



**Contents**

**Contents .....1**

**7T.1 Introduction .....2**

7T.1.1 Land to which this Part Applies ..... 2

7T.1.2 General Objectives ..... 2

**7T.2 Office Premises in Certain Residential Zones - Clause 6.13 of BBLEP 2013 .....3**

7T.2.1 General Requirements ..... 3



## 7T.1 Introduction

### 7T1.1 Land to which this Part Applies

This Part applies to buildings and land that the provisions of **Clause 6.13** of BBLEP 2013 apply to.

**Clause 6.13** of BBLEP 2013 permits with prior Council consent the adaptive re-use of existing non-residential buildings in Zone R2 Low Density Residential and R3 Medium Density Residential for office buildings.

### 7T.1.2 General Objectives

#### Objectives

- O1** To provide for the adaptive reuse/conversion of existing buildings and sites to office premises; and
- O2** To provide for development that is compatible with the existing streetscape and respects residential amenity.



## 7T.2 Office Premises in Certain Residential Zones - Clause 6.13 of BBLEP 2013

**Clause 6.13** of BBLEP 2013 provides for the adaptive reuse of existing buildings for office premises in Zone R2 Low Density Residential and Zone R3 Medium Density Residential.

In some circumstances, an existing non-residential building may exceed the allowable height or density (FSR) under BBLEP 2013. Therefore Council in considering an application for the conversion of these existing buildings will undertake a merit assessment of the application in relation to Council's height and density controls. Council will assess the potential impact of the development and the proposed use on the streetscape, and the environmental amenity of the surrounding residential properties. Other sections of this DCP provide more details and controls to assist in achieving compliance with the general objectives and controls in this Part.

Provided the impacts on the locality are considered reasonable, Council may consent to the proposed development, in the particular circumstances, notwithstanding the existing non-compliances. However, in accordance with **Clause 4.6** of BBLEP 2013 the applicant must submit with a development application a written request that seeks to justify the contravention of any development standard by demonstrating:

- (i) That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- (ii) That there are sufficient environmental planning grounds to justify contravening the development standard.

### 7T.2.1 General Requirements

#### Objectives

- O1** To provide for the adaptive reuse of existing non-residential to office premises; and
- O2** To ensure the impact of the adaptive reuse on the amenity of existing and future residents is considered in assessing the development.

#### Controls

##### Matters for Consideration

- C1** Before granting consent for development referred to in **Clause 6.13** of BBLEP 2013, Council must take into consideration such of the following matters as are relevant to the proposed development:
  - (i) The impact of any changes to the existing building on the streetscape and the surrounding locality;
  - (ii) The impact on surrounding properties, particularly in respect to overshadowing, loss of privacy, and visual intrusion from any changes to the existing building;
  - (iii) The impact of the proposed trading hours of any office premises on residential amenity;
  - (iv) The impact of any noise from activities of any office premises on surrounding residential amenity;



- (v) The building's suitability for conversion, including potential sources of contamination from the previous uses;
- (vi) The proximity and accessibility of the building to public transport;
- (vii) The degree of modification of the footprint, facade and height of the building; and
- (viii) The impact on traffic and parking and the nature of the surrounding streets.

### Car Parking

- C2** A proposal to convert/re-use an existing non-residential building for office premises will comply with Council's minimum parking requirements as identified in **Part 3A - Car Parking**.

### Landscaping

- C3** A proposal to convert an existing non-residential building to office premises, must consider the impact of the proposal on the neighbouring residential properties and the streetscape. In this regard, the proposal must provide appropriate landscaped setbacks treatment, particularly along the street frontage and along the side and rear boundaries of the site in order to improve the visual presentation of the development and minimize potential visual impacts on surrounding residential properties.
- C4** The required setback distance from all boundaries will be considered on merit and where possible provide a separation between the office premise and any residential property.

### Operating Hours and Noise Attenuation

- C5** In order to minimize the impact of a commercial building in a residential area, Council may impose a condition on any development consent granted limiting the operating hours of the proposal.
- C6** Council may also impose a condition requiring noise insulation measures to be incorporated into the development, to minimise potential impacts on nearby residential properties.