



## **ATTACHMENT B**

# **Draft Housekeeping Amendments— Bankstown DCP 2015 and Canterbury DCP 2012**

## **Explanatory Notes**

October 2019



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## Section 1–Draft Housekeeping Amendments to Bankstown Development Control Plan 2015

### Amendment 1–Exemption Status of Pine Trees

| Existing control   | Proposed control  | Reason     |   |                      |                   |  |
|--|-------------------|------------|---|----------------------|-------------------|--|
| <p><b>Part B11 (Tree Management Order)</b></p> <p><b>Section 2 (Tree Management)</b></p> <p><b>Exemptions</b></p> <p><b>Clause 2.4:</b> Despite clause 2.3, Part B11 does not apply to:</p> <p>(b) The following tree species:</p> <table><tr><td><i>Pinus spp.</i></td><td>Pine Trees</td></tr></table> | <i>Pinus spp.</i> | Pine Trees | <p>Amend the tree species to read:</p> <table><tr><td><i>Pinus radiata</i></td><td>Radiata Pine Tree</td></tr></table> <p>This amendment clarifies that Radiata Pine trees can be removed without approval.</p> | <i>Pinus radiata</i> | Radiata Pine Tree | <p>At the Ordinary Meeting of 23 July 2019, Council resolved that: <i>At the next housekeeping update or revised DCP that the DCP is amended to provide clarity regarding the non-exempt status of the Norfolk Island Pine tree.</i></p> <p>The periodic review proposes to action the Council resolution by clarifying that the exemption status applies to Radiata Pine trees, which can be removed without approval.</p> <p>The exemption status does not apply to Norfolk Island Pine trees, and the removal of Norfolk Island Pine trees will require a permit under the Tree Management Order.</p> |
| <i>Pinus spp.</i>  | Pine Trees        |            |   |                      |                   |  |
| <i>Pinus radiata</i>   | Radiata Pine Tree |            |   |                      |                   |  |



## Amendment 2–Parking Rate for Child Care Centres

| Existing control   | Proposed control    | Reason   |
|--|---------------------|--|
| <p><b>Part B6 (Child Care Centres)</b></p> <p><b>Section 3 (Site Layout and Building Envelopes)</b></p> <p><b>Clause 3.13:</b> The minimum number of car parking spaces required for child care centres is 1 car space per employee (stack parking is permitted) and 2 additional car spaces for the exclusive use of any associated dwelling.</p> | Delete clause 3.13. | <p>At the Ordinary Meeting of 28 May 2019, Council amended the parking rate for child care centres under Part B5 (Parking) to read: <i>1 car space per 4 children and 2 additional car spaces for the exclusive use of any associated dwelling</i>. The new parking rate came into effect on 11 June 2019.</p> <p>The parking rate was amended to align with the new parking rate under the Educational Establishments and Child Care Facilities State Environmental Planning Policy.</p> <p>However, due to an administrative oversight, the amendment did not delete the former parking rate which was repeated under Part B6 (Child Care Centres).</p> <p>To address this issue, the periodic review proposes to remove the inconsistency with Council’s resolution by deleting the former parking rate under Part B6 (Child Care Centres).</p> |



### Amendment 3–Dual Occupancies

| Existing control   | Proposed control  | Reason   |
|--|---|--|
| <p><b>Part B1 (Residential Development)</b></p> <p><b>Section 4 (Dual Occupancies)</b></p> <p><b>Clause 4.31:</b> Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade.</p> | <p>Amend the clause to read:</p> <p><i>Where development proposes a garage with up to two car parking spaces facing the street, Council must ensure the garage architecturally integrates with the development and does not dominate the street facade. Council does not permit internal stacked or tandem garages.</i></p> | <p>Council currently requires car parking to locate behind the front building line. Stacked parking may be permitted in the form of a hardstand in front of the garage. However, there are no development controls to highlight that Council does not permit internal stacked or tandem garages.</p> <p>As a result, Council is receiving development applications proposing stacked or tandem garages. The issue is the internal car parking spaces may be converted to habitable floor space at a later date, resulting in dual occupancies greater than the maximum 0.5:1 FSR.</p> <p>To address this issue, the periodic review identifies the need to discourage internal stacked or tandem garages, and the possible conversion of internal car parking spaces to habitable floor space.</p> |



#### Amendment 4–Housing Estates

| Existing control  | Proposed control  | Reason  |
|---|---|---|
| <p><b>Part B1 (Residential Development)</b></p> <p><b>Section 12 (Housing Estates)</b></p> <p><b>Clause 12.2:</b> The standard width for public roads is 17 metres. This comprises a 10 metre wide carriageway and a 3.5 metre wide footpath on each side of the carriageway.</p> | <p>Amend the clause to read:</p> <ul style="list-style-type: none"><li>• <i>The minimum width for road reserves is 18 metres. This comprises an 11 metre wide carriageway and a 3.5 metre wide pathway on each side of the carriageway.</i></li><li>• <i>The minimum width for lane reserves is 9 metres. This comprises a 6 metre wide carriageway and a 1.5 metre wide pathway on each side of the carriageway.</i></li></ul> | <p>The periodic review identifies the need to increase the minimum road width from 17 to 18 metres to better fit on–street parking on both sides of the road. The periodic review also identifies the need to provide minimum lane widths to ensure the internal road design is functional.</p> |



### Amendment 5—Multi Dwelling Housing in Zone R2

| Existing control   | Proposed control  | Reason   |
|--|---|--|
| <p><b>Part B1 (Residential Development)</b></p> <p><b>Section 7 (Multi Dwelling Housing in Zone R2)</b></p> <p>This section contains the development controls for multi dwelling housing (i.e. villas) in Zone R2 in the former Bankstown LGA.</p> | <p>Delete Section 7 once the Department of Planning, Industry and Environment approves the planning proposal in relation to the prohibition of multi dwelling housing in Zone R2 in the former Bankstown LGA.</p> | <p>At the Ordinary Meeting of 28 May 2019, Council adopted the planning proposal in relation to the prohibition of multi dwelling housing in Zone R2 in the former Bankstown LGA.</p> <p>The planning proposal is currently with the Department of Planning, Industry and Environment for final determination.</p> <p>The periodic review proposes to delete the existing DCP controls for multi dwelling housing in Zone R2 once the planning proposal comes into force, given that these controls would no longer be relevant.</p> |



## Section 2–Draft Housekeeping Amendments to Canterbury Development Control Plan 2012

### Amendment 1–Engineering Specifications

| Existing control   | Proposed control    | Reason            |              |                  |      |    |   |                     |                   |              |                  |      |            |   |
|--|---------------------|-------------------|--------------|------------------|------|----|---|---------------------|-------------------|--------------|------------------|------|------------|---|
| <p><b>Appendix 1 (Engineering Specifications)</b></p> <p><b>Section 7 Drainage Requirement Checklist</b></p> <p>Table ES.3 Drainage Requirement Checklist for dual occupancies:</p> <table> <tr> <th>Type of development</th><th>Property falls to</th><th>Charged line</th></tr> <tr> <td>Dual occupancies</td><td>Rear</td><td>No</td></tr> </table> | Type of development | Property falls to | Charged line | Dual occupancies | Rear | No | <p>Amend the reference to dual occupancies under Table ES.3 in relation to charged line to read:</p> <table> <tr> <th>Type of development</th><th>Property falls to</th><th>Charged line</th></tr> <tr> <td>Dual occupancies</td><td>Rear</td><td><u>Yes</u></td></tr> </table> | Type of development | Property falls to | Charged line | Dual occupancies | Rear | <u>Yes</u> | <p>The previous amendment to the Canterbury DCP 2012 (Amendment No. 5) aligned the stormwater disposal requirements for dual occupancy development with those in Bankstown DCP 2015.</p> <p>Bankstown DCP allows charged lines to be used for dual occupancies where the property falls to the rear. Currently Table ES.3 in Appendix 1 in the DCP does not reflect this requirement as denoted by a ‘No’ in the checklist.</p> <p>The proposed amendment will correct this by changing the ‘No’ to a ‘Yes’ for drainage requirements for dual occupancies that fall to the rear so that it is consistent with Council’s policy for stormwater disposal for dual occupancy development.</p> |
| Type of development  | Property falls to   | Charged line      |              |                  |      |    |   |                     |                   |              |                  |      |            |   |
| Dual occupancies   | Rear                | No                |              |                  |      |    |   |                     |                   |              |                  |      |            |   |
| Type of development  | Property falls to   | Charged line      |              |                  |      |    |   |                     |                   |              |                  |      |            |   |
| Dual occupancies   | Rear                | <u>Yes</u>        |              |                  |      |    |   |                     |                   |              |                  |      |            |   |





## Amendment 2–Parking Rate for Boarding Houses

| Existing control   | Proposed control  | Reason                 |                |                        |                |                 |   |  |  |  |
|--|---|------------------------|----------------|------------------------|----------------|-----------------|---|--|--|--|
| <b>Part B (General Controls)</b><br><br><b>B1.3 Parking Provision Rates</b><br>Table B1.2 currently does not specify any parking requirements for boarding houses. | <p>Add the following off–street parking rate to Table B1.2:</p> <table><tr><th>Land use</th><th>Car spaces</th><th>Servicing and delivery</th><th>Bicycle spaces</th></tr><tr><td>Boarding houses</td><td>0.5 car spaces per boarding room and 1 car space for each person employed in connection with the development and who is resident on site.</td><td></td><td></td></tr></table> | Land use               | Car spaces     | Servicing and delivery | Bicycle spaces | Boarding houses | 0.5 car spaces per boarding room and 1 car space for each person employed in connection with the development and who is resident on site. |  |  | <p>At the Ordinary Meeting of 26 March 2019, Council adopted a new set of development controls for boarding houses in the former Canterbury LGA.</p> <p>However, the development controls did not include an off–street parking rate. It is proposed to align the off–street parking rate with Bankstown DCP 2015.</p> |
| Land use   | Car spaces  | Servicing and delivery | Bicycle spaces |                        |                |                 |   |  |  |  |
| Boarding houses  | 0.5 car spaces per boarding room and 1 car space for each person employed in connection with the development and who is resident on site.   |                        |                |                        |                |                 |   |  |  |  |



### Amendment 3–Setbacks

| Existing control  | Proposed control   | Reason   |
|---|--|--|
| <p><b>Part D (Business Centres)</b></p> <p><b>D1.3.4 Setbacks</b></p> <p><u>On boundary with residential zone–rear setback</u></p> <p>C7 Establish a 45 degree height plane projected at 6 m from the residential zone boundary.</p> <p>C8 Provide minimum 6m setback to the residential zone boundary.</p> <p>C9 A two-storey limit on the boundary with residential zone applies. (Refer to Figure D1.2).</p> | <p>Add clause C10 to read:</p> <p><u>On boundary with rear lane–rear setback</u></p> <p><i>A setback to a rear lane is not required.</i></p> | <p>Section D1.3.4 previously did not require business zoned land to provide a rear setback if the land adjoined a rear lane. The reason is the rear lane would act as a separation buffer to adjacent properties.</p> <p>The housekeeping amendments (Amendment No. 5) to the DCP inadvertently removed this development control. To address this anomaly, it is proposed to reinstate this development control.</p> |



#### Amendment 4–Vehicular Crossings

| Existing control   | Proposed control  | Reason  |
|--|---|---|
| <p><b>Part B (General Controls)</b></p> <p><b>D1.4.8 Parking Requirements for Specific Land Uses</b></p> <p><b>Clause C1:</b> Dwelling houses are to provide a maximum width of kerb–crossings 3.5m for single dwellings – splay driveway to double garages or carports.</p> | <p>Amend clause C1 to read:</p> <p><u><i>The maximum width of residential vehicular crossings is 5.5 metres subject to compliance with Council’s Vehicular Crossing Policy.</i></u></p> | <p>At the Ordinary Meeting of 22 August 2017, Council adopted a Vehicular Crossing Policy. However, the DCP is inconsistent with the Vehicular Crossing Policy, as it limits the maximum width of residential vehicular crossings to 3.5 metres.</p> <p>It is proposed to align the maximum width of residential vehicular crossings with the Vehicular Crossing Policy and Bankstown DCP 2015.</p> |