
PART C: General development controls

Section C10 Street awnings and balconies

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1.0 Introduction

Street awnings and balconies can substantially increase the useability, amenity and appearance of the street, as well as create a positive link between buildings and the public domain. The purpose of this section is to ensure street awnings and balconies are adequately located, well-designed, coordinated within the streetscape, make a positive contribution to the locality and are in the public interest.

Street awnings

Awnings provide weather protection, increasing public footpath use and amenity. They encourage pedestrian activity along streets, and create a pedestrian scale. They improve shopping and street experience and enhance an area's vitality and local business viability. Awnings support active edges (such as retail entries and frontages). In addition, awnings play an important role in sheltering passengers waiting at transport nodes (such as bus stops and taxi ranks) and active transport networks.

Awnings, like building entries, provide a public presence and interface in the public domain and contribute to the identity of a development. They are a functional design element that can articulate the form of buildings and are an important part of the streetscape and building facade. They offer a good opportunity to create architectural detail and contribute to the character of the area.

Street balconies

Balconies on the street frontage are important design features which provide an interface between the building and the street. They allow for natural surveillance, as well as provide shading and a sense of depth to the facade.

In a residential context, balconies can be outdoor rooms which enhance the amenity and lifestyle choices of apartment residents. They serve a public function as part of the visual expression of a building and most importantly provide private open space to enjoy natural light, air views and landscape. Where designed with consideration to orientation and exposure, they provide shade to facades and reduce heat load and offer opportunity to create private gardens to support urban nature, habitat creation and connection. Commercially, balconies can offer outdoor spaces for opportunities like alfresco dining and function areas.

Balconies are important architectural elements, contributing to the form and articulation of buildings. They should be part of a comprehensive scheme for the elevation (rather than for a single tenant in isolation), be integrated into the building and respond to the surrounding built and natural environments.

2.0 Application

This section applies to all development that includes awnings or balconies over the road reserve.

For development involving heritage items or heritage conservations areas identified under *Newcastle Local Environmental Plan 2012* (LEP 2012), a merit assessment will be undertaken to ensure the outcomes sought are balanced with heritage conservation outcomes.

3.0 Objectives

1. Ensure street awnings and balconies meet appropriate design standards.
2. Encourage the provision of street awnings and balconies in appropriate locations.

4.0 Definitions

A word or expression has the same meaning as it has in *Newcastle Local Environmental Plan 2012* ([LEP 2012](#)), unless otherwise defined.

5.0 Application requirements

Development category	Application requirements	Explanatory notes
All development	A maintenance plan is to be developed and includes: <ol style="list-style-type: none"> a. annual inspection of structural components b. repainting every five years c. regular maintenance to guttering and downpipes d. regular cleaning and replacement of defective lighting, advertising or other deteriorated components of the awning e. regular cleaning of awning glazing, where installed. 	

6.0 Street awnings over public roads

Objectives		
<ol style="list-style-type: none"> 1. Enhance the pedestrian amenity of streets in commercial areas. 2. Achieve shade and weather protection over public footpaths in commercial centres or other pedestrian-oriented locations. 3. Ensure street awning designs are of a high architectural merit, are consistent with surrounding streetscape elements, reduce visual clutter and provide visual continuity to the streetscape. 4. Encourage the conservation, restoration, reconstruction, or reinstatement of street awnings that are of heritage significance. 5. Ensure street awning designs provide reasonable levels of natural and/or artificial lighting to footpaths and to ground floor spaces within buildings. 6. Ensure that street awnings do not present any unacceptable risks to public safety. 7. Ensure awnings, street trees and street infrastructure are coordinated in their design and that placement does not obstruct the public domain. 		
Controls (C)	Acceptable solutions (AS)	Explanatory notes
<p>C-1. Street frontage developments in commercial centres or other pedestrian-oriented locations to provide street awnings, subject to the following considerations:</p> <ol style="list-style-type: none"> a. compatibility with streetscape, architectural and heritage considerations b. the volume of pedestrian traffic passing the site c. the level of amenity that provision of street awnings would provide d. existing street awnings in the vicinity e. compatibility with existing or potential future street trees f. compatibility with the scale and architecture of the building. <p>As is shown in Figure C10.01 below.</p>		<p>Refer to Section E1 Built and Landscape Heritage.</p>

<p>C-2.The form and design of street awnings:</p> <ul style="list-style-type: none"> a. unifies the streetscape rather than being a response to the individual host building b. does not interfere with street trees and street infrastructure c. extends across the entire building frontage d. are compatible with the host building and surrounding streetscape, having regard to architectural style, form, finish, heritage significance and provision of continuous weather protection e. employs uncomplicated, regular forms with simple detailing and concealed conduits to reduce visual clutter f. are of a suspended design g. are of a traditional suspended design (with fascia) in existing commercial areas. 	<p>AS-1.Street awnings may include design articulation to modulate long awnings, identify entrances and provide architectural expression.</p> <p>AS-2.The depth of an awning allows appropriate space for planting, street furniture and lighting.</p> <p>AS-3.Continuous awnings are provided to all active frontages. Breaks in awnings may be permitted for existing street trees.</p> <p>AS-4.A post supported design may be used where necessary to achieve compatibility with existing post-supported street awnings in the immediate vicinity, or to conserve, reconstruct or reinstate an existing or former awning having heritage significance.</p> <p>AS-5.A contemporary suspended design (typically without fascias and with exposed structural elements) may be used where the building form is contemporary.</p>	<p>Refer to Section E1 Built and Landscape Heritage.</p>
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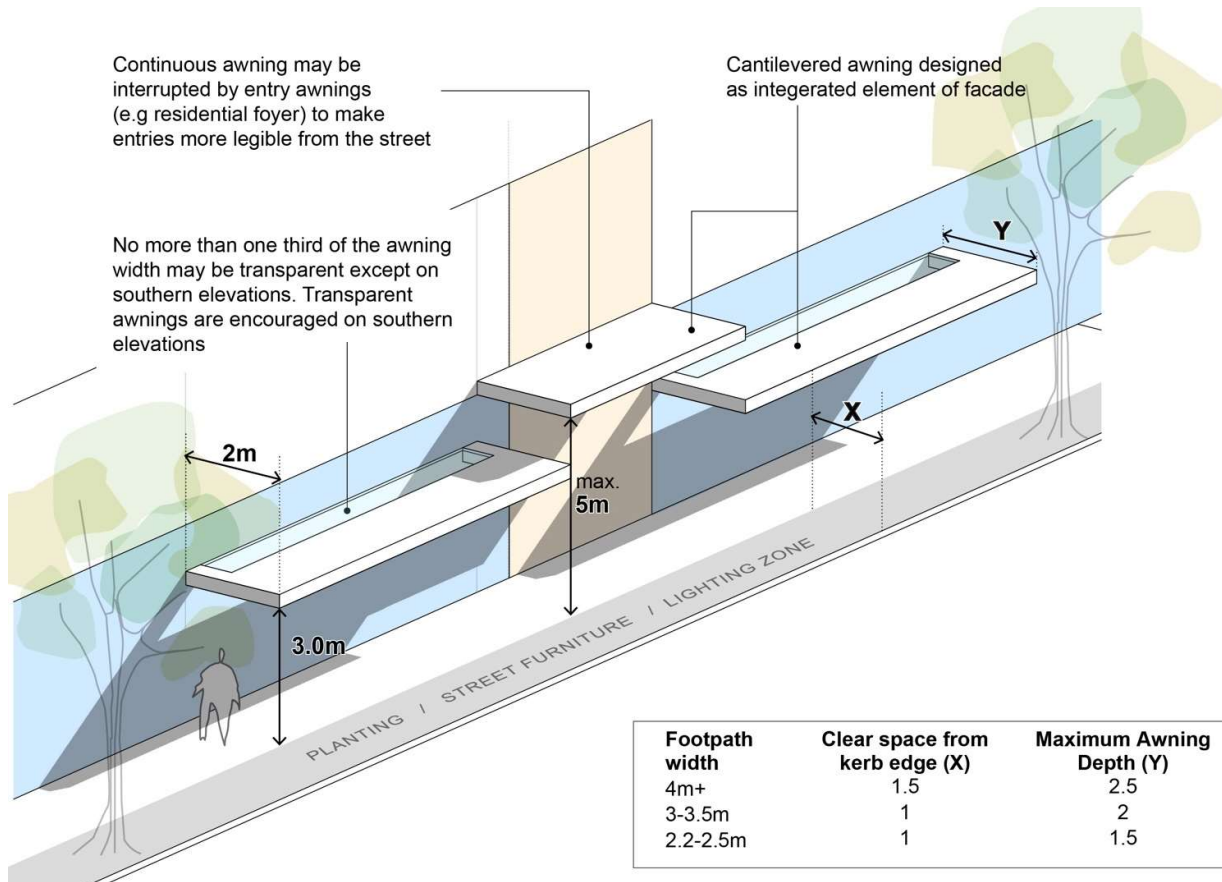


Figure C10.01: Awnings diagram

7.0 Street balconies over public streets

Objectives		
<ol style="list-style-type: none"> 1. Ensure street balconies only occur where compatible with the existing streetscape and architecture and heritage and public interest considerations are accommodated. 2. Allow balconies on buildings only where there is a clear justification based on site development constraints or urban design criteria. 3. Ensure balconies contribute positively to ecosystems and environmental habitat. 4. Ensure the landowner of the public road receives revenue, as appropriate, from the use of public land. 5. Encourage the conservation, restoration, reconstruction, or reinstatement of street balconies that are of heritage significance. 6. Ensure that street balconies do not present any unacceptable risks to public safety. 7. Ensure that the placement and design of street balconies does not obstruct the public domain 		
Controls (C)	Acceptable solutions (AS)	Explanatory notes
<p>C-1. Street balconies will be permitted where they:</p> <ol style="list-style-type: none"> a. are compatible with the streetscape, architectural and heritage considerations b. do not compromise public interest considerations relating to the private occupation of public space. 	<p>AS-1. The form and design of a street balcony:</p> <ol style="list-style-type: none"> a. responds to streetscape conditions b. considers solar orientation and exposure c. complements the architectural style and heritage significance of the host and nearby buildings d. does not interfere with street trees and street infrastructure. The depth or separation of multiple balconies allows appropriate space for planting, street furniture and lighting. 	<p>Refer to Section E1 Built and Landscape Heritage.</p>
<p>C-2. The street balcony is to:</p> <ol style="list-style-type: none"> a. conserve, restore, reconstruct or reinstate an existing or former street balcony that has heritage significance (a heritage report is required including relevant documentary evidence) b. be compatible with an existing streetscape in which street balconies are an established feature c. provide opportunities for urban tree canopy cover and elevated green spaces. 		

<p>C-3. Proposals will generally only be approved where:</p> <ul style="list-style-type: none"> a. the design is compatible with the host building and surrounding streetscape, having regard to architectural style, form, finish, heritage significance and provision of weather protection b. the street balcony is at the first floor level c. a street balcony above the first floor is provided only where an awning exists or is proposed as part of the development d. the design employs uncomplicated, regular forms with simple detailing and concealed conduits to reduce visual clutter e. there is no enclosure by solid walling, glazing or louvres, other than verandah ends that demarcate adjoining street balconies f. balustrades are of a mixture of open and solid design that does not obscure the architectural character of the building or increase its apparent bulk g. it addresses the interface with street trees. 	<p>AS-2. Proposal to conserve, restore, reconstruct or reinstate an existing or former street balcony that has heritage significance may be at the first floor or second floor level.</p> <p>AS-3. Street balconies above the first floor level is endorsed by the Urban Design Consultative Group as part of the development application assessment process (encroachments are generally limited to a width of 1m).</p> <p>AS-4. A street balcony with a post-supported design may be used where necessary to achieve compatibility with existing post-supported street balconies in the immediate vicinity, or to conserve, restore, reconstruct or reinstate an existing or former balcony having heritage significance (heritage report required).</p>	<p>Refer to Section E1 Built and Landscape Heritage.</p>
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8.0 Design requirements for awnings and balconies – dimensions

Objectives	
1. Ensure awnings and balconies are functional and compatible with the streetscape.	
Controls (C)	Acceptable solutions (AS)
C-1.Depth of street awnings from the facade of buildings are at least 2,000mm or shall extend to within 600mm of the kerb in the case of footway formations less than 1,400mm.	AS-1.Posts are located so that they meet the requirements of relevant public utility agencies. AS-2.On sloping sites, street awnings step down in horizontal steps to follow the slope of the street. AS-3.Additional kerb clearances for awnings or balconies located on road corners are provided as required where taller vehicles (such as heavy vehicles) may bank when turning, particularly where there is a significant cross fall on the road. AS-4.The underside and fascia are continuous with adjoining street awnings and/or balconies.
C-2.The fascia is setback at least 600mm from the kerb.	
C-3.Posts (where permitted) are set back at least 750mm.	
C-4.The soffit is at least 3,000mm above the footpath.	
C-5.The lowest part of the fascia is at least 2,700mm above the footpath. Refer to Figure C10.01 .	
C-6.Steps for design articulation are a maximum of 700mm.	
C-7.Roof and ceiling pitch for awnings are generally horizontal, up to 6 degrees maximum.	

9.0 Design requirements for awnings and balconies – structural design and public safety

Objectives	
1. Ensure the structural design is adequate for public safety.	
Controls (C)	Acceptable solutions (AS)
C-1. Structural design is sufficient to avoid unacceptable risks to public safety, including risks arising from: <ol style="list-style-type: none"> a. obstruction to pedestrians b. structural failure c. collision by vehicles d. fire e. storms f. earthquake. 	AS-1. Street awnings and balconies are structurally capable of withstanding all likely loads, including self-loads, live loads, impact loads, lateral wind loads and loads experienced during storms and seismic events.
C-2. Post-supported street awnings and balconies are to be capable of retaining structural integrity in the event of removal of any one post or, in the case of locations with high traffic hazard (such as corner lots) removal of all posts.	AS-2. Footings and plinths for post-supported awnings and balconies are concealed beneath the footway or are integrated into the design of the post to avoid hazards to pedestrians.
C-3. Structural design is certified by a qualified practising structural engineer as being compliant with the <i>Building Code of Australia</i> .	AS-3. Street awnings and balconies built over an exit doorway from a fire-isolated stairway are constructed of non-combustible materials.
C-4. Construction materials satisfy the fire resistance requirements of <i>Specification C1.1, cl 2.4</i> of the <i>Building Code of Australia</i> (Vol. 1).	
C-5. Posts are constructed from non-combustible materials or hardwood satisfying Class 1 or Class 2 durability as specified in 'AS 1684 Timber Framing Code', with a minimum cross-sectional dimension of 150mm x 150mm.	

10.0 Design requirements for awnings and balconies – glazing

Objectives		
1. Ensure the glazing is appropriate for safety, amenity and character.		
Controls (C)	Acceptable solutions (AS)	Explanatory notes
C-1. Where installed on awnings, glazing is designed to: <ul style="list-style-type: none"> a. create adequate natural lighting beneath street awnings and within the ground floor of the building b. avoid excessive glare and heat gain beneath awnings c. provide adequate durability d. avoid unsightliness created by dust and windblown material. 	AS-1. Glazing consists of glass skylights within a predominantly opaque roof.	Acrylic, polycarbonate and other plastics are not sufficiently durable.
C-2. Fully glazed awnings are not acceptable due to glare and the need for regular cleaning.	AS-2. Awnings and balconies are structurally capable of withstanding all likely loads, including self-loads, live loads, impact loads, lateral wind loads and loads experienced during storms and seismic events.	
C-3. Glazing complies with Australian Standard <i>AS1288 Glass in Buildings - Selection and Installation</i> .	AS-3. Footings and plinths for post-supported awnings and balconies are concealed beneath the footway, or are integrated into the design of the post so as to avoid hazards to pedestrians.	
C-4. Glass used is clear or very lightly tinted, and shall be patterned in a fritted, seraphic or other durable glass finish that will mask dust.	AS-4. Street awnings and balconies built over an exit doorway from a fire-isolated stairway are constructed of non-combustible materials.	
C-5. Glazed portions do not exceed one third of the total awning depth, except at significant locations such as entrances.		
C-6. The position of glazed portions responds to the architectural design of the ground floor, such as by alignment with windows or columns.		

11.0 Design Requirements for awnings and balconies – lighting

Objectives	
1. Ensure the appropriate lighting is provided for public safety.	
Controls (C)	Acceptable solutions (AS)
C-1. Lighting is provided below street awnings and balconies to supplement existing street lighting and 'spill' lighting from shopfronts.	AS-1. Light fittings are readily accessible to facilitate regular maintenance.
C-2. Lighting complies with requirements for pedestrian areas in <i>AS/NZS 1158</i> Lighting.	
C-3. Lighting is recessed into the awning undersurface, and all associated wiring and conduits are concealed.	

12.0 Design requirements for awnings and balconies – drainage

Objectives	
1. Ensure the appropriate drainage is provided for street awnings.	
Controls (C)	
C-1. Provision is made for the drainage of street awnings in a manner that does not interfere with pedestrian or vehicle traffic, nor create unsightliness.	
C-2. The awning roof drains towards the building so as to avoid gutters and downpipes at the kerb line.	
C-3. Gutters are constructed so as to be concealed from the footpath or as an integral component of the awning structure.	
C-4. Downpipes are recessed into the ground floor frontage below a height of 2.7m from footpath level in buildings.	

13.0 Design requirements for awnings and balconies – maintenance

Objectives 1. Ensure structures are easily maintained.
Controls (C) C-1.Provision is made for regular maintenance to ensure the continuing structural integrity and attractive appearance of the awning or balcony.

14.0 Use of public land

Objectives 1. Ensure street awnings and balconies over public roads are subject to an application and fees for encroachment, occupation and usage of that space.		
Controls (C)	Acceptable solutions (AS)	Explanatory notes
C-1.Private use or encroachment onto the public road or other public land for the provision of a balcony (or private occupation space) as part of the development shall incur a one-off user charge as a condition pursuant to Division 3 of Part 9 of the <i>Roads Act 1993</i> .	AS-1.The fee may be waived where the development relates to a heritage item or is within a heritage conservation area and the proposed balcony is consistent with the heritage conservation principles.	The application of this formula shall be as per the following example: Area: 10m ³ Valuation: \$500/m ² Charge rate or fee: 10 x 500 = \$5,000 Refer to Section E1 Built and Landscape Heritage.
C-2.The charge rate or fee shall be determined as the land area (m ²) times the land value (\$/m ²), where the land area is the total area of encroachment over each level/floor and the land value is the value of the land as determined by the Valuer General for rating purposes.		
C-3.Applications will consider encroachments other than awnings and balconies on their individual merits. Any proposal would need to be justified in terms of urban design and public benefit and the development guidelines outlined in this document would apply as appropriate.		