



Bankstown Development Control Plan 2015

Exhibition version – March 2019

Note:

Changes to the DCP are show as:

- ~~Double strike through~~ is deleted text.
- *Italics & underlined* is added text

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LIST OF AMENDMENTS

Council adopted Bankstown Development Control Plan 2015 on 27 May 2014 and it came into effect on 5 March 2015, as amended by Council on the following dates:

Amendment number	Adoption date	Effective date	Subject of amendment
No. 1 (Part)	28 April 2015	13 May 2015	Amend the year in the name of the DCP from '2014' to '2015'; transfer certain provisions from the former Bankstown LEP 2001 to the DCP; and incorporate the places of public worship amendments under Bankstown DCP 2005 (Amendment No. 32).
No. 1 (Part)	28 April 2015	22 January 2016	Amend Parts A1, A2 and B2 to implement the North West Local Area Plan.
No. 2 (Part)	23 June 2015	8 July 2015	Transfer a certain provision from the former Bankstown LEP 2001 to the DCP—Parts B2 & B3, and amend Part B5 by correcting a wording error and including an off-street parking rate for semi-detached dwellings.
No. 2 (Part)	23 June 2015	22 January 2016	Amend Part B5 to implement the North West Local Area Plan.
No. 3	24 November 2015	16 December 2015	Amend Part B11—Tree Preservation Order.
No. 4	23 August 2016	7 October 2016	Amend Part A3—Riverlands Golf Course site.
No. 5	28 June 2016	13 July 2016	Update the document to refer to revised SEPP 65; clarify the application of the development controls for neighbourhood centres; and apply the parking rate for serviced apartments to Zone B5.
No. 6	6 December 2016	13 December 2016	Insert Part B13—Waste and Management Minimisation.

INTRODUCTION

The City of Bankstown is a vibrant and exciting city serving the West Central Subregion.

The City of Bankstown comprises an area of 77 square kilometres and supports a range of land uses. This includes the Bankstown Central Business District, shopping centres, industrial precincts, Bankstown Airport, regional transport infrastructure, Potts Hill Reservoir, Bankstown Hospital, universities and schools, residential neighbourhoods, community facilities, sporting ovals and the Georges River National Park.

Bankstown Local Environmental Plan 2015 is Council's principal planning document to regulate effective and orderly development in the City of Bankstown. The LEP provides objectives, zones and development standards such as lot sizes and floor space ratios.

Bankstown Development Control Plan 2015 supplements the LEP by providing additional objectives and development controls to enhance the function, appearance and amenity of development in the City of Bankstown. The development controls include storey limits, setbacks, building design, landscaping and access.

Name of this DCP

This DCP is called Bankstown Development Control Plan 2015.

Council adopted Bankstown Development Control Plan 2015 on 27 May 2014 and it came into effect on 5 March 2015.

Land where this DCP applies

This DCP applies to all land within the City of Bankstown.

Objectives of this DCP

The objectives of this DCP are:

- (a) To have a single, dynamic document that supplements Bankstown Local Environmental Plan 2015.
- (b) To have objectives and development controls that establish clear guidelines for effective and orderly development in the City of Bankstown.
- (c) To have a high quality urban environment and built form character in the City of Bankstown.
- (d) To have development that contributes to the prosperity of the City of Bankstown.
- (e) To have development that protects and enhances the natural environment in the City of Bankstown.
- (f) To have development that incorporates the principles of ecologically sustainable development including:
 - (i) the conservation of energy and natural resources, particularly water and soil; and
 - (ii) the avoidance of environmentally damaging materials; and
 - (iii) the avoidance of significant adverse impact on the natural environment, particularly areas of remnant vegetation, watercourses and native flora and fauna; and
 - (iv) waste avoidance and waste minimisation; and
 - (v) encouraging the use of public transport.
- (g) To have a safe and secure environment in the City of Bankstown.
- (h) To have development that considers the following general environmental matters:
 - (i) flora and fauna, including threatened species; and
 - (ii) water quality of surface water bodies and ground water; and
 - (iii) any catchment management strategy applying to the land; and
 - (iv) the reduction of stormwater run-off by minimising the area of impervious surfaces, increasing infiltration and the use of rainwater tanks.

Relationship of this DCP to environmental planning instruments and policies

This DCP is to be read in conjunction with the environmental planning instruments and policies that apply to land within the City of Bankstown, namely:

- (a) The Environmental Planning and Assessment Act 1979.
- (b) State Environmental Planning Policies.
- (c) Deemed State Environmental Planning Policy–Georges River Catchment.
- (d) Bankstown Local Environmental Plan 2015.
- (e) Section 94A Development Contributions Plan.
- (f) Bankstown Development Engineering Standards Policy.
- (g) Any policies or studies adopted or recognised by Council that are relevant to development applications.

How to use this DCP

The Environmental Planning and Assessment Act 1979 requires Council to take into consideration Bankstown Development Control Plan 2015 in determining development applications. Bankstown Development Control Plan 2015 is a multi-layered document and it is important to read all parts of this DCP.

The objectives and development controls of any one part of this DCP cannot be read in isolation. Development applications must refer to all relevant parts of this DCP.

The following steps provide a general guide to using this DCP:

Step 1–Refer to Introduction

Refer to the Introduction of this DCP to check the citation and objectives of this DCP. This includes:

- A reference on how this DCP relates to other planning instruments. It is important to confirm the zone and site conditions to identify whether a proposal is permissible on the site.
- An index of the parts and sections in this DCP and an index of amendments to confirm the latest version of this DCP.
- Whether a development application requires public notification and if a site analysis plan is required to be submitted with the application.

- Definitions of certain terms used in this DCP.

Step 2–Check if exempt or complying development

It is important to first check whether a proposal is exempt or complying development (refer to the SEPP (Exempt and Complying Development Codes) 2008 and Bankstown LEP 2015).

Exempt development is development of a minor nature that does not require development approval. Complying development is routine development that can be certified by Council or private certifiers.

If the proposal is not exempt or complying development, a development application is required to be lodged with Council.

Step 3–Check if Part A (precinct controls) apply

Refer to Part A to check the objectives and precinct controls that apply to certain locations in the City of Bankstown. Part A includes:

- A1 Centres
- A2 Corridors
- A3 Key infill development sites

Step 4–Refer to Part B (general controls)

Refer to Part B to check the objectives and general controls that apply to development in the City of Bankstown. Part B includes:

- B1 Residential development
- B2 Commercial centres
- B3 Industrial precincts
- B4 Sustainable development
- B5 Parking
- B6 Child care centres
- B7 Educational establishments
- B8 Places of public worship
- B9 Sex services premises
- B10 Telecommunications facilities
- B11 Tree preservation order
- B12 Flood management risk
- B13 Waste management and minimisation

Step 5–Lodge development application

Applicants should discuss their proposal with Council to confirm the issues that must be taken into account when preparing development applications, and to check any need for the preparation of reports by specialist consultants.

Council reviews this DCP on a periodic basis. It is important for applicants to refer to the latest version of this DCP when preparing development applications. Applicants should check with Council to confirm the latest version of this DCP.

SECTION 2–SITE ANALYSIS

This section provides the requirements for site analysis plans and applies to development applications that propose:

- (a) three or more lots as part of a Torrens Title subdivision; or
- (b) attached dwellings, multi dwelling housing, serviced apartments, shop top housing, boarding houses, housing estates, mixed use development (containing dwellings) or residential flat buildings.

Objectives

The objectives are:

- (a) To have site analysis plans that identify the site features (opportunities and constraints).
- (b) To have site layouts that:
 - (i) provide a pleasant, attractive, and resource–efficient living environment;
 - (ii) ensure buildings, front fences, and landscaped areas contribute positively to the streetscape;
 - (iii) retain any item of identified conservation or heritage value; and
 - (iv) ensure the siting of development takes into account site features such as topography, views, landmarks, trees, vegetation, structures, drainage, services, access, orientation, and microclimate.

Requirements for site analysis plans

Understanding the site is the first step in designing a development and is a mandatory part of the assessment process. The purpose of a site analysis is to identify how a development responds to the opportunities and constraints of an allotment and the surrounding streetscape.

The results of the site analysis must illustrate the following principles in the form of a site analysis plan:

Principle 1: Context

Good design responds and contributes to its context. Responding to context involves identifying the desirable elements of a location’s current character or, in the case of precincts undergoing a transition, the desired future character as stated in

planning and design policies. This will help a new building to contribute to the quality and identity of an area.

Principle 2: Scale

Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development in the street. In precincts undergoing a transition, the proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

Principle 3: Built form

Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, and building elements. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, and provides internal amenity and outlook.

Principle 4: Density

Good design has a density appropriate for a site and its context in terms of floor space yields (or number of units). Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density.

In some cases, a sustainable density may mean a development will not achieve the maximum floor space ratio or density if it is to provide an environmental quality appropriate to the site.

Principle 5: Resource, energy, and water efficiency

Good design makes efficient use of natural resources, energy, and water throughout its full life cycle. Sustainability is integral to the design process. Aspects include selection of appropriate and sustainable materials, layouts and built form, passive solar design principles, soil zones for vegetation, and reuse of water.

Principle 6: Landscape

Good design recognises the integration of landscape and buildings results in greater aesthetic quality and amenity for occupants and the adjoining public domain. Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances micro climate, tree canopy and habitat values, positive image to the streetscape and neighbourhood character, privacy, and respect for neighbours' amenity.

Principle 7: Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development. Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy,

storage, indoor and outdoor space, efficient layouts and service areas, outlook, and ease of access for all age groups and degrees of mobility.

Principle 8: Safety and security

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, maximising activity on streets, providing clear access, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location, and clear definition between public and private spaces.

Principle 9: Social dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

Principle 10: Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours, and reflect the use, internal design, and structure of the development. Aesthetics should respond to the environment and context particularly to the desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

SECTION 3–PUBLIC NOTIFICATION OF DEVELOPMENT

Introduction

Council will give notice in accordance with Table 1 to owners of land adjoining or opposite the land to which any development application relates. For strata title properties, each owner will be notified. As a guiding principle, Council will limit neighbour notification to those adjoining properties affected by a proposal.

Modifications to development applications under section ~~96(2)~~ 4.55(2) of the Environmental Planning and Assessment Act 1979 will be notified in the same manner as the original development application. The form of notice for the types of development is detailed below.

Neighbour notified development

3.1 The form of notice for neighbour notified development will include:

- (a) an A4 size plan of the proposed development that depicts its height, external configuration and siting;
- (b) a description of the proposed development;
- (c) the address of the development site;
- (d) the name of the applicant to carry out the proposed development;
- (e) advice that the plans may be inspected at Council during business hours (free of charge); and
- (f) the closing date for written submissions being 14 days from the date of the notice.

Advertised development

3.2 The form of notice for advertised development will include the requirements under the Environmental Planning and Assessment Act 1979.

In addition, a sign will be placed on the development site indicating the details of the proposed development.

For the purpose of this clause, advertised development includes:

- (i) amusement centres, boarding houses, child care centres, community facilities, educational establishments, funeral homes, group homes, pubs, massage parlours, methadone clinics, places of public entertainment,

places of public worship, residential flat buildings, restricted premises and sex services premises;

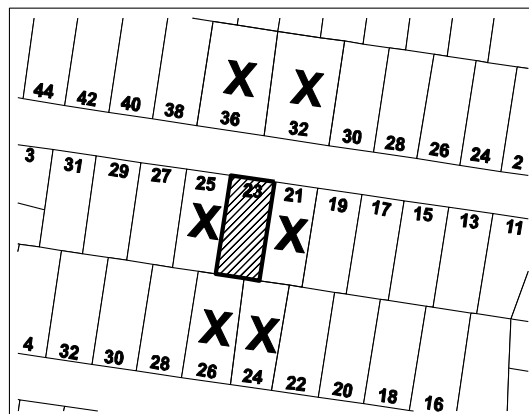
- (ii) the complete or substantial demolition of a heritage item; and
- (iii) the complete or substantial demolition of any significant feature of a heritage item.

Protocol for neighbour notification and advertising

3.3 For neighbour notified and advertised development as shown in Table 1, the following procedures will apply:

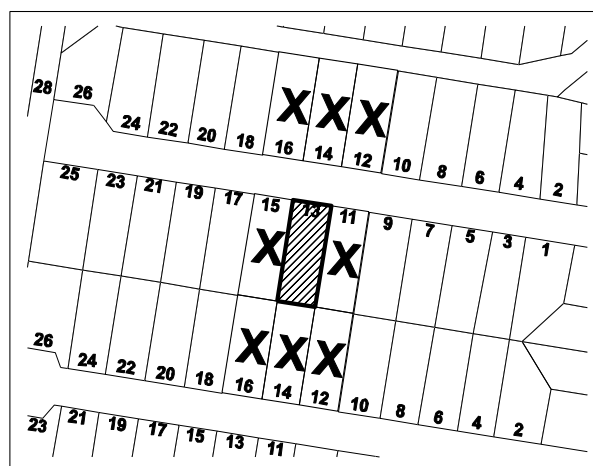
- (a) the owners of land adjoining or opposite a proposed development including properties separated by only a walkway, driveway or laneway will be notified as shown in Maps 1 and 2 and the following approach will be taken:
 - (i) where the proposed development affects the entire site, owners of properties marked X will be notified as shown in Map 1;
 - (ii) where the proposed development affects only the rear of the site (such as rear yard garage, swimming pool, rear dwelling additions/alterations), owners at the sides and rear will be notified as shown in Map 2. Owners on the opposite side of the roadway will not be notified. Similar notification will occur where development is proposed at the front of the premises;
- (b) the plans of the proposed development will be available for inspection at Council's Customer Service Centre during business hours and free of charge;
- (c) submissions to Council must be in writing and be received by Council on or before the last day of notification;
- (d) all written submissions will be considered by Council as part of the assessment of the application;
- (e) Council will give notice of the determination of an application to each person who makes a written submission. For a petition, the instigator will be advised. The notice of determination will specifically address their matters of concern and give reasons for the determination; and
- (f) where a development application is referred to a Council meeting, every effort will be made to advise applicants and objectors of the date of the meeting.

Table 1–Development Category		Neighbour notified development	Advertised development
Local development–residential zones	Development requiring a development application (except demolition or strata subdivision or subdivision of an approved dual occupancy or modifications of minimal environmental impact).	✓	
Local development–business zones	Erection of a new building.	✓	
	Development that adjoins or is opposite residential zoned land where the hours of operation extend outside the hours of 7.00am–7.00pm (except demolition or any subdivision or modifications of minimal environmental impact or where the development is located inside a retail shopping complex).	✓	
Local development–industrial zones	Erection of a new building.	✓	
	Development that adjoins or is opposite residential zoned land (except demolition or any subdivision or modifications of minimal environmental impact).	✓	
Local development–all zones	Development subject to SEPP 33.	✓	✓
	Designated development.	✓	✓
	Advertised development.	✓	✓

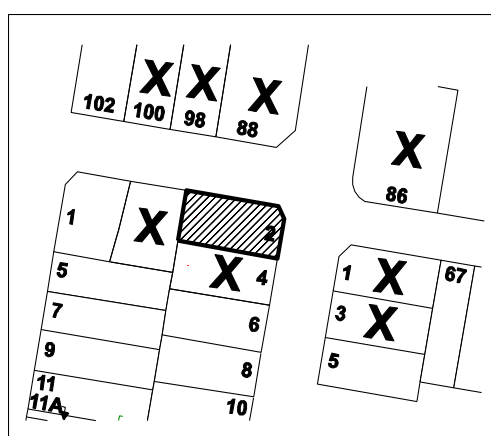


➤ PLAN 1

PLAN 2 ➤



➤ PLAN 3



MAPPING LEGEND

NOTIFICATION MAPS

Proposed Development Site



Neighbours Notified



Scale:	NOT TO SCALE
Prepared by:	on 16/02/2009
ECOLOGICALLY SUSTAINABLE DEVELOPMENT	
Drawn by:PRATIN.....on 16/02/2009

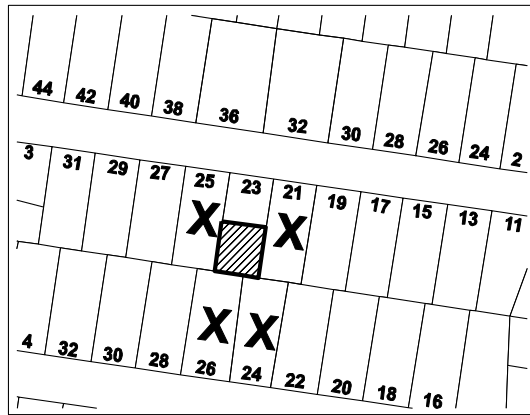


BANKSTOWN CITY COUNCIL

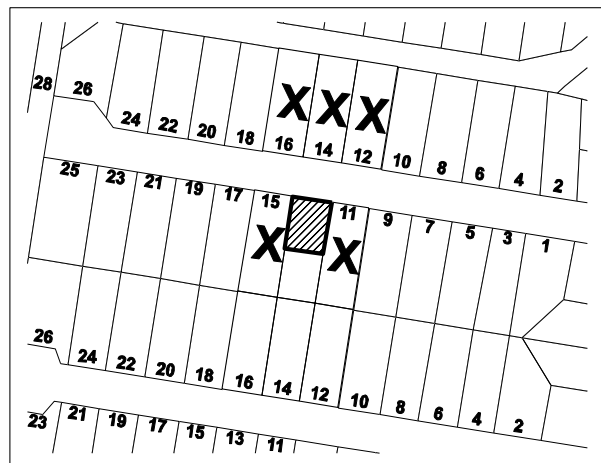
MAP 1

Page N° : Revision :

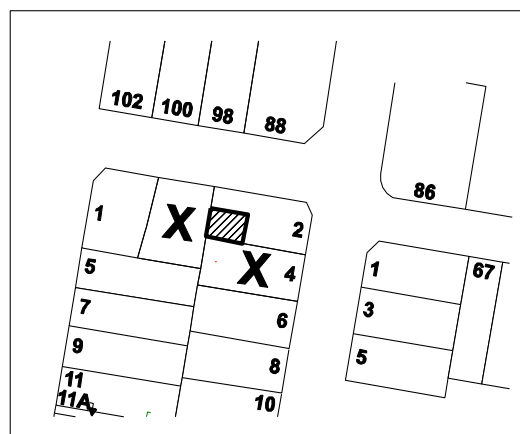
File Name:



➤ **PLAN 4**



PLAN 5 ➤



➤ **PLAN 6**



MAPPING LEGEND


NOTIFICATION MAPS

Proposed Development Site



Neighbours Notified



Scale: NOT TO SCALE				BANKSTOWN CITY COUNCIL			
Prepared by: on 15/02/2020 ECOLOGICALLY SUSTAINABLE DEVELOPMENT						MAP 2	
Drawn by: PRATIKH on 15/02/2020						PageN° : Revision : File Name:	

SECTION 4–DEFINITIONS

Boarding room means a room or suite of rooms within boarding houses and group homes occupied or so constructed or adapted as to be capable of being occupied by one or more lodgers.

Community event means a function or event open to the public or a section of the public that is a ceremony, cultural celebration, exhibition, fete, fair, gathering, market or sporting event.

DCP means Bankstown Development Control Plan 2015.

Desired character means the ideal image, form, quality (character) of development that this DCP seeks to achieve for the City of Bankstown in the future.

Development control means the minimum control that must be met if Council is to consider a development application for approval.

Fence height means the vertical distance measured from any point along the top of the fence to the ground level (existing) (this is taken to be the level where the fence posts enter the ground) immediately below that point.

Food premises means food premises as defined in the Food Act 2003.

Front dwelling means a dwelling that faces the street at or adjacent to the front building line.

Hardstand means an open paved, concrete, or grassed space designed to allow for car parking.

Landscape buffer zone means an area on an allotment that:

- (a) allows deep soil planting and landscaping works to enhance a locality or an arterial road corridor; and
- (b) may allow an entry and exit driveway to a service lane; but
- (c) does not allow other forms of development such as car parks, buildings, and the like.

Living area means any room or area used for normal domestic activities including living, dining, family, lounge, kitchen, sun room and play room.

Minor addition means:

- (a) in the case of residential development, an addition to an existing dwelling of not more than 10% or 30m² (whichever is the lesser) of the gross floor area which existed as at 21 August 1979; and
- (b) in the case of commercial or industrial development, an addition to an existing premises of not more than 10% of the gross floor area which existed as at 21 August 1979.

Open space means any open or vacant area on an allotment that is designed, constructed, or adapted for living or outdoor recreation, but does not include:

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

Outbuilding means a detached building or structure used for purposes ancillary to the main dwelling on an allotment.

Primary road frontage means:

- (a) the single frontage where an allotment has a single frontage to the street; or
- (b) the shortest frontage where a corner allotment has two or more frontages to the street; or
- (c) the two frontages where an allotment (not including a corner allotment) runs between two streets.

Riparian corridor means a watercourse, the banks of the watercourse, and the area located within 15 metres of the watercourse (measured from the top of the banks).

Secondary road frontage means:

- (a) the longer frontages where a corner allotment has two or more frontages to the street; and
- (b) any frontage of an allotment that adjoins a lane. A lane is a narrow roadway that measures 6 metres or less in width between the made or unmade kerb alignments.

Wall height means the vertical distance between the ground level (existing) and the underside of the eaves of the wall line or the top of the parapet or the flat roof (whichever is the highest).