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## Planning Matters - 11 December 2018

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### **ITEM 5.4                      Draft Housekeeping Amendments to Bankstown DCP 2015 and Canterbury DCP 2012**

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#### **PURPOSE AND BACKGROUND**

This report proposes draft housekeeping amendments to Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012.

#### **ISSUE**

The Development Control Plan (DCP) is a planning document, which supports the Local Environmental Plan by providing additional objectives and development controls to enhance the function, appearance and amenity of development. The development controls include storey limits, setbacks, building design, landscaping and parking requirements.

Bankstown DCP 2015 came into effect in March 2015 and applies to development in the former City of Bankstown. Canterbury DCP 2012 came into effect in January 2013 and applies to development in the former City of Canterbury. Council continues to periodically review the DCPs to ensure the development controls reflect current best practice and market trends, and are consistent with changes to relevant legislation. At the same time, Council continues to investigate ways to streamline the development assessment process without compromising quality.

This report proposes to exhibit draft housekeeping amendments to the DCPs, with a further report to Council following the exhibition period.

#### **RECOMMENDATION    That -**

1. Council exhibit the draft amendments to Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012 as shown in Attachment A.
2. The matter be reported to Council following the exhibition period.

#### **ATTACHMENTS                      [Click here for attachment](#)**

- A. Draft Housekeeping Amendments to the DCPs

## **POLICY IMPACT**

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Whilst this matter has no policy implications for Council, the intended outcome of the draft housekeeping amendments to the DCPs is to continue to deliver high quality development whilst facilitating a simpler and faster development assessment process.

## **FINANCIAL IMPACT**

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This matter has no financial implications for Council.

## **COMMUNITY IMPACT**

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Council is currently preparing a new comprehensive, citywide Local Environmental Plan and Development Control Plan as part of the Accelerated Local Environmental Plan Program, however this project is expected to be completed in 2020. In the interim, there is a need to undertake the proposed housekeeping amendments to ensure Council's development controls remain contemporary and relevant to successfully manage development across the city.

## DETAILED INFORMATION

This periodic review of Bankstown DCP 2015 and Canterbury DCP 2012 identifies a number of draft housekeeping amendments to:

- Streamline the development assessment process by ensuring the DCPs are consistent with recent changes to the Environmental Planning & Assessment Act 1979 and certain state environmental planning policies.
- Continue to deliver high quality development consistent with current best practice and market trends.
- Align some key controls from the Canterbury DCP with those in the Bankstown DCP.

The tables below summarise the key draft housekeeping amendments. Attachment A provides a more detailed explanation of the draft housekeeping amendments.

Table 1: Key Draft Housekeeping Amendments to Bankstown DCP 2015

Development controls	Summary of Key Draft Housekeeping Amendments to Bankstown DCP 2015
Off-street parking	Update the off-street parking requirements for boarding houses and child care centres to be consistent with changes to state environmental planning policies.
Dwelling houses on battle-axe lots	Reinstate a provision from the former Bankstown Council's LEP to ensure battle-axe lots provide adequate space for dwelling houses, setbacks to adjoining residential land, landscaped areas, open space, driveways, vehicle manoeuvring areas and the like.
Secondary dwellings	<p>Introduce a minimum lot size of 450m<sup>2</sup> for secondary dwellings in the R2 Low Density Residential zone.</p> <p>Currently, there is no minimum lot size requirement for secondary dwellings. As a result, Council is receiving development applications proposing dual occupancies and secondary dwellings on 250m<sup>2</sup> lot sizes (post-subdivision). The issue is this small lot size is found to be insufficient in accommodating two dwellings on the same lot together with the required setbacks, private open space, landscaped areas and off-street parking.</p> <p>To address this issue, it is proposed to introduce a minimum lot size of 450m<sup>2</sup> for secondary dwellings in the R2 Low Density Residential zone. This amendment is consistent with the minimum lot size required for secondary dwellings under the State Environmental Planning Policy (Affordable Rental Housing) 2009, and ensures development is compatible with the prevailing character and amenity of the suburban neighbourhood.</p>



Table 2: Key Draft Housekeeping Amendments to Canterbury DCP 2012

Development controls	Summary of Key Draft Housekeeping Amendments to Canterbury DCP 2012
Solar access for residential development	<p>The Bankstown DCP currently requires residential development to receive 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. The Canterbury DCP requires 2 hours of sunlight between 9.00am to 3.00pm on 21 June.</p> <p>The review identified the need to align these controls due to the different standards for solar access between the former Councils. It is proposed to adopt the Bankstown DCP’s solar access requirements for consistency purposes.</p>
Parking rates for medical centres	<p>No parking rates are provided for medical centres in the Canterbury DCP. The review identified the need to include a parking rate for this land use. The Bankstown DCP currently requires 1 space per 25m<sup>2</sup> for medical centres. For consistency purposes, it is proposed to adopt Bankstown’s parking rate for medical centres.</p>
Mixed use development and shop top housing	<p>The relevant controls that apply to mixed use developments and shop top housing are clarified through this amendment.</p> <p>The review of the DCP has identified:</p> <ul style="list-style-type: none"> <li>• The application of the Business chapter for shop top housing is not consistent in the DCP. The amendment will fix this anomaly by ensuring the controls for shop top housing are consistent throughout the DCP.</li> <li>• The lack of control for mixed use development involving a commercial component. The amendment will address this issue by applying the relevant controls for these forms of development, as was originally intended.</li> </ul>
Setbacks for B5 and B6 zones	<p>The review identified an error for the front setbacks applying to B2 and B6 zoned land along Canterbury Road. The front setback for these developments should be 3 metres not 9 metres as stated in the DCP.</p>
	<p>Additional secondary setback controls for the B2, B5 and B6 zones have been added. The review identified the need to apply the setbacks for sites on corner lots as this often resulted in secondary street frontage walls built to the boundary, which results in poor development outcomes.</p>
Site frontage for land along Canterbury Road	<p>The minimum frontage control in the Business Chapter that applies to the B5 zone currently reads: <i>Where redevelopment is proposed in the B5 zone, the minimum site frontage is 30m. This control is to be applied to Canterbury Road frontages and only when the consolidation of the B5 Business Development and B6 Enterprise Corridor zones are gazetted within the Canterbury Local Environmental Plan 2012 as resolved by Council on 31 October 2013.</i></p> <p>It is proposed to clarify this control to remove reference to a council resolution not proceeded with as the consolidation of the B5 and B6 zone were not supported by the Department of Planning and Environment. It is proposed to amend the control to require a minimum 30 metre frontage to apply to land along Canterbury Road.</p>

Setbacks for shop top housing	<p>The setbacks for the B5 zone in the Shop Top Housing chapter currently reads: <i>A minimum side boundary setback of 4.5m is required for the residential component in the B5 zone. SEPP 65 separation requirements will apply for buildings with height of 4 storeys and above.</i></p> <p>It is proposed to delete reference to the residential component as this setback should apply to all developments in the B5 zone.</p>
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### Next Steps

Should Council support the recommendations of this report, the next step is to exhibit the draft housekeeping amendments for public comment. Council will receive a further report following the exhibition period.