

TABLE OF AMENDMENTS – KDCP (consolidated) Housekeeping Amendments 2021

Ku-ring-gai Development Control Plan (Amendment 1 to KDCP 2020 (Consolidated))				
PAGE NUMBER	SECTION	EXISTING	NEW/MODIFIED	REASON FOR AMENDMENT
Introduction (Part 1)				
1-6	Intro	Part 13: Tree and Vegetation Preservation This Part of the DCP contains requirements for the preservation of trees and vegetation on all land covered by the KLEP. This Part is made in accordance with Clause 5.9 of the KLEP and prescribes the trees and vegetation to which Clause 5.9 applies. It replaces the Tree Preservation Order for the lands to which KLEP applies.	Part 13: Tree and Vegetation Preservation This Part of the DCP contains requirements for the preservation of trees and vegetation on all land covered by the KLEP. This Part is made in accordance with Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and prescribes the trees and vegetation to which Clause 9 applies. It replaces the Tree Preservation Order for the lands to which KLEP applies.	Update to reflect legislation
1-7	Intro	Part 16: Bushfire Risk ...It complements <i>Planning for Bush fire 2006</i> .	Part 16: Bushfire Risk ...It complements <i>Planning for Bush fire 2019</i> .	Update
1-21	1B.1	Effective slope has the same meaning as in <i>Planning for Bush Fire Protection 2006</i> . Note: The term is defined as follows: the effective slope is that slope within the hazard which most significantly affects fire behaviour of the site having regard to the vegetation class found.	Effective slope has the same meaning as in <i>Planning for Bush Fire Protection 2019</i> . Note: The term is defined as follows: The effective slope is considered to be the slope under the vegetation which will most significantly influence the bush fire behaviour for each aspect.	Update
1-31	1B.1	-	<i>Definition added.</i> Medium tree - is a tree capable of achieving 8-12m in height on shale derived soils and 8-10m on sandstone derived soils in the location proposed.	New content for clarification
1-31	1B.1	-	<i>Definition added.</i> Small tree - is a tree capable of achieving 5–8m in height in the location proposed.	New content for clarification
1-33	1B.1	-	<i>Definition added.</i> Tall tree - is a tree capable of the height prescribed within the relevant DCP control and with a canopy spread of at least 8 metres.	New content for clarification

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Section A (Parts 2-13)																				
2-4	2.1	4 vii) Bush fire prone land – An indication of whether the site is identified on Council’s Bush fire Prone Lands Map or Bush fire Risk Evacuation Map. If the site is Bush fire prone, the direction of fire and “Effective Slope” as defined in Planning for Bush fire Protection 2006.	4 vii) Bush fire prone land – An indication of whether the site is identified on Council’s Bush fire Prone Lands Map or Bush fire Risk Evacuation Map. If the site is Bush fire prone, the direction of fire and “Effective Slope” as defined in Planning for Bush fire Protection 2019 .	Update																
3-5	3A.2	1 <table><tr><th>Effective Slope</th><th>Distance (m)</th></tr><tr><td>Upslope/flat to 5°</td><td>55</td></tr><tr><td>More than 5° to 10°</td><td>65</td></tr><tr><td>More than 10°</td><td>90</td></tr></table> Note: Refer to Planning for Bush Fire Protection 2006 Appendix 2(b) and RFS Guidelines for Single Dwelling Development Applications Part C (www.rfs.nsw.gov.au) for more detail on how to determine effective slope.	Effective Slope	Distance (m)	Upslope/flat to 5°	55	More than 5° to 10°	65	More than 10°	90	1 <table><tr><th>Effective Slope</th><th>Distance (m)</th></tr><tr><td>Upslope/flat to 5°</td><td>60</td></tr><tr><td>More than 5° to 10°</td><td>65</td></tr><tr><td>More than 10°</td><td>85</td></tr></table> Note: These minimum lot depth distances are calculated from Planning for Bushfire Protection 2019, based on a BAL-29 bushfire construction rating. Note: Refer to Planning for Bush Fire Protection 2019 Appendix 1(A1.4-1.5) and RFS Guidelines for Single Dwelling Development Applications Part C (www.rfs.nsw.gov.au) for more detail on how to determine effective slope. <i>Distances also amended in corresponding Figure 3A.2-3.</i>	Effective Slope	Distance (m)	Upslope/flat to 5°	60	More than 5° to 10°	65	More than 10°	85	Update
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4-11	4A.2	Control 18; Figure 4A.2-8	Control 18; Figure 4A.2-8	Clarification																

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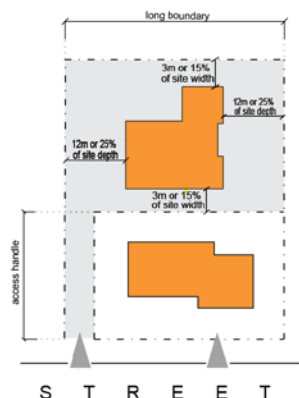
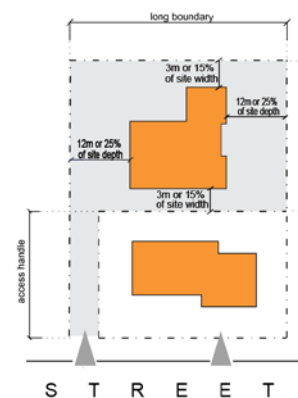
																		
4-12	4A.3	Objective 3 - To provide sufficient soft landscaped area for the planting and retention of large canopy trees.	Objective 3 - To provide sufficient soft landscaped area for the planting and retention of tall trees .	Clarification														
4-12	4A.3	<div>2</div> <table><tr><th>Site Area m2</th><th>Maximum Built-upon Area %</th></tr><tr><td>Less than 850m2</td><td>Site Area x 0.5</td></tr><tr><td>850m2 or greater</td><td>Site Area x [0.5 -(SA-850)/6,500]</td></tr></table>	Site Area m2	Maximum Built-upon Area %	Less than 850m2	Site Area x 0.5	850m2 or greater	Site Area x [0.5 -(SA-850)/6,500]	<div>2</div> <table><tr><th>Site Area m2</th><th>Maximum Built-upon Area %</th></tr><tr><td>Less than 850m2</td><td>Site Area x 0.5</td></tr><tr><td>850m2-2050m2</td><td>Site Area x [0.5 -(SA-850)/6,500]</td></tr><tr><td>Greater than 2050m2</td><td>645m2 and subject to merit consideration</td></tr></table>	Site Area m2	Maximum Built-upon Area %	Less than 850m2	Site Area x 0.5	850m2- 2050m2	Site Area x [0.5 -(SA-850)/6,500]	Greater than 2050m2	645m2 and subject to merit consideration	Correction (calculation amended for larger sites to not return a negative value)
Site Area m2	Maximum Built-upon Area %																	
Less than 850m2	Site Area x 0.5																	
850m2 or greater	Site Area x [0.5 -(SA-850)/6,500]																	
Site Area m2	Maximum Built-upon Area %																	
Less than 850m2	Site Area x 0.5																	
850m2- 2050m2	Site Area x [0.5 -(SA-850)/6,500]																	
Greater than 2050m2	645m2 and subject to merit consideration																	
4-14	4A.4	Note: A list of trees which attain the required height, suitable for a variety of locations is available from Council and on Council's website (www.kmc.nsw.gov.au).	<i>Note removed.</i>	Update														
4-16	4B.1	6 The location and construction of driveways and driveway crossings are to avoid disturbance (including altered soil level) to the root zones beneath the canopy of trees protected by Clause 5.9 KLEP.	6 The location and construction of driveways and driveway crossings are to avoid disturbance (including altered soil level) to the root zones beneath the canopy of trees protected by Part 13 of this DCP .	Update														
4-17	4B.2	2 Single occupancy dwellings are to provide 2 spaces on site as determined by Part 4B.3 (5)	2 Single occupancy dwellings are to provide 2 spaces on site as determined by Part 4B.3	Correction														

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4-18	4B.3	1 The car parking spaces, whether covered or uncovered, are to be located at or behind the required front setback as specified in Part 4A.2(3).	1 The car parking spaces, whether covered or uncovered, are to be located at or behind the required front setback as specified in Part 4A.2(2) & (15) .	Correction
4-19	4B.3	6 Figure 4B.3-1 	6 Figure 4B.3-1 	Correction
4-29	4C.5	3 iii) landscape design and location of vegetation including deciduous or high canopy trees;	3 iii) landscape design and location of vegetation including deciduous or tall trees ;	Clarification
4-32	4C.7	6 Pool/spa motor enclosures and filters, pumps and the like are to be located in a sound-proofed enclosure to ensure there is no noise reading exceeding 5dBA above background noise level when measured at the any residential property boundary.	6 All mechanical equipment, including filters, pumps and heaters associated with the swimming pool and/or spa are housed within an enclosure. The enclosure is to be sound-proofed to the extent that noise from the operation of the mechanical equipment does not exceed 5dB(A) above the background noise (LA90, 15 min) level during the day when measured at the boundary of the nearest potentially affected residential occupancies and is not audible in habitable rooms of any residences at night (from 8.00pm to 7.00am). The background (LA90, 15 min) level is to be determined without the noise source present.	Clarification/ update
4-34	4C.7	23 Air conditioning enclosures are to ensure that noise levels do not exceed 5 dBA above the background noise level when measured at the nearest residential property boundary.	23 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.	Clarification/ update
4-38	4C.10	10 When repairing existing buildings, colours should generally be representative of the era of the building.	<i>Removed.</i>	Update
5-19	5C.4	4 The secondary dwelling is to function as an independent dwelling, and include a kitchen and bathroom. A laundry may be shared with the principal dwelling, however the secondary dwelling is to provide	4 The secondary dwelling is to function as an independent dwelling, and include a kitchen, bathroom and laundry .	Correction/ update to reflect BCA.

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		a space where a washing machine could be included in the future if needed.		
5-22	5C.7	-	<i>Control added.</i> 3 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.	Clarification/ update
6-6	6A.1	Objective 3 - To ensure that the development contributes to the greater Ku-ring-gai landscaped character of buildings within a landscaped garden setting and surrounded by canopy trees. 2 All multi dwelling housing developments are to demonstrate how they provide: i) a garden setting with buildings surrounded by landscaped gardens, including canopy trees, on all sides;	Objective 3 - To ensure that the development contributes to the greater Ku-ring-gai landscaped character of buildings within a landscaped garden setting and surrounded by tall trees . 2 All multi dwelling housing developments are to demonstrate how they provide: i) a garden setting with buildings surrounded by landscaped gardens, including tall trees , on all sides;	Clarification
6-8	6A.2	6 Soft landscaping, including canopy trees, is to be provided between onsite buildings, fences and courtyard walls.	6 Soft landscaping, including tall trees , is to be provided between onsite buildings, fences and courtyard walls.	Clarification
6-11	6A.3	1 To ensure buildings are situated within a garden setting dominated by canopy trees. 3 To ensure deep soil areas within setbacks areas are clear of elements that compromise planting and growth of canopy trees. 5 To protect existing trees and provide areas for the planting of canopy trees, especially at the front and rear of the development.	1 To ensure buildings are situated within a garden setting dominated by tall trees . 3 To ensure deep soil areas within setbacks areas are clear of elements that compromise planting and growth of tall trees . 5 To protect existing trees and provide areas for the planting of tall trees , especially at the front and rear of the development.	Clarification
6-13	6A.4	1 To ensure buildings are set within a garden setting dominated by canopy trees which soften the built form and maintain the garden character of Ku-ring-gai, particularly to the street frontage.	1 To ensure buildings are set within a garden setting dominated by tall trees which soften the built form and maintain the garden character of Ku-ring-gai, particularly to the street frontage.	Clarification

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		2 To provide effective deep soil areas that enable a garden setting, including substantial trees and canopy, to all sides of the building within the site.	2 To provide effective deep soil areas that enable a garden setting, including tall trees and canopy, to all sides of the building within the site.	
6-15	6A.6	<p>Objective 4 - To provide viable deep soil landscaped areas for the retention and/or planting of large and medium sized trees:</p> <ul style="list-style-type: none"> • to provide shade and amenity; • to soften the built form; • to capture carbon; • for the sustainable maintenance and enhancement of the Ku-ring-gai tree canopy. <p>5 Deep soil landscaping is to support the planting of substantial trees to the streetscape.</p>	<p>Objective 4 - To provide viable deep soil landscaped areas for the retention and/or planting of tall and medium sized trees:</p> <ul style="list-style-type: none"> • to provide shade and amenity; • to soften the built form; • to capture carbon; • for the sustainable maintenance and enhancement of the Ku-ring-gai tree canopy. <p>5 Deep soil landscaping is to support the planting of tall trees to the streetscape.</p>	Clarification
6-18	6B.1	-	<p><i>Control added.</i></p> <p>8 The floor of any waste and recycling room must be graded and drained to a floor waste drain which is connected to the sewer. Hot and cold water taps are to be provided for cleaning of bins in the bin room.</p> <p>Note: Refer to Part 23.7 for construction of waste and recycling rooms.</p>	Clarification/ update
6-36	6C.8	8 Air conditioning units are to be located within the basement or within the roof structure of the upper most roof. Air conditioning units are not to be located on the building facade or on top of a flat roof or terrace, or within private or communal open spaces.	<p>8 Air conditioning condensers are to be located within the basement or within the roof structure of the upper most roof. Air conditioning condensers are not to be located on:</p> <ul style="list-style-type: none"> i) the building façade; ii) the top of a flat roof; iii) terraces; iv) private or communal open spaces; or v) balconies. <p>Note: where air conditioning condensers are to be located within the basement, certification from a mechanical engineer is to be provided confirming that the nominated area/plantroom will be large enough to accommodate the number of proposed condenser units. This certification must also indicate the likely required</p>	Clarification/ update

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			supply/extraction air flow within the plant room to demonstrate that ventilation requirements have been sufficiently incorporated into the basement design. Additionally there must be sufficient service ducting incorporated into the development so that the systems operate efficiently.	
6-40	6C.12	-	<i>Control added.</i> 6 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.	Clarification/ update
7-6	7A.1	Objective 2- To ensure that the development contributes to the greater Ku-ring-gai landscaped character of buildings within a landscaped garden setting and surrounded by canopy trees. 2 All residential flat buildings are to demonstrate how they provide a garden setting with buildings surrounded by landscaped gardens, including canopy trees, on all sides. 7 Development on visually prominent sites is to: iv) soften visual impact by extensive landscaping including larger trees and shrubs.	Objective 2 - To ensure that the development contributes to the greater Ku-ring-gai landscaped character of buildings within a landscaped garden setting and surrounded by tall trees . 2 All residential flat buildings are to demonstrate how they provide a garden setting with buildings surrounded by landscaped gardens, including tall trees , on all sides. 7 Development on visually prominent sites is to: iv) soften visual impact by extensive landscaping including tall and medium trees and shrubs.	Clarification
7-8	7A.2	6 Soft landscaping, including canopy trees, is to be provided between onsite buildings, fences and courtyard walls.	6 Soft landscaping, including tall trees, is to be provided between onsite buildings, fences and courtyard walls.	Clarification
7-10	7A.3	Objective 1 - To ensure buildings are situated within a garden setting dominated by canopy trees. Objective 3 - To provide effective deep soil areas that are able to create a garden setting, including substantial trees and canopy, to all sides of the building.	Objective 1 - To ensure buildings are situated within a garden setting dominated by tall trees . Objective 3 - To provide effective deep soil areas that are able to create a garden setting, including medium and tall trees , to all sides of the building.	Clarification

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		<p>Objective 11 - To ensure side and rear setbacks allow for deep soil landscaping including substantial trees that are able to screen blank facades and facades with openings to non-habitable rooms and service areas.</p> <p>Objective 14 - To ensure setback areas limit elements that compromise deep soil planting and growth of canopy trees.</p> <p>5 Residential flat buildings are to meet the following side and rear setback requirements to ensure deep soil, landscaping and canopy trees are accommodated to all sides of the building:</p>	<p>Objective 11 - To ensure side and rear setbacks allow for deep soil landscaping including tall and medium trees that are able to screen blank facades and facades with openings to non-habitable rooms and service areas.</p> <p>Objective 14 - To ensure setback areas limit elements that compromise deep soil planting and growth of tall trees.</p> <p>5 Residential flat buildings are to meet the following side and rear setback requirements to ensure deep soil, landscaping and tall trees are accommodated to all sides of the building:</p>	
7-11	7A.3	5 Residential flat buildings are to meet the following side setback requirements to ensure deep soil...	5 Residential flat buildings are to meet the following side and rear setback requirements to ensure deep soil...	Correction
7-13	7A.3	15 No more than 15% of the total area of the street setback area is to be occupied by private terraces/courtyards (see Figure 7A.2-3).	15 No more than 15% of the total area of the street setback area is to be occupied by private terraces/courtyards (see Figure 7A.3-6).	Correction
7-14	7A.4	<p>Objective 1 - To provide deep soil areas capable of supporting large canopy trees in between buildings on the same development site so the Ku-ring-gai garden and tree canopy character is enhanced.</p> <p>1 Residential buildings on the same development site are to include areas of deep soil in between the building that are capable of housing substantial vegetation and large canopy trees.</p>	<p>Objective 1 - To provide deep soil areas capable of supporting tall trees in between buildings on the same development site so the Ku-ring-gai garden and tree canopy character is enhanced.</p> <p>1 Residential buildings on the same development site are to include areas of deep soil in between the buildings that are capable of housing substantial vegetation and tall trees.</p>	Clarification
7-16	7A.6	<p>Objective 5 - To create high quality landscaped areas through retention and/or planting of large and medium sized trees particularly at the street frontage.</p> <p>3 Deep soil zones are to be configured to allow for required tree planting including tall canopy tree planting and garden and screen planting at front, side and rear boundaries.</p>	<p>Objective 5 - To create high quality landscaped areas through retention and/or planting of tall and medium sized trees particularly at the street frontage.</p> <p>3 Deep soil zones are to be configured to allow for required tree planting including tall tree planting and garden and screen planting at front, side and rear boundaries.</p>	Clarification

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7-21	7B.1	<p>10 For all other locations, car parking is to be provided in accordance with the parking rates in Section C Part 22R.1 Car Parking Rates.</p> <p>Note: Any spaces provided which exceed the upper range will be included as gross floor area.</p>	<p>10 For all other locations, car parking is to be provided in accordance with the parking rates in Section C Part 22R.1 Car Parking Rates.</p> <p>Note: Any spaces provided which exceed the upper range in Control 9 above will be included as gross floor area.</p>	Clarification
7-21	7B.1	<p>11 At least one visitor car space is to be accessible and be provided within the site for every 6 apartments or part thereof.</p> <p>12 At least one visitor parking space is to comply with the dimensional and locational requirements of AS2890.6.</p>	<p>11 At least one visitor car space is to be accessible and be provided within the site for every 6 apartments or part thereof, and is to comply with the dimensional and locational requirements of AS2890.6.</p>	Clarification
7-21	7B.1	<p>14 At least one care share space is to be provided.</p>	<p>14 At least one car share space is to be provided in the basement per 90 dwellings, or part thereof.</p>	Update
7-20&21	7B.1	-	<p><i>Objective added.</i></p> <p>8 To provide for future transport and vehicle options including Electric Vehicle charging stations, e-bicycles and the like.</p> <p><i>Control added.</i></p> <p>15 Parking areas are to be designed and constructed so that electric vehicle charging points can be installed.</p>	New content/ update
7-32	7C.6	<p>6 Air conditioning units are to be located within the basement or within the roof structure of the upper most roof. Air conditioning units are not to be located on the building facade or on top of a flat roof or terrace, or within private or communal open spaces.</p>	<p>6 Air conditioning condensers are to be located within the basement or within the roof structure of the upper most roof. Air conditioning condensers are not to be located on:</p> <ul style="list-style-type: none"> i) the building façade; ii) the top of a flat roof; iii) terraces; iv) private or communal open spaces; or v) balconies. <p>Note: where air conditioning condensers are to be located within the basement, certification from a mechanical engineer is to be provided confirming that the nominated area/plantroom will be large enough to accommodate the number of proposed condenser units.</p>	Clarification/ update

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			This certification must also indicate the likely required supply/extraction air flow within the plant room to demonstrate that ventilation requirements have been sufficiently incorporated into the basement design. Additionally there must be sufficient service ducting incorporated into the development so that the systems operate efficiently.	
7-40	7C.11	-	<p><i>Objective added.</i></p> <p>1 To ensure high standards of acoustic privacy to habitable rooms and private open space both within the development and to neighbouring development.</p> <p><i>Control added.</i></p> <p>1 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.</p>	Update
8-2	8 Intro	i) retail or commercial uses at ground and lower levels; and	i) retail or business premises at ground and lower levels;	Correction
8-7	8A.1	6 vi) soften visual impact by extensive landscaping including larger trees and shrubs.	6 vi) soften visual impact by extensive landscaping including tall and medium sized trees and shrubs.	Clarification
8-15	8A.7	<p>Objective 5 - To create high quality landscaped areas through retention and/or planting of large and medium sized trees particularly at the street frontage.</p> <p>4 Deep soil zones are to be configured to allow for required tree planting including tall canopy tree planting and garden and screen planting at front side and rear boundaries.</p>	<p>Objective 5 - To create high quality landscaped areas through retention and/or planting of tall and medium sized trees particularly at the street frontage.</p> <p>4 Deep soil zones are to be configured to allow for required tree planting including tall tree planting and garden and screen planting at front side and rear boundaries.</p>	Clarification
8-23	8B.2	19 At least one care share space is to be provided.	19 At least one car share space is to be provided in the basement per 90 dwellings, or part thereof.	Update
8-35	8C.7	-	<i>Control added.</i>	Update

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			<p>8 The location of air intake vents and exhaust discharge points must be in accordance with AS 1668.2.</p> <p>Note: Architectural plans must show the locations of air intake vents and exhaust discharge points proposed as part of the development, such as those associated with air supply and exhaust systems for basement car parks, plant rooms and waste storage rooms.</p>	
8-40	8C.9	<p>19 Air conditioning units are to be located within the basement or within the roof structure of the upper most roof. Air conditioning units are not to be located on the building facade or on top of a flat roof or terrace, or within private or communal open spaces.</p>	<p>19 Air conditioning condensers are to be located within the basement or within the roof structure of the upper most roof. Air conditioning condensers are not to be located on:</p> <ul style="list-style-type: none"> i) the building façade; ii) the top of a flat roof; iii) terraces; iv) private or communal open spaces; or v) balconies. <p>Note: where air conditioning condensers are to be located within the basement, certification from a mechanical engineer is to be provided confirming that the nominated area/plantroom will be large enough to accommodate the number of proposed condenser units. This certification must also indicate the likely required supply/extraction air flow within the plant room to demonstrate that ventilation requirements have been sufficiently incorporated into the basement design. Additionally there must be sufficient service ducting incorporated into the development so that the systems operate efficiently.</p>	Clarification/ update
8-42&43	8C.10	-	<p><i>Objective added.</i></p> <p>Objective 5 - To provide internal ventilation systems that contribute to flexibility and adaptability of use in the future.</p> <p><i>Control added.</i></p> <p>13 All new development shall be designed to include an internal ventilation shaft to ensure future alterations do not place the shaft in an unsuitable location.</p>	New content

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8-48	8C.15	<p>3 The maximum $L_{Aeq\ 15\ minute}$ noise levels of any development must not exceed the levels as set out in Figure 8C.15-1, when measured at the window of a habitable room within a residential occupancy and in any case not more than 5 dB(A) above the background level ($L_{Aeq\ 15\ minute}$) during the day and evening and not audible within any habitable room of a residential premises at night.</p> <p>Note: Noise assessments are to be conducted in accordance with the methods detailed in the Environment Protection Authority's NSW Industrial Noise Policy.</p>	<p>3 The maximum internal $L_{Aeq\ 15\ minute}$ noise levels of any development must not exceed the noise levels as set out in Figure 8C.15-1.</p> <p>Note: Council requires an acoustic assessment be undertaken by a suitably qualified acoustic consultant to assess compliance with the above criteria. Recommended noise attenuation measures must be included in this report where applicable.</p> <p>Note: Noise assessments are to be conducted in accordance with the methods detailed in the Environment Protection Authority's NSW Industrial Noise Policy.</p> <p><i>Control added.</i></p> <p>4 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.</p>	Clarification/ update
9-10	9B.2	<p>7 Any surface car parking is to be located behind the building line and screened from view.</p> <p>8 The landscape design of surface car parks is to provide for adequate watering.</p> <p>9 Illuminated areas of surface car parks or driveways is to be screened to minimise light spillage and loss of amenity to adjacent residential areas.</p> <p>10 Surface parking areas are to:</p> <ul style="list-style-type: none"> i) have a maximum of 5 parking bays with minimum 2m wide deep soil landscape islands between parking bays and around the perimeter of the area. ii) have broad canopy plant species selected and located in these areas to provide screening and shade, without blocking signs or reducing driver visibility or creating entrapment areas. See <i>Figure 9B.2-4</i>. 	<p>7 Any surface car parking is to comply with Part 22 of this DCP and requirements of AS2890.1.</p>	Update – Controls moved to Part 22 General Access and Parking

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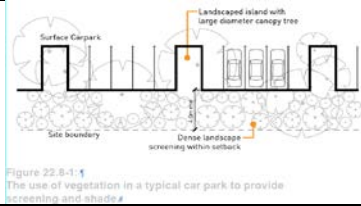
		 <p>Figure 22.8-1: The use of vegetation in a typical car park to provide screening and shade</p>		
9-32	9C.14	-	<p><i>Control added.</i></p> <p>2 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.</p>	Clarification/ update
10-2	10 Intro	<p>This part applies to all types of child care centres except the following:</p> <ul style="list-style-type: none"> i) Home Based Care (except in bush fire prone land) ii) Family Day Care iii) Mobile Care Services iv) Out-of school-hours (OOSH) Care Services 	<p>This part applies to all types of child care centres except the following:</p> <ul style="list-style-type: none"> i) Home Based Care ii) Family Day Care iii) Mobile Care Services iv) Out-of school-hours (OOSH) Care Services v) In bush fire prone land 	Update
10-8	10A.1	<p>Note: The list above is by no means exhaustive. Council may order that air, noise and/or soil testing be carried out or that a report be prepared demonstrating the impacts that traffic generated by the centre will have on the roadway where child care centres are proposed in the vicinity of other roads that carry a high Section of traffic.</p>	<p>Note: The list above is by no means exhaustive. Council requires that air, noise and/or soil testing be carried out for all proposals. Additionally where child care centres are proposed in the vicinity of roads that carry high traffic, a report must be prepared demonstrating the impacts that traffic generated by the centre will have on the roadway.</p>	Clarification
10-11&13	10A.3	<p>5 The child care centre is to be designed to provide for the protection and retention of significant canopy trees.</p> <p>8 Lots with the following sizes are to support a minimum number of medium trees (6-8 metres) to tall trees (10-13 metres):</p> <p>Note: Council may consider a reduction of this standard where existing trees are retained.</p>	<p>5 The child care centre is to be designed to provide for the protection and retention of tall trees.</p> <p>8 Lots with the following sizes are to support a minimum number of trees (6-8 metres) to tall trees (10-13 metres):</p> <p><i>Notes removed.</i></p>	Clarification

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		Note: A list of trees which attain the required height, suitable for a variety of locations is available from Council and on Council's website (www.kmc.nsw.gov.au).		
10-21	10C.2	<p>1 Where a child care centre is to be located on a site adjoining a residential property, noise generated by the centre is not to be more than 5dB(A) above the L90 (ambient background) noise level, as measured at any point on the adjoining residential property.</p> <p>Note: Council may order an acoustic assessment be undertaken by a suitably qualified acoustic consultant that is to include the recommended noise attenuation measures.</p>	<p>1 Where a child care centre is to be located on a site adjoining a residential property, noise generated by the centre (e.g. children using outdoor and indoor areas) must meet the following criteria:</p> <ul style="list-style-type: none"> i) If outdoor play will be limited to up to 2 hours (total) per day – Noise levels emitted from the outdoor play area shall not exceed the background noise level (L90, 15 min) by more than 10 dB as measured at any point on the adjoining residential properties; or ii) If outdoor play will be greater than 2 hours (total) per day - Noise levels emitted from the outdoor play area shall not exceed the background noise (L90, 15 min) level by more than 5 dB as measured at any point on the adjoining residential properties; and iii) Noise from indoor play- Noise levels emitted from indoor play must not exceed the background noise (L90, 15 min) level by more than 5 dB as measured at any point on the adjoining residential properties. <p>2 For requirements on noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and other plant refer to Part 23.8 of this DCP.</p>	New content/ update
10-24	10C.4	Note: Council may order an acoustic assessment, to be undertaken by a suitably qualified acoustic consultant, that includes recommended noise attenuation measures. Measurements are to be taken from 1.5m above the ground level of the proposed outdoor play space.	Note: Council requires an acoustic assessment, to be undertaken by a suitably qualified acoustic consultant, that includes recommended noise attenuation measures.	Update
10-27	10C.5	-	<i>Control added.</i>	New content/update

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			11 A staff room is to be provided. This staff room must include facilities for the storage of personal belongings and cooking/heating equipment for food for personal use by staff. Staff rooms are to be separate from any amenities used for the preparation of food for children.	
10-28	10C.5	-	<i>Control added.</i> 16 Food handling areas used for the preparation of food for children must comply with the AS 4674 and Chapter 3.2.3 of the Food Standards Code.	New content/update
10-32	10C.6	22 Note: Council may order an acoustic assessment that, includes recommended noise attenuation measures, be undertaken by a suitably qualified acoustic consultant. Measurements are to be taken from 1.5m above the ground level of the proposed outdoor play space.	22 Note: Council requires an acoustic assessment be undertaken by a suitably qualified acoustic consultant that is to include recommended noise attenuation measures.	Update
11-2	11 Intro	<p>Public health complaints in relation to the operation of sex industry premises are the responsibility of the NSW Department of Health. Occupational Health & Safety issues are matters handled by the Work Cover Authority. The Australian Federal Police and the Department of Immigration deal with issues of illegal immigrant sex workers.</p> <p>The NSW Department of Health is responsible for safe health practices in the workplace, ensuring safes sex practices, dealing with public health complaints and advising sex workers working with sexually transmissible conditions.</p> <p>However, as a consent authority, Council may undertake inspections of sex industry premises so as to determine compliance with <i>NSW Public Health Act</i> and Regulations, <i>Protection of the Environment Operations Act</i> and conditions of development consent made in accordance with the relevant planning controls.</p>	<p>Representatives from various state and local authorities may have the power to enter and inspect sex industry premises to ensure it meets all relevant requirements.</p> <p>Council may undertake inspections of sex industry premises so as to determine compliance with the <i>NSW Public Health Act</i> and Regulations, <i>Protection of the Environment Operations Act</i> and conditions of development consent made in accordance with the relevant planning controls.</p> <p>Representatives from Council have the legislative powers to enter and inspect premises to ensure it meets relevant requirements or in response to a complaint.</p>	Clarification/update

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11-6	11.3	11 Staff facilities are to include a communal lounge or rest area and a bathroom for staff use only.	<p>11 Staff facilities are to include a communal lounge or rest area and a bathroom for staff use only. Staff facilities must include a staff noticeboard. This noticeboard must include information about safer sex, emergency contacts and other information required by NSW Health or SafeWork NSW.</p> <p>12 If food is provided for sale at the premises food handling areas must comply with the requirements of the Australian Standard 4674.</p>	Update
11-9	11.3	-	<p><i>Controls added.</i></p> <p><i>Laundry Facilities</i></p> <p>35 A properly constructed laundry room must be provided and commercial/industrial laundry equipment must be used.</p> <p>36 Designated storage spaces must be provided for the separate storage of clean and used linen.</p>	New content
13-2	Intro	Ku-ring-gai's urban forest supports over 700 native plants and over 300 vertebrate species, including many species listed as threatened under state or federal legislation. This includes 10 threatened flora species, two threatened populations and 21 fauna species, known to occur or commonly recorded, with many more recorded infrequently or considered transient visitors to the area.	Ku-ring-gai's urban forest includes both exotic and non-endemic native species as well as 24 native vegetation communities. These communities include seven threatened ecological communities listed under the NSW Biodiversity Conservation Act 2016 and four listed under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. Ku-ring-gai's Urban Forest provides habitat for more than 700 native plant species and over 300 vertebrate species; including 18 threatened flora and 30 threatened fauna species; with many more considered transient visitors to the area.	Update
13-3	Intro	This part is made in pursuant to Clause 5.9 and Clause 5.10 of the KLEP and prescribes the trees and other vegetation to which these clauses apply.	This part is made in pursuant to State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and prescribes the trees and other vegetation to which these clauses apply.	Update
13-3	Intro	Injuring a tree or other vegetation does not require consent under this Part, where actions are required or authorised under separate legislation, including:	Injuring a tree or other vegetation does not require consent under this Part, where actions are required or authorised under separate legislation, including:	Update

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		<ul style="list-style-type: none"> - bush fire hazard reduction work authorised by the Rural Fires Act 1997. Under Clause 5.11 of the KLEP, these works may be carried out without consent under this Part. - clause as prescribed in Clause 5.9(8) of the KLEP for example this Clause does not apply to works prescribed by the Electricity Supply Act 1995, Roads Act 1993, Forestry Act 2012, Biosecurity Act 2015 or the Surveying and Spatial Information Act 2002. - approval to harm marine vegetation is provided under part 7 of the Fisheries Management Act 1994. - a license to harm or pick threatened species, populations or ecological communities or damage habitat is provided under Section 2.11 of the Biodiversity Conservation Act 2016. - works required as part of other works for which a development application is required, the works will be assessed as part of the Development Application (approved under Part 4 Environmental Planning and Assessment Act 1979). 	<ul style="list-style-type: none"> - bush fire hazard reduction work authorised by the Rural Fires Act 1997. Under Clause 5.11 of the KLEP, these works may be carried out without consent under this Part. - Vegetation clearing under the 10/50 Vegetation Clearing Code of Practice (Rural Fires Act 1997 Part 4, Division 9) Note: To determine if you are in a 10/50 area refer to the RFS website https://www.rfs.nsw.gov.au (this excludes Critically Endangered Ecological Communities) - works prescribed by the Electricity Supply Act 1995, Roads Act 1993, Biosecurity Act 2015 or the Surveying and Spatial Information Act 2002. - approval to harm marine vegetation is provided under part 7 of the Fisheries Management Act 1994. - a license provided under the Biodiversity Conservation Act 2016. - works required as part of other works for which a development application is required, the works will be assessed as part of the Development Application (approved under Part 4 Environmental Planning and Assessment Act 1979). - works required as State Significant Infrastructure (approved under Part 5.1 Environmental Planning and Assessment Act 1979). 	
13-4	13.1	<p>The prescribed tree and vegetation that are protected by Clause 5.9 and Clause 5.10 of KLEP and this section of the DCP include</p> <ul style="list-style-type: none"> - tree - other vegetation: 	<p>The prescribed tree and vegetation that are protected by Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 and this section of the DCP include</p> <ul style="list-style-type: none"> - tree - other vegetation - native vegetation: <p>...</p> <p>“native vegetation” means:</p> <p>i) trees or other vegetation (as defined above) native to New South Wales. This includes plants established in NSW before European settlement. As referred to within Plantnet (https://plantnet.rbgsyd.nsw.gov.au/).</p> <p>“clearing” means:</p>	Update

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			<p>ii) cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation; or</p> <p>iii) lop or otherwise remove a substantial part of the vegetation.</p>	
13-4	13.1	<p>3 Actions that cause injury to tree(s) or other vegetation include:</p> <p>i) removing including cut down, take away or transplant a tree(s) or other vegetation from its place of origin;</p>	<p>3 Actions that cause injury to tree(s) or other vegetation include:</p> <p>removing including cut down, take away, clearing or transplant a tree(s) or other vegetation from its place of origin;</p>	Update
13-6	13.2	<p>This section explains when approval from Council is required to carry out tree or vegetation works, pursuant to the provisions of Clause 5.9 of the KLEP.</p>	<p>This section explains when approval from Council is required to carry out tree or vegetation works, pursuant to Part 3 of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.</p>	Update
13-6	13.2	<p>1</p> <p>Note: Pruning must be consistent with the Australian Standard for Pruning of Amenity Trees (AS4373-2007), and must not result in a detrimental impact to the future health or stability of the tree or compromise the form of the tree</p>	<p>1</p> <p>Note: Pruning must be consistent with the Australian Standard for Pruning of Amenity Trees (AS4373-2007), and must not result in a detrimental impact to the future health or stability of the tree or compromise the form of the tree. For example, removal of all branches from one side of a tree over a roof line would not be exempt.</p>	Clarification
13-6	13.2	<p>2 Trees and other vegetation within 3m of an existing dwelling</p> <p>i) trees and other vegetation within 3m of any existing dwelling are exempt. The 3m distance is measured from the centre of the trunk of the tree / base of the plant at ground level to the external wall of the dwelling.</p> <ul style="list-style-type: none"> - provided the owner of the land on which the trunk of the tree is located is in agreement and gives consent prior to the tree works. 	<p>2 Trees and other vegetation within 3m of an existing dwelling</p> <p>i) trees and other vegetation within 3m of any existing dwelling on the same property are exempt. The 3m distance is measured from the centre of the trunk of the tree / base of the plant at ground level to the external wall of the dwelling.</p> <ul style="list-style-type: none"> - provided the owner of the land on which the trunk of the tree is located is in agreement and gives consent prior to the tree works. <p>Note: This exemption does not apply to clearing of:</p> <ul style="list-style-type: none"> - Threatened Ecological Communities as per mapping available on Council's web site (https://www.krg.nsw.gov.au). 	Update/ clarification

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			<ul style="list-style-type: none"> - Native vegetation that is on land included on the Biodiversity Values Map, available through the Biodiversity Values Map and Threshold tool (https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap). A copy of the vegetation mapping and biodiversity values map and threshold (BOSET) report (as generated from the tool) should be retained as proof of consideration. 	
13-8	13.2	9 ii) Cootamundra Wattle <i>Acacia baileyana</i> Cocos Palm <i>Aracastum romanzoffianum</i>	9 ii) <i>Removed Cootamundra Wattle.</i> Cocos Palm Syagrus romanzoffiana	Correction/ update
13-8	13.2	-	9 ii) Note: This table does not apply for Heritage Items or in Heritage Conservation Areas.	Clarification
13-9	13.3	2 i) Tree branches directly over roof lines <ul style="list-style-type: none"> - removal of tree branches which directly overhang the roof of a residence or commercial building, if pruned back to the nearest branch junction or collar to clear the roofline. Detached garages, carports and ancillary buildings are not included 	2 i) Tree branches directly over roof lines <ul style="list-style-type: none"> - removal of tree branches which directly overhang the roof of a residence or commercial building, if pruned back to the nearest branch junction or collar to remove from the roofline. Detached garages, carports and ancillary buildings are not included 	Clarification
13-11	13.4	-	1 Note: A permit cannot be granted for the clearing of: <ul style="list-style-type: none"> - native vegetation on land included on the Biodiversity Values Map; - vegetation that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance. In these instances a Development Application or approval of Native Vegetation Panel is required.	Update/ clarification
Section B (Parts 14-20)				

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16-4	16.1	Note: Refer to Planning for Bushfire Protection, A5.3(b) (RFS, 2006) and Standards for Asset Protection Zones (www.rfs.nsw.gov.au) for more detail on appropriate landscaping techniques.	Note: Refer to Planning for Bushfire Protection, Appendix 4 (RFS, 2019) and Standards for Asset Protection Zones (www.rfs.nsw.gov.au) for more detail on appropriate landscaping techniques.	Update
16-3	16.1	8 Note: Development on Bushfire Prone Land is to comply with the requirements of Planning for Bushfire Protection. Protection of life and property from bushfire is to be considered in the early design phase, to allow appropriate construction and design techniques to be incorporated with biodiversity and heritage management on the site.	8 Note: Development on Bushfire Prone Land is to comply with the requirements of Planning for Bushfire Protection 2019 . Protection of life and property from bushfire is to be considered in the early design phase, to allow appropriate construction and design techniques to be incorporated with biodiversity and heritage management on the site.	
17-7	17.2	6 Note: Practicability will be considered on merit. For instance, within existing asset protection zones on bushfire prone lands, the density and design of vegetated areas will need to meet the requirements for Asset Protection Zones under Planning for Bushfire Protection 2006 rather than the above controls.	6 Note: Practicability will be considered on merit. For instance, within existing asset protection zones on bushfire prone lands, the density and design of vegetated areas will need to meet the requirements for Asset Protection Zones under Planning for Bushfire Protection 2019 rather than the above controls.	Update
17-9	17.3	6 Note: Practicability will be considered on merit. For instance, within existing asset protection zones on bushfire prone lands, the density and design of vegetated areas will need to meet the requirements for Asset Protection Zones under Planning for Bushfire Protection 2006 rather than the above controls.	6 Note: Practicability will be considered on merit. For instance, within existing asset protection zones on bushfire prone lands, the density and design of vegetated areas will need to meet the requirements for Asset Protection Zones under Planning for Bushfire Protection 2019 rather than the above controls.	
18-2	18 Intro	Lands excluded from Greenweb may still contain or provide habitat for threatened ecological communities, species or populations as listed under the NSW Threatened Species Conservation Act 1995...	Lands excluded from Greenweb may still contain or provide habitat for threatened ecological communities, species or populations as listed under the NSW Biodiversity Conservation Act 2016 ...	Update legislation reference
18-5	18.1	Note: This may be waived where an assessment report has already been undertaken as part of a submitted Biobanking Statement (in accordance with Part 7A of the NSW Threatened Species Conservation.	Note: This may be waived where an assessment has already been undertaken as part of a Biodiversity Development Assessment Report (BDAR) in accordance with Part 7 of the NSW Biodiversity Conservation Act 2016 .	Update as per new legislation

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18-5	18.1	<p>Note: Flora and fauna assessments must be undertaken by an appropriately qualified and experienced person. Council assessment provisions are available on Council's website: www.kmc.nsw.gov.au</p> <p>Survey and assessments should be undertaken in accordance with guidelines from the NSW Office of Environment and Heritage.</p>	<p>Note: Flora and fauna assessments must be undertaken by an appropriately qualified and experienced person. Council assessment provisions are available on Council's website: www.krg.nsw.gov.au</p> <p>Survey and assessments should be undertaken in accordance with guidelines from the NSW Environment, Energy and Science Group.</p>	Update agency reference
18-12	18.7	<p>3</p> <p>iii) formal offsetting measures</p> <ul style="list-style-type: none"> - such as offsetting on or off site in accordance with Part 7A of the NSW Threatened Species Conservation Act 1995 (also known as Biobanking). 	<p>3</p> <p>i) formal offsetting measures</p> <ul style="list-style-type: none"> - application of the Biodiversity Offsets Scheme in accordance with Part 6 of the NSW Biodiversity Conservation Act 2016. 	Update as per new legislation
19-2	19 Intro	-	<p>The application process allows a merit-based assessment to occur in relation to development affecting heritage items and heritage conservation areas. In the instance of a conservation area, this merit assessment will include the identification of an item, building or group of building's contribution to the wider conservation area. The grading of buildings is no longer pre-determined using any form of mapping or listing system.</p>	New content
19-2	19 Intro	Heritage impact statements and CMPs are to be completed by an appropriately qualified and experienced heritage consultant.	Heritage impact statements and CMPs are to be completed by an appropriately qualified and experienced heritage consultant.	Update
19-7	19A.2	2 Subdivision or consolidation will not generally be permitted where the curtilage and setting of a Heritage Item and significant buildings within or adjoining the site, would be compromised.	2 Subdivision or consolidation will not be permitted where the curtilage and setting of a Heritage Item and significant buildings within or adjoining the site, would be compromised.	Update
19-10	19B.1	-	<p>1 In accordance with the Ku-ring-gai Local Environmental Plan, development consent is required for demolishing or moving a building, work, relic or tree within a conservation area.</p>	New content

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19-10	19B.1	<i>Archival Recordings</i> 5 In a situation where demolition is approved, Council may require an archival and photographic record of the building and grounds (in accordance with the NSW Heritage Branch guidelines) before and during works. This will be included as a condition of development consent where relevant.	<i>Removed.</i>	Update
19-11	19B.2	-	<i>Control added.</i> 1 In accordance with the Ku-ring-gai Local Environmental Plan 2015 and the Ku-ring-gai Local Environmental Plan (Local Centres) 2012, development consent is required for— i) Demolishing, moving or altering the exterior of (including, in the case of a building, making changes to its detail, fabric, finish or appearance) an Aboriginal object or heritage item; and ii) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item.	New content
19-11	19B.2	<i>Archival Recordings</i> 4 If development consent is granted for demolition of whole or part or all of a Heritage Item, Council may require an archival and photographic record of the building and grounds (in accordance with the NSW Heritage Branch guidelines) before and during works.	<i>Removed.</i>	Update
19-14	19C Intro	This section applies to alterations and additions to existing dwellings within an HCA. This part provides guidance to meet the objectives in the KLEP.	This section applies to alterations and additions to existing development within an HCA. This part provides guidance to meet the objectives in the KLEP.	Clarification
19-15	19C.1	2 Where an HCA is characterised by single-storey dwellings...	2 Where an HCA is characterised by single-storey development ...	Clarification
19-18	19C.2	1 The siting of alterations and additions is to maintain the established streetscape pattern, including the main	1 The siting of alterations and additions is to maintain the established streetscape pattern, including principal	Clarification

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		dwelling, garages, carports and garden structures. Refer to Figure 19C.2-1.	dwelling, garages, carports and garden structures. Refer to Figure 19C.2-1.	
19-20	19C.4	3 Where original concrete wheel strips exist, they are to be retained.	3 Where original concrete wheel strips exist, they are to be retained with grass in between .	Update
19-20	19C.4	6 Finishes to new or refurbished driveways are to match original driveway finishes or be appropriate to the architectural style of the HCA. Painted or coloured concrete, terracotta pavers, aggregate surfaces or stamped or stencilled concrete are not to be used.	6 Double garages should only be accessed by a single driveway. Finishes to new or refurbished driveways are to match original driveway finishes or be appropriate to the architectural style of the HCA. Painted, coloured, stamped or stenciled concrete, pavers, aggregate, pebblecrete or cobblestones are not to be used for new driveways or driveway elements.	Update
19-20	19C.4	-	<i>Control added.</i> 7 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street.	Update
19-20	19C.4	-	<i>Control added.</i> 8 Sloping driveways to basement parking is not acceptable except if the gradient down begins behind the front building line and is less visible from the street.	Update
19-21	19C.4	7 Battle-axe driveways are to be constructed of traditional materials such as asphalt, gravel, stone flagging or concrete wheel strips and incorporate provisions for landscaping.	9 Battle-axe Driveways including battle-axe handles are to be constructed of materials such as bitumen , gravel, stone flagging or concrete wheel strips and incorporate provisions for landscaping.	Update
19-21	19C.4	8 Where feasible, new car parking is to be consistent with the historic placement of parking structures on the site.	10 Where it is physically possible , new car parking is to be consistent with the historic placement of parking structures on the site.	Update
19-21	19C.4	9 New garages and carports are not permitted forward of the building line and are to be located at least 1.5m minimum behind the existing front building line, preferably to the rear of the main building.	11 Garages and carports are not permitted forward of the building line and are to be located at least 1m minimum behind the existing front building line, preferably to the rear of the main building.	Update
19-21	19C.4	-	<i>Control added.</i>	New content

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			12 New carport and structures must pay regard to existing and original features of dwellings, such as windows, doors, string coursing.	
19-21	19C.4	10 New car and vehicle parking forward of the front building line may be permitted where a minimum 3m access to the side and rear of the building is not available.	13 Only in exceptional circumstances and where a dwelling has a side setback of less than 3m, a hard stand area forward of the building line formed of suitable materials may be considered appropriate.	Update
19-21	19C.4	11 New garages, carports and driveways are to be of simple design and not challenge the mass, bulk and architectural design detail of the house and the surrounding streetscape.	<i>Removed.</i>	Update
19-21	19C.4	12 Double garage doors are to be constructed as two separate doors separated by a pier.	14 New double garage doors are to be divided by a central mullion or constructed as two doors separated by a pier.	Update
19-21	19C.4	13 Dark coloured garage doors are not encouraged due to visual impact on the streetscape. A similarity in colour of garage doors and wall surfaces that reduce impact to the street is favoured.	15 New double garages must be located behind the rear building line to avoid being a visually dominant element within the streetscape.	Update
19-21	19C.4	14 Existing building fabric, including verandahs and balconies, are not to be altered to provide a carparking structure or hard stand area.	16 Original existing building fabric, including verandahs and balconies, are not to be altered to provide a carparking structure or hard stand area.	Clarification
19-21	19C.4	17 Original garage doors, usually boarded timber, are to be retained and conserved, where possible. Where new doors are proposed to be added to early garage structure, they are to retain the colour, materials and detail to the original garage building and the significant item with which it is associated.	18 Original garage doors, usually boarded timber, are to be retained and conserved, where possible. Where replacement doors are proposed to original or early garage structures, they are to be similar in colour, materials and detail of the original.	Clarification
19-21	19C.4	18 Where an early or original garage survives sited on or close to the street frontage, it is to be conserved.	<i>Removed.</i>	Update
19-21	19C.4	-	<i>Objective added.</i> 9 - To ensure that car parking structures do not challenge the mass or bulk or mimic the architectural detailing of original buildings and the wider streetscape.	New content

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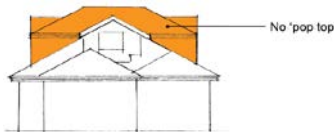
19-25	19C.6	3 The roofs of alterations and additions are to match the existing roof in form, height and eaves, and be in proportion with the existing building. Non-matching roof forms for new work will be considered where they are complementary in design, not visible from the public domain and follow historic practices, such as rear skillion roofs (see Figure 19C.1-1).	3 The existing principal roof form is to be retained to the extent that it can be interpreted. The roofs of alterations and additions are to have a separate linked section. New roof forms for new work will be considered where they are complementary in design, not visible from the public domain (see Figure 19C.6-1) and follow historic practices, such as rear skillion roofs (see Figure 19C.1-1).	Update/ clarification
19-25	19C.6	Attic rooms are to be located within the existing roof forms and retain the streetscape appearance of the existing buildings. Note: In some cases depending on location of buildings and shape of roof, higher roof forms to attics may be considered.	<i>Removed.</i>	Update
19-25	19C.6	4 Skylights and dormer windows are not to be used on the street- facing roof elevations. Skylights are to have a low profile and be flush with the roof surface.	4 Dormer windows are not to be used on the street- facing roof elevations. Skylights are to have a low profile and be flush with the roof surface.	Update
19-25	19C.6	6 New or replacement roof materials are to match, like-for-like, original roof materials in texture, pattern and colour.	5 On original buildings, new or replacement roof materials are to match, like-for-like, original roof materials in texture, pattern and colour.	Update/ clarification
19-25	19C.6	-	<i>Control added.</i> 8 Appropriate roofing materials are profiled terracotta tiles, slate and other original roofing materials. Replica flat slate and concrete roof tiles are not permitted.	New content
19-25	19C.6	-	<i>Figure added.</i> Figure 19C.6-1 No 'pop top' roofs visible from public domain. 	New content
19-26	19C.6	Solar Panels, Solar Water Heaters, Antennae and Other Infrastructure	Skylights, Solar Panels, Solar Water Heaters, Antennae and Other Infrastructure	Update/ clarification

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		9 Structures, such as skylights, solar panels, solar hot water heaters, antennae etc attached to the exterior roof are: i) To be kept below the ridge line;	9 Structures, such as skylights , solar panels, solar hot water heaters, antennae etc attached to the exterior roof are: i) Not to be located within existing original and intact roof forms; ii) To be kept below the ridge line;	
19-28	19C.8	4 New front fencing is not encouraged in areas where it does not form part of the streetscape...	4 New front fencing and gates including vehicular access gates are not encouraged in areas where it does not form part of the streetscape...	Update
19-28	19C.8	6 Where historic records and physical evidence exists, new front fencing is to reinstate the original.	6 Where historic records and physical evidence exists, new front fencing and gates, including vehicular access gates are to reinstate the original.	Update
19-28	19C.8	-	7 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street.	Update
19-28	19C.8	-	<i>Control added.</i> 10 New vehicular access gates must promote views to all properties especially to battle-axe allotments with reduced visual permeability.	New content
19-28	19C.8	Objective 3 - To encourage the reinstatement of the original form of fencing, where known.	Objective 3 - To encourage the reinstatement of the original form of fencing and gates , where known.	Update
19-28	19C.8	Objective 4 - To encourage new front fences which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.	Objective 4 - To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.	Update
19-30	19D Intro	This section applies to new single residential dwellings within an HCA and are in addition to the controls in Section 19C and are to be read in conjunction with them. This part provides guidance to meet the objectives in the KLEP.	This section applies to new development within an HCA and are in addition to the controls in Section 19C and are to be read in conjunction with them. This part provides guidance to meet the objectives in the KLEP.	Update
19-31	19D.1	7 Where an HCA is characterised by single-storey dwelling, single-storey development on infill sites is	7 Where an HCA is characterised by single-storey development , single-storey development on infill sites is	Update

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		preferred. New two-storey houses will only be permitted where the upper floor is designed within the roof and where the new building is in keeping with the height, mass and proportions of contributory properties in the vicinity.	preferred. New two-storey houses will only be permitted where the upper floor is designed within the roof and where the new building is in keeping with the height, mass and proportions of contributory properties in the vicinity.	
19-32	19D.2	1 The siting of new buildings is to be consistent with the established pattern of built elements in the HCA, including the main dwellings, garages, carports and garden structures.	1 The siting of new buildings is to be consistent with the established pattern of built elements in the HCA, including principal dwellings, garages, carports and garden structures.	Update
19-33	19D.3	4 High solid hedges that screen the dwellings from the street are not permitted.	4 High solid hedges that screen buildings from the street are not permitted.	Clarification
19-33	19D.3	-	<p><i>Controls added.</i></p> <p>New Front Fences and Gates</p> <p>5 New front fencing, pedestrian and vehicular access gates are to match the architectural style of the house and the character of the immediate streetscape.</p> <p>6 No metal panel fencing is to be constructed on any boundary within an HCA.</p> <p>7 New vehicular access gates must promote views to all properties, especially to battle-axe allotments with reduced visual permeability.</p> <p>Driveway</p> <p>8 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street</p> <p>9 Sloping driveways to basement parking is not acceptable except if the gradient down begins behind the front building line and is less visible from the street.</p>	New content
19-33	19D.3	-	<p><i>Objectives added.</i></p> <p>2 To promote new front fences and gates that are consistent with the existing character of the streetscape</p> <p>3 To promote fences that do not detract from surrounding development.</p> <p>4 To promote visual permeability between properties and the public domain.</p>	New content

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			5 To ensure that vehicular access gates are open and transparent, allowing sightlines to properties and driveways.	
19-39	19E.1	-	<p><i>Control added.</i></p> <p>Views 14 New development on the site of a Heritage Item is to demonstrate that it will not reduce or impair important views to and from the Heritage Item from the public domain.</p>	New content
19-41	19E.3		<p><i>New section – Setbacks</i></p> <p><i>Objectives added.</i></p> <p>1 To ensure new work to heritage items respects and contributes to character of the heritage item. 2 To ensure new development provides an interface of scale and bulk to preserve the amenity to the significant elements within the heritage curtilage. 3 To ensure new medium density development does not visually dominate the Heritage Item, where this type of development is considered appropriate.</p> <p><i>Controls added.</i></p> <p>1 In addition to the side and rear setback controls in Section A of this DCP, new development on the site of a Heritage Item is to comply with the following:</p> <ul style="list-style-type: none"> i) new buildings are to have a minimum 12m building separation to significant elements of the Heritage Item (more if setback requirements are not met within the 12m) as per Figure 19E.3-1; ii) adjacent buildings are not to exceed a facade height of 8m from existing ground level, including balustrades; iii) adjacent buildings with a building mass above 8m high from existing ground level are to be stepped back an additional 6m from significant elements of the Heritage Item as per Figure 19E.3-1; and 	

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			iv) where variations in setbacks exist the larger setback will apply.	
19-42	19E.4	2 New gardens should be horticulturally and stylistically sympathetic to the period of the HCA. The use of similar materials such as sandstone, brick and gravel is encouraged.	2 New gardens should be horticulturally and stylistically sympathetic to the period of the Heritage Item . The use of similar materials such as sandstone, brick and gravel is encouraged.	Correction
19-42	19E.4	4 High solid hedges that screen the dwellings from the street are not permitted.	4 High solid hedges that screen buildings from the street are not permitted.	Update
19-43	19E.5	-	<p><i>New section – Access and Parking</i></p> <p><i>Objectives added.</i></p> <p>1 To ensure that modifications to provide access do not adversely affect significant built fabric.</p> <p>2 To allow for on-site car parking where possible while retaining the character of the property.</p> <p>3 To ensure that driveways do not have any adverse visual impact on the curtilage or setting of the heritage item.</p> <p>4 To minimise the visual impact of new car parking by locating it at the side or rear of properties.</p> <p>5 To ensure battle-axe driveways do not detract from the curtilage or setting of the heritage item.</p> <p>6 To ensure that new garages and carports do not have any adverse impact on the curtilage or setting of the heritage item.</p> <p>7 To ensure that car parking structures do not challenge the mass or bulk or mimic the architectural detailing of the heritage item.</p> <p>8 To retain and conserve original and early coach houses, stables and motor garage as they contribute to the setting of the heritage item.</p> <p><i>Controls added.</i></p> <p>Equitable Access</p> <p>1 Modifications and alterations to provide access and mobility are to:</p> <p>i) explore all options to achieve the statutory requirements in the least obtrusive manner possible;</p>	Update

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			<p>ii) involve the least demolition of significant fabric; iii) be reversible; and iv) preserve fabric of higher significance if a compromise is required.</p> <p>Note: Access requirements apply for public buildings and residential flat buildings; they are not generally required for dwelling houses. Note: Access solutions will be unique to each property and will be assessed on their individual merits. Note: Refer to Disability Discrimination Act 1991. Note: Refer to Australian Standard 1428.</p> <p>Driveways 2 Original and existing rear lane or side entry vehicle access is to be retained and/or utilised where rear and side lanes exist. 3 Where original concrete wheel strips exist, they are to be retained with grass in between. 4 New parking areas, garages and driveways are to be designed carefully so that they do not dominate the principal elevations or detract from the curtilage or setting of the heritage item. 5 Double garage should only be accessed by a single driveway. Finishes to new or refurbished driveways are to match original driveway finishes or be appropriate to the architectural style of the heritage item. Painted, coloured, stamped or stenciled concrete, pavers, aggregate, pebblecrete or cobblestones are not to be used for new driveways or driveway elements. 6 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street.</p> <p>Battle-axe Driveways 7 Battle-axe Driveways including battle-axe handles are to be constructed of materials such as bitumen, gravel, stone flagging or concrete wheel strips and incorporate provisions for landscaping.</p> <p>New Garages and Carports</p>	
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			<p>8 Where it is physically possible, new car parking is to be consistent with the historic placement of parking structures on the site.</p> <p>9 Garages and carports are not permitted forward of the building line and are to be located at least 1m minimum behind the existing front building line, preferably to the rear of the main building.</p> <p>10 New carport and structures must pay regard to existing and original features of dwellings, such as windows, doors, string coursing.</p> <p>11 Only in exceptional circumstances and where a dwelling has a side setback of less than 3m, a hard stand area forward of the building line formed of suitable materials may be considered appropriate.</p> <p>12 New double garages to heritage items are not considered to be appropriate.</p> <p>13 Original existing building fabric, including verandahs and balconies, are not to be altered to provide a carparking structure or hard stand area.</p> <p>Original Coach Houses, Stables, Garages</p> <p>14 Where original and early garages, coach houses and stables survive, they should be retained and conserved.</p> <p>15 Original garage doors, usually boarded timber, are to be retained and conserved, where possible. Where replacement doors are proposed to original or early garage structures, they are to be similar in colour, materials and detail of the original.</p>	
19-45	19E.6	-	<p><i>New section – Outbuildings and garden structures (excluding garages and carports)</i></p> <p><i>Objective added.</i></p> <p>1 To ensure that new garden structures and of outbuildings do not detract from the significance of a heritage item through inappropriate siting or excessive scale, bulk or visibility.</p> <p><i>Controls added.</i></p>	Update

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			<p>1 Original and early outbuildings and garden structures are to be retained.</p> <p>2 No new garden structures or outbuildings including pools, water tanks, gazebos, sheds, stores, cabanas are to be located within the front setback.</p> <p>3 In considering any application for permission to erect an outbuilding or structure, the following will be considered:</p> <ul style="list-style-type: none"> i) the location of the proposed structure in relation to the principal building, boundaries and other details of the site; ii) the proposed form, scale, materials and colours of the structure. In this regard, the scale of any outbuilding or structure is to be subservient to the main house, colours and materials should be recessive; and iii) the relative prominence and visibility of the proposed structure from the street frontage or frontages of the site. 	
19-46	19E.7	-	<p><i>New section - Fencing</i></p> <p><i>Objectives added.</i></p> <p>1 To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape.</p> <p>2 To retain those streetscapes where front and side fencing do not form part of the original streetscape.</p> <p>3 To encourage the reinstatement of the original form of fencing and gates, where known.</p> <p>4 To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences.</p> <p><i>Controls added.</i></p> <p>Original and Early Fences, Gates and Retaining Walls</p> <p>1 Original and early fences, piers, gates and retaining</p>	Update

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			<p>walls are to be retained and conserved. The height of original and early fences is not to be altered.</p> <p>2 Original face brick or sandstone fences are not to be rendered, coated or painted.</p> <p>3 The configuration, finishes and details of original sandstone retaining walls that are located at the street front boundaries (whether identified as contributory properties or not) are to be retained and conserved.</p> <p>Missing or Absent Fences</p> <p>4 New front fencing and gates including vehicular access gates are not encouraged in areas where it does not form part of the streetscape. In such areas, the front boundary can be defined by low hob walls, by garden beds or planting to allow private gardens to merge with their neighbours and support the landscape character of the area.</p> <p>New Front Fences and Gates</p> <p>1 Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged.</p> <p>2 Where historic records and physical evidence exists, new front fencing and gates, including vehicular access gates, are to reinstate the original.</p> <p>3 Where no evidence is available to guide reconstruction of missing fences and gates to contributory properties, new front fencing, pedestrian and vehicular access gates are to match the architectural style and period of the house.</p> <p>4 No metal panel fencing is to be constructed on any boundary to a heritage item.</p> <p>5 New vehicular access gates must promote views to all properties, especially to battle-axe allotments with reduced visual permeability.</p> <p>6 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street</p> <p>7 Sloping driveways to basement parking is not acceptable except if the gradient down begins behind the</p>	
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			front building line and is less visible from the street. Note: Refer to Dividing Fences Act 1991	
19-51	19F.2	Figure 19F.2-1 Setback requirements for high density residential development adjacent to Heritage Item or an HCA.	Figure 19F.2-1 Setback requirements for medium and high density residential development adjacent to Heritage Item or an HCA.	Correction
19-54	19F.4	Objective 1 To encourage front fences on adjacent site that contribute to the setting of the Heritage Item and the streetscape character of the HCA. Controls Fences on adjoining sites 1 New front fences on adjacent sites are to be no higher than the front fences of the adjoining Heritage Item or HCA. Open and transparent front fences such as timber or metal picket are preferred. 2 No metal panel fencing is to be constructed on any boundary of a Heritage Item.	<i>Removed.</i>	Update.
19-54	19F.4	-	<i>Objectives added.</i> 1 To retain early and original fences, gates and retaining walls where they survive, and where they reinforce the original landscape character of the garden and streetscape 2 To retain those streetscapes where front and side fencing do not form part of the original streetscape 3 To encourage the reinstatement of the original form of fencing and gates, where known. 4 To encourage new front fences and gates which contribute to the streetscape character of the HCA by being consistent with the established pattern of existing original fences. <i>Controls added.</i>	New Content

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			<p>Original and Early Fences, Gates and Retaining Walls 1 Original and early fences, piers, gates and retaining walls are to be retained and conserved. The height of original and early fences is not to be altered. 2 Original face brick or sandstone fences are not to be rendered, coated or painted. 3 The configuration, finishes and details of original sandstone retaining walls that are located at the street front boundaries (whether identified as contributory properties or not) are to be retained and conserved.</p> <p><i>Missing or Absent Fences</i> 4 New front fencing and gates including vehicular access gates are not encouraged in areas where it does not form part of the streetscape. In such areas, the front boundary can be defined by low hob walls, by garden beds or planting to allow private gardens to merge with their neighbours and support the landscape character of the area.</p> <p><i>New Front Fences and Gates</i> 5 Replacement of unsympathetic fences, gates and walls with new elements of appropriate height, style and materials is encouraged. 6 Where historic records and physical evidence exists, new front fencing and gates, including vehicular access gates, are to reinstate the original. 7 Where no evidence is available to guide reconstruction of missing fences and gates to contributory properties, new front fencing, pedestrian and vehicular access gates are to match the architectural style and period of the house. 8 No metal panel fencing is to be constructed on any boundary to a heritage item. 9 New vehicular access gates must promote views to all properties, especially to battle-axe allotments with reduced visual permeability. 10 Swing gates are preferred to sliding gates. Sliding gates may only be acceptable where the driveway is sloping upward from the street</p>	
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			11 Sloping driveways to basement parking is not acceptable except if the gradient down begins behind the front building line and is less visible from the street. Note: Refer to Dividing Fences Act 1991	
Section C (Parts 21-24)				
21-2	21 Intro	Part 21.1 - Earthworks and Slope guides developments in meeting some of the objectives and standards in Clause 6.9 Earthworks in the LEP.	Part 21.1 - Earthworks and Slope guides developments in meeting some of the objectives and standards in Clause 6.2 Earthworks in the LEP.	Correction
21-3	21.1	-	<i>Objective added.</i> To preserve the visual amenity and privacy of neighbouring properties.	Update
21-4	21.1	11 For any dwelling house development, excavation within the building footprint must not exceed 1.0m depth relative to ground level (existing), fill must not exceed 1m relative to ground level, with a maximum level difference across the building footprint of 1.8m. See Figure 21.2-1.	11 For any dwelling house development, excavation within the building footprint must not exceed 1.0m depth relative to ground level (existing), fill must not exceed 1m relative to ground level, with a maximum level difference across the building footprint of 2m . See Figure 21.2-1. <i>Amendment also reflected in corresponding Figure 21.2-1.</i>	Correction
21-4	21.1	Figure 21.1-1 Retaining walls, terraces and ground lines at boundaries Figure 21.1-2 Earthworks within the building footprint	Figure 21.1-1 Earthworks within the building footprint Figure 21.1-2 Retaining walls, terraces and ground lines at boundaries	Correction
22-4	22.1	4 Applications for development, other than single dwellings, are to demonstrate how access to and within developments meets the requirements of the Disability Discrimination Act 1992 (DDA).	4 Applications for development, other than single dwellings, are to demonstrate how access to and within developments meets the requirements of the Disability Discrimination Act 1992 (DDA) and the Disability (Access to Premises – Buildings) Standards 2010.	Update
22-4	22.1	4 ... Section 23 applies to existing places as well as places under construction. To comply with the DDA existing places may need to be modified to be accessible.	4 ...Section 23 applies to existing places as well as places under construction. The Disability (Access to Premises – Buildings) Standards 2010 are one of three standards established under the DDA, and provides information for people responsible for the design, construction and management of buildings in relation to the level of access required, and how this may be achieved. To comply with the DDA and the Disability (Access to Premises – Buildings)	Update

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			Standards 2010 existing places may need to be modified to be accessible.	
22-7	22.2	-	<p><i>Control added.</i></p> <p>15 Any new development with 4 or more dwellings, or childcare development, which has its driveway on a road that carries over 2,000 vehicles per day must make an application to the Ku-ring-gai Traffic committee to provide 'No Parking' restrictions for 6 metres on either side of the driveway. Costs of reporting, processing and installation are to be at the applicant's expense.</p>	New content
22-8	22.3	-	<p><i>Control added.</i></p> <p>9 All off-street parking provision must comply with the design requirements of the current AS 2890 applying to off -street car parking.</p>	New content
22-13	22.8	-	<p><i>Objectives added.</i></p> <p>To locate and design car parking which is integrated into the design of the site and the building.</p> <p>To limit surface car parking and ensure it is incorporated into the landscape design of the development site.</p> <p>To ensure shading of outdoor car park areas through the use of landscaping.</p> <p><i>Controls added.</i></p> <p>Any surface car parking is to be located behind the building line and screened from view.</p> <p>The landscape design of surface car parks is to provide for adequate watering.</p> <p>Illuminated areas of surface car parks or driveways is to be screened to minimise light spillage and loss of amenity to adjacent residential areas.</p> <p>Surface parking areas are to:</p> <ul style="list-style-type: none"> i) have a maximum of 5 parking bays with minimum 2m wide deep soil landscape islands between parking bays and around the perimeter of the area. ii) have broad canopy plant species selected and located in these areas to provide screening and shade, without blocking signs or reducing driver 	Update (controls and objectives moved from Part 9B.2.

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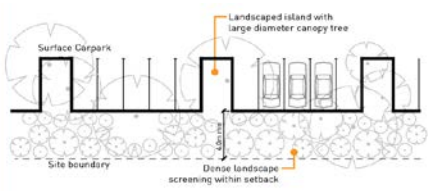
			<p>visibility or creating entrapment areas. See <i>Figure 22.8-1</i>.</p>  <p>Figure 22.8-1: The use of vegetation in a typical car park to provide screening and shade.</p>	
22-17	22R.1	<p>Note</p> <p>New development relates to a new building or complex that is designed or designed to be adapted for a coffee shop, café or restaurant.</p>	<p>Note</p> <p>For minor additions to existing restaurants etc or conversion of existing premises to restaurants etc, merit based assessment.</p> <p>Note:</p> <p>1 space per 17m² may be considered for reduction to 1 space per 26m², and 1 space per 28m² may be reduced to 1 space per 35m² where development within 400m radius of a railway station ticket office.</p>	Clarification/ update
22-19	22R.1	<p>Note</p> <p>Rate includes staff parking. Bulk of parking should be in a convenient location, allowing safe setdown / pick up and movement of children. Provision is also to be made for bus services.</p>	<p>Note</p> <p>Rate includes staff parking. Bulk of parking should be in a convenient location, allowing safe setdown / pick up and movement of children. Minimum 60% of parking spaces to be allocated to pick-up/drop-off.</p>	Update
23-6	23.2	<p>2 All new buildings that are less than 2000m² are to provide the following documentation at Development Application (DA) stage:</p>	<p>2 All new buildings that are less than 2000m², or the non-residential components of mixed-use buildings that are less than 2000m², are to provide the following documentation at Development Application (DA) stage:</p>	Clarification/ update
23-6	23.2	<p>3 Where the total allowable gross floor area on a single site is above 2,000m² but below 5,000m², all new buildings are to achieve 4 Star Green Star ('Best Practice') Design Rating under the GBCA <i>Green Star - Design & As Built</i> rating tool.</p>	<p>3 Where the total allowable gross floor area for the non-residential components of development on a single site is above 2,000m² but below 5,000m²,</p> <ul style="list-style-type: none"> all new buildings, or alterations and addition of non-residential components of a building equal to 80% or more of the existing building, 	Clarification/ update

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			are to achieve 4 Star Green Star ('Best Practice') Design Rating under the GBCA <i>Green Star - Design & As Built</i> rating tool.	
23-14	23.6	6 Air conditioning units located within basements must be screened and have adequate ventilation.	<p>6 Air conditioning condensers are to be located within the basement or within the roof structure of the upper most roof. Air conditioning condensers are not to be located on:</p> <ul style="list-style-type: none"> i. The building façade; ii. Top of a flat roof; iii. Terraces; iv. Private or communal open spaces; or v. Balconies. <p>Note: where air conditioning condensers are to be located within the basement, certification from a mechanical engineer is to be provided confirming that the nominated area/plantroom will be large enough to accommodate the number of proposed condenser units. This certification must also indicate the likely required supply/extraction air flow within the plant room to demonstrate that ventilation requirements have been sufficiently incorporated into the basement design. Additionally there must be sufficient service ducting incorporated into the development so that the systems operate efficiently.</p>	Clarification/ update
23-23	23.7	-	<p><i>Control added.</i></p> <p>65 Easement waste collection must be in accordance with terms in 24R.8 of this DCP.</p>	Update
23-24	23.8	6 The noise level from air conditioning systems is not to exceed the Laeq 15 minute by 5dBA measured at any bedroom window.	6 Noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as an individual piece of equipment or in combination shall not be audible within any habitable room in any residential premises before 7am and after 10pm. Outside of these restricted hours noise levels associated with air conditioning, kitchen, bathroom, laundry ventilation, or other mechanical ventilation systems and plant either as	Clarification/ update

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			<p>an individual piece of equipment or in combination shall not emit a noise level greater than 5dB(A) above the background noise (LA90, 15 min) when measured at the boundary of the nearest potentially affected neighbouring properties. The background (LA90, 15 min) level is to be determined without the source noise present.</p> <p>Note: Council requires an acoustic assessment be undertaken for multi-dwelling housing, residential flat buildings, mixed-use development, non-residential buildings, and child care centres. Council may require an acoustic assessment be undertaken for dwelling houses and secondary dwellings. Assessment must be undertaken by a suitably qualified acoustic consultant to assess compliance with the above criteria. Recommended noise attenuation measures must be included in this report where applicable.</p>	
24-11	24B.2	2 The total discharge from a single development lot to the street gutter or table drain must not exceed 25 litres per second.	2 The total discharge from a single development lot to the street gutter or table drain must not exceed 25 litres per second for development Type 3 and above.	Update
24-12	24B.2	9 ii) For pipes of diameter greater than 150mm, connection to the Council street drainage pipe must, at Council's discretion, be undertaken in conjunction with the establishment of a grated gully (access) pit to Council standards. Details of new pits will need to be submitted to Council in accordance with 25D.1 of this Part.	9 ii) For pipes of diameter greater than 150mm, connection to the Council street drainage pipe must, at Council's discretion, be undertaken in conjunction with the establishment of a grated gully (access) pit to Council standards. Details of new pits will need to be submitted to Council.	Update
24-13	24B.2	<p>12 The feasibility of such a proposal must be established by a suitably experienced and qualified civil engineer eligible for membership of Engineers Australia.</p> <p>13 A detailed design must be prepared by a suitably experienced and qualified civil engineer eligible for membership to Engineers Australia based on design criteria obtained from the roads authority (Refer to 24E of this Part).</p>	<p>12 The feasibility of such a proposal must be established by a suitably experienced and qualified civil engineer.</p> <p>13 A detailed design must be prepared by a suitably experienced and qualified civil engineer based on design criteria obtained from the roads authority (Refer to 24E of this Part).</p> <p>Note: The full cost of such works must be borne by the developer.</p>	Update

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		<p>Note: The full cost of such works must be borne by the developer.</p> <p>Note: The design is subject to the approval of the roads authority (Council or RMS) under the Roads Act 1993 and no work may be undertaken until approved.</p>	<p>Note: The design is subject to the approval of the roads authority (Council or TfNSW) under the Roads Act 1993 and no work may be undertaken until approved.</p>	
24-15	24B.3	<p>1 Disposal of stormwater from Location B properties must be undertaken in accordance with the NSW DPI Office of Water document 'Guidelines for Outlet Structures on Waterfront Land, 2012'.</p> <p>Note: This document is available at www.water.nsw.gov.au/</p>	<p>1 Disposal of stormwater from Location B properties must be undertaken in accordance with the NSW Department of Primary Industries 'Office of Water' document 'Guidelines for Outlet Structures on Waterfront Land, 2012'.</p> <p>Note: This document is available at www.industry.nsw.gov.au</p>	Update
24-16	24B.4	<p>2 For new single dwellings (Development Type 3), the maximum post developed built-upon area draining to the dispersal trench system, infiltration trench system or raingarden must not exceed 35% of the built-upon area.</p>	<p>2 For new single dwellings (Development Type 3), the maximum post developed built-upon area draining to the dispersal trench/ level spreader system must not exceed 35% of the built-upon area.</p>	Correction
24-16	24B.4	<p>3 For alterations and additions (Development Types 1 & 2), the post- development built-upon area draining to dispersal trench system, infiltration trench system or raingarden must not exceed the greater of</p> <ul style="list-style-type: none"> i) 35% of the built-upon area; or ii) the pre-developed built-upon area. 	<p>3 For alterations and additions (Development Types 1 & 2), the post- development built-upon area draining to dispersal trench/level spreader system, must not exceed the greater of</p> <ul style="list-style-type: none"> i) 35% of the total site area; or ii) the pre-developed built-upon area. 	Clarification
24-19	24B.5	<p>Note: In the event that the existing easement to piped system is not satisfactory in terms of capacity or length, Council will require the system to be upgraded or extended (refer to 25R.6 of this Part).</p>	<p>Note: In the event that the existing easement to piped system is not satisfactory in terms of capacity or length, Council will require the system to be upgraded or extended (refer to 24R.6 of this Part).</p>	Correction
24-23	24B.5	<p>10 (v) It is demonstrated that, for alterations and additions (Development Types 1 & 2), the post-development built-upon area draining to:</p> <ul style="list-style-type: none"> - a dispersal trench system will not exceed the greater of <ul style="list-style-type: none"> o 30% of the total site area; or o the pre-developed built-upon area; - an infiltration trench system will not exceed the greater of 	<p>10 (v) It is demonstrated that, for alterations and additions (Development Types 1 & 2), the post-development built-upon area draining to:</p> <ul style="list-style-type: none"> - an infiltration/absorption trench system will not exceed the greater of <ul style="list-style-type: none"> o 30% of the total site area; or o the pre-developed built-upon area; - a dispersal/ level spreader trench system will not exceed the greater of 	Update

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		<ul style="list-style-type: none"> ○ 35% of the total site area; or ○ the pre-developed built-upon area. 	<ul style="list-style-type: none"> ○ 35% of the total site area; or ○ the pre-developed built-upon area. 	
24-23	24B.5	10 (vi) Where an infiltration trench system is proposed, its feasibility must be demonstrated in a report based on a scientific test by a qualified geotechnical engineer that the soils and bedrock are appropriate for the employment of such a system.	<i>Removed.</i>	Update
24-23	24B.5	<p>10 (iv) It is demonstrated that, for new single dwellings (Development Type 3), the maximum post developed built-upon area draining to the:</p> <ul style="list-style-type: none"> - dispersal trench system will not exceed 30% of the total site area; or - infiltration trench system will not exceed 35% of the total site area. <p>(v) It is demonstrated that, for alterations and additions (Development Types 1 & 2), the post-development built-upon area draining to:</p> <ul style="list-style-type: none"> - a dispersal trench system will not exceed the greater of <ul style="list-style-type: none"> - 30% of the built upon area; or - the pre-developed built-upon area; - an infiltration trench system will not exceed the greater of <ul style="list-style-type: none"> - 35% of the built upon area; or - the pre-developed built-upon area. 	<p>10 (iv) It is demonstrated that, for new single dwellings (Development Type 3), the maximum post developed built-upon area draining to the:</p> <ul style="list-style-type: none"> - infiltration/absorption trench system will not exceed 30% of the total site area; or - dispersal/level spreader trench system will not exceed 35% of the total site area. <p>(v) It is demonstrated that, for alterations and additions (Development Types 1 & 2), the post-development built-upon area draining to:</p> <ul style="list-style-type: none"> - an infiltration/absorption trench system will not exceed the greater of <ul style="list-style-type: none"> - 30% of the total site area; or - the pre-developed built-upon area; - a dispersal/level spreader trench system will not exceed the greater of <ul style="list-style-type: none"> - 35% of the total site area; or the pre-developed built-upon area. 	Correction/ Update
24-24	24B.5	11 Not more than two charged downpipes from any one building are required;	11 Not more than 120 square metres of roof area and four charged downpipes from any one building are required;	Correction/ Update
24-24	24B.5	-	<p><i>Control added.</i></p> <p>19 A minimum of 1.0m head (height) must be available from the roof gutter to the top of the rainwater tank;</p>	New content/ update
24-25	24B.5	28 Council may require a Positive Covenant (see 25R.8 of this Part) to ensure the continued functioning and maintenance of the approved charged system.	28 The design and construction of the system are undertaken in accordance with the relevant Technical Guidelines for Water Management Devices.	Update

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24-26	24B.5	<p>32</p> <p>iv) The pump-out system must be employed only as an additional means of stormwater discharge where an absorption trench is proposed to operate, in accordance with 25A.5 – ‘Discharge of Stormwater within a Site’ of this Part, but where the impervious area to be drained exceeds 30% of total site area as defined in <i>24B.5 (10v) of this Part</i>.</p> <p>vi) The pump-out system must be used in conjunction with a dispersal trench system which drains a separate impervious area of 30% of the total site area as defined in <i>24B.5 (10v) of this Part</i>.</p>	<p>32</p> <p>iv) The pump-out system must be employed only as an additional means of stormwater discharge where an absorption trench is proposed to operate, where the impervious area to be drained exceeds 30% of total site area as defined in <i>24B.5 (10v) of this Part</i>.</p> <p>vi) The pump-out system must be used in conjunction with an absorption trench system which drains a separate impervious area of 30% of the total site area as defined in <i>24B.5 (10v) of this Part</i>.</p>	
24-33	24C.3	<p>4 (i)</p> <p>-</p>	<p>4 (i)</p> <p>Note: The impermeability factor for permeable paving is available in the Technical Guidelines for Water Management Devices.</p>	Update
24-35	24C.4	-	<p>Secondary Dwellings</p> <p>The minimum tank storage volume requirements of 2,000L rainwater tank for all secondary dwellings.</p> <p>Connection to garden and for internal use.</p>	Update/ new content
24-36	24C.4	-	<p><i>Note added.</i></p> <p>Note: Type 3 developments which are not required to provide OSD (location C properties, and properties which benefit from an OSD exemption as identified in part 24R.9, etc.), must provide additional rainwater reuse tanks in lieu of OSD. The minimum tank storage volume is to be 10,000L, or compliance with BASIX, whichever is the greater.</p>	Update
24-37	24C.5	<p>1 Where the design engineer is of the opinion that OSD would cause a lag in flows from the site that would convinced with peak flows in the receiving trunk drainage system, the engineers must submit calculations using hydrological and hydraulic software modelling to demonstrate that OSD would be detrimental to the catchment.</p>	<p>1 OSD Exemptions will only be considered for properties identified on the OSD Waiver Map in 24R.9.</p> <p>Note: Exempting of OSD will be subject to Council approval.</p> <p>Note: Developments on properties which benefit from an OSD exemption may be subject to additional rainwater reuse tanks requirements in accordance with part 24C.4.</p>	Update/ new content

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		Note: Waiving of OSD will be subject to Council approval.		
24-37	24C.5	4 OSD is not required for development Types 1 and 2 it is required to control rates of runoff into existing interallotment systems which have a capacity less than the post-developed PSD on the site, and are not proposed to be reconstructed at greater capacity. These calculations must be demonstrated to Council.	4 OSD is not required for development Types 1 and 2 unless the development increases the BUA of the site to over 60% or it is required to control rates of runoff into existing interallotment systems which have a capacity less than the post-developed PSD on the site, and are not proposed to be reconstructed at greater capacity. These calculations must be demonstrated to Council.	Update
24-39	24C.6	2 -	2 Note: See the Technical Guidelines for Water Management Devices for green roof and permeable paving standard details.	Update
24-40	24C.6	iii)the design is to be based on MUSIC modelling prepared in accordance with Council's MUSIC Modelling Guidelines available on Council's website (www.krg.nsw.gov.au) and in the MUSIC-link function within MUSICv6. iv)the certification and modelling must be submitted with the development application. - where MUSICv6 is used a MUSIC-link validation report for Ku-ring-gai Council must be submitted with the development application	iii)the design is to be based on MUSIC modelling prepared in accordance with Council's MUSIC Modelling Guidelines available on Council's website (www.krg.nsw.gov.au) and in the MUSIC-link function within MUSICv6 (or the latest version). iv)the certification and modelling must be submitted with the development application. - where MUSICv6 (or the latest version) is used a MUSIC-link validation report for Ku-ring-gai Council must be submitted with the development application	Clarification
24-40	24C.6	-	<i>Control added.</i> 10 Council will require a Positive Covenant or restriction on use (see 25R.8 of this Part) for any approved proprietary device to ensure the continued functioning and maintenance of the device.	Update
24-46	24D.4	3 No structure will either encroach upon or be located within a drainage easement or within a 1.5 metre wide zone either side of an underground drainage system, with the exception of carports and other open-faced structures, where...	3 No structure will either encroach upon or be located within a drainage easement. Where no easement is present, no structure will encroach within a 1.5 metre wide zone either side of an underground drainage system, with the exception of carports and other open-faced structures, where...	Clarification

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24-52	24E.1	1 All designs must be prepared by a qualified civil engineer eligible for membership to Engineers Australia.	1 All designs must be prepared by a qualified civil engineer.	Update
24-70	24R.5	-	<i>Control added.</i> 47 On-site detention tanks must be constructed of concrete insitu, pre-cast or modular or other approved materials in accordance with AS/NZS 3500.3. VERSITANK, AUDRAIN, ATLANTIS modules or equivalent will not be permitted under the driveway.	New content/ update
24-74	24R.6	18 The system must be designed by a competent qualified civil engineer eligible for membership to Engineers Australia.	18 The system must be designed by a competent qualified civil engineer.	Update
24-75	24R.6	29 The interallotment easement must be designed in accordance with the following table:	29 The interallotment easement must be designed in accordance with the following table unless otherwise approved by Council:	Update
24-78	24R.7	The flood study must be undertaken by a suitably qualified and experienced stormwater or hydraulic engineer eligible for Chartered Professional Engineer status with Engineers Australia.	The flood study must be undertaken by a suitably qualified and experienced stormwater or hydraulic engineer.	Update
24-(88-93)	24R.8	-	<i>Inclusion of new terms for:</i> <ul style="list-style-type: none"> • <i>Water quality measures</i> • <i>Construction over Council easement</i> • <i>Overland flow restriction</i> • <i>PC for turntable</i> • <i>Easement for Waste Collection</i> 	New content/ update
24-94	24R.9	-	<i>New Map added – OSD Exemption Map.</i>	New content/ update
Note:	All website links have been updated as per the new Ku-ring-gai website (https://www.krg.nsw.gov.au).			