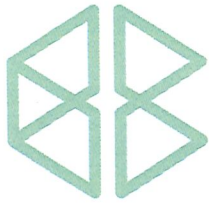




# **Draft Housekeeping Amendments— Bankstown DCP 2015 and Canterbury DCP 2012**

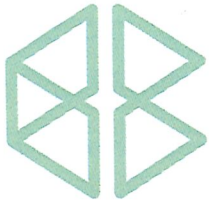
December 2018





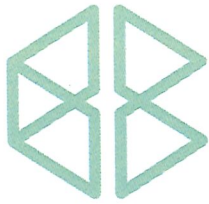
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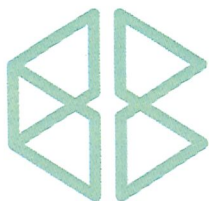
## Section 1–Draft Housekeeping Amendments to Bankstown DCP 2015

Amendment Number	Current Provision	Proposed Amendment
1	<p><b><u>Part B5 (Parking)</u></b></p> <p><b>Section 2 (Off–Street Parking Requirement for Boarding Houses)</b></p> <p>The minimum off–street parking requirement for boarding houses is 1 car space per 3 bedrooms.</p>	<p>Amend the off–street parking requirement for boarding houses to read:  <i>0.5 car spaces per boarding room and 1 car space for each person employed in connection with the development and who is resident on site.</i></p> <p><u>Reason:</u> Development applications for boarding houses must comply with State Environment Planning Policy (Affordable Rental Housing) 2009 and Council's LEP and DCP.</p> <p>In June 2018, the Department of Planning &amp; Environment amended the SEPP by increasing the off–street parking requirement to 0.5 parking spaces per boarding room, in addition to employee parking. The intent is to minimise the on–street parking impacts created by boarding house developments. It is noted that the SEPP prevails where there is an inconsistency with Council's LEP and DCP.</p> <p>To streamline the development assessment process, the periodic review identifies the need to update the DCP to ensure consistency with the change to the SEPP.</p>

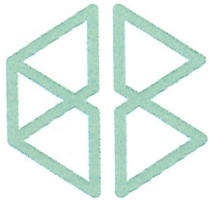


Amendment Number	Current Provision	Proposed Amendment
2	<p><b><u>Part B5 (Parking)</u></b></p> <p><b>Section 2 (Off-Street Parking Requirement for Child Care Centres)</b></p> <p>The minimum off-street parking requirement for child care centres is 1 car space per employee (stack parking is permitted) and 2 additional car spaces for the exclusive use of any associated dwelling.</p>	<p>Amend the off-street parking requirement for child care centres to read:  <i>1 car space per 4 children; and 2 additional car spaces for the exclusive use of any associated dwelling.</i></p> <p><u>Reason:</u> Development applications for child care centres must comply with State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and Council's LEP and DCP.</p> <p>The new SEPP came into effect in September 2017, and requires 1 space per 4 children. It is noted that the SEPP prevails where there is an inconsistency with Council's LEP and DCP.</p> <p>To streamline the development assessment process, the periodic review identifies the need to update the DCP to ensure consistency with the off-street parking requirement of the new SEPP.</p>



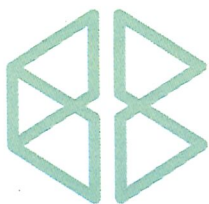


Amendment Number	Current Provision	Proposed Amendment
3	<p><b><u>Part B1 (Residential Development)</u></b></p> <p><b>Section 2 (Dwelling Houses and Battle-Axe Lots)</b></p> <p>Clause 2.1 reads: The subdivision of land must not create more than 4 battle-axe lots.</p>	<p>Amend clause 2.1 to read:  <i>Council may allow the subdivision of land to create not more than 4 battle-axe lots, provided that the average area of the lots, exclusive of any access corridor, is not less than 450m<sup>2</sup>, and each lot contains a rectangle with sides of 10 metres and 15 metres behind the setbacks of the proposed dwelling house.</i></p> <p><u>Reason:</u> The former Bankstown City Council applied the above development control in the former Bankstown LEP 2001 to ensure battle-axe lots were of sufficient size to accommodate dwelling houses. However, the Department of Planning &amp; Environment did not permit Council to transfer this control during the conversion to the Standard Instrument LEP.</p> <p>The periodic review identifies the need to reinstate this development control in the DCP. The intended outcome is to deliver high quality development in the suburban neighbourhoods by ensuring 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.</p>

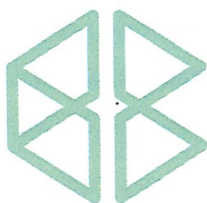


Amendment Number	Current Provision	Proposed Amendment
4	<p><b><u>Part B1 (Residential Development)</u></b></p> <p><b>Section 2 (Dwelling Houses and Battle-Axe Lots)</b></p> <p>Clause 2.2 reads: Where the subdivision of land is creating:</p> <ul style="list-style-type: none"> <li>(a) a single battle-axe lot, the minimum width of an access handle is 3.5 metres; or</li> <li>(b) 2 or more battle-axe lots, the minimum width of an access handle is 3.5 metres plus a passing bay at 30 metre intervals.</li> </ul>	<p>Amend clause 2.2 by inserting an additional subclause to ensure access to battle-axe lots is via access handles, and not rights-of-way.</p> <p><u>Reason:</u> The periodic review identifies the need to provide greater certainty in the long-term access arrangements for battle-axe lots. The key benefit of access handles (compared to rights-of-way) is it avoids shared arrangements between properties that rely on the ongoing co-operation of neighbours.</p>



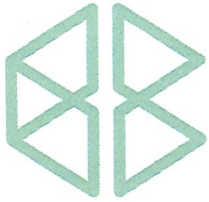


Amendment Number	Current Provision	Proposed Amendment
5	<p><b><u>Part B1 (Residential Development)</u></b></p> <p><b>Section 3 (Secondary Dwellings)</b></p> <p>There is no minimum lot size requirement for secondary dwellings in the suburban neighbourhoods.</p>	<p>Introduce a minimum lot size of 450m<sup>2</sup> for secondary dwellings within Zone R2 Low Density Residential.</p> <p><u>Reason:</u> A secondary dwelling is a self-contained dwelling on the same lot of land as the principal dwelling.</p> <p>There is currently 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, the periodic review identifies the need to introduce a minimum lot size of 450m<sup>2</sup> for secondary dwellings in the suburban neighbourhoods (i.e. Zone R2 Low Density Residential). 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>

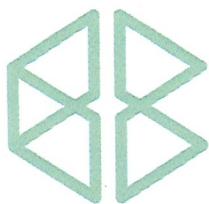


Amendment Number	Current Provision	Proposed Amendment
6	<p><b><u>Part B1 (Residential Development and Part B2 (Commercial Centres))</u></b></p> <p>There are no provisions in relation to the location and design of substations and building services.</p>	<p>Introduce the following provisions in relation to location and design of substations and building services:</p> <ul style="list-style-type: none"> <li>• The location and design of substations must be shown on the plans. Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view. Substations must not be located forward of the front building line.</li> <li>• The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans. Utilities and building services are to be integrated into the building design and concealed from public view.</li> </ul> <p><u>Reason:</u> In relation to urban design, it is important for substations, utilities and building services (such as plant rooms, hydrants, equipment and the like) to be appropriately integrated into the building design and concealed from public view.</p>





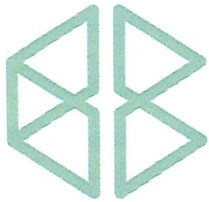
Amendment Number	Current Provision	Proposed Amendment
7	<p><b><u>Part B2 (Commercial Centres)</u></b></p> <p><b>Section 5 (Building Design)</b></p> <p>Clause 5.3 reads: Development must use colour, modulation, or articulation to improve the appearance of blank party walls when viewed from the street and adjoining residential zoned land.</p>	<p>Amend clause 5.3 to read:  <i>Development must architecturally treat blank walls that can be viewed from the street and adjoining residential zoned land by incorporating public art, variation in building materials and/or other architectural design methods which reflect contemporary and interesting design.</i></p> <p><u>Reason:</u> This amendment clarifies what is expected in architecturally treating blank walls which may have a negative impact on streetscapes.</p>
8	<p><b><u>General</u></b></p> <p>The DCP makes reference to the former section numbers of the Environmental Planning &amp; Assessment Act 1979.</p>	<p>Amend the references in the DCP to correspond with the new section numbers of the updated Environmental Planning &amp; Assessment Act 1979.</p> <p><u>Reason:</u> This amendment ensures the DCP is consistent with the numbering system of the updated Act, which came into effect in March 2018.</p>



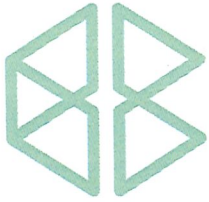
## Section 2–Draft Housekeeping Amendments to Canterbury DCP 2012

Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
1	Throughout	<b>General Amendments</b> Amend the references in the DCP to correspond with the new section numbers of the updated Environmental Planning & Assessment Act 1979.	Updating DCP to be consistent with EPA Act.
		Various controls amended so that they align with those in the Bankstown DCP. Controls include: <ul style="list-style-type: none"> <li>- Solar access from 2hrs to 3hrs for all residential development.</li> <li>- Stormwater disposal for dual occupancy development.</li> <li>- Parking rates for medical centres.</li> </ul>	Alignment of controls with those in Bankstown DCP for consistency and to reflect current standards.



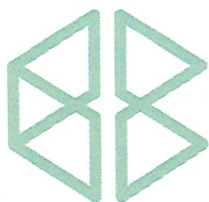


Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
		Re-titling, re-numbering and/or reordering of some sections and sub sections, correcting cross references and typographical errors to improve DCP format.	<ul style="list-style-type: none"> <li>• Clarification of controls to remove confusion and contradiction with other sections.</li> <li>• The review of the DCP has identified reinstating the previous controls from the DCP would assist in clarifying existing controls and assist in streamlining the assessment process.</li> </ul>
		Reinstating previous DCP controls (e.g notation on isolation of sites, upper level setbacks in R4 zone, building depth and setback diagrams) that were erroneously removed during the restructuring of the DCP.	
		Solar access for dwellings amended to remove reference to the locational requirement (adjoining industrial zones).	Removed reference to dwellings adjoining industrial zones to allow control to apply to all dwellings in any zone. The review identified this amendment will allow flexibility for ensuring dwellings in any zones will receive sufficient sunlight.

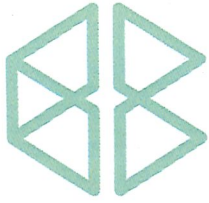


Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
2	C – Residential Accommodation  D – Business Centres	Include additional provisions in relation to the location and design of substations and building services.	<ul style="list-style-type: none"> <li>• Clarification of controls.</li> <li>• In relation to urban design, it is important for substations, utilities and building services (such as plant rooms, hydrants, equipment and the like) to be appropriately integrated into the building design and concealed from public view.</li> </ul>
3	B1 – transport and parking	Parking rates for Medical Centres to be included so that it is consistent with those in Bankstown DCP which current requires 1 space per 25m <sup>2</sup> .	Alignment of parking rates for medical centres with those in Bankstown DCP.
		Parking Requirements to reinforce basement parking not being permitted for dual occupancy developments.	Clarification of controls to remove confusion and contradiction with other sections.
4	B2 Landscaping	Reworded section B2.3.3 C5 and C6 to improve readability.	Clarification of controls to remove confusion and contradiction with other sections.

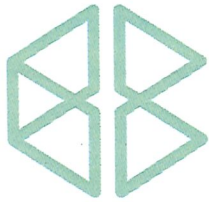




Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
		Amend B2.3.5 C10 to change the maintenance schedule from 6 months to 12 months.	
5	B5 – Stormwater and Flood	Reworded various sections in B5 to clarify process, to be consistent with adopted practise, remove confusion and contradiction with other sections.	Clarification of controls.
		Stormwater disposal for dual occupancy developments have been clarified and align with those in the Bankstown DCP.	Alignment of controls with Bankstown DCP for consistency and to reflect current standards.
6	B6 - Energy and Water Conservation	<p>Minor amendments made to controls in chapter to clarify and to strengthen environmental standards for development.</p> <p>Examples of wording to the controls include:</p> <ul style="list-style-type: none"> <li>• <i>Use of draft insulation around windows and doors.</i></li> <li>• <i>To ensure potential for rooftop solar PV systems is protected.</i></li> <li>• <i>Hot water piping should be insulated.</i></li> </ul>	<ul style="list-style-type: none"> <li>• Clarification of wording to strengthen controls.</li> </ul>

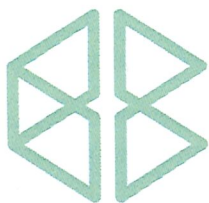


Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
7	B8 – Heritage	Amend Clause B8.4.5 C2 and B8.4.5 C3 in relation to building expression so that it is more in line with draft Hurlstone Park DCP.	<ul style="list-style-type: none"> <li>• Alignment of controls to be consistent with draft Hurlstone Park DCP.</li> <li>• Clarification and remove inconsistency.</li> </ul>
8	C1 – Dwelling Houses and Outbuildings	Remove control C1.2.4 C3 which requires 50% of deep soil area to be located in the rear yard.	Review identified this control to be restrictive and impractical distribution of deep soil space in rear yard. The removal of this control will not reduce the amount of deep soil required on site.
		Replicate the control requiring a maximum 2m recess for the main entrance from the front building line for sites with a frontage less than 12.5m to also apply to sites with frontages greater than 12.5m.	Control included for consistency purposes.
		Include previous controls for basement encroachments from previous DCP.	Clarification of controls.



Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
9	C2 – Dual Occupancies and Semi-detached dwellings	Clarified FSR requirements in LEP for this type of development by referencing the relevant FSR clause for Dual Occupancy development.	Clarification of FSR for Dual Occupancy developments.
		Additional objectives to strengthen the prohibition of basement parking for dual occupancy developments in response to recent land and environment court cases recommending additional objectives to be included in the DCP.	Added objectives to strengthen the control regarding basement parking not being permitted for this form of development.
		Replicate the control requiring a maximum 2m recess for the main entrance from the front building line for sites with a frontage less than 12.5m to also apply to sites with frontages greater than 12.5m.	<ul style="list-style-type: none"> <li>Control included for consistency purposes.</li> </ul>

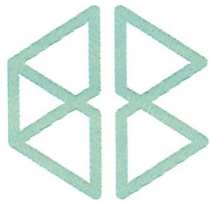




Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
		Removed controls regarding basement parking.	Clarification of controls to remove confusion and contradiction with other sections. Basement parking is not permitted for dual occupancy developments.
10	C3 – Multi Dwelling Housing and Attached Dwellings	Amend controls regarding private open space on corner lots.	Clarification of controls.
11	C4 – Residential flat buildings SEPP 65 Applications	Reinstate previous DCP control regarding: <ul style="list-style-type: none"> <li>– Isolation of sites that may not be able to achieve maximum density.</li> <li>– Building depth</li> <li>– Upper storey setbacks</li> </ul>	Reinstate previous control in DCP to clarify control.
		Amended relevant controls in this section so that it is consistent with ADG controls. These controls include: <ul style="list-style-type: none"> <li>– Communal open space</li> <li>– Roof top terrace</li> </ul>	Controls to be consistent with ADG.

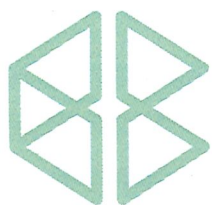


Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
		Solar access controls to be included for neighbouring property.	Control included as it is not covered in ADG.
12	C5- Shop top housing	Remove repetition and replace with one general paragraph referencing ADG controls.	To simplify structure of chapter.
		Remove reference to the residential component as this setback should apply to all developments in B5 zone.	Clarified the setbacks for development in B5 zone.
13	C6 – Secondary Dwellings	Clarify the application of secondary dwellings to be assessed against schedule 1 of ARH SEPP.	Clarification of controls.
14	Part D – Business Centres	The chapter should apply to all development including shop top housing and mixed use development and not just commercial/retail development.	Clarified the application of this chapter.

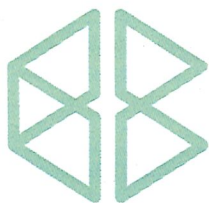


Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
		Minimum frontage controls clarified as follows: – 30m for land along Canterbury Road.	Clarification to remove reference to redundant council resolution not proceeded with.
		Amended front setback controls for B2 and B6 zoned land along Canterbury Road. The front setback for these developments should be 3m not 9m as stated in the DCP.	The review has identified an error for the front setbacks applying to B2 and B6 zoned land along Canterbury Road. The amendments will correct this anomaly.
		Additional secondary setback controls for B2, B5 and B6 zone have been added.	The review has identified the need to apply the setbacks for sites on corner lots as this has often resulted in secondary street frontage walls built to the boundary which results in poor development outcomes.
		Reinstated setback diagrams from previous DCP to be included in current DCP to clarify the application of these controls.	Reintroduced previous setback diagram in former DCP to clarify control.
14	Part D – Business Centres	Amended D6.1 (c) – Urban General (B5-Business Development) by correcting the number of storeys to read from three to six to read three to five storeys.	The review has identified an error for the number of storeys applying to the B5 zone. The amendments will correct this anomaly.





Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
		Removed control D1.4.4 C3 which refers to severing of land and providing concessions. The review has identified this control is not practicable and should be removed.	The review has identified this control to be impracticable and has recommended it be removed.
15	E1 – industrial development	Clarified the application of this chapter to apply to B6 zone as well as the IN1 zones. Light industry is a permissible use in the B6 zone.	Clarification/correction of application of this chapter.
16	F2 – child care centres	Remove notation regarding locational map showing existing child care centres. A control requiring a location analysis is required to be provided and this should be sufficient in justifying the needs analysis for the use.	Control removed for as this is superfluous information. This map has not been updated or maintained and reference to it could be misleading.



Amendment Number	Section in DCP	Draft Amendments to Canterbury Development Control Plan 2012	Explanation
17	F8 – Non residential development in residential zones	Reinstate building height plane diagram as per previous DCP.	Reintroduced previous building height place diagram in former DCP to clarify control.