings shall be located in a place which maximises separation with neighbouring house properties, and also provides an appropriate building orientation which addresses minimum solar access for apartments.

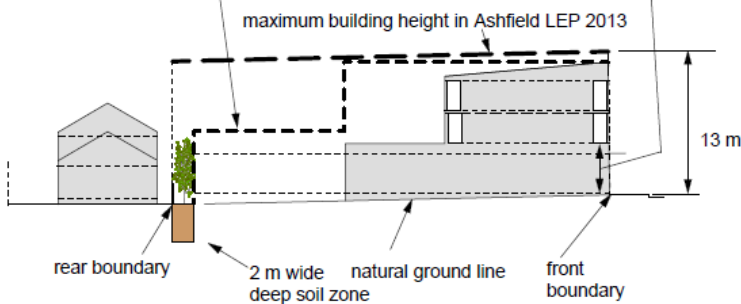
Figure 1 follows

Figure 1 - Principles – Corner Sites bounded by houses

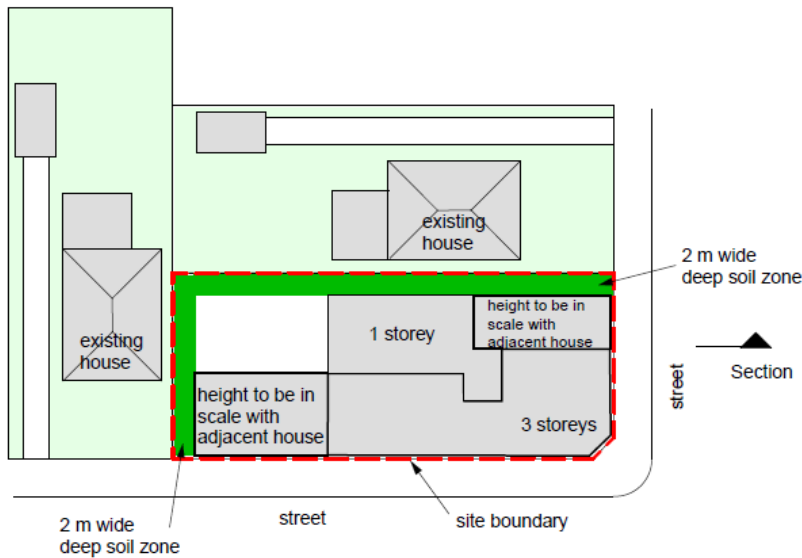


ground level storey height to accommodate commercial function including services above a high ceiling, with the minimum floor to floor height being generally in the range of 4 - 4.5 m.

built form to step down in order to have a sympathetic building scale relationship with adjacent houses.



Section



Site Layout

3 COMMERCIAL DEVELOPMENT

OBJECTIVES

Maximise ground level commercial space in mixed use developments

- 1 Maximise the amount of business (non residential) gross floor area at ground level for sites in order to provide for employment floor space, activate the street frontage and to comply with Ashfield LEP objectives for the B1 Neighbourhood Zone :

Zone B1 Neighbourhood Centre

1 Objectives of zone

- *To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.*
- 2 Ensure ground floor building layouts are of sufficient area to enable business uses to function efficiently.

Services – location

- 3 Ensure that mixed use/commercial developments achieve good urban design outcomes by concealing as far as possible the visual impact of utilitarian components of development such as car park entries, service areas, waste collection, air conditioning and electronic devices.

CONTROLS

Ground level uses

- 1 The majority of the ground floor part of buildings must contain business uses, in order to comply with the Ashfield LEP 2013 zoning and land use objectives.
A minimum of 50 percent of the ground level gross floor area shall be for business uses. Residual areas for service functions such as driveway ramps, waste storage, plant rooms, shall be designed to be unobtrusive. Ground level entry areas and foyers for upper level apartments are also permitted but should be a minor component of overall ground floor area.

Car parking

- 2 Car parking required pursuant to this Plan shall be placed below ground level for substantial developments, or otherwise placed behind ground floor commercial uses in order to maximize active street frontages - This clause does not apply to alterations and additions to existing development which are of a minor nature - Refer **Part C11**.

Minimum ground floor ceiling height

- 3 New buildings with ground floor commercial uses of all mixed-use and/or non-residential buildings are to have minimum floor to floor heights which provide adequate ceiling heights for commercial use. A minimum height of 3.6m from the ground floor to the ceiling height is required, with a further 600 mm allowance to be made for space between the ceiling and the first floor structure for installation of services.

Advertisements

- 4 Refer to **Part C2** of this Plan and **Schedule 2 of Ashfield LEP 2013**. Some signage is also controlled by State Environment Planning Plan No. 64. SEPP 64 includes requirements for making signage compatible with the desired future character of an area.

Shopfronts and Active Street Frontages

- 5 All sites are to incorporate ground level “active frontages” (see Definitions) , except for areas required for site servicing or similar, e.g. driveway access. An active street frontage shall be predominantly glazed in order to ensure that adequate visibility of the street occurs, and may comprise glazed retail shopfronts, showrooms, glazed entries and lobbies to businesses, and the like.
- 6 Shopfronts/display areas shall not have any “roll-a-door” type grille or opaque security shutters (excluding predominantly transparent security shutters).
- 7 Shopfront/display area designs shall be arranged in a way which complements the building style of the façade and enhances the streetscape.

Air-conditioning units and satellite dishes

- 8 Air-conditioning units and satellite dish elements shall be designed and located as follows:
 - a) Must not be located on front façade or above an awning and to be positioned at the side or rear of the building
 - b) Must be setback at least 1.5 m from all adjoining property boundaries.
 - c) Must use non-reflective materials.
 - d) If a satellite dish roof is wall or pole mounted, diameter must not exceed 1.8 m excluding feed element; must be located to rear of property; and not extend above the highest point of the roof or located above a parapet.

4 DEVELOPMENT SERVICING

OBJECTIVES

1. Ensure that site services and facilities are adequate for the nature and quantum of development.
2. Ensure servicing activities do not have adverse amenity impacts.
3. Locate parking areas so that they are not visible from the public domain.

CONTROLS

Driveways to underground parking areas

- 1 Access ways to underground parking areas should be sited and designed to minimise noise impact on adjacent or nearby habitable rooms, including bedrooms.

Location and amount of parking areas

- 2 Refer to Part C11 - Parking – for Design Principles and for the amount of car parking required.
- 3 Adequate facilities are to be provided within any new development for the loading and unloading of service and delivery vehicles.

Note: This clause does not apply to minor alterations and additions to existing developments.

Design of service areas

- 4 An area shall be provided on site to accommodate bins for garbage collection and recycling of waste. This area shall not be visible from the street, be behind the building line.
- 5 Areas for waste collection, loading and unloading, are to be detailed at development application stage, and include:
 - Waste collection room areas, including garbage bins, recycling bins,
 - Pathways for manoeuvring of bins to and from waste collection room areas.

Communication structures, air conditioners and service vents

- 6 Satellite dish and telecommunication antennae, air conditioning units, ventilation stacks and any ancillary structures should be located:
- away from street frontages,
 - integrated into the roof designs and placed in a position where such facilities will not become a skyline feature at the top of any building, and
 - adequately setback from the perimeter wall or roof edge of buildings.

SECTION 3 - HERITAGE CONSERVATION AREAS AND HERITAGE ITEMS FOLLOWS

SECTION 3 – HERITAGE CONSERVATION AREAS AND HERITAGE ITEMS

- 1.0 This section applies to sites which are within a Conservation Area and are Heritage Items. See [Ashfield LEP](#) - Schedule 5
- 1.1 Building design composition for properties that are heritage items or are within Heritage Conservation Areas, such as infill development and minor alterations and additions to existing historic buildings, and the interiors of Heritage Items, must follow the requirements of Ashfield LEP Heritage Conservation provisions - see Clause 5.10 of the LEP and **PART C10 – Heritage Conservation** in Ashfield IDAP 2014.
- 1.2 New rear infill development (see “Definitions”) is to be of a minor scale and placed at the rear of sites and is to be architecturally sympathetic to existing historic buildings. New architectural detail and fabric is to be of a form, scale and finish that respects any existing item and the distinctive qualities of the Conservation Area.

Building Height - Rear Infill Development

- 1.3 Any rear infill building shall be of a low rise scale whose height and number of storeys will be dependent on achieving a satisfactory compliance with the relevant Statement of Significance for the site. This is in order to have a building scale which will not have an overbearing visual presence on historic buildings.
- 1.4 The maximum number of storeys for the main historic part of buildings shall be the same as the existing building.

Roof profile - rear infill development

- 1.5 Roof forms for rear infill building shall generally be:
- Skillion, hipped or gabled.
 - Materials for new roofs are to be of the same material as buildings within the precinct, or in a material which is visually sympathetic. Appropriate materials include slate, terracotta tiles and corrugated steel. This is in order to complement the existing roof profiles of the historic building on the site. More modern fabric and forms such as coloured cement or profiled extruded steel are inappropriate.

Building Facades

- 1.6 Existing historic facades along the main street and any side laneways are to be retained and conserved as required by the Ashfield LEP 2013, and take into account the matters stated in their Statement of Significance.
- 1.7 Facades of new rear infill (see Definitions) buildings should relate and take "architectural cues" (see Definitions) from the form and character of buildings on the existing historic building. The articulation of new building facades of rear infill development is encouraged through techniques and including position, spacing and design of major vertical and horizontal elements such as piers, panels, line changes, string course, cornices and bays. The size, preparation and placement of windows and doors should relate to the size and design characteristics of the new building.
- 1.8 Wherever possible, façade elements for new rear infill development such as windows, doors and balconies are to match the placement and proportions of similar elements in other historic buildings within the conservation area or on the site.
- 1.9 Building materials for new rear infill development should relate to the existing historic palette of materials throughout the precinct.
- 1.10 Window and door joinery, where painted, may be in a traditional material such as timber or a new material such as extruded metal. Extruded metal frames should be of a size and configuration in keeping with the traditional context of the precinct.

Shopfronts

- 1.11 Original early shopfronts in existing buildings shall be retained and conserved.
- 1.12 Remnants of original shopfronts fittings, such as window framing, tiled entries and doors should be retained, repaired and used wherever possible.
- 1.13 The reinstatement of early shopfronts, where these have been replaced by unsympathetic modern designs is encouraged. Existing shopfronts should not be bricked up or otherwise filled in.
- 1.14 If a shopfront has been lost, reconstruction should be undertaken using the form and detailing of existing examples in the area. Avoid shopfronts which are filled in and do not have display windows facing the street. Excessive security bars or roller shutters are not permitted.

Awnings

- 1.15 Existing awnings should be retained and conserved.
- 1.16 Accurate restoration or reconstruction of original street awnings/verandahs is encouraged.
- 1.17 Reinstatement of awnings is encouraged where there is evidence that they were originally fitted or where there is a break in a continuous run of awnings.

DEFINITIONS

Active frontage means:

A ground level part of a building which provides surveillance of a street and includes any one or a combination of the following:

- entrance to shops and commercial premises
- shop front,
- clear glazed entries to commercial and residential lobbies,
- clear glazed entries residential lobbies,
- café or restaurant if directly accessed from the street,
- active office uses, such as reception areas, if visible from the street,

Building height is as defined in the Ashfield LEP 2013, means:

“The vertical distance between ground level, existing and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles chimneys, flues and the like”.

Deep soil planting area means

An area “capable of deep planting”, which contains soil , is water permeable and there is no structure below within 3 metres of the natural ground surface, and which is capable of supporting large tree growth.

Landscape area, is as defined in the Ashfield LEP 2013 , means:

“A part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area”.

High compositional standard for building design means:

A building design which uses any “abstract” or “modern/contemporary” architectural language , and employs different building components and building materials as credible compositional elements, whose credibility is demonstrated by visually appearing to relate to the "whole building " and giving the building a "unity" and “complexity”.

Note . A high compositional standard is not considered one that uses repetitive or bland or minimalist forms intended to facilitate easier building construction methods or which simply expresses structural elements.

Rear Infill Development means .

An alteration or addition to the rear part of an existing building, such as a building which is a Heritage Item or within a Heritage Conservation Area.

Streetscape means :

The aesthetic values of groups of buildings, their contexts and their relationships as evident in the spaces between and around them, their scale, forms, styles, textures, modelling, light and shade colour, as perceived from the public domain. It also includes elements beyond the boundaries of a property including footpaths, nature strips, kerbs and channels, street trees and street furniture. Streetscape may also be affected by topography and by street curves and alignment, which generally add interest to the scene.

“ Sympathetic” as it refers to buildings means :

Visual relationships that are appropriate, sensitive, benign and aesthetically pleasing, implying concordance with the context of a building or element, and where the character of the context remains predominant, clear and uncompromised.

“Townscape” means:

The appearance within a town centre of relationships of buildings and places along the main street, and including general compositional building design elements, such as:

- height and scale and modulation
- proportion of masonry to glazed areas
- design, proportion, symmetry and organisation
- vocabulary of architecture such as mouldings and entablature

Traditional architectural composition for building design means:

An architectural composition using long standing traditional architectural canons including:

- basic tripartite arrangements to facades, employing symmetry and proportion
- "punctuated" extremities, which "signal" the "boundaries " of the building.
- solid walls, which have "punched" openings for balconies and windows, and have vertically emphasized proportions.
- expression of architectural detailing, such as expression of datum lines and string courses, and a colour palette of materials of medium to dark monotone face brickwork and rendered coloured surfaces.

With the above further developed into an organised and complex composition.

END