



**Canterbury Bankstown
Development Control
Plan 2021**

**Chapter 10
Other Development**

**10.1
Centre-Based
Child Care Facilities**

DRAFT December 2020





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SECTION 1–INTRODUCTION

Explanation

Council’s statutory responsibility is to manage the orderly development of child care facilities in a way that gives children the best possible start in life, manages the sustainability of the suburban neighbourhoods and addresses community expectations.

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to enhance the function and appearance of centre-based child care facilities (child care facilities).

Canterbury Bankstown Development Control Plan 2021 must be read in conjunction with the SEPP (Educational Establishments and Child Care Facilities) 2017 and the Education and Care National Law and Regulations.

Objectives

- 01** To regulate the effective and orderly development of child care facilities in Canterbury Bankstown.
- 02** To ensure child care facilities support the health and well-being of children, staff, parents and visitors.
- 03** To ensure child care facilities contribute to the sustainability of Canterbury Bankstown.
- 04** To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.
- 05** To ensure child care facilities are compatible with the prevailing suburban character and amenity of residential areas.



- O6** To concentrate intensive trip generating child care facilities in locations most accessible to rail transport to maximise transport choice and reduce the reliance on cars.
- O7** To provide safe and convenient access for children, staff, parents and visitors.
- O8** To ensure child care facilities do not adversely impact on the safety and efficiency of the surrounding road system.
- O9** To achieve high levels of personal and property safety and security.
- O10** To achieve sustainable outcomes through design including such matters as:
 - (a) access and circulation;
 - (b) adherence to local context and streetscape;
 - (c) passive surveillance and presence to street;
 - (d) adaption to the existing vegetation and landform;
 - (e) energy efficiency by providing natural ventilation and natural light as part of the building orientation.



SECTION 2–TRAFFIC MANAGEMENT

Explanation

Canterbury Bankstown Local Environmental Plan 2021 aims to concentrate intensive trip generating activities in locations that are most accessible to rail transport. Child care facilities can be significant trip generators. The RTA Guidelines found the mean proportions of children transported to child care facilities by car was 94% for pre–schools, 93% for long day care and 75% for before/after school care.

For this reason, it can be argued that intensive trip generating child care facilities should locate close to rail transport and shopping centres in the business zones. In locations that are not readily accessible to rail transport, such as Zone R2 Low Density Residential, Council is seeking only small child care facilities that would not be regarded as intensive trip generating activities.

Consideration is given to having development controls that ensure child care facilities take into account:

- The cumulative impacts of traffic generation, on–street parking and noise in residential streets.
- The impact on traffic efficiency, with the objective to maintain the existing level of service of streets.
- The impact on the amenity of an area, with the objective not to exceed the environmental capacity of streets. Setting traffic limits (such as limits on volumes) is necessary in residential areas and neighbourhood shopping centres given that traffic congestion, pedestrian safety and noise are primary concerns at these locations.
- The impact of accommodating additional land uses, shared facilities and special events.

In some streets where the existing level of service is poor or the environmental capacity is exceeded, any small increase in traffic can cause greater increases in delay. In this situation, it is best practice to at least maintain the existing level of absolute delay rather than allow the situation to be made worse.

Objectives

- 01** To concentrate intensive trip generating child care facilities in locations that are most accessible to rail transport.
- 02** To ensure the location and size of child care facilities maintain the existing environmental capacity and service levels of streets.



- 03** To avoid locating child care facilities within close proximity to another existing or approved child care facility unless it can be demonstrated that the cumulative impacts relating to traffic generation and on-street car parking are within acceptable limits for the area.
- 04** To limit the size of child care facilities in established residential areas to ensure this type of trip generating activity does not adversely impact on the existing residential amenity.

Development Controls

Traffic management (environmental capacity)

- 2.1** Development for the purpose of child care facilities must not result in a street in the vicinity of the site to exceed the environmental capacity maximum. If the environmental capacity maximum is already exceeded, the development must maintain the existing level of absolute delay of that street.

Traffic management (level of service)

- 2.2** Development for the purpose of child care facilities must not result in a street intersection in the vicinity of the site to have a level of service below Level B. If the existing level of service is below Level B, the development must maintain the existing level of absolute delay of that street intersection.

Traffic impact studies

- 2.3** For the purpose of clauses 2.1 and 2.2, development applications must submit a Traffic Impact Study based on the RTA Guide to Traffic Generating Developments to determine:

Existing conditions

- (a) Existing volumes and environmental capacity of streets adjacent to the development.
- (b) Existing volumes and level of service of street intersections in the vicinity of the development.
- (c) Existing public transport services in the vicinity of the development.
- (d) Existing clearway and peak period parking restrictions that apply to streets adjacent to the development.
- (e) Existing proposals for improvements to the adjacent road system.



Proposed conditions

- (f) The proposed amount of traffic generation and trip distribution of the development.
- (g) The proposed parking provision of the development.
- (h) The proposed safety and efficiency of access between the development and the adjacent road network.
- (i) The proposed safety and efficiency of the set-down and pick-up areas, service areas and car parks.
- (j) The impact of the proposed generated traffic on the environmental capacity of streets adjacent to the development.
- (k) The impact of the proposed generated traffic on the level of service of street intersections in the vicinity of the development.
- (l) The impact of the proposed generated traffic on road safety and traffic noise.
- (m) The impact of the proposed generated traffic on other major traffic generating development in close proximity.
- (n) Whether the development must take certain measures to reduce the impact of the proposed generated traffic to an acceptable level. Measures may include a reduction in child care places or the installation of public traffic management devices at the applicant's expense.



SECTION 3—SITE LAYOUT AND BUILDING ENVELOPES

Explanation

Legislation requires child care facilities to provide certain areas and facilities such as play spaces, sleeping rooms, toilets, kitchen, nappy change, storage, administration offices and circulation areas.

Council considers it necessary to ensure sites are of sufficient size to accommodate these facilities and services plus have adequate space to accommodate buildings, dwellings, off-street parking spaces, vehicular access and manoeuvring areas, pedestrian access, open space and landscaping. This approach to good design provides:

- Amenity for children through the physical, spatial and environmental quality of the development.
- Ensure child care facilities can contain the essential elements that make up the prevailing character of certain areas, particularly residential areas where the prevailing character includes the built form, the front setback area and landscaping.

Building envelopes must also complement the scale of surrounding buildings, noting that the established residential areas predominantly have a single dwelling suburban character. Building envelopes generally include children numbers, staff ratios, height and setback controls.

As part of the design process, applicants must note that a building envelope is not a building, but a three dimensional shape that may determine the bulk and siting of a building. After allowing for building articulation, the achievable floor space of a development is likely to be less than the building envelope.

Objectives

- 01** To ensure sites are of sufficient size to provide for children numbers, staff ratios, buildings, dwellings, setbacks to adjoining land, parking spaces, driveways, vehicle manoeuvring areas, pedestrian access, open space, landscaping and the like.
- 02** To ensure the design of child care facilities satisfies the needs of children and staff, and provides a safe environment and easy access for people.
- 03** To ensure child care facilities are compatible with the prevailing character and amenity of the locality of the development.



- 04** To ensure the design of child care facilities provides a reasonable separation to neighbouring properties and avoids an unreasonable sense of enclosure.
- 05** To provide a sense of openness around the play areas within child care facilities.

Development Controls

Storey limit

- 3.1** The storey limit for child care facilities is 2 storeys.
- 3.2** Child care facilities in the business zones must solely locate on the first storey (i.e. the ground floor) or the second storey of a building to ensure the safe evacuation of children during emergencies.
- 3.3** Facilities or activities for children aged 0–2 years must solely locate on the first storey (i.e. the ground floor) of a building to ensure the safe evacuation of children during emergencies.

Setbacks

- 3.4** The minimum setback for child care facilities in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential is:
 - (a) 5.5 metres to the primary street frontage;
 - (b) 3 metres to the secondary street frontage;
 - (c) 1.5 metres to the side boundary; and
 - (d) the basement level must not project beyond the ground floor perimeter of the child care facility.
- 3.5** Council will determine the minimum setbacks for child care facilities in zones other than Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential based on the setbacks of the street and the surrounding buildings.
- 3.6** Council may require development that adjoins land in the business zones, industrial zones or rail corridors to have greater setbacks to protect the amenity of children and staff from air and noise pollutants.
- 3.7** Child care facilities must ensure the siting of outdoor areas (such as a balcony or deck) and outdoor play areas avoids:
 - (a) a living area or bedroom of an adjoining dwelling;
 - (b) areas forward of the front building line;



- (c) a road and driveway that may have noise or a possible pollution impact on children;
- (d) any other potential noise or pollution source; and
- (e) any potential traffic hazard locations where an out-of-control vehicle may injure children.

Access

- 3.8** Child care facilities must be easily accessible to people with disabilities and must comply with the Building Code of Australia and Australian Standard 1428 Parts 1 to 4—Design for Access and Mobility.

Car parks

- 3.9** The siting and design of car parks and driveways must ensure the safe movements of people and vehicles to and from child care facilities.



SECTION 4—BUILDING DESIGN AND ENERGY EFFICIENCY

Explanation

Good quality architecture is important. Good quality architecture requires the appropriate composition of building elements (i.e. proportion, unity and rhythm), textures, materials and colours. Good quality architecture must also:

- Reflect well resolved internal layouts of the various functions and uses.
- Respond to the environment and context particularly to desirable elements in the existing streetscape.
- Ensures child care facilities make efficient use of natural resources, energy and water throughout its full life cycle. Sustainability is integral to the design process. Aspects include layouts and built form, good orientation, passive solar access principles, minimal use of mechanical ventilation, and soil zones for vegetation.
- Provide amenity for children and staff through the physical, spatial and environmental quality of the development. Optimising amenity requires good natural light and ventilation to rooms.

Objectives

- 01** To promote good architectural quality.
- 02** To ensure facade designs and building footprints integrate into the overall building form and enhance the desired contemporary street character.
- 03** To incorporate energy efficiency measures in the design, construction and occupation of child care facilities.
- 04** To ensure front fences are compatible with the building design and have a visually open style and attractive appearance.
- 05** To avoid unreasonable impact on the living environment or residential amenity of neighbouring dwellings and the surrounding area.

Development Controls

Energy efficiency

- 4.1** Child care facilities must make efficient use of natural resources and optimise amenity in the design, construction and occupation of buildings and facilities, such as:
 - (a) good orientation and natural light to rooms and play areas;



- (b) limiting building depth to provide natural cross-ventilation and natural light;
- (c) minimal use of mechanical ventilation;
- (d) use of sun shading devices;
- (e) preventing UV factor to open areas; and
- (f) ensuring the development adapts to the existing topography by avoiding excessive cut and fill.

Access to sunlight

4.2 The design of buildings should achieve a northern orientation to maximise solar access.

4.3 The design of buildings must ensure that:

- (a) At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- (b) A minimum 50% of the required private open space for a dwelling that adjoins a development receives at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected private open space.

Building design

4.4 Child care facilities with 29 children or less in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential may locate in:

- (a) an existing dwelling house; or
- (b) a purpose-built facility provided the external building design gives the appearance of a dwelling house.

4.5 Child care facilities with more than 29 children in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential must locate in a purpose-built facility. The external building design must give the appearance of a dwelling house.

4.6 Development for the purpose of new buildings must incorporate architectural elements to articulate the building form and avoid large expanses of blank walls. Architectural elements may include but not be limited to:

- (a) Defining the base, middle or top of a building using different materials and colours.
- (b) Incorporating horizontal or vertical elements such as recessed walls or banding.
- (c) Incorporating recessed or partially recessed balconies within the building wall.



- (d) Defining the window openings, fenestration, balustrade design, building entrances, and doors.
- (e) Using sun shading devices.
- (f) Any other architectural feature to the satisfaction of Council.

4.7 Development for the purpose of new buildings must provide active frontages to the streets and must orientate buildings and pedestrian entrances to the streets.

4.8 Development for the purpose of new buildings on corner sites must:

- (a) present each street facade as a main street facade;
- (b) incorporate architectural features to emphasise the corner address; and
- (c) ensure the corner element is in proportion with the scale and articulation of the development.

Roof design

4.9 Development for the purpose of new buildings must have roof designs that:

- (a) unify separate or attached buildings with a contemporary architectural appearance; and
- (b) combine good quality materials and finishes.

Front fences

4.10 The maximum fence height for front fences is 1.8 metres.

4.11 The external appearance of a front fence along the front boundary of the site must ensure:

- (a) the section of the front fence that comprises solid construction (not including pillars) does not exceed a fence height of 1 metre above ground level (existing); and
- (b) the remaining height of the front fence comprises open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.

4.12 Council does not allow the following types of front fences:

- (a) chain wire, metal sheeting, brushwood, and electric fences; and
- (b) noise attenuation walls.



SECTION 5—ACOUSTIC PRIVACY

Explanation

It is important to balance the operation of child care facilities with community expectations. To achieve this outcome, Council considers it necessary to limit the capacity of child care facilities if its activities, such as children playing outdoors, are to harmoniously co-exist with the surrounding residential amenity. This is the preferred outcome rather than resorting to noise attenuation walls.

Objectives

- O1** To ensure child care facilities do not adversely impact on the residential amenity of adjoining dwellings and the surrounding area.
- O2** To install appropriate acoustic privacy measures which are compatible with the prevailing character of residential areas.

Development Controls

Acoustic privacy

- 5.1** Air conditioning, mechanical ventilation or any other continuous noise source must not exceed the ambient level at any specified boundary by more than 5dB(A).
- 5.2** The location and design of child care facilities must consider the projection of noise from various activities to avoid any adverse impacts on the residential amenity of adjoining land.

For the purpose of this clause, Council requires development applications to submit an Acoustic Report prepared by a suitably qualified acoustic consultant to determine:

- (a) existing noise levels at the identified sensitive receiver locations;
- (b) likely noise levels to emanate from the child care facility at the identified sensitive receiver locations;
- (c) whether the development must apply measures to ensure the noise of children playing in outdoor areas does not exceed 10dB(A) above the background noise level;
- (d) whether the location and setbacks of the development are sufficient to protect the acoustic privacy of adjacent dwellings;
- (e) whether the location of outdoor areas should avoid living areas and bedrooms of adjacent dwellings; and



- (f) whether the development must install certain noise attenuation measures to protect the acoustic privacy of adjacent dwellings.

The Acoustic Report must measure the noise readings over a 15 minute period and must provide details of all modelling assumptions including source noise data, noise monitoring positions, receiver heights and locations, prevailing meteorological conditions during the monitoring, confirmation of the methodology adopted along with a copy of the model input and output data.

- 5.3** The maximum height for noise attenuation walls and fences along the boundary of the site is 2 metres.



SECTION 6—OPEN SPACE AND LANDSCAPE

Explanation

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by coordinating water and soil management, solar access, microclimate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character.

For example, the landscaping of front yards in the residential areas is canopy trees and deep soil plantings. The front setback area of child care facilities in the residential areas must therefore contain generous landscaping to be compatible with the prevailing character. Car parks and hard surfaces should not dominate the front setback area. Best practice guidelines for early childhood environments also encourage appropriate landscaping of outdoor areas to protect the health and safety of children.

Objectives

- O1** To provide appropriate landscaping and outdoor play areas in child care facilities.
- O2** To provide useable open space on the street frontage for canopy trees and deep soil zones.
- O3** To provide landscaping that softens the appearance of buildings, car parks and service areas.
- O4** To provide useable private open space to dwellings that form part of child care facilities.
- O5** To provide children with access to natural environments by way of trees, gardens and natural grass.

Development Controls

Outdoor play areas

- 6.1** The location of outdoor play areas must allow supervision from within the child care facility.



6.2 Outdoor play areas must:

- (a) locate on a land gradient that is predominantly flat;
- (b) provide access to shade, particularly between 9.30am and 3.00pm during summer months. This may be in the form of a shade structure or natural shade from trees;
- (c) consider the surface treatment in accordance with best practice guidelines in early childhood environments.

6.3 Outdoor play areas do not include:

- (a) a driveway, parking area, drying area or other service area, undercroft area, balcony and the like; or
- (b) deep soil zones; or
- (c) within residential zones, any above ground terrace, deck or verandah where the height of the floor level is more than 300mm above the ground level (existing).

6.4 Outdoor play areas must avoid retaining walls where possible.

6.5 The maximum height for retaining walls in outdoor play areas is 300mm above the ground level (existing), and must incorporate a safety fence or the like to prevent accidental falls.

6.6 Retaining walls on the boundary of the site must be masonry construction.

Landscape and deep soil zones

6.7 Development applications must submit a detailed landscape plan prepared by a qualified landscape architect consistent with the Landscape Guide.

6.8 Child care facilities in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential must provide:

- (a) a minimum 2 metre wide deep soil zone along the primary street frontage and secondary street frontage of the site; and
- (b) a minimum 1.5 metre wide deep soil zone around the perimeter of the outdoor play area, to act as a buffer to the fence, provide spatial separation to neighbouring properties and enhance the aesthetic quality of the space.

6.9 Council will determine the minimum width for deep soil zones for child care facilities in zones other than Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential based on the setbacks of the street and the surrounding buildings.



Private open space

- 6.10** Where a child care facility forms part of a dwelling house, the development must provide a minimum 80m² of private open space for the exclusive use of the dwelling house.



SECTION 7—SAFETY AND SECURITY

Explanation

Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

Objectives

- 01** To incorporate safety and security measures in the design of buildings and facilities.
- 02** To ensure entrances are clearly visible from the street.
- 03** To minimise the potential for intruders to enter a building.

Development Controls

Safety and security

- 7.1** The front door and at least one window to buildings must face the street to enable natural surveillance.
- 7.2** The street number of buildings must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of the building.
- 7.3** Child care facilities must separate the car park and any outdoor play area with a safety fence and gates.
- 7.4** Child care facilities with more than 15 children must erect (at the expense of the applicant) an unscaleable 1.8 metre high lapped timber fence or the like along the side and rear boundaries of the site.
- 7.5** Child care facilities must provide safe access for children and people with disabilities, and fire protection and evacuation requirements.
- 7.6** Child care facilities in existing buildings must remove any existing contamination such as lead based paints and asbestos insulation.



SECTION 8—SITE FACILITIES

Explanation

Good design ensures sites facilities unify the development appearance and enhance the desired street character.

Objectives

- O1** To ensure site facilities integrate into the overall building form, and achieve good design in terms of architectural treatment and visual amenity.
- O2** To ensure the design, construction, and operation of kitchens and food premises achieve satisfactory standards of hygiene.

Development Controls

Building design (utilities and building services)

- 8.1** The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.
- 8.2** Utilities and building services are to be integrated into the building design and concealed from public view.
- 8.3** Child care facilities must ensure the following facilities are not visible to the street or any nearby public open spaces:
 - (a) waste storage areas;
 - (b) storage of goods and materials; and
 - (c) any clothes drying areas.

Building design (substations)

- 8.4** The location and design of substations must be shown on the plans.
- 8.5** Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- 8.6** Substations must not locate forward of the front building line.



Food premises

8.7 The design, construction, and operation of kitchens and food premises must comply with:

- (a) Food Act 2003;
- (b) Food Regulation 2010;
- (c) FSANZ Food Standards Code; and
- (d) AS 4674:2004 Design, Construction, and Fitout of Food Premises.



Canterbury Bankstown Development Control Plan 2021

Chapter 10 Other Development

10.2 Schools

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SECTION 1–INTRODUCTION

Explanation

Based on population forecasts, the capacity of the existing schools in Canterbury Bankstown is sufficient to meet population needs for the next 25 years. There is unlikely to be a need for new or expanded primary and secondary schools. However, Canterbury Bankstown may see an increase in the number of non–government schools that are partly funded by Commonwealth Government grants. These schools must find available land in established urban areas. The conflict between the development of these schools and the surrounding amenity of established urban areas is evident.

Non–government schools tend to draw from a regional catchment area which means greater reliance on cars. This has led to traffic congestion in streets and increased demand for on–street parking. Insufficient lot sizes to accommodate enrolment numbers have also led to excessive building sizes and lack of play areas.

Council’s statutory responsibility is to manage the orderly development of schools, in a way that addresses community expectations and provides students with positive learning environments. The aim is to secure best practice outcomes for students, parents and communities. As part of this responsibility, Council must consider the many planning issues relating to schools if it is to better manage this type of development and address community expectations.

Based on an assessment of national and international benchmarks, it is evident the development controls should secure the following best practice outcomes:

- To have schools achieve good long term outcomes as enrolments change to meet demographic needs.
- To have schools respond and contribute to the sustainability of established suburbs.
- To have schools contribute to the use of sustainable transport modes for students, parents and staff.
- To have schools minimise the physical and visual impact on the amenity of established suburbs.
- To have schools reduce traffic congestion and improve road safety around school sites.
- To have schools provide good quality free play areas and sporting facilities to support a reduction in childhood obesity.
- To have schools provide high levels of personal and property security from crime.
- To have schools optimise student amenity and achieve energy efficiency standards consistent with other public buildings.



Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to facilitate best practice in the design and function of schools. The development controls include traffic management, building envelopes, play areas and landscape.

Objectives

- 01** To regulate the effective and orderly development of schools in Canterbury Bankstown.
- 02** To ensure schools contribute to the sustainability of Canterbury Bankstown.
- 03** To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.
- 04** To ensure schools are compatible with the prevailing suburban character and amenity of residential areas.
- 05** To concentrate intensive trip generating schools in locations most accessible to rail transport to maximise transport choice and reduce the reliance on cars.
- 06** To provide safe and convenient access for students, staff and visitors.
- 07** To ensure schools do not adversely impact on the safety and efficiency of the surrounding road system.
- 08** To ensure schools support the health and well-being of students by providing good quality play areas and team game playing fields.
- 09** To achieve high levels of personal and property safety and security from crime.



- O10** To achieve sustainable outcomes through design including such matters as:
- (a) access and circulation;
 - (b) adherence to local context and streetscape;
 - (c) passive surveillance and presence to street;
 - (d) adaption to the existing vegetation and landform;
 - (e) water conservation and grey water use (or recyclable water);
 - (f) energy efficiency by providing natural ventilation and natural light as part of the building orientation.
- O11** To ensure the long term operation of schools maintains the amenity of surrounding residents.



SECTION 2–SITE ANALYSIS

Explanation

The School Facilities Standards require a site analysis to identify the guiding principles to the development of sites. This requirement applies to government and non–government schools.

The site analysis helps to explain the development capacity by showing the relationship of sites to the surrounding area. This approach to good design ensures schools respond and contribute to the local context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a location's character. From experience, Council has found site analysis plans and studies to also be a useful tool to coordinate the expansion of sites over a long period of time.

Objectives

- O1** To require site analysis plans and studies that:
- (a) identify the guiding principles to the development of sites;
 - (b) demonstrate the opportunities and constraints of sites;
 - (c) respond and contribute to the local context and to the sustainable growth of Canterbury Bankstown;
 - (d) identify the staging of development over a long period of time; and
 - (e) determine the enrolment numbers of schools over a long period of time.

Development Controls

- 2.1** Development applications must submit site analysis plans and studies that outline the short and long term proposals for the development of school sites. The site analysis plans and studies must consist of a written statement (supported by plans or illustrations) explaining how the design of the development has regard to the following:
- (a) The education brief (including curriculum and function requirements) of the school.
 - (b) The overall strategic vision for the site and how the selection of the site supports the urban structure of Canterbury Bankstown.
 - (c) Staging of the school development.
 - (d) Student enrolment numbers and staff numbers of the school at each stage of the development and at the maximum enrolment capacity.
 - (e) The patterns of land ownership, the patterns of land subdivision or consolidation and the relationship of the site to adjoining sites.
 - (f) Design principles drawn from the site analysis and the local context including:
 - (i) context and character studies;



- (ii) orientation;
- (iii) visual assessment of the site and the local context;
- (iv) survey of the site and neighbouring buildings;
- (v) flora/ fauna survey;
- (vi) topography, drainage, erosion, cut and fill;
- (vii) noise pollutants, airborne pollutants, toxic residues and site remediation;
- (viii) bush fire risk and flood risk;
- (ix) deep soil zones and landscaping;
- (x) sustainability and energy efficiency outcomes through design;
- (xi) passive surveillance;
- (xii) traffic, access and parking:
 - the links between the location of the school and surrounding pedestrian, cycle, public transport and road access and circulation networks. This includes details of the internal and external movement networks, the public transport access routes, the pedestrian and cycle paths, linkages to external networks and pedestrian through-site links;
 - assessment of the cumulative traffic impacts of development within the surrounding road network, and the need for internal and external traffic management measures to support the development (including cost and funding responsibilities of such upgrades);
 - staff, student and visitor off-street set-down and pick-up areas, parking provisions, bus stops and delivery/emergency access;
 - parking provisions at each stage of the school development;
- (xiii) built form and aesthetics:
 - floor space requirements to meet school curriculum and function requirements;
 - the function and capacity of each building and likely hours of operation;
 - bulk and overall unity of the development within the context.
 - urban design and streetscape guidelines;
 - distribution of the land uses, buildings, circulation areas, play areas, playing fields for team sports, fences and any public facilities;
 - open space provision and function, and landscaping principles;
 - the function and capacity of the free play areas, and the activities program for the use of the free play areas;
- (xiv) infrastructure, easements and stormwater management;
- (xv) outcomes of social impact assessments and any relevant feasibility studies;
- (xvi) protection of any heritage items or archaeological sites;
- (xvii) staging of special events including:
 - calendar dates of all events;
 - location and capacity;
 - hours of operation;
 - management plan.



SECTION 3—LOCATION AND TRAFFIC MANAGEMENT

Explanation

Canterbury Bankstown Local Environmental Plan 2021 aims to concentrate intensive trip generating activities in locations most accessible to rail transport. Schools are significant trip generators. For this reason, it can be argued that intensive trip generating schools should locate close to rail transport, especially as schools have a high proportion of public transport dependent students.

Council also recognises that larger schools have greater impacts and it is important to balance the size of schools with the retention of residential amenity. In locations that are not readily accessible to rail transport, such as Zone R2 Low Density Residential, Council is seeking only small schools that would not be regarded as intensive trip generating activities.

Consideration is given to having development controls that ensure schools take into account:

- Public transport and pedestrian movements.
- The impact on traffic efficiency, with the objective to maintain the existing level of service of streets.
- The impact on the amenity of an area, with the objective not to exceed the environmental capacity of streets. Setting traffic limits such as volumes is necessary in residential areas, neighbourhood shopping centres and education precincts as traffic congestion, pedestrian safety and noise are primary concerns at these locations.
- The impact of accommodating additional land uses, shared facilities and special events.

In some streets where the existing level of service is poor or the environmental capacity is exceeded, any small increase in traffic can cause greater increases in delay. In this situation, it is best practice to at least maintain the existing level of absolute delay rather than allow the situation to be made worse.

Objectives

- O1** To concentrate intensive trip generating schools in locations most accessible to rail transport.
- O2** To ensure the location and size of schools maintain the existing environmental capacity and service levels of streets.
- O3** To avoid locating schools within close proximity to another existing or approved school unless it can be demonstrated that the cumulative impacts relating to traffic generation and on-street parking are within acceptable limits for the area.



- 04** To limit the size of schools in established residential areas to ensure this type of trip generating activity does not adversely impact on the existing residential amenity.

Development Controls

Traffic management (environmental capacity)

- 3.1** Development for the purpose of schools must not result in a street in the vicinity of the site to exceed the environmental capacity maximum. If the environmental capacity maximum is already exceeded, the development must maintain the existing level of absolute delay of that street.

Traffic management (level of service)

- 3.2** Development for the purpose of schools must not result in a street intersection in the vicinity of the site to have a level of service below Level B. If the existing level of service is below Level B, the development must maintain the existing level of absolute delay of that street intersection.

Traffic impact studies

- 3.3** For the purpose of clauses 3.1 and 3.2, development applications must submit a Traffic Impact Study based on the RTA Guide to Traffic Generating Developments to determine:

Existing conditions

- (a) Existing volumes and environmental capacity of streets adjacent to the development.
- (b) Existing volumes and level of service of street intersections in the vicinity of the development.
- (c) Existing public transport services in the vicinity of the development.
- (d) Existing clearway and peak period parking restrictions that apply to streets adjacent to the development.
- (e) Existing proposals for improvements to the adjacent road system.

Proposed conditions

- (f) The proposed amount of traffic generation and trip distribution of the development.
- (g) The proposed parking provision of the development.
- (h) The proposed number of buses likely to service the development.
- (i) The proposed safety and efficiency of access between the development and the adjacent road network.



- (j) The proposed safety and efficiency of the internal road layout including the student set-down and pick-up areas, bus bays, service areas and car parks.
- (k) The impact of the proposed generated traffic on the environmental capacity of streets adjacent to the development.
- (l) The impact of the proposed generated traffic on the level of service of street intersections in the vicinity of the development.
- (m) The impact of the proposed generated traffic on road safety and traffic noise.
- (n) The impact of the proposed generated traffic on other major traffic generating development in close proximity.
- (o) Whether the development must take certain measures to reduce the impact of the proposed generated traffic to an acceptable level. Measures may include a reduction in enrolment numbers or the installation of public traffic management devices at the applicant's expense.



SECTION 4–SITE LAYOUT AND BUILDING ENVELOPES

Explanation

Legislation requires schools to provide certain areas and facilities such as free play areas, administration offices and circulation areas.

Council considers it necessary to ensure sites are of sufficient size to accommodate these facilities and services plus have adequate space to accommodate buildings, off–street parking, student set–down and pick–up areas, vehicular access and manoeuvring areas, pedestrian access, open space and landscaping. This approach to good design provides:

- Amenity for students through the physical, spatial and environmental quality of the development. Optimising amenity requires appropriate room dimensions, access to sunlight, visual and acoustic privacy, efficient layout and service areas, and ease of access.
- Ensures schools can contain the essential elements that make up the prevailing character of certain areas, particularly residential areas where the prevailing character includes the front setback area and landscaping.

Building envelopes must also be compatible with the scale of the street and the surrounding buildings, noting that the established residential areas predominantly have a single dwelling suburban character. Building envelopes generally include height and setback controls.

As part of the design process, applicants must note that a building envelope is not a building, but a three dimensional shape that may determine the bulk and siting of a building. After allowing for building articulation, the achievable floor space of a development is likely to be less than the building envelope. Where development adjoins land in the residential zones, Council may reduce the height and number of storeys or require greater setbacks to ensure the development complies with the objectives of this DCP.

Objectives

- O1** To ensure schools focus on the movement of people rather than the movement of vehicles.
- O2** To ensure sites are of sufficient size to provide for enrolment numbers, buildings, setbacks to adjoining land, pedestrian access, bus zones, student set–down and pick–up areas, car parks, driveways, vehicle manoeuvring areas, open spaces and deep soil zones for landscaping.
- O3** To provide play areas that support the health and well–being of students.



- O4** To ensure the design of schools satisfies the needs of students and staff, and provides a safe environment and easy access for people.
- O5** To ensure schools are compatible with the prevailing character and amenity of the locality of the development.
- O6** To ensure schools do not adversely impact on the living environment or residential amenity of adjoining dwellings and the surrounding area.

Development Controls

Site width in residential zones

- 4.1** Development for the purpose of schools within Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential must ensure the site is at least 40 metres wide at the front building line. This width is necessary to provide:
- (a) sufficient off-street space for the movement of all transport services: cars, bicycles, pedestrians, buses, service and emergency vehicles;
 - (b) sufficient off-street pedestrian and cycle networks separate from vehicles;
 - (c) sufficient off-street bus bays and adequate manoeuvring spaces separate from all other vehicles;
 - (d) safe and direct pedestrian paths to nearby bus stops, footpaths and other facilities;
 - (e) safe off-street student set-down and pick-up areas for vehicle passengers with separate entry and exit driveways;
 - (f) provision made for access and parking of service and emergency vehicles to service all buildings within the school; and
 - (g) emergency assembly areas for students and staff.

Council may increase the site width if the school requires larger student set-down and pick-up areas.



Site width in zones other than residential zones

- 4.2** Development for the purpose of schools within zones other than Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential must ensure the area and width of the site emphasises the needs of pedestrians, cyclists, public transport users and vehicle passengers by having:
- (a) sufficient off-street space for the movement of all transport services: cars, bicycles, pedestrians, buses, service and emergency vehicles;
 - (b) sufficient off-street pedestrian and cycle priority zones separate from vehicles;
 - (c) sufficient off-street bus bays and adequate manoeuvring spaces separate from all other vehicles;
 - (d) safe and direct pedestrian paths to nearby bus stops and other facilities;
 - (e) safe off-street student set-down and pick-up areas for vehicle passengers with separate entry and exit driveways;
 - (f) provision made for access and parking of service and emergency vehicles to service all buildings within the school; and
 - (g) emergency assembly areas for students and staff.

Classroom size and student densities

- 4.3** The gross floor area of classrooms in primary schools must not exceed 3.8m² per student. In this clause, **classroom** means a room in which classes meet or are taught.
- 4.4** The gross floor area of classrooms in secondary schools must not exceed 5.6m² per student. In this clause, **classroom** means a room in which classes meet or are taught.

Building length

- 4.5** The maximum building length for schools is 45 metres.

Storey limit

- 4.6** Council will determine the storey limit for schools based on the scale of the street and the surrounding buildings.
- 4.7** Council does not allow schools to have attics.



Setbacks

- 4.8** The minimum setback for schools (including car parks and basements) to the primary and secondary street frontages in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure is:

Minimum setbacks	
Primary street frontage	9 metres or a distance equal to the proposed maximum building height, whichever is the greater.
Secondary street frontage	6 metres or a distance equal to the proposed maximum building height, whichever is the greater.

This setback is necessary to accommodate the deep soil zones and footpaths within the front setback area.

- 4.9** The minimum side and rear setback for schools in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure is 5 metres or a distance equal to the proposed maximum building height, whichever is the greater.
- 4.10** Council will determine the minimum setbacks for schools in Zone B1 Neighbourhood Centre, Zone B2 Local Centre and Zone B4 Mixed Use based on the setbacks of the street and the surrounding buildings.
- 4.11** Council may require greater setbacks:
- (a) where development adjoins land in Zone IN1 General Industrial or Zone IN2 Light Industrial or state/regional roads or rail corridors, to incorporate measures to protect the amenity of students and staff from air and noise pollutants; or
 - (b) where the school requires off-street bus bays; or
 - (c) where the school requires vehicle access to the entry points of administration buildings.



Deep soil zones

- 4.12** Development for the purpose of schools within Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure must provide deep soil zones that have the following minimum widths around the boundary of the site:

Minimum width of deep soil zone	
Primary street frontage	9 metres
Secondary street frontage	6 metres
Side and rear setbacks	5 metres

The deep soil zones must be landscaped by way of deep soil plantings and canopy trees.

- 4.13** Council will determine the minimum width for deep soil zones for schools in Zone B1 Neighbourhood Centre, Zone B2 Local Centre and Zone B4 Mixed Use based on the setbacks of the street and the surrounding buildings.

Free play areas

- 4.14** Development for the purpose of primary schools must dedicate at least 12m² of site area per student for the exclusive use of free play areas. The minimum size of the free play areas must equate to the greatest number of students that could use the free play areas at any one time. The free play areas must locate at ground level. In this clause, **free play areas** means outdoor useable spaces and playing fields that are for the use of students for physical activities and team games.
- 4.15** Development for the purpose of secondary schools must dedicate part of the site area for the exclusive use of free play areas. The free play areas must locate at ground level. In this clause, **free play areas** means outdoor useable spaces and playing fields that are for the use of students for physical activities and team games.
- 4.16** Schools must ensure the location of outdoor areas and free play areas avoids:
- Existing native vegetation including under storey native vegetation.
 - Potential traffic hazard locations where an out-of-control vehicle may injure students.



Access

4.17 Schools must be easily accessible to people with disabilities and must comply with the Building Code of Australia and Australian Standard 1428 Parts 1 to 4—Design for Access and Mobility.

4.18 Provision must be made for access and parking of service and emergency vehicles to service all buildings within the school.

Car parks

4.19 The minimum number of car parking spaces required for schools is:

- (a) 1 car space per employee or classroom, whichever is the greater; and
- (b) 1 car space per 8 students in year 12.

4.20 The car park/ manoeuvring areas and the student set-down and pick-up areas must locate separately behind the front building line.

4.21 Internal driveways must observe the following dimensions:

- (a) the minimum width of driveways is 4.5 metres (one way) or 6 metres (two way); and
- (b) the maximum gradient of internal driveways is 12%.



SECTION 5—ENERGY EFFICIENCY AND URBAN DESIGN

Explanation

The School Facilities Standards require schools to incorporate energy efficiency measures such as optimum orientation, glazing, sun control, cross ventilation and natural light. This requirement applies to government and non-government schools. This approach to good design provides:

- Amenity for students through the physical, spatial and environmental quality of the development. Optimising amenity requires good natural light and ventilation to rooms.
- Ensures schools make efficient use of natural resources, energy and water throughout its full life cycle. Sustainability is integral to the design process. Aspects include layouts and built form, good orientation, passive solar access principles, minimal use of mechanical ventilation, and soil zones for vegetation and reuse of water.

Good quality architecture is also important. Good quality architecture requires the appropriate composition of building elements (i.e. proportion, unity and rhythm), textures, materials and colours. Good quality architecture must also:

- Reflect well resolved internal layouts of the various functions and uses.
- Respond to the environment and context particularly to desirable elements in the existing streetscape.

Objectives

- 01** To promote good architectural quality.
- 02** To integrate facade designs and building footprints into the overall building form and enhance the desired contemporary street character.
- 03** To incorporate energy efficiency measures in the design, construction and occupation of schools.
- 04** To ensure front fences are compatible with the building design and have a visually open style and attractive appearance.



Development Controls

Energy efficiency

- 5.1** Schools must comply with Chapter 3.3 of this DCP to make efficient use of natural resources and optimise amenity in the design, construction and occupation of buildings and facilities, such as:
- (a) good orientation and natural light to rooms and play areas;
 - (b) achieving appropriate separation distances between buildings to provide natural light to rooms;
 - (c) limiting building depth to provide natural cross-ventilation and natural light;
 - (d) minimal use of mechanical ventilation;
 - (e) use of sun shading devices;
 - (f) preventing UV factor to open areas;
 - (g) reducing stormwater run-off and promoting the use of recycled water; and
 - (h) ensuring the development adapts to the existing topography by avoiding excessive cut and fill.

Access to sunlight

- 5.2** The design of buildings should achieve a northern orientation to maximise solar access and improve the amenity of libraries and offices.
- 5.3** The design of buildings must ensure there is adequate solar access to the free play areas.
- 5.4** The design of buildings must ensure that:
- (a) At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
 - (b) A minimum 50% of the required private open space for a dwelling that adjoins a development receives at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected private open space.



Building design

5.5 Development for the purpose of new buildings must incorporate architectural elements to articulate the building form and avoid large expanses of blank walls. Architectural elements are to include but not be limited to:

- (a) Making efficient use of floor layouts and addressing pedestrian connections between the various functions.
- (b) Providing a harmonious transition with the adjacent building form. For example, schools should avoid the location of tall buildings close to boundaries in Zone R2 Low Density Residential.
- (c) Ensuring the elevations and facade treatments reflect the internal functions. For example, common spaces like libraries and main entries should have large openings.
- (d) Defining the base, middle and top of buildings using different materials and colours. Schools should avoid using a single colour throughout the development.
- (e) Defining the window openings, fenestration, balustrade design, building entrances, and doors.
- (f) Using sun shade devices.
- (g) Integrating mechanical equipment and other services (such as plant rooms, air-conditioning units and lift overruns) as part of the building design.
- (h) In the case of basement car parks, integrating the air grilles for natural ventilation as part of the building design.
- (i) Any other architectural feature to the satisfaction of Council.

5.6 Development for the purpose of new buildings on corner sites must:

- (a) present each street facade as a main street facade;
- (b) incorporate architectural features to emphasise the corner address; and
- (c) ensure the corner element is in proportion with the scale and articulation of the development.

Roof design

5.7 Development for the purpose of new buildings must have roof designs that:

- (a) unify separate or attached buildings with a contemporary architectural appearance; and
- (b) combine good quality materials and finishes.

Front fences

5.8 The maximum fence height for front fences is 1.8 metres.



- 5.9** The external appearance of a front fence along the front boundary of the site must ensure:
- (a) the section of the front fence that comprises solid construction (not including pillars) does not exceed a fence height of 1 metre above ground level (existing); and
 - (b) the remaining height of the front fence comprises open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.
- 5.10** Council does not allow the following types of front fences:
- (a) chain wire, metal sheeting, brushwood, and electric fences; and
 - (b) noise attenuation walls.



SECTION 6—ACOUSTIC PRIVACY AND MANAGEMENT

Explanation

It is important to balance the operation of schools with community expectations. To achieve this outcome, Council considers it necessary to seek appropriate acoustic privacy measures that are compatible with the prevailing character of residential areas. This is the preferred outcome rather than resorting to noise attenuation walls. There is also recognition that the good long term operation and management of schools can help to ensure development continues to harmoniously co-exist with the surrounding residential amenity.

Objectives

- 01** To ensure schools that do not adversely impact on the residential amenity of adjoining dwellings and the surrounding area.
- 02** To install appropriate acoustic privacy measures which are compatible with the prevailing character of residential areas.
- 03** To ensure the ongoing operation and management of schools maintain residential amenity.

Development Controls

Acoustic privacy

- 6.1** Air conditioning, mechanical ventilation or any other continuous noise source must not exceed the ambient level at any specified boundary by more than 5dB(A).
- 6.2** The location and design of schools must consider the projection of noise from various activities to avoid any adverse impacts on the residential amenity of adjoining land. For the purpose of this clause, Council requires development applications to submit an Acoustic Report prepared by a suitably qualified acoustic consultant to determine:
 - (a) existing noise levels at the identified sensitive receiver locations;
 - (b) likely noise levels to emanate from the school at the identified sensitive receiver locations;
 - (c) whether the development must apply measures to ensure the noise of students does not exceed 10dB(A) above the background noise level;
 - (d) whether the location and setbacks of the development are sufficient to protect the acoustic privacy of adjacent dwellings;



- (e) whether the location of the outdoor areas and free play areas should avoid living areas and bedrooms of adjacent dwellings; and
- (f) whether the development must install certain noise attenuation measures to protect the acoustic privacy of adjacent dwellings.

The Acoustic Report must measure the noise readings over a 15 minute period and must provide details of all modelling assumptions including source noise data, noise monitoring positions, receiver heights and locations, prevailing meteorological conditions during the monitoring, confirmation of the methodology adopted along with a copy of the model input and output data.

- 6.3** The maximum height for noise attenuation walls and fences along the boundary of the site is 2 metres.

Hours of operation

- 6.4** Council may limit the hours of operation of schools, public access to schools, and special occasions or events.

Management plans

- 6.5** Council must require the operator of a school in Zone R2 Low Density Residential to organise and chair a Neighbourhood Liaison Committee. The purpose of the Committee is for the operator and neighbours to resolve any issues, such as traffic and noise, arising from the operation of the school. The operation of the Committee must ensure:
- (a) The membership of the Neighbourhood Liaison Committee must include residents who live next to and opposite the school.
 - (b) The Neighbourhood Liaison Committee must meet at least four times during the first 24 months of the school.
 - (c) The operator of the school must forward the meeting minutes to Committee members.
 - (d) The operator of the school may forward the meeting minutes to Council for information purposes.
 - (e) The operator of the school may terminate the Committee once it meets at least four times during the first 24 months of the school operating, or may choose to extend the function of the Committee over a longer period of time.
- 6.6** Council may require the operator of a school in zones other than Zone R2 Low Density Residential to organise and chair a Neighbourhood Liaison Committee.



SECTION 7—LANDSCAPE

Explanation

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by coordinating water and soil management, solar access, microclimate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character.

For example, the landscaping of front yards in the residential areas is canopy trees and deep soil plantings. The front setback area of schools in the residential areas must therefore contain generous landscaping to be compatible with the prevailing character. Car parks and hard surfaces should not dominate the front setback area.

Objectives

- 01** To provide appropriate landscaping and free play areas in schools.
- 02** To provide useable open space on the street frontage for canopy trees and deep soil zones.
- 03** To provide landscaping that softens the appearance of school buildings, car parks and service areas.
- 04** To provide shade, windbreaks and areas for undercover student seating.

Development Controls

Landscaping

- 7.1** Development applications must submit a detailed landscape plan prepared by a qualified landscape architect consistent with the Landscape Guide.
- 7.2** Trees and shrubs that require low maintenance should be of prime consideration in the choice of planting. Features such as mulched garden beds, use of perennial rather than annual plants and mowing strips reduce the need for maintenance.
- 7.3** This clause applies to sites that adjoin the Hume Highway. Development must plant a 75 litre tree at 5 metre intervals along the length of the Hume Highway boundary of the site, and must select the trees from the Landscape Guide.



SECTION 8—SAFETY AND SECURITY

Explanation

Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

Objectives

- 01** To incorporate safety and security measures in the design of buildings and facilities.
- 02** To ensure entrances are clearly visible from the street.
- 03** To minimise the potential for intruders to enter a building.

Development Controls

Safety and security

- 8.1** Development for the purpose of schools must comply with the Crime Prevention through Environmental Design Policy in consultation with Council and NSW Police.
- 8.2** Development for the purpose of schools must provide active frontages to the streets and must orientate buildings, administration buildings and pedestrian entrances to the streets.
- 8.3** The street number of schools must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the location of schools.
- 8.4** Development for the purpose of new schools must submit a Social Impact Assessment to the satisfaction of Council.



SECTION 9—SITE FACILITIES

Explanation

Good design ensures sites facilities unify the development appearance and enhance the desired street character.

Objectives

- 01** To ensure site facilities integrate into the overall building form, and achieve good design in terms of architectural treatment and visual amenity.
- 02** To ensure the design, construction, and operation of kitchens and food premises achieve satisfactory standards of hygiene.

Development Controls

Waste storage areas

- 9.1** The design, location, and screening of waste and recyclable receptacle areas must be to the satisfaction of Council.

Building design (utilities and building services)

- 9.2** The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.
- 9.3** Utilities and building services are to be integrated into the building design and concealed from public view.

Building design (substations)

- 9.4** The location and design of substations must be shown on the plans.
- 9.5** Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- 9.6** Substations must not locate forward of the front building line.



Infrastructure

- 9.7** Council requires development for the purpose of schools to install the following core infrastructure at the applicant's expense:
- (a) Electricity sub-station kiosks as required.
 - (b) Connection to and capacity of existing water and sewerage services in accordance with Sydney Water requirements.
 - (c) Construction of the following works, at the applicant's expense, where these are presently inadequate or do not exist:
 - (i) full width commercial vehicular crossings at all entry and exit points;
 - (ii) bus bays (minimum length is 18 metres per bay);
 - (iii) concrete footpaths at least 1.22 metres wide over the full frontage(s) of the site and connecting to the nearest footpath network or road intersection (turf planting is to occur in the remaining footpath area);
 - (iv) concrete kerb and gutter over the full frontage(s) of the site; and
 - (v) road shoulder pavement over the full frontage(s) of the site.
 - (d) Stormwater drainage disposal from the site in accordance with Council's engineering standards. Drainage easements, as may be necessary over adjoining downstream properties, are to be created prior to granting development consent.

Food premises

- 9.8** The design, construction, and operation of kitchens and food premises must comply with:
- (a) Food Act 2003;
 - (b) Food Regulation 2010;
 - (c) FSANZ Food Standards Code; and
 - (d) AS 4674:2004 Design, Construction, and Fitout of Food Premises.



Canterbury Bankstown Development Control Plan 2021

Chapter 10 Other Development

10.3 Home Businesses

DRAFT December 2020





SECTION 1—HOME BUSINESSES

Explanation

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to manage the operation of home businesses.

Objectives

- 01** To allow residents to carry out home businesses within a limited area of dwellings and outbuildings.
- 02** To ensure home businesses do not adversely impact on the amenity of neighbouring dwellings and other sensitive land uses.

Development Controls

Building Design

- 1.1** A home business may occupy up to 30m² of gross floor area in an outbuilding provided the home business does not reduce the required off-street parking spaces for the dwelling.
- 1.2** A home business may occupy up to 30m² of gross floor area in a dwelling provided the home business is restricted to a single room.



Amenity

1.3 Council must consider the following matters to ensure a home business has minimal impact on the amenity of neighbouring dwellings and other sensitive land uses:

- (a) the likely number of vehicle, delivery, and visitor movements;
- (b) the size of delivery vehicles associated with the home business;
- (c) the siting of loading activities behind the front building line;
- (d) the type of equipment or machinery to be used by the home business;
- (e) the need for an acoustic report where the home business is likely to generate significant noise levels;
- (f) the need to control any odours or emissions; and
- (g) whether the hours of operation are within 8.00am to 6.00pm Monday to Saturday and not at any time on a Sunday or public holiday.



**Canterbury Bankstown
Development Control
Plan 2021**

**Chapter 10
Other Development**

**10.4
Non-Residential
Land Uses in
Residential Zones**

DRAFT December 2020





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SECTION 1–INTRODUCTION

Explanation

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to manage the design and operation of non-residential land uses within Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential.

Good design is important to achieve a scale, bulk and height appropriate to the desired character of the street and surrounding buildings. It achieves an appropriate built form that defines the public domain, provides internal amenity and considers neighbours' amenity. Non-residential land uses may also operate as commercial activities and should not adversely impact on the prevailing character and amenity of the residential areas.

As part of the design process, applicants must note that a building envelope is not a building, but a three dimensional shape that may determine the bulk and siting of a building. After allowing for building articulation and other development controls, the achievable floor space of development is likely to be less than the building envelope.

Objectives

- 01** To regulate certain types of development.
- 02** To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.
- 03** To ensure development is compatible with the prevailing suburban character and amenity of the residential areas.
- 04** To ensure the building form and design do not adversely impact on the amenity of neighbouring sites.



SECTION 2–HEALTH CONSULTING ROOMS

Objectives

- 01** To allow health consulting rooms that provide services to meet the day-to-day needs of residents.
- 02** To ensure health consulting rooms are compatible with the prevailing suburban character and amenity of the residential areas.

Development Controls

Parking

- 2.1** Development must provide a minimum 3 off-street car spaces for the purposes of the health consulting rooms and 2 off-street parking spaces for the dwelling house. At least one of the spaces must be suitable for people with disabilities.

All patient car parking must locate forward of the dwelling house/ health consulting rooms, whilst the resident or practitioner's spaces may locate to the rear or side of the development.

- 2.2** Development may provide the 2 off-street car spaces for the dwelling house in a stacked or tandem manner behind the front building line.

The remaining 3 off-street car spaces for the purposes of the health consulting rooms must be directly accessible and available for use by patients at all times, therefore stacked parking in this regard is not acceptable. Access to patient parking should not be via any carport, drive-through garage or similar structure.

Acoustic privacy

- 2.3** Health consulting rooms must operate within the hours of 7.00am to 7.00pm Monday to Saturday and 9.00am to 6.00pm on a Sunday and not at any time on a public holiday.
- 2.4** Use of the consulting rooms outside the above hours will be permitted only in emergencies.



Waste storage areas

- 2.5** The design, location and screening of the waste storage areas must be to the satisfaction of Council.
- 2.6** Health consulting rooms must dispose medical wastes in accordance with the NSW Ministry of Health requirements.



SECTION 3—NEIGHBOURHOOD SHOPS

Objectives

- O1** To ensure neighbourhood shops enable the co-location of appropriate business and residential uses.
- O2** To ensure neighbourhood shops make a positive contribution to the visual character of the streetscape.
- O3** To ensure the building form and function of neighbourhood shops are compatible with the prevailing suburban character of the residential areas.
- O4** To ensure the building form and function of neighbourhood shops do not adversely impact on the amenity of adjoining dwellings and neighbouring sites.

Development Controls

Building design

- 3.1** A maximum one neighbourhood shop is permitted on the site.
- 3.2** The neighbourhood shop must locate on the ground floor.
- 3.3** A stand-alone neighbourhood shop must comply with the storey limit and setback controls applicable to attached dwellings in Zone R3 or residential flat buildings in Zone R4.
- 3.4** Development must achieve a high standard of architectural design and visual quality including:
 - (a) facade modulation;
 - (b) high quality materials including variation in texture and colour;
 - (c) landscaping within the front boundary setback; and
 - (d) vehicle access, parking and manoeuvring not being visually dominant when viewed from the street.
- 3.5** Development must provide an active street frontage and may include large, transparent windows on the street elevation that enable the perception of indoor activity to be obtained from the public domain. Council does not permit solid roller doors and shutters.



Amenity

- 3.6** Council must consider the following matters to ensure development for the purposes of neighbourhood shops has a minimal impact on the amenity of adjoining dwellings and neighbouring sites:
- (a) the likely number of vehicle, delivery and visitor movements;
 - (b) the size of delivery vehicles associated with the proposed development;
 - (c) whether any goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from residential development;
 - (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised; and
 - (e) whether the proposed development will otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting, vibration, fumes, gases, smoke, dust or odours, or the like.
- 3.7** All loading and unloading is to be undertaken on-site. The loading and unloading areas should locate behind the front building line.
- 3.8** Council may limit the hours of operation of neighbourhood shops from 7.00am to 7.00pm Monday to Saturday and 9.00am to 6.00pm on a Sunday and not at any time on a public holiday.

Waste storage areas

- 3.9** Neighbourhood shops must provide waste storage areas inside every food premises and inside any shop that is capable of accommodating a food premises.
- 3.10** Neighbourhood shops must locate waste storage areas inside the building or adjacent to a lane where it is:
- (a) convenient and safe for residents, tenants, and waste collection trucks to access the waste storage area; and
 - (b) the location and floor level are to the satisfaction of Council.
- 3.11** With any waste storage area:
- (a) the wall height must ensure people can walk into the waste storage area and the lid of a waste bin can be opened with ease; and
 - (b) Council may increase the minimum dimensions for a commercial waste storage area depending on the likely use of the business and retail premises and the frequency of collection services.



SECTION 4—SERVICED APARTMENTS

Objectives

- 01** To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.
- 02** To ensure the building form and design provide appropriate amenity to residents and visitors in terms of access to sunlight and privacy.
- 03** To ensure the building form and design do not adversely impact on the amenity of neighbouring sites in terms of visual bulk, access to sunlight and privacy.
- 04** To minimise the visual impact of off-street parking on the streetscape.
- 05** To ensure the building design and materials reduce the opportunities for vandalism and graffiti.
- 06** To ensure that a change of use from a dwelling in a residential flat building or shop top housing to a serviced apartment does not impact on the amenity, safety or security of residents in the building.
- 07** To prevent substandard residential building design by way of converted serviced apartment development.

Development Controls

Isolation of sites

- 4.1** Council must not grant consent to any development on land within Zone R4 High Density Residential if the proposed development will have the effect of isolating land with an area of less than 1,200m² and a width of less than 20 metres at the front building line so as to preclude the reasonable development of that land.

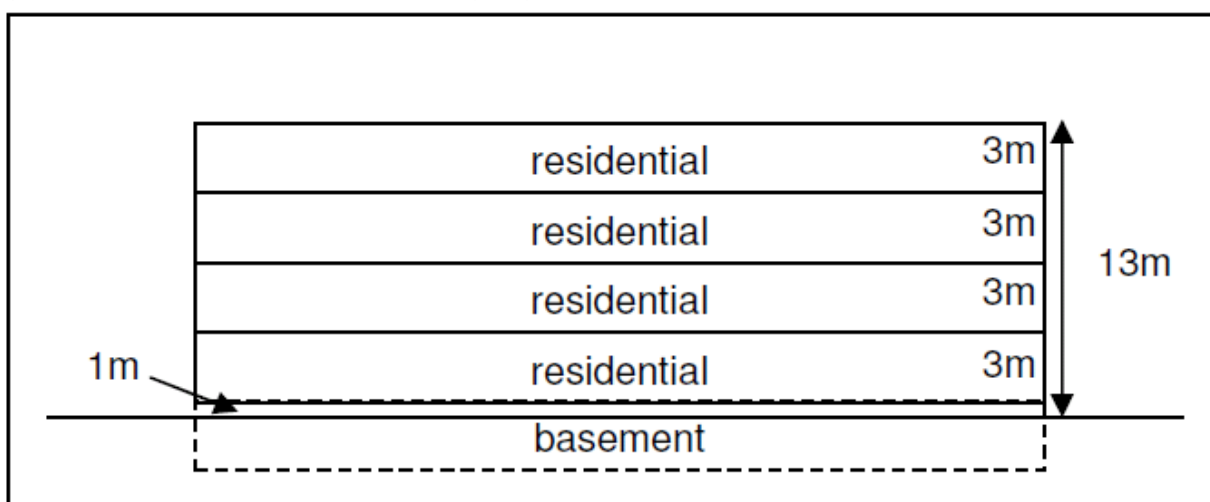
Storey limit (not including basements)

- 4.2** Development must comply with the storey limit that corresponds with the maximum building height shown for the site on the Height of Building Map as follows:



Maximum building height as shown on the Height of Buildings Map (Canterbury Bankstown LEP 2021)	Storey limit (not including basements)
10 metres	3 storeys (no attic)
13 metres	4 storeys (no attic)
16 metres	5 storeys (no attic)
19 metres	6 storeys (no attic)
25 metres	8 storeys (no attic)

Figure 2a: Storey limit and maximum building height



- 4.3** The siting of serviced apartments and landscape works must be compatible with the existing slope and contours of the site and any adjoining sites. Council does not allow any development that involves elevated platforms on columns; or excessive or unnecessary terracing, rock excavation, retaining walls or reclamation.
- 4.4** Any reconstituted ground level on the site must not exceed a height of 600mm above the natural ground level of an adjoining site except where:
- the serviced apartments is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or
 - the fill is contained within the ground floor perimeter of the serviced apartments to a height no greater than 1 metre above the natural ground level of the site.

Setbacks within the former Bankstown Local Government Area

- 4.5** The minimum setback for a building wall to the primary street frontage is:
- 3 metres for the sites at 1–9 Leonard Street and 74–80 Restwell Street, Bankstown; and
 - 6 metres for all other sites.



- 4.6** The minimum setback for a building wall to the secondary street frontage is 6 metres.
- 4.7** For a single or 2 storey building, the minimum setback to the side and rear boundaries of the site is 0.6 multiplied by the wall height.
- 4.8** For a building with 3 or more storeys, the minimum setback to the side and rear boundaries of the site is 4.5 metres provided the average setback is 0.6 multiplied by the wall height.
- 4.9** Serviced apartments (including basements) must provide a minimum 5 metre setback to Ruse Park, Bankstown for the purposes of deep soil landscaping.
- 4.10** The minimum setback for a basement level to the side and rear boundaries of the site is 2 metres.
- 4.11** The minimum setback for a driveway to the side and rear boundaries of the site is 1 metre.

Setbacks within the former Canterbury Local Government Area

- 4.12** Development, including basement and sub-floor areas, fronting a major road must have a minimum front setback of 9m.
- 4.13** Development must comply with the minimum setbacks as follows:
- (a) A minimum setback of 6m from the front and rear boundary.
 - (b) A minimum setback of 4m from the side boundaries.
 - (c) All buildings shall provide a building form comprising a podium base element and an upper element which provides an additional setback in accordance with the table below:

Total Number of Storeys	Podium Base Element	Upper Storey Elements
4 storey	3 storey	1 storey
5 storey	3 storey	2 storey
6 storey	4 storey	2 storey

- 4.14** A minimum width of deep soil alongside boundaries of 2m and minimum of 5m wide along front/rear boundaries.

Private open space

- 4.15** Development must locate the private open space behind the front building line. This clause does not apply to any balconies where it is used to provide articulation to the street facade.



Building design

- 4.16** Council applies State Environment Planning Policy No. 65—Design Quality of Residential Apartment Development and the Apartment Design Guide to serviced apartments. This includes buildings that are two storeys or less, or contain less than four dwellings.
- 4.17** Development for the purpose of serviced apartments must demolish all existing dwellings (not including any heritage items) on the site.
- 4.18** The maximum roof pitch for serviced apartments is 35 degrees.
- 4.19** Council does not allow serviced apartments to have attics.
- 4.20** Council does not allow serviced apartments to have roof-top balconies and the like.
- 4.21** The siting of a plant room, lift motor room, mechanical ventilation stack, exhaust stack, and the like must:
- (a) integrate with the architectural features of the building to which it is attached; or
 - (b) be sufficiently screened when viewed from the street and neighbouring sites.

Building design (car parking)

- 4.22** Development must locate the car parking spaces behind the front building line.

Landscape

- 4.23** Development must retain and protect any significant trees on the site and adjoining sites. To achieve this clause, the development may require a design alteration or a reduction in the size of the serviced apartments.
- 4.24** Development must landscape the following areas on the site by way of trees and shrubs with preference given to native vegetation endemic to Canterbury Bankstown (refer to the Landscape Guide for a list of suitable species):
- (a) a minimum 45% of the area between the building and the primary street frontage; and
 - (b) a minimum 45% of the area between the building and the secondary street frontage; and
 - (c) plant more than one 75 litre tree between the building and the primary street frontage.



Security

4.25 Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the site should, wherever practical, be setback a minimum 1.5 metres from that boundary. The setback distance must be:

- (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain; and
- (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum 300mm pot size; and
- (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system; and
- (d) the site must be fenced along the boundary using a minimum 2 metre high chain-wire fence; and
- (e) the fence provides an appropriate access point to maintain the landscaping within the setback area; and
- (f) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain.

If a setback for landscaping under this clause is not practical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.

Change of use

4.26 Development consent must not be granted for the change of use from a dwelling in a residential flat building or shop top housing to a serviced apartment unless Council is satisfied that the amenity, safety and security of the residents of the dwellings in the building is maintained.

4.27 Development consent must not be granted for the change of use from serviced apartments to a residential flat building, with or without strata subdivision, unless Council is satisfied that the development complies with the design principles of State Environmental Planning Policy No. 65—Design Quality of Residential Apartment Development and the Apartment Design Guide.



SECTION 5—OTHER NON—RESIDENTIAL DEVELOPMENT

Explanation

This section applies to non—residential development not including health consulting rooms, neighbourhood shops and serviced apartments.

Objectives

- O1** To ensure non—residential development is compatible with the prevailing suburban character and amenity of the residential areas.
- O2** To ensure non—residential development does not adversely impact on the amenity of neighbouring sites.

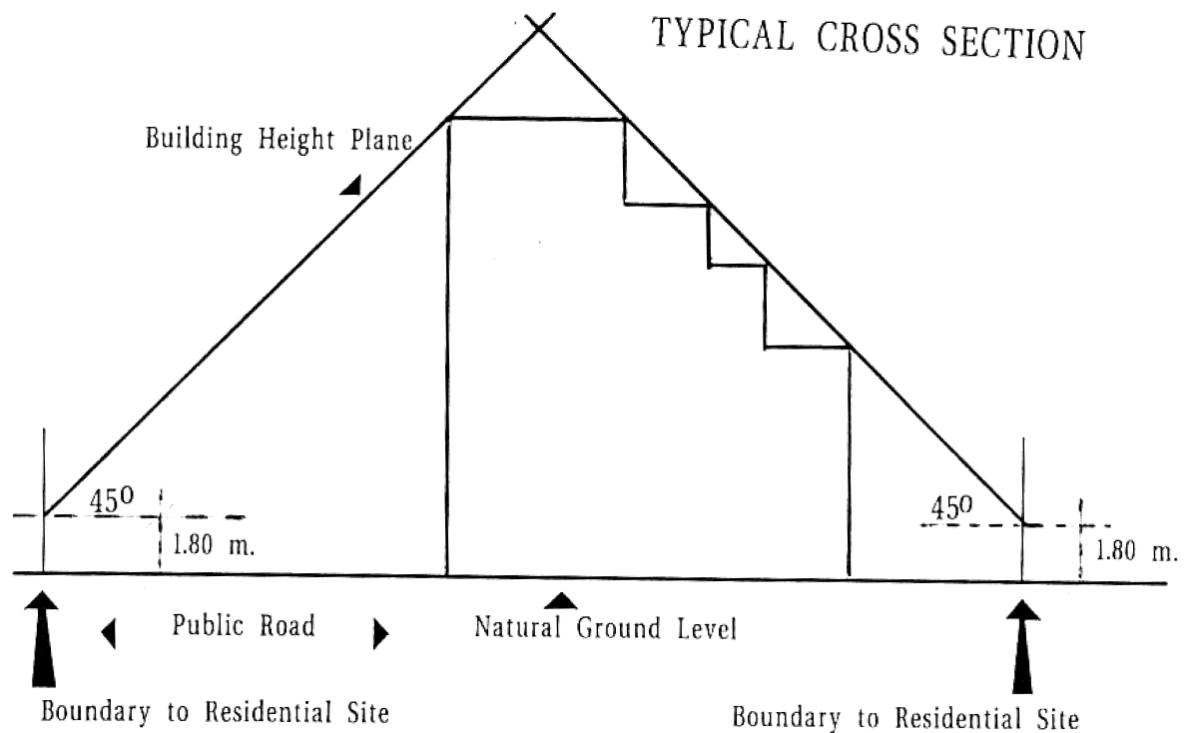
Development Controls

- 5.1** In determining development applications that relate to land within Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential, Council must take into consideration the following matters:
 - (a) whether any proposed building is compatible with the height, scale, siting and character of existing residential development within the adjoining residential zone;
 - (b) whether any goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from residential development;
 - (c) whether the proposed development will maintain reasonable solar access to residential development between the hours of 8.00am and 4.00pm at the mid—winter solstice;
 - (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised;
 - (e) whether the proposed development will otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting, fumes, gases, smoke, dust or odours, or the like; and
 - (f) whether any windows or balconies facing residential areas will be treated to avoid overlooking of private yard space or windows in residences.



5.2 The non-residential component of buildings that adjoin residential zones in the former Canterbury Local Government Area should comply with the Building Height Plane as shown in Figure 5a.

Figure 5a: Building height plane





SECTION 6—SITE FACILITIES

Explanation

Good design ensures sites facilities unify the development appearance and enhance the desired street character.

Objectives

- O1** To ensure site facilities integrate into the overall building form, and achieve good design in terms of architectural treatment and visual amenity.
- O2** To ensure the design, construction, and operation of kitchens and food premises achieve satisfactory standards of hygiene.

Development Controls

Building design (utilities and building services)

- 6.1** The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.
- 6.2** Utilities and building services are to be integrated into the building design and concealed from public view.

Building design (substations)

- 6.3** The location and design of substations must be shown on the plans.
- 6.4** Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- 6.5** Substations must not locate forward of the front building line.

Food premises

- 6.6** The design, construction, and operation of a food premises must comply with:
 - (a) Food Act 2003;
 - (b) Food Regulation 2010;
 - (c) FSANZ Food Standards Code; and
 - (d) AS 4674:2004 Design, Construction, and Fitout of Food Premises.



Front fences

- 6.7** The maximum fence height for front fences is 1.8 metres.
- 6.8** The external appearance of front fences along the primary and secondary street frontages must ensure:
- (a) the section of the front fence that comprises solid construction (not including pillars) does not exceed a fence height of 1 metre above ground level (existing); and
 - (b) the remaining height of the front fence comprises open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.
- 6.9** Council does not allow the following types of front fences:
- (a) chain wire, metal sheeting, brushwood, and electric fences; and
 - (b) noise attenuation walls.



**Canterbury Bankstown
Development Control
Plan 2021**

**Chapter 10
Other Development**

**10.5
Places of Public Worship**

DRAFT December 2020





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SECTION 1–INTRODUCTION

Explanation

Based on population forecasts, Canterbury Bankstown may see an increase in the number of places of public worship. These places of public worship must find available land in established urban areas. The conflict between the development of these places of public worship and the surrounding amenity of established urban areas is evident.

Places of public worship tend to draw from a regional catchment area which means greater reliance on cars. This has led to traffic congestion in streets and increased demand for on-street parking. Insufficient lot sizes have also led to excessive building sizes.

Council's statutory responsibility is to manage the orderly development of places of public worship, in a way that addresses community expectations. As part of this responsibility, Council must consider the many planning issues relating to places of public worship if it is to better manage this type of development and address community expectations.

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to enhance the function and appearance of places of public worship (either by the erection of a new building, or extensions to and/or occupation of an existing building). In particular, it aims to protect the amenity of residential areas by limiting the scale of development within Zone R2 Low Density Residential.

This chapter does not apply to schools, except for those places within a school that are to be used for regular public worship.



Objectives

- O1** To regulate the effective and orderly development of places of public worship in Canterbury Bankstown.
- O2** To ensure places of public worship contribute to the sustainability of Canterbury Bankstown.
- O3** To achieve good design in terms of building form, bulk, architectural treatment, visual amenity and landscape.
- O4** To ensure the bulk, scale, height and character of places of public worship are compatible with the predominant characteristics of existing development in the surrounding area.
- O5** To protect the amenity of development in the vicinity of places of public worship, and in particular residential areas.
- O6** To minimise the physical and visual impact on the amenity of established suburbs.
- O7** To encourage places of public worship to locate in areas with good access to public transport.
- O8** To ensure places of public worship do not adversely impact on the safety and efficiency of the surrounding road system.
- O9** To ensure the long term operation of places of public worship maintains the amenity of surrounding residents and employment areas.
- O10** To enhance perceptions of public safety; and ensure the design of buildings and places minimise the opportunities for criminal and anti-social behaviour.
- O11** To ensure the development assessment process for a proposed place of public worship is consistent, fair and accessible to all religious groups.
- O12** To facilitate ecologically sustainable development.



Definitions

Ancillary use means administration offices, community facilities, dwellings, kitchens, libraries, or other uses directly associated with a place of public worship.

Assembly area means the sum of that portion of the gross floor area of a building to be used for public assembly for the purpose of worship or other purposes and any outdoor area that may be used for public assembly for the purpose of worship or other purposes. It includes halls; mezzanines; secondary areas of assembly such as choir or musicians' areas, altar areas confessional areas, podiums, staging and the like; rooms used for religious instruction; and rooms and any outdoor areas capable of being used for overspill accommodation of the congregation during a worship service. Ancillary areas such as kitchens, toilets, washrooms and residential accommodation, which are not normally used for worship, are not considered to be part of the assembly area.



SECTION 2–SITE ANALYSIS

Explanation

The site analysis helps to explain the development capacity by showing the relationship of sites to the surrounding area. This approach to good design ensures places of public worship respond and contribute to the local context. Context can be defined as the key natural and built features of an area. Responding to context involves identifying the desirable elements of a location's character. From experience, Council has found site analysis plans and studies to also be a useful tool to coordinate the expansion of sites over a long period of time.

Objectives

- O1** To require site analysis plans and studies that:
- (a) identify the guiding principles to the development of sites;
 - (b) demonstrate the opportunities and constraints of sites;
 - (c) respond and contribute to the local context and to the sustainable growth of Canterbury Bankstown;
 - (d) identify the staging of development over a long period of time; and
 - (e) determine the enrolment numbers of schools over a long period of time.

Development Controls

- 2.1** Development applications must submit site analysis plans and studies that outline the short and long term proposals for the development of sites. The site analysis plans and studies must consist of a written statement (supported by plans or illustrations) explaining how the design of the development has regard to the following:
- (a) The overall strategic vision for the site and how the selection of the site supports the urban structure of Canterbury Bankstown.
 - (b) Staging of the development of the place of public worship.
 - (c) The patterns of land ownership, the patterns of land subdivision or consolidation and the relationship of the site to adjoining sites.
 - (d) Design principles drawn from the site analysis and the local context including:
 - (i) context and character studies;
 - (ii) orientation;
 - (iii) visual assessment of the site and the local context;
 - (iv) survey of the site and neighbouring buildings;
 - (v) flora/ fauna survey;
 - (vi) topography, drainage, erosion, cut and fill;
 - (vii) noise pollutants, airborne pollutants, toxic residues and site remediation;



- (viii) bush fire risk and flood risk;
- (ix) deep soil zones and landscaping;
- (x) sustainability and energy efficiency outcomes through design;
- (xi) passive surveillance;
- (xii) traffic, access and parking:
 - the links between the location of the place of public worship and surrounding pedestrian, cycle, public transport and road access and circulation networks. This includes details of the internal and external movement networks, the public transport access routes, the pedestrian and cycle paths, linkages to external networks and pedestrian through-site links;
 - assessment of the cumulative traffic impacts of development within the surrounding road network, and the need for internal and external traffic management measures to support the development (including cost and funding responsibilities of such upgrades);
 - visitor off-street set-down and pick-up areas, parking provisions, bus stops and delivery/emergency access;
 - parking provisions at each stage of the development;
- (xiii) built form and aesthetics:
 - floor space requirements to meet function requirements;
 - the function and capacity of each building and likely hours of operation;
 - bulk and overall unity of the development within the context;
 - urban design and streetscape guidelines;
 - distribution of the land uses, buildings, circulation areas, fences and any public facilities;
 - open space provision and function, and landscaping principles;
- (xiv) infrastructure, easements and stormwater management;
- (xv) outcomes of social impact assessments and any relevant feasibility studies;
- (xvi) protection of any heritage items or archaeological sites;
- (xvii) staging of special events including:
 - calendar dates of all events;
 - location and capacity;
 - hours of operation;
 - management plan.



SECTION 3—LOCATION AND TRAFFIC MANAGEMENT

Explanation

Canterbury Bankstown LEP 2021 aims to concentrate intensive trip generating activities in locations most accessible to rail transport. Places of public worship are significant trip generators. For this reason, it can be argued that intensive trip generating places of public worship should locate close to rail transport.

Council also recognises that larger places of public worship have greater impacts and it is important to balance the size of places of public worship with the retention of residential amenity. In locations that are not readily accessible to rail transport, such as the residential and industrial zones, Council is seeking places of public worship that would not be regarded as intensive trip generating activities.

Consideration is given to having development controls that ensure places of public worship take into account:

- Public transport and pedestrian movements.
- The impact on traffic efficiency, with the objective to maintain the existing level of service of streets.
- The impact on the amenity of an area, with the objective not to exceed the environmental capacity of streets. Setting traffic limits such as volumes is necessary in and around residential areas as traffic congestion, pedestrian safety and noise are primary concerns at these locations.
- The impact of accommodating additional land uses, shared facilities and special events.

In some streets where the existing level of service is poor or the environmental capacity is exceeded, any small increase in traffic can cause greater increases in delay. In this situation, it is best practice to at least maintain the existing level of absolute delay rather than allow the situation to be made worse.

Objectives

- O1** To maintain the amenity and character of residential areas.
- O2** To ensure the size of the site is suitable to accommodate a place of public worship.
- O3** To ensure the most suitable location is achieved, by consideration of the physical constraints of the site.



- 04** To encourage intensive trip generating places of public worship in locations most accessible to rail transport.
- 05** To ensure the location and size of places of public worship maintain the existing environmental capacity and service levels of streets.
- 06** To avoid places of public worship locating within close proximity to another existing or approved place of public worship unless it can be demonstrated that the cumulative impacts relating to traffic generation and on–street parking are within acceptable limits for the area.
- 07** To limit the size of places of public worship in and in the vicinity of established residential areas to ensure this type of trip generating activity does not adversely impact on the existing residential amenity.

Development Controls

Location

- 3.1** A place of public worship must maintain the general amenity of the area.
- 3.2** A place of public worship must optimise the use of surrounding and potential infrastructure, with a particular emphasis on public transport.

General restrictions on development

- 3.3** A place of public worship may not be within reasonable view of a sex services premises ('reasonable view' shall be determined taking into account factors such as topography, vegetation, signage, intervening development and similar factors).
- 3.4** The boundary of a place of public worship should not be within a 100 metre radius of a sex services premises.

Traffic management–environmental capacity

- 3.5** Development for the purpose of places of public worship must not result in a street in the vicinity of the site to exceed the environmental capacity maximum. If the environmental capacity maximum is already exceeded, the development must maintain the existing level of absolute delay of that street. This clause applies to places of public worship in the residential zones, the special use zone and the industrial zones.



Traffic management–level of service

- 3.6** Development for the purpose of places of public worship must not result in a street intersection in the vicinity of the site to have a level of service below Level B. If the existing level of service is below Level B, the development must maintain the existing level of absolute delay of that street intersection. This clause applies to places of public worship in the residential zones, the special use zone and the industrial zones.

Traffic impact studies

- 3.7** Development applications must submit a Traffic Impact Study based on the RTA Guide to Traffic Generating Developments to determine:

Existing conditions

- (a) Existing volumes and environmental capacity of streets adjacent to the development.
- (b) Existing volumes and level of service of street intersections in the vicinity of the development.
- (c) Existing public transport services in the vicinity of the development.
- (d) Existing clearway and peak period parking restrictions that apply to streets adjacent to the development.
- (e) Existing proposals for improvements to the adjacent road system.

Proposed conditions

- (f) The proposed amount of traffic generation and trip distribution of the development.
- (g) The proposed parking provision of the development.
- (h) The proposed number of buses likely to service the development.
- (i) The proposed safety and efficiency of access between the development and the adjacent road network.
- (j) The proposed safety and efficiency of the internal road layout including the set-down and pick-up areas, bus bays, service areas and car parks.
- (k) The impact of the proposed generated traffic on the environmental capacity of streets adjacent to the development.
- (l) The impact of the proposed generated traffic on the level of service of street intersections in the vicinity of the development.
- (m) The impact of the proposed generated traffic on road safety and traffic noise.
- (n) The impact of the proposed generated traffic on other major traffic generating development in close proximity.



- (o) Whether the development must take certain measures to reduce the impact of the proposed generated traffic to an acceptable level. Measures may include a reduction in the size of assembly areas or the installation of public traffic management devices at the applicant's expense.
- (p) Where there are celebration events or other large events attracting larger than average numbers of vehicles, the Traffic Impact Study must assess the traffic and parking impact of these events on surrounding streets, and the measures proposed to minimise any potential impact.

3.8 To ensure adequate traffic flow, worship services must not commence until thirty minutes have elapsed following the completion of any preceding service. This requirement may be imposed as a condition of development consent.



SECTION 4–SITE LAYOUT AND BUILDING ENVELOPES

Explanation

Council considers it necessary to ensure sites are of sufficient size to accommodate buildings, off-street parking, set-down and pick-up areas, vehicular access and manoeuvring areas, pedestrian access, open space and landscaping. This approach to good design provides:

- Amenity for visitors and staff through the physical, spatial and environmental quality of the development.
- Ensures places of public worship can contain the essential elements that make up the prevailing character of certain areas, particularly residential areas where the prevailing character includes the front setback area and landscaping.

Building envelopes must also be compatible with the scale of the street and the surrounding buildings, noting that the established residential areas predominantly have a single dwelling suburban character.

As part of the design process, applicants must note that a building envelope is not a building, but a three dimensional shape that may determine the bulk and siting of a building. After allowing for building articulation, the achievable floor space of a development is likely to be less than the building envelope. Where development is in the vicinity of land in Zone R2 Low Density Residential, R3 Medium Density Residential or R4 High Density Residential, Council may reduce the height or require greater setbacks to ensure the development complies with the objectives of this DCP.

Objectives

- 01** To ensure the design of places of public worship satisfies the needs of visitors and staff, and provides a safe environment and easy access for people.
- 02** To ensure places of public worship are compatible with the prevailing character and amenity of the locality of the development.
- 03** To ensure places of public worship do not adversely impact on the living environment or amenity of neighbouring dwellings and the surrounding area.
- 04** To minimise the impact of street parking in the surrounding area.
- 05** To ensure that all parking areas are adequate, easy to use, efficient, and well-designed.



Development Controls

Assembly area

- 4.1** The maximum area of the assembly area in a place of public worship within Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential is 400m².
- 4.2** An alteration or addition to an existing place of public worship within Zone R2 Low Density Residential and Zone R3 Medium Density Residential which would result in an assembly area with an area of more than 400m² is not permitted.

Height

- 4.3** Within Zone R3 Medium Density Residential, Zone R4 High Density Residential and Zone SP2 Infrastructure, the maximum wall height for a place of public worship is 9.5 metres.
- 4.4** Within Zone IN1 General Industrial and Zone IN2 Light Industrial, the maximum wall height for a place of public worship that is located adjacent to a residential area is 9.5 metres.
- 4.5** Despite clauses 4.5 and 4.6, Council may consider spires, towers, minarets and similar structures, which exceed the wall height limit on the basis of their bulk and scale, the extent of their overshadowing, and their contribution to the streetscape.
- 4.6** The operational requirements of Bankstown Airport may place certain additional constraints on building heights within some areas of Canterbury Bankstown. Council may refer certain development applications to the airport authority for consideration.



Street setbacks

4.7 Minimum setbacks to the street frontage shall apply to residential, special uses and industrial zones as follows:

Setbacks	State and regional roads		Other roads	
	Zones R2, R3, R4 and SP2	Zones IN1 and IN2	Zones R2, R3, R4 and SP2	Zones IN1 and IN2
Primary street frontage	9 metres	15 metres	7.5 metres	10 metres
Secondary street frontage	9 metres	15 metres	7.5 metres	3 metres

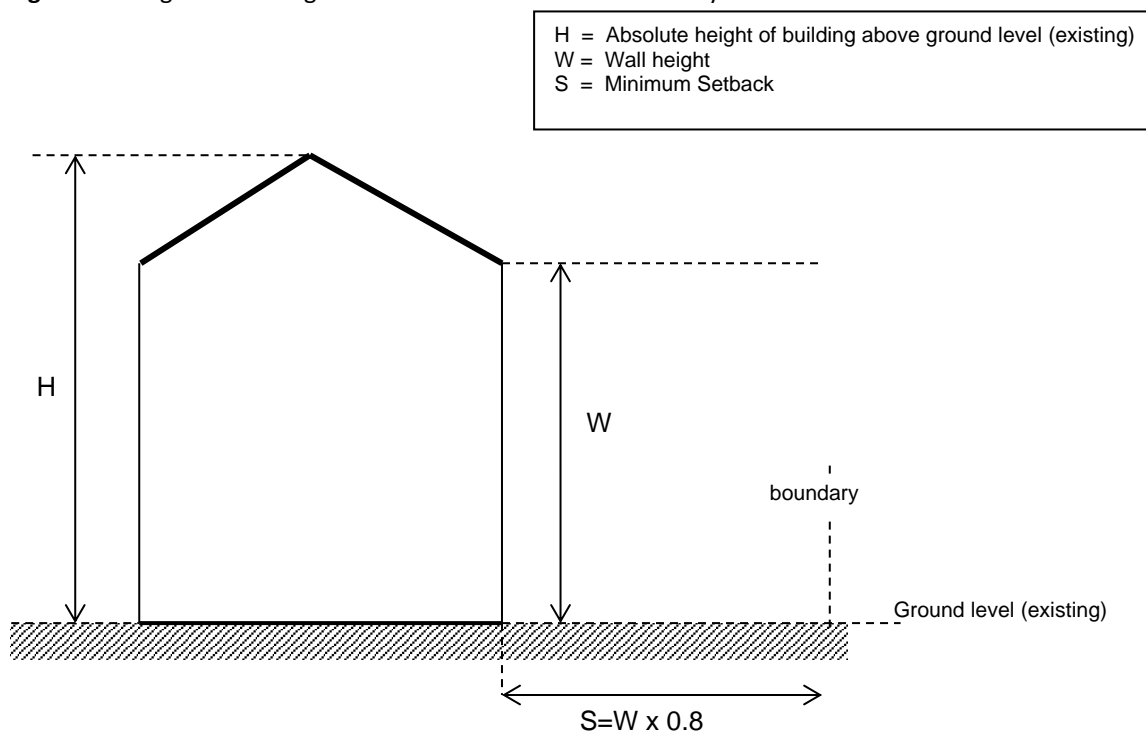
Side and rear setbacks

4.8 Within the business zones, setbacks must be consistent with those of neighbouring properties and with the existing streetscape.

Within Zones R2, R3, R4 and SP2; and IN1 and IN2 which adjoin residential zoned land, side and rear setbacks must be in accordance with the following formula:

Minimum Setback (S) = 0.8 x Wall Height (W) (see Figure 4a).

Figure 4a: Height of building in relation to side and rear boundary setbacks





Access to sunlight

- 4.9** At least one living area of a dwelling on an adjoining site must receive a minimum 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- 4.10** A minimum 50% of the required private open space for each dwelling on an adjoining site must receive at least 3 hours of sunlight between 9.00am and 5.00pm at the equinox. Where this standard cannot be met for a dwelling on an adjoining site, the development must not result with additional overshadowing on the affected private open space.
- 4.11** Development should avoid overshadowing any existing solar hot water system, photovoltaic panel, or other solar collector on the site and neighbouring sites.

Parking

- 4.12** The car park/ manoeuvring areas and the set–down and pick–up areas must locate separately behind the front building line.



SECTION 5—ENERGY EFFICIENCY AND URBAN DESIGN

Explanation

Places of public worship must incorporate energy efficiency measures such as optimum orientation, glazing, sun control, cross ventilation and natural light. This approach to good design provides:

- Amenity for visitors and staff through the physical, spatial and environmental quality of the development. Optimising amenity requires good natural light and ventilation to rooms.
- Ensures places of public worship make efficient use of natural resources, energy and water throughout its full life cycle. Sustainability is integral to the design process. Aspects include layouts and built form, good orientation, passive solar access principles, minimal use of mechanical ventilation, and soil zones for vegetation and reuse of water.

Good quality architecture is also important. Good quality architecture requires the appropriate composition of building elements (i.e. proportion, unity and rhythm), textures, materials and colours. Good quality architecture must also:

- Reflect well resolved internal layouts of the various functions and uses.
- Respond to the environment and context particularly to desirable elements in the existing streetscape.

Objectives

- 01** To promote good architectural quality.
- 02** To ensure facade designs and building footprints integrate into the overall building form and enhance the desired contemporary street character.
- 03** To encourage architectural diversity and innovation.
- 04** To incorporate energy efficiency measures in the design, construction and occupation of places of public worship.
- 05** To ensure front fences are compatible with the building design and have a visually open style and attractive appearance.



Development Controls

Energy efficiency

- 5.1** Places of public worship must comply with Chapter 3.3 of this DCP to make efficient use of natural resources and optimise amenity in the design, construction and occupation of buildings and facilities, such as:
- (a) good orientation and natural light to rooms;
 - (b) achieving appropriate separation distances between buildings to provide natural light to rooms;
 - (c) limiting building depth to provide natural cross-ventilation and natural light;
 - (d) minimal use of mechanical ventilation;
 - (e) use of sun shading devices;
 - (f) preventing UV factor to open areas;
 - (g) reducing stormwater run-off and promoting the use of recycled water; and
 - (h) ensuring the development adapts to the existing topography by avoiding excessive cut and fill.

Facade designs

- 5.2** Development must articulate the facades to achieve a unique and contemporary architectural appearance that:
- (a) unites the facades with the whole building form;
 - (b) composes the facades with an appropriate scale and proportion that responds to the use of the building and the desired contextual character;
 - (c) combines high quality materials and finishes;
 - (d) considers any other architectural elements to Council's satisfaction.
- 5.3** Development must provide an active frontage to the street.

Roof designs

- 5.4** Development must incorporate an innovative roof design that:
- (a) achieves a unique and contemporary architectural appearance; and
 - (b) combines high quality materials and finishes.

Front fences

- 5.5** The maximum fence height for a front fence is 1.8 metres.



- 5.6** The external appearance of a front fence along the front boundary of the site must ensure:
- (a) the section of the front fence that comprises solid construction must not exceed a fence height of 1 metre above the ground level (existing); and
 - (b) the remaining height of the front fence must comprise open style construction such as spaced timber pickets or wrought iron that enhance and unify the building design.
- 5.7** Council does not allow the following types of front fences:
- (a) chain wire, metal sheeting, brushwood, and electric fences; and
 - (b) noise attenuation walls.



SECTION 6—ACOUSTIC PRIVACY AND MANAGEMENT

Explanation

It is important to balance the operation of places of public worship with community expectations. To achieve this outcome, Council considers it necessary to seek appropriate acoustic privacy measures that are compatible with the prevailing character of residential areas. This is the preferred outcome rather than resorting to noise attenuation walls.

There is also recognition that the good long term operation and management of places of public worship can help to ensure development continues to harmoniously co-exist with the surrounding residential amenity.

Objectives

- O1** To ensure places of public worship do not adversely impact on the residential amenity of adjoining dwellings and the surrounding area.
- O2** To allow development to install appropriate acoustic privacy measures which are compatible with the prevailing character of residential areas.
- O3** To ensure the ongoing operation and management of places of public worship maintain residential amenity.

Development Controls

Acoustic privacy

- 6.1** Air conditioning, mechanical ventilation or any other continuous noise source must not exceed the ambient level at any specified boundary by more than 5dB(A).
- 6.2** The location and design of places of public worship must consider the projection of noise from various activities to avoid any adverse impacts on the residential amenity of adjoining land. For the purpose of this clause, Council requires development applications to submit an Acoustic Report prepared by a suitably qualified acoustic consultant to determine:
 - (a) existing noise levels at the identified sensitive receiver locations;
 - (b) likely noise levels to emanate from the place of public worship at the identified sensitive receiver locations;
 - (c) whether the development must apply measures to ensure noise does not exceed 5dB(A) above the background noise level;



- (d) whether the location and setbacks of the development are sufficient to protect the acoustic privacy of adjacent dwellings;
- (e) whether the location of the outdoor areas should avoid living areas and bedrooms of adjacent dwellings; and
- (f) whether the development must install certain noise attenuation measures to protect the acoustic privacy of adjacent dwellings.

The Acoustic Report must measure the noise readings over a 15 minute period and must provide details of all modelling assumptions including source noise data, noise monitoring positions, receiver heights and locations, prevailing meteorological conditions during the monitoring, confirmation of the methodology adopted along with a copy of the model input and output data.

- 6.3** The maximum height for noise attenuation walls and fences along the boundary of the site is 2 metres.

Hours of operation

- 6.4** Council may limit the hours of operation of places of public worship, public access to places of public worship, and special occasions or events.

Management plans

- 6.5** Council requires development applications to submit a Management Plan to determine:
- (a) hours of operation and days of operation;
 - (b) special events: a detailed calendar of any festivals and special events must be supplied with the application, together with details of the arrangements for parking during these times;
 - (c) number of persons attending at any one time, including non-worship and ancillary activities, and proposed measures to minimise impacts on the surrounding amenity;
 - (d) expected 'catchment area' from which the congregation will travel; and
 - (e) any proposed street parades and road closures.



6.6 Council must require the operator of a place of public worship in Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential to organise and chair a Neighbourhood Liaison Committee. The purpose of the Committee is for the operator and neighbours to resolve any issues, such as traffic and noise, arising from the operation of the place of public worship. The operation of the Committee must ensure:

- (a) The membership of the Neighbourhood Liaison Committee must include residents who live next to and opposite the place of public worship.
- (b) The Neighbourhood Liaison Committee must meet at least four times during the first 24 months of the place of public worship.
- (c) The operator of the place of public worship must forward the meeting minutes to Committee members.
- (d) The operator of the place of public worship may forward the meeting minutes to Council for information purposes.
- (e) The operator of the place of public worship may terminate the Committee once it meets at least four times during the first 24 months of the place of public worship operating, or may choose to extend the function of the Committee over a longer period of time.

6.7 Council may require the operator of a place of public worship in zones other than the residential zones to organise and chair a Neighbourhood Liaison Committee.



SECTION 7—OPEN SPACE AND LANDSCAPE

Explanation

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by coordinating water and soil management, solar access, microclimate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character.

For example, the landscaping of front yards in the residential areas is canopy trees and deep soil plantings. The front setback area of places of public worship in the residential areas must therefore contain generous landscaping to be compatible with the prevailing character. Car parks and hard surfaces should not dominate the front setback area.

Objectives

- 01** To reduce the impact of non-residential structures in residential areas.
- 02** To screen the development from adjoining properties and to ensure maximum privacy for these properties and their uses.
- 03** To improve the visual appearance of and provide shade for parking areas.
- 04** To maximise porous landscaped areas and provide deep soil zones to manage urban heat and water, and to allow for and support healthy plant and tree growth.
- 05** To ensure facilities are visually integrated with a development.
- 06** To provide useable open space on the street frontage for canopy trees and deep soil zones.

Development Controls

Landscaping

- 7.1** Development applications must submit a detailed landscape plan prepared by a qualified landscape architect consistent with the Landscape Guide.



- 7.2** New car parking areas are to be furnished with canopy trees. For every ten parallel spaces in a row parking arrangement a canopy tree must be provided. Planting hole dimension is 2m x 2m minimum area. Protective furnishing must be provided to the tree surround.
- 7.3** Screen planting capable of achieving 3 metres in height shall be provided to the common boundary between the new development and existing residential buildings where the setback from property boundaries is greater than 3 metres.
- 7.4** Screen planting shall be provided in the required setback areas between the road and car park areas, and between adjoining residential buildings and car parking areas.

Deep soil zones

- 7.5** Development for the purpose of places of public worship must provide deep soil zones that have the following minimum widths around the site boundaries:

Minimum width of deep soil zone	State or regional roads		Other roads	
	Zones R2, R3, R4 and SP2	Zones IN1 and IN2	Zones R2, R3, R4 and SP2	Zones IN1 and IN2
Primary street frontage	9 metres	9 metres	6 metres	9 metres
Secondary street frontage	9 metres	9 metres	6 metres	3 metres
Side and rear setbacks	5 metres	5 metres	5 metres	5 metres

The deep soil zones must be landscaped by way of deep soil plantings and canopy trees.

- 7.6** Council will determine the minimum width for deep soil zones for places of public worship in the business zones based on the setbacks of the street and the surrounding buildings.



SECTION 8—SAFETY AND SECURITY

Explanation

Good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

Objectives

- 01** To ensure the siting and design of buildings contribute to the personal and property security of people.
- 02** To ensure a development is integrated with the public domain and contribute to an active pedestrian-orientated environment.
- 03** To maximise natural surveillance so that people feel safe at all times.
- 04** To minimise the potential for intruders to enter buildings and private open spaces.
- 05** To ensure entrances and exits are clearly visible from the street.
- 06** To ensure facilities are located in highly visible areas with high levels of activity.
- 07** To encourage building designs, materials, and maintenance programs that reduce the opportunities for vandalism and graffiti.
- 08** To ensure developments are easily accessible to people with disabilities.

Development Controls

Entrances, fences and natural surveillance

- 8.1** The front door to a building should face the street.
- 8.2** An external entry path and the foyer to a building should be direct to avoid potential hiding places.
- 8.3** Windows on the upper floors of a building should, where possible, overlook the street.



- 8.4** For a fence located forward of the front building line, the solid construction of the fence must not exceed a height of 1 metre above the ground level (existing). The remaining height of the fence must comprise an open style construction such as spaced timber pickets, wrought iron, or lattice. Metal sheet, chain wire, brushwood or unframed lattice is not permitted along the primary frontage of the site.

Security devices

- 8.5** A security alarm system should be installed in a building.
- 8.6** All windows and doors on the ground floor should ordinarily be made of toughened glass to reduce the opportunities for ‘smash and grab’ and ‘break and enter’ offences, with the exception of special features such as stained glass windows. Where possible, such special features should be above ground floor level.
- 8.7** Access to a basement car park must only be available to the public during operating hours and via a security door or gate with an intercom, code, or card lock system.
- 8.8** Unless impractical, access to an outdoor car park should be closed to the public outside of operating hours via a lockable gate.
- 8.9** Lighting must be provided to the following areas of a building to promote safety and security at night:
- (a) an external entry path, foyer, driveway, and car park to a building; and
 - (b) the main entrance. This may be in the form of motion sensitive lighting or timer lighting.
- 8.10** A pedestrian entry path and driveway to a car park that are intended for night use must be well lit using a vandal resistant, high mounted light fixture.
- 8.11** The lighting in a car park must conform to Australian Standards 1158.1, 1680, and 2890.1.



Railway corridors and open stormwater drains

8.12 Where the site shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence, or car park on the site should, wherever practical, be setback a minimum 1.5 metres from that boundary. The setback distance must be:

- (a) treated with hedging or climbing vines to screen the building, solid fence, or car park when viewed from the railway corridor or open stormwater drain, and
- (b) the hedging or climbing vines must be planted prior to the completion of the development using a minimum pot size of 300mm, and
- (c) the planter bed area must incorporate a commercial grade, sub-surface, automatic, self-timed irrigation system, and
- (d) the site must be fenced along the boundary using a minimum 2 metre high chain-wire fence, and
- (e) where a car park adjoins the boundary, hedging or climbing vines must also be planted along the sides of any building or solid fence on the site that face the railway corridor or open stormwater drain.

8.13 If a setback for landscaping under the above clause is not practical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.

Accessibility

8.14 Development must be easily accessible to people with disabilities and must comply with the Building Code of Australia, AS 1428 Parts 1 and 4—Design for Access and Mobility.



SECTION 9—SITE FACILITIES AND ANCILLARY USES

Explanation

Good design ensures sites facilities (including utilities and building services) and ancillary development unify the development appearance and enhance the desired street character.

Good design also ensures ancillary uses do not adversely impact on the prevailing character of the area or the amenity of neighbouring dwellings. Ancillary uses include to places of public worship include administration offices, community facilities, dwellings, kitchens, libraries and other uses directly associated with a place of public worship.

Objectives

- O1** To ensure site facilities integrate into the overall building form, and achieve good design in terms of architectural treatment and visual amenity.
- O2** To ensure the design, construction, and operation of kitchens and food premises achieve satisfactory standards of hygiene.
- O3** To ensure ancillary uses are compatible with the prevailing character and amenity of the locality of the area.
- O4** To ensure ancillary uses do not adversely impact on the residential amenity of neighbouring dwellings and the surrounding area.

Development Controls

Waste storage areas

- 9.1** The design, location, and screening of waste and recyclable receptacle areas must be to the satisfaction of Council.

Building design (site facilities)

- 9.2** The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.
- 9.3** Utilities and building services are to be integrated into the building design and concealed from public view.



Building design (substations)

- 9.4** The location and design of substations must be shown on the plans.
- 9.5** Substations should locate underground. Where not possible, substations are to be integrated into the building design and concealed from public view.
- 9.6** Substations must not locate forward of the front building line.

Food premises

- 9.7** The design, construction, and operation of kitchens and food premises must comply with:
- (a) Food Act 2003;
 - (b) Food Regulation 2010;
 - (c) FSANZ Food Standards Code; and
 - (d) AS 4674:2004 Design, Construction, and Fitout of Food Premises.

Ancillary uses

- 9.8** It will be necessary to submit with the Development Application details of any proposed ancillary uses, including the nature of the use, how many people will attend, duration and noise impacts.
- 9.9** The design, construction and operation of ancillary uses must take into consideration the following matters:
- (a) whether any proposed building is compatible with the height, scale, siting and character of existing residential development within the adjoining residential zone;
 - (b) whether any goods, plant, equipment and other material used in carrying out the proposed development will be stored or suitably screened from residential development;
 - (c) whether the proposed development will maintain reasonable solar access to residential development between the hours of 8.00am and 4.00pm at the mid-winter solstice;
 - (d) whether noise generation from fixed sources or motor vehicles associated with the proposed development will be effectively insulated or otherwise minimised;
 - (e) whether the proposed development will otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting, fumes, gases, smoke, dust or odours, or the like; and
 - (f) whether any windows or balconies facing residential areas will be treated to avoid overlooking of private yard space or windows in residences.



APPENDICES

Appendix 1—State and Regional Roads

State Roads

ROAD	FROM	TO
Alfords Point Road	Davies Road	City Boundary
Boronia Road	Hume Highway	Waterloo Road
Brunker Road	Rookwood Road	Hume Highway
Canterbury Road	Milperra Road	Punchbowl Road
Davies Road	Fairford Road	Alfords Point Rd
Fairford Road	Stacey Street	Davies Road
Henry Lawson Dr	Hume Highway	City Boundary
Hume Highway	City Boundary	City Boundary
Juno Parade	Waterloo Road	Punchbowl Road
Milperra Road	Newbridge Road	Canterbury Road
Newbridge Road	City Boundary	Milperra Road
Punchbowl Road	Canterbury Road	City Boundary
Roberts Road	Hume Highway	Wiley Avenue
Rookwood Road	Hume Highway	City Boundary
Stacey Street	Rookwood Road	Fairford Road
M5 Motorway	City Boundary	City Boundary
Wiley Avenue	Roberts Road	Koala Road
Woodville Road	Hume Highway	City Boundary

Regional Roads

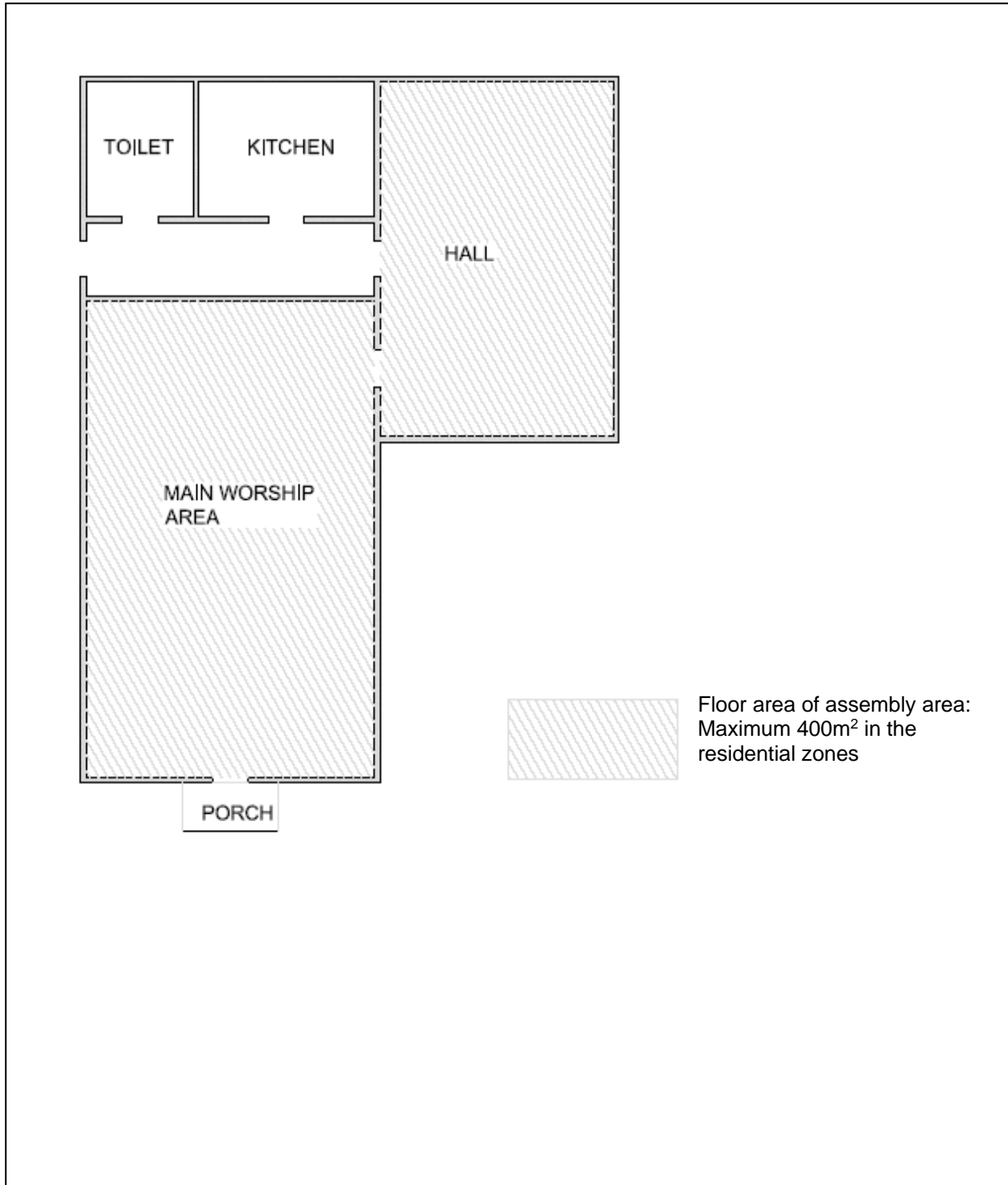
ROAD	FROM	TO
Allder Street	Brunker Road	Railway Bridge
Alma Road	Davies Road	Faraday Road
Ashford Avenue	Bullecourt Ave	Milperra Road
Auburn Road	Water Pipeline	Hume Highway
Beaconsfield St	The River Road	Horsley Road
Birdwood Road	Owen Road	Georges Cres
Braesmere Road	Tower Street	Park Road
Brandon Avenue	Chapel Road	Greenwood Ave
Brunker Road	Rookwood Road	Allder Street
Bullecourt Avenue	Horsley Road	Ashford Avenue
Carlingford Road	Water Pipeline	Waldron Road
Chapel Road	Canterbury Road	Brandon Avenue
Chapel Road	Rickard Road	Hume Highway
Christina Road	Waldron Road	River Avenue
Edgar Street	Milperra Road	Hume Highway
Faraday Road	Alma Road	Uranus Road



ROAD	FROM	TO
Ferrier Road	Railway Bridge	Auburn Road
Gibson Avenue	Watson Road	Canterbury Road
Greenwood Ave	Brandon Avenue	Marion Street
Haig Avenue	Georges Cres	Henry Lawson Dr
Hector Street	Hume Highway	Water Pipeline
Horsley Road	Beaconsfield St	Bullecourt Ave
Koala Road	Wattle Street	Wiley Avenue
Macauley Avenue	Stacey Street	Chapel Road
Marion Street	Greenwood Ave	Meredith Street
Meredith Street	Marion Street	Rickard Road
Miller Road	Hume Highway	Waldron Road
Owen Road	Marion Street	Birdwood Road
Park Road	Braesmere Road	Maclaurin Avenue
Queen Street	Beaconsfield St	Milperra Road
Rickard Road	Stacey Street	Chapel Road
Rickard Road	Meredith Street	Chapel Road
Roberts Road	Wiley Avenue	Wattle Street
Sphinx Avenue	Gibson Avenue	The River Road
The River Road	Henry Lawson Dr	M5 Motorway
Tower Street	The River Road	Braesmere Road
Uranus Road	Faraday Road	The River Road
Waldron Road	Carlingford Road	Christina Road
Waterloo Road	Wattle Street	Hume Highway
Watson Road	Fairford Road	Gibson Avenue
Wattle Street	Koala Road	Stacey Street
Wellington Road	Auburn Road	Woods Road
Woods Road	Wellington Road	Carlingford Road

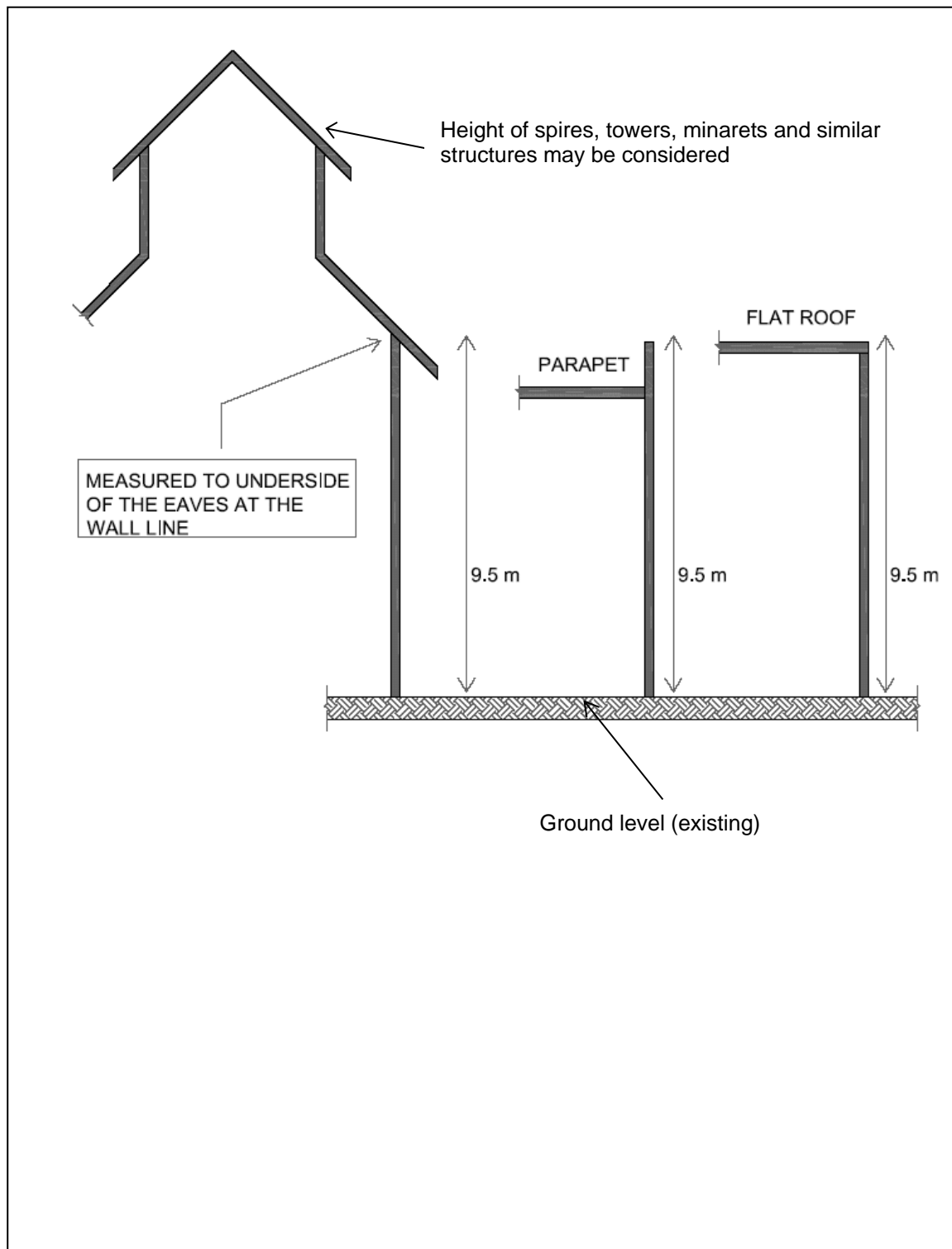


Appendix 2—Calculating the assembly area (not to scale)





Appendix 3—Maximum wall height (not to scale) within Zones R3, R4 and SP2; and IN1 and IN2 which adjoin residential zoned land





Canterbury Bankstown Development Control Plan 2021

Chapter 10 Other Development

10.6 Commercial Land Uses

DRAFT December 2020





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SECTION 1–INTRODUCTION

Explanation

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to manage the location, design and operation of certain commercial uses including amusement centres, massage services premises and restricted premises.

Objectives

- O1** To regulate certain types of development.
- O2** To ensure the design and operation of certain types of development do not adversely impact on the amenity of neighbouring sites and surrounding areas.



SECTION 2–AMUSEMENT CENTRES

Objectives

- O1** To ensure the location, design and activities of amusement centres do not adversely impact on the amenity of neighbouring sites and surrounding areas.
- O2** To ensure amusement centres are not used or intended to be used for gambling.
- O3** To ensure the management and patrons conduct themselves in an orderly manner.
- O4** To achieve high levels of personal and property safety and security.

Development Controls

Location

- 2.1** The siting of amusement centres must consider the following factors:
 - (a) proximity to schools, churches, hotels, and the like; and
 - (b) impact on neighbouring properties or businesses; and
 - (c) security of the neighbourhood; and
 - (d) visibility of the premises to the street.

Building design

- 2.2** Amusement centres must locate on the ground floor of a building.
- 2.3** Amusement centres are limited to a maximum of 1 amusement machine for every 4m² of public floor area.
- 2.4** The front door and public access to amusement centres must face the street.
- 2.5** The shopfront windows must use clear glazing. Council does not allow the use of obscure or opaque glass, or other types of screening.
- 2.6** The publicly accessible gross floor area of amusement centres must:
 - (a) be well-lit and visible to the street; and
 - (b) be an open design with no partitioned area or separate room (not including toilets).



- 2.7** The number of games and amusement devices in amusement centres must not exceed the publicly accessible gross floor area divided by five.
- 2.8** Amusement centres must provide the following toilet facilities:
- (a) male—minimum 1 WC, 1 urinal, and 1 wash hand basin per 75m² of the publicly accessible gross floor area; and
 - (b) female—minimum 1 WC and 1 wash hand basin per 75m² of the publicly accessible gross floor area.
- 2.9** Where amusement centres are associated with recreational facilities or restaurants, the following requirements will apply:
- (a) the dining area for the consumption of food and beverages must not exceed 20% of the publicly accessible gross floor area; and
 - (b) eating and drinking facilities must relate to the standard of a cafe or take away food and drink premises.
- 2.10** Development must ensure the floor of an existing building has sufficient load capacity to support the proposed games and amusement devices.

General requirements

- 2.11** Noise from amusement centres must not exceed 5dB(A) above the existing background noise level of the site.
- 2.12** The hours of operation of amusement centres must not interfere with the existing and future amenity of the neighbourhood. Council may require amusement centres to close prior to hotels, wine bars or bistros in the area.
- 2.13** The proprietor of an amusement centre must ensure:
- (a) the proprietor or nominee is on the premises at all times; and
 - (b) there is a sufficient number of employees on duty to ensure the premises operates in an orderly manner at all times; and
 - (c) the name of any employee on duty is displayed at all times; and
 - (d) a copy of the conditions of development consent is displayed inside the premises; and
 - (e) there is no congestion or obstruction on the footpath outside the premises; and
 - (f) there is no bad language used on or outside the premises; and
 - (g) there is no person aged under 12 years entering the amusement centre unless accompanied by an adult; and
 - (h) there is no alcohol and drugs on the premises; and
 - (i) there is no person under the influence of alcohol or drugs on the premises; and
 - (j) there is no gambling; and



- (k) there is no monetary prize offered as a reward for skill in playing any games and amusement devices.

Time-limited consent

2.14 Development consent for amusement centres is likely to be for a 12 month trial period. This will allow Council to evaluate whether the development is affecting the amenity of the area. The proprietor should apply for an extension of the development consent prior to the expiry of the trial period.



SECTION 3—MASSAGE SERVICES PREMISES

Objectives

- O1** To ensure the location, design and activities of massage services premises do not adversely impact on the amenity of neighbouring sites and surrounding areas.
- O2** To ensure massage services premises operate as per the development applications submitted for consent.

Development Controls

Operational matters

- 3.1** Documentary evidence of the relative qualifications of the operators are to accompany development applications for massage services premises and the like. Should the qualifications be obtained from outside of Australia, the applicant is to:
 - (a) provide documentation, in the form of a letter, from a reputable Australian organisation, that recognises those qualifications; or
 - (b) where appropriate, refer their qualifications to the Australian Traditional Medicine Society for verification, at the applicant's cost, and that evidence of any verification given be submitted to Council.



SECTION 4—RESTRICTED PREMISES

Objectives

- 01** To ensure the location, design and activities of restricted premises do not adversely impact on the amenity of neighbouring sites and surrounding areas.

Development Controls

Building design

- 4.1** Council must not grant consent to development for the purposes of restricted premises on land that is within 200 metres of land within Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone R4 High Density Residential or Zone RE1 Public Recreation.
- 4.2** Council may consent to the carrying out of development for the purpose of restricted premises only where conditions are imposed (in addition to any other conditions which may be imposed by the Council) which require that:
- (a) no part of the premises, other than an access corridor, will be located within 1,500 millimetres (measured vertically) from any adjoining footpath, roadway, arcade or other public thoroughfare; and
 - (b) any signage related to the premises will be of a size, shape and content that does not interfere with the amenity of the locality; and
 - (c) no other objects, products or goods related to the restricted premises will be visible from outside the premises.



**Canterbury Bankstown
Development Control
Plan 2021**

**Chapter 10
Other Development**

**10.7
Sex Services Premises**

DRAFT December 2020





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SECTION 1–INTRODUCTION

Explanation

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to manage the location, design and operation of sex services premises; and are in response to the proclamation of the Disorderly Houses Amendment Act 1995, which decriminalised sex services premises, making them a legitimate land use under planning law. The provisions will assess the appropriateness of development applications to conduct sex services premises on certain sites.

All development applications for sex services premises will be referred to the NSW Police.

In most circumstances, any consent granted to sex services premises will have an initial maximum life of one year. At the end of this period, Council will examine the impact of the sex services premises on the neighbourhood and compliance with conditions of consent. If the premises is having a significant negative impact on the amenity of the area, Council may decide not to re-issue consent. This impact would ordinarily be determined on the same basis as the closure of a sex services premises.

Council must also be notified if any details of the development application change. For example, hours of operation and number of employees. If the change is significant, it may be necessary to submit a new development application. When the operator of a sex services premises changes, the operator must notify Council immediately.

Objectives

- O1** To ensure the location of sex services premises are appropriate for the use.
- O2** To ensure the development controls address the safety and public health of sex services premises to the benefit of operators, workers and the community.



Roles of the NSW Government and Council

Council will regulate sex services premises with the cooperation of the NSW Police and the NSW Ministry of Health. The responsibilities of these agencies are:

(a) NSW Police

All development applications for sex services premises will be referred to the NSW Police for comment prior to determination. Once a sex services premises has been approved, the Police will be responsible for any investigation into alleged criminal activity. This includes drug related activities, violent crime or underage prostitution.

(b) Public Health

The NSW Ministry of Health will be responsible for the maintenance of public health. This includes investigation of complaints relating to public health matters, specifically sexually transmitted diseases and contagious diseases.

(c) Other relevant authorities

Where Council considers it relevant and/ or necessary, development applications may also be referred to other authorities or organisations, for example the Sex Workers Outreach Project.



SECTION 2–LOCATION

Consideration

- C1** A matter of consideration is the proximity of the premises to a place of public worship, school, community facility, hospital, medical centre, and any place regularly frequented by children for recreational or cultural activities.

Development Controls

- 2.1** Sex services premises must not be within reasonable view of a church, school, community facility, hospital, medical centre, and any place regularly frequented by children for recreational or cultural activities ('reasonable view' shall be determined taking into account factors such as topography, vegetation, signage, intervening development and similar factors).
- 2.2** Sex services premises must not be within a 100 metre radius from the boundary of the nearest property containing a sensitive use or used for residential purposes, regardless of the zoning of that property.
- 2.3** Sex services premises must not front or locate within 100 metres of a state road listed in the table below.

State Road	From	To
Alfords Point Road	Davies Road	City Boundary
Boronia Road	Hume Highway	Waterloo Road
Brunker Road	Rookwood Road	Hume Highway
Canterbury Road	Milperra Road	Punchbowl Road
Davies Road	Fairford Road	Alfords Point Road
Fairford Road	Stacey Street	Davies Road
Henry Lawson Drive	Hume Highway	City Boundary
Hume Highway	City Boundary	City Boundary
Juno Parade	Waterloo Road	Punchbowl Road
Milperra Road	Newbridge Road	Canterbury Road
Newbridge Road	City Boundary	Milperra Road
Punchbowl Road	Canterbury Road	City Boundary
Roberts Road	Hume Highway	Wiley Avenue
Rookwood Road	Hume Highway	City Boundary
Stacey Street	Rookwood Road	Fairford Road



State Road	From	To
Stacey Street	Fairford Road	Canterbury Road
The River Road	Canterbury Road	M5 Motorway
M5 Motorway	City Boundary	City Boundary
Wiley Avenue	Roberts Road	Koala Road
Wiley Avenue	Roberts Road	Punchbowl Road
Woodville Road	Hume Highway	City Boundary



SECTION 3—IMPACT ON NEIGHBOURHOOD

Consideration

- C1** A matter of consideration is whether the operation of a sex services premises is likely to cause a disturbance in the neighbourhood, taking into account other sex services premises operating in the neighbourhood or other land use within the neighbourhood involving similar hours of operation and creating similar levels of noise and vehicular and pedestrian traffic.

Development Controls

- 3.1** Consideration will be given to the impact of sex services premises given activities with similar operating hours in the area. This would include massage parlours, adult bookshops and other restricted premises, licensed premises, pubs / hotels, nightclubs, other sensitive uses and the like. Sex services premises must not locate within 200 metres of this type of use, or within 200 metres of another sex services premises.



SECTION 4–PARKING

Consideration

C1 A matter of consideration is whether sufficient off–street parking is provided.

Development Controls

- 4.1** The minimum number of car parking spaces required for sex services premises is 1.5 car space per service room.
- 4.2** Stacked parking is not acceptable. Parking areas must be located, designed and lit to maximise safety of workers and clients.



SECTION 5—ACCESS

Consideration

C1 A matter of consideration is whether suitable access is provided.

Development Controls

- 5.1** Sex services premises will be regarded in a similar way to any other traffic generating use. Safe vehicle and pedestrian access must be provided appropriate for the size of operation proposed.
- 5.2** Sex services premises should, wherever possible, provide access for people with disabilities in accordance with the requirements of the Building Code of Australia. Larger establishments (over 5 rooms) must provide a minimum of one room with an ensuite located and designed to be suitable for use by people with disabilities.



SECTION 6—AMENITY

Consideration

- C1** Matters of consideration are:
- (a) Whether the operation of the sex services premises causes a disturbance in the neighbourhood because of its size or the number of people working in it; and
 - (b) Whether the operation of the sex services premises interferes with the amenity of the neighbourhood.

Development Controls

- 6.1** The scale of the operation proposed should be appropriate for the surrounding area. Sex services premises should not cause difficulties with parking, access or safety/ security for the surrounding premises.
- 6.2** No sex services premises must have more than 10 rooms for clients (not including offices, sanitary facilities, storerooms and the like).
- 6.3** Noise, traffic, and any other relevant factors (depending on the size and nature of the operation proposed) will be assessed with a view to ensuring that the use does not have a negative impact on the surrounding area.



SECTION 7–SIGNS

Consideration

C1 A matter of consideration is the types of signs or structures.

Development Controls

- 7.1** Flashing signs or lights, or signs which include colours or designs which may distract passing motorists will not be permitted. Signs must not include offensive or suggestive material. Signs should not be erected on any railway frontage of a site, unless this is also the road frontage. Signs shall only be illuminated if it will not cause nuisance to any adjoining properties nor interfere with the amenity of the neighbourhood.
- 7.2** Only one sign will be permitted per premises and the total permissible area of the sign must not exceed 1.1 square metres. It should clearly indicate the name of the operator, the name of the premises and that entry is prohibited to underage persons. It should be noted that it is illegal under the Summary Offences Act to advertise prostitution services.



SECTION 8—SAFETY AND SECURITY

Consideration

C1 A matter of consideration is the safety of clients and workers.

Development Controls

- 8.1** The safety of clients and workers should be protected at all times. Applications submitted should include details on security arrangements to reduce the risk to persons visiting the site. Design of car parks, landscaping and entry areas should facilitate casual or formal observation. Car parks and entrances should be well lit and, where necessary, security staff employed.
- 8.2** Sex services premises should not locate in an isolated area, unless extensive security arrangements are made. This is to assist in providing a safe environment for clients and workers and to reduce the likelihood that sex services premises will be associated with criminal activities. The assistance of the NSW Police will be sought when assessing this particular aspect of an application.
- 8.3** The privacy of patrons must be considered through the design and internal layout of the premises.



SECTION 9—VISUAL AMENITY

Consideration

C1 A matter of consideration is the likely visual or traffic impact (if any) on a main road.

Development Controls

Visual amenity

- 9.1** Sex services premises are not permitted to front state roads.
- 9.2** Sex services premises may locate in a complex of industrial units which have an entrance on a state road if the individual unit does not have frontage to a state road, and is located at least 100 metres away from the state road.



SECTION 10–HEALTH

Consideration

C1 A matter of consideration is whether the health of workers and clients are protected.

Development Controls

- 10.1** Separate toilet and shower facilities must be provided for staff. Sanitary facilities must be kept clean at all times and include adequate provision of soap dispensers, electronic dryers or single use towels.
- 10.2** Ensuites must be provided to each room, including a toilet, shower and hand basin. Clean towels must be supplied for every client. This clause is applied to protect the health of workers and clients. Should it not be met to the satisfaction of Council, then applications may be refused.



SECTION 11—MANAGEMENT ISSUES

Consideration

C1 Matters of consideration are hours of operation and health.

Development Controls

- 11.1** The hours of operation of a sex services premises must be appropriate for the area and the surrounding uses.
- 11.2** All sex services premises must comply with the standards for Class 5 buildings (an office building used for professional or commercial purposes) under the Building Code of Australia.
- 11.3** Mattresses are to be hospital accredited standard.
- 11.4** Linen must be changed after each client. It must be washed to the standards of a commercial laundry, with water temperatures reaching a minimum of 40 degrees Celsius. Clean and dirty linen must be stored separately. Storage areas should be indicated on the plan accompanying the development application.
- 11.5** Food preparation areas must be kept clean at all times.
- 11.6** Spa baths within individual rooms should be emptied, cleaned and refilled after each use. Maintenance of all pools or spa baths must comply with the NSW Ministry of Health's Guidelines for Disinfecting Public Swimming and Spa Pools.
- 11.7** Information on safe sex, sexually transmitted diseases and good sexual health practices must be freely available in English and a variety of community languages. This information is to be displayed in a waiting/reception area and be clearly visible to anyone entering the premises. All information provided must be medically accurate.
- 11.8** Condoms must be provided free of charge by the operator to workers and clients. Supply via condom vending machines is prohibited. Condoms must be stored away from heat and direct light to ensure that they do not deteriorate prematurely.



- 11.9** Contaminated waste must be collected and disposed of by persons holding the appropriate licence from the relevant public authority. Used condoms must be double bagged and placed in specific and clearly marked waste receptacles on the premises. All sharps must be placed in non-reusable sharps containers which comply with AS4031–1992. These containers must be clearly marked and placed in all work rooms and rooms containing sanitary facilities. Details of waste collection must be provided with the development application.
- 11.10** All premises must comply with any guidelines issued by the NSW Ministry of Health and WorkCover NSW.
- 11.11** Maintenance of all public swimming pools or spa pools must comply with the NSW Ministry of Health’s Public Swimming Pool and Spa Pool Advisory Document 2013.



SECTION 12–RELATED INFORMATION

Closure of sex services premises

12.1 Council may seek an order of the Court to close a sex services premises in either or both the following circumstances:

- (a) operation without consent

For a sex services premises to operate legally, development consent must be obtained from the Council and the details and conditions of that consent must be complied with. If a premises is operating as a sex services premises without consent, or an approved sex services premises has substantially altered its operation, Council will seek an order to close the premises as an unauthorised use. This is to protect both the operators of sex services premises who have sought consent from competition from unauthorised operators and to protect the community from inappropriately located or unregulated premises.

- (b) operation having a negative impact on the amenity of the area

If Council receives complaints from residents or occupiers of premises within the vicinity of the sex services premises, or residents whose children use facilities within the vicinity of the sex services premises, Council may take action through the Court to have the premises closed. An application to close a sex services premises must be based on one or more of the following factors:

- (i) the proximity of the premises to a church, school, community facility, hospital, medical centre, and any place regularly frequented by children for recreational or cultural activities;
- (ii) whether the operation of a sex services premises is likely to cause a disturbance in the neighbourhood when taking into account other sex services premises operating in the neighbourhood or other land use within the neighbourhood involving similar hours of operation and creating similar amounts of noise and vehicular and pedestrian traffic;
- (iii) whether sufficient off street parking has been provided;
- (iv) whether suitable access has been provided;
- (v) whether the operation of the sex services premises causes a disturbance in the neighbourhood because of its size or the number of people working in it; and
- (vi) whether the operation of the sex services premises interferes with the amenity of the neighbourhood.

The Court may also take into account any other planning matter which it may consider relevant.



Responsibilities of operators

12.2 The operator of a sex services premises must be responsible for the conduct of their clients in the same way that a publican is responsible for the conduct of their patrons. This particularly applies to the conduct of clients leaving the premises. Operators are also responsible for reporting any suspicion of criminal activity occurring on their premises to the NSW Police.

Making a development application

12.3 The operation of a sex services premises within the City of Bankstown requires development approval. Development applications must be submitted to the Council with the following information:

- (a) a plan showing:
 - (i) location of the proposed premises, showing the position of the block in relation to any schools, churches, community facilities, hospitals, medical centres or any place regularly frequented by children for recreational or cultural activities (if relevant);
 - (ii) the distance to any residential areas or properties used for residential purposes;
 - (iii) position of the building on the block of land, including distance from boundaries;
 - (iv) floor layout of the building, including the proposed use of each room;
 - (v) location, number and layout of any parking (existing and proposed) on the land;
 - (vi) location of any landscaping (existing and proposed) on the land;
 - (vii) location, size, content, colour, illumination and number of any proposed signs;
 - (viii) details of the 'shopfront' treatment, where applicable;
 - (ix) details of the existing and proposed external lighting.
- (b) a written statement including:
 - (i) number of employees;
 - (ii) hours of operation;
 - (iii) general operating procedure, including measures proposed to ensure health and cleanliness standards as contained in this policy are met;
 - (iv) details on measures proposed to safeguard workers and clients. This should include details of lighting of outside areas, security personnel; and
 - (v) details for disposal of contaminated waste.

12.4 All applications for sex services premises will be referred to the NSW Police. This is in accordance with the agreement between the Local Government NSW and the NSW Police.



**Canterbury Bankstown
Development Control
Plan 2021**

**Chapter 10
Other Development**

**10.8
Telecommunications
Facilities**

DRAFT December 2020





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SECTION 1–INTRODUCTION

Explanation

Canterbury Bankstown Local Environmental Plan 2021 and Canterbury Bankstown Development Control Plan 2021 combine to regulate effective and orderly development, consistent with *Connective City 2036*.

Canterbury Bankstown Local Environmental Plan 2021 is Council's principal planning document. It provides objectives, zones and development standards such as lot sizes, floor space ratios and building heights.

Canterbury Bankstown Development Control Plan 2021 supports the LEP by providing additional objectives and development controls to manage the location and design of telecommunications facilities. However, Council is not the consent authority for telecommunications facilities regulated by the Telecommunications (Low–Impact Facilities) Determination 1997 such as low–impact telecommunications facilities.

Objectives

- 01** To provide a consistent and integrated planning framework that:
 - (a) addresses community interests, and
 - (b) achieves environmental, economic, and social sustainability in the effective and efficient provision of telecommunications facilities.
- 02** To provide a consistent approach that benefits Council, the community, and carriers.
- 03** To provide a consistent approach that balances the needs of different stakeholders including the community, industry, Council and government agencies.
- 04** To provide guidelines for carriers in the siting and design of telecommunications facilities.



Definitions

For the purposes of this chapter:

ACIF Code means the Code for the Deployment of Radiocommunications Infrastructure 2002.

Co-location means the siting of a number of telecommunications facilities, often owned by different carriers, in one location.

Cumulative impact means the impact of radiation from various sources or over time.

Electromagnetic radiation (EMR) means the radiation in the microwave and radiofrequency band of the electromagnetic spectrum.

Low impact facility means a facility that is exempt from state and council local planning under the Telecommunications (Low-impact Facilities) Determination 1997.



SECTION 2–LOCATION

Objectives

- 01** To ensure sites are suitable to locate telecommunications facilities.
- 02** To ensure telecommunications facilities are compatible with the character and visual context of the surrounding area.
- 03** To minimise any adverse impacts on the natural environment.
- 04** To apply a precautionary approach to the deployment of telecommunications facilities.
- 05** To minimise the EMR exposures to the public.
- 06** To enable the public and local communities to access telecommunications technology.
- 07** To provide equity for the various stakeholders by endeavouring to balance their various needs.

Development Controls

Location

- 2.1** An applicant must demonstrate that, in selecting a site for telecommunications facilities (not including domestic satellite dishes), it has adopted a precautionary approach to minimise the EMR exposures to the public by:
 - (a) providing written confirmation that the proposed facility complies with the relevant Australian exposure standard as prescribed by the Australian Communications Authority;
 - (b) providing a site and locality analysis plan (refer to Appendix 1); and
 - (c) providing a 360 degree prediction map illustrating the EMR exposure levels and cumulative impact of the proposed facility (refer to Appendix 1).



2.2 Telecommunications facilities (not including domestic satellite dishes) must avoid sites where it may affect sensitive or likely sensitive land uses. A sensitive land use may include:

- (a) a place where occupants stay for long periods of time (such as a dwelling);
- (b) a place where children frequent (such as a school or child care centre); or
- (c) a place where people stay due to particular health problems (such as a hospital or aged care facility).

2.3 Telecommunications facilities (not including domestic satellite dishes) must not locate:

- (a) on a heritage item;
- (b) in the vicinity of a heritage item;
- (c) in a heritage conservation area or an area of heritage significance; or
- (d) in an area that will impact on endemic flora and fauna.



SECTION 3—URBAN DESIGN

Objectives

- O1** To ensure the external appearance of telecommunications facilities promotes the principles of good urban design.
- O2** To ensure telecommunications facilities are visually compatible with the character and visual context of neighbouring buildings and the surrounding area.
- O3** To restore sites after the discontinuation or removal of telecommunications facilities.
- O4** To enable the public to adequately identify the agency responsible for each telecommunications facility.

Development Controls

Visual amenity

- 3.1** An applicant must consider the range of available alternate infrastructure, such as low-impact telecommunications facilities and underground cables, to minimise the visual and cumulative visual impact on a building, structure, or streetscape.
- 3.2** Where it is not possible to comply with clause 3.1, an applicant must locate and design telecommunications facilities to minimise the visual and cumulative visual impact on a building, structure, or streetscape. Measures may include but are not limited to:
 - (a) avoiding landmarks or places of cultural or heritage significance;
 - (b) avoiding the obstruction or interruption of significant public views;
 - (c) locating a telecommunications facility where it is not visible to the street;
 - (d) integrating a facility with the architectural facade elements or roof of a building or structure;
 - (e) screening a facility using building elements or landscaping;
 - (f) minimising the clutter of facilities on a single building or structure;
 - (g) respecting an existing well-designed facility should the proposal involve co-location;
 - (h) choosing appropriate colours and textures to match the colour and pattern of the background;
 - (i) concealing associated feeder cables from public view; or
 - (j) any other measures to the satisfaction of Council.

Supporting documents to illustrate compliance with clause 3.2 must include a site and locality analysis plan (refer to Appendix 1).



- 3.3** Despite clause 3.1, Council may not support the co-location of telecommunications facilities as a desirable option where:
- (a) the cumulative impact is a consideration;
 - (b) it is not visually acceptable;
 - (c) there are physical and technical limits to the amount of infrastructure a structure can support; or
 - (d) the location cannot achieve the required coverage.

Height

- 3.4** The height of telecommunications facilities on land within Zone B1 Neighbourhood Centre or Zone B2 Local Centre must:
- (a) consider the scale of surrounding development; and
 - (b) should not protrude above the skyline where the height limit for adjoining buildings is two storeys.

Domestic satellite dishes

- 3.5** Domestic satellite dishes within Zone R2 Low Density Residential, Zone R3 Medium Density Residential and Zone R4 High Density Residential must:
- (a) locate below the ridgeline of a roof;
 - (b) locate behind the front building line so as not to be visible to the street;
 - (c) achieve a minimum 3 metre setback from the site boundaries; and
 - (d) ensure the installation of the domestic satellite dish to a building or structure is safe and secure.
- 3.6** Residential flat buildings are limited to a single satellite dish with the capability for all dwellings to connect to the satellite dish.

Construction standards and access

- 3.7** An applicant must consider the range of available alternate infrastructure, such as new technologies, to minimise unnecessary or incidental EMR emissions and exposures as prescribed by the ACIF Code.
- 3.8** The construction of telecommunications facilities must comply with the relevant Australian Standards.
- 3.9** The design of telecommunications facilities must restrict public access to an antenna.



3.10 Telecommunications facilities must display a legible weatherproof sign to publicly advise the name and contact details of the carrier, operator or site manager.

3.11 A carrier must remove telecommunications facilities where it is no longer in use.



APPENDICES

Appendix 1—Preparing development applications

Development applications must submit the prerequisite information required by Council together with the following documents:

1. Site and locality analysis plan

A site and locality analysis plan establishes the context of an area by illustrating the opportunities and constraints of the proposed site in relation to the immediate surroundings. This process should influence the suitability of the proposed location and design.

A site and locality analysis plan must illustrate the following features within a 300 metre radius of the proposed site:

- (a) site boundaries;
- (b) topography;
- (c) location of existing buildings;
- (d) views to and from the proposed site;
- (e) location of any sensitive land use on the site or adjacent area; and
- (f) any areas of endemic flora and fauna on the site.

The site and analysis plan must also attach a photo montage of the proposed facility within the context of the location.

2. Map of exposure levels

An applicant must submit a 360 degree prediction map of exposure levels within a 300 metre radius of the proposed site and measuring 1.5 metres above natural ground level.

The map must also provide:

- (a) information as to the carrier's existing infrastructure in the area;
- (b) an EMR assessment as prescribed by the ACIF Code; and
- (c) compliance evidence or professional certification that the exposure details contained in the application are true and accurate.