



Bankstown Development Control Plan 2015

PART B2

COMMERCIAL CENTRES

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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SECTION 1–INTRODUCTION

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.

Part B2 of Bankstown Development Control Plan 2015 supplements the LEP by providing additional objectives and development controls to enhance the function and appearance of centres, corridors and business parks in the City of Bankstown. The development controls include storey limits, setbacks and building design.

Part B2 generally applies to land within the business zones in the City of Bankstown under the provisions of Bankstown Local Environmental Plan 2015.

Applicants must note:

- (a) Certain development may need to comply with Parts A1 to A3 of this DCP. These parts provide more detailed development controls for centres, corridors and key development sites in the business zones. The development controls include storey limits, setbacks, landscape buffer zones and access. If applicable to a development application, the development controls of Parts A1 to A3 will prevail if there is an inconsistency with any development controls in Part B2.
- (b) Council applies the design quality principles of State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development and the Apartment Design Guide to residential flat buildings, shop top housing, serviced apartments, boarding houses and mixed use development (containing dwellings). This includes buildings that are two storeys or less, or contain less than four dwellings.
- (c) 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.

Desired character objectives

- (a) To have village centres and small village centres that strengthen the mix of uses around transport hubs to support the needs of people who live in, work in and visit the local area. The built form is generally a mix of retail and commercial activities on the ground and first floors, and medium density living above. The desired character is to also encourage employment opportunities in accessible locations, maximise public transport patronage and encourage walking and cycling.

- (b) To have neighbourhood centres that provide a range of small scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood. The built form is generally compatible with the prevailing suburban character and amenity of the surrounding residential area.
- (c) To have the Condell Park and Georges Hall Neighbourhood Centres continue to function as small shopping precincts servicing the day-to-day needs of residents, a relaxing place where residents can catch up with neighbours and have a chat over coffee. The built form of the Condell Park and Georges Hall Neighbourhood Centres (2 storeys plus attic) will maintain the low density neighbourhood character of the surrounding residential area.
- (d) To have enterprise corridors where commercial development is encouraged along main roads. Retail activity needs to be limited to ensure that enterprise corridors do not detract from the activity centre hierarchy that has been identified or planned. Opportunities for urban consolidation along busy roads are to be pursued. Some residential accommodation uses may be included as part of mixed use development, if considered appropriate.
- (e) To have business development centres that provide a range of businesses, warehouses and bulky goods retail uses (that require a large floor area) in locations close to, and that support the viability of, retail centres and corridors.
- (f) To have business parks that primarily accommodate contemporary office and light industrial uses, including high technology industries. Business parks perform vital economic and employment roles in the subregion and primarily apply to larger campus-style business parks.
- (g) To have development that is compatible with the desired character and role of the particular centre.
- (h) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.
- (i) To have development that provides adequate amenity to people who live in, work in and visit the local area.

SECTION 2–NEIGHBOURHOOD CENTRES

Explanation

The Metropolitan Plan and Council's Residential Development Study nominates the smaller shopping centres in the City of Bankstown as neighbourhood centres. The Metropolitan Plan defines neighbourhood centres as a small group of shops, typically focussed on a bus stop generally with the following characteristics:

- Comprises a few shops and services, such as a corner shop, petrol station/convenience store, cafe and newsagent, with access to local and/or regional bus networks.
- May contain low and medium density housing within the walking catchment of the centre. The walking catchment radius is 150 metres.
- May contain childcare centres, schools and other compatible activities located close together.

This section provides the building envelope controls for development within Zone B1 Neighbourhood Centre, the Condell Park Neighbourhood Centre within Zone B2 Local Centre, the Georges Hall Neighbourhood Centre within Zone B2 Local Centre and the Chullora (Marketplace) Neighbourhood Centre within Zone B2 Local Centre. Applicants must note 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

The objectives are:

- (a) To have development that is compatible with the desired character and role of the particular centre.
- (b) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.
- (c) To have development that provides adequate amenity to people who live in, work in and visit the neighbourhood centres.
- (d) To ensure the building form and building design of development provide appropriate amenity to neighbouring residential development in terms of access to sunlight and privacy.
- (e) To provide storey limits for the neighbourhood centres.

Development controls

The development controls to achieve the objectives are:

Lot widths

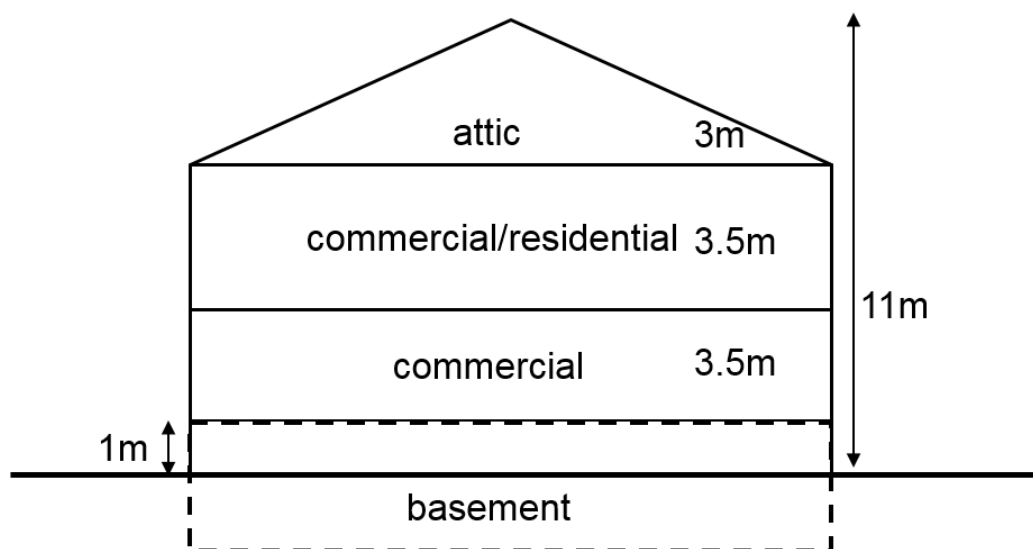
- 2.1** The minimum primary frontage for commercial development, shop top housing (containing a single dwelling), and mixed use development (that do not contain dwellings) is 6 metres.
- 2.2** The minimum primary frontage for shop top housing and mixed use development that contains dwellings is 26 metres.
- 2.3** The minimum primary frontage for residential flat buildings is 30 metres.

Storey limit (not including basements)

- 2.4** 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 (Bankstown LEP 2015)	Storey limit (not including basements)
11 metres for the following neighbourhood centres: <ul style="list-style-type: none">• 255A–257 Hector Street Bass Hill• 259 Hector Street Bass Hill• 360–366 Hector Street Bass Hill• 826 Hume Highway Bass Hill• 884–906 Hume Highway Bass Hill• 207–231 Miller Road Bass Hill• 35–55 Arlewis Street Chester Hill• 172 Hector Street Chester Hill• 178 Hector Street Chester Hill• 63–79 Middleton Road Chester Hill• 81–91 Miller Road Chester Hill• 68–70B Miller Road Chester Hill• 27 Woodville Road Chester Hill• 35 Woodville Road Chester Hill• 47 Woodville Road Chester Hill• 101–109 Denman Road Georges Hall• 21A–25A Hector Street Sefton• 251 & 253 Hector Street Sefton	3 storeys (no attic)
11 metres for all other neighbourhood centres	2 storeys (plus attic)
14 metres	4 storeys (no attic)

Illustration to clause 2.4: Example of development with a 2 storey limit plus attic.



2.5 The minimum floor to ceiling height for a living area is 2.7 metres.

Setback to the primary and secondary frontages of allotments

2.6 The minimum setback to the primary and secondary frontages of an allotment is zero setback for the basement level, the first storey (i.e. the ground floor), and the second storey.

Setback to the side and rear boundaries of allotments

2.7 Where development is adjacent to residential zoned land, Council may increase the minimum setbacks to the side and rear boundaries.

2.8 For blank building walls with no window or balcony, the minimum setback to the side and rear boundaries of an allotment is zero setback for the basement level, the first storey (i.e. the ground floor), and the second storey.

2.9 The maximum depth for cross-through dwellings (i.e. single or dual aspect dwellings where the side building walls do not contain a window or balcony) is 14 metres.

2.10 For building walls with a window or balcony in commercial development, shop top housing, and mixed use development that contains dwellings, the minimum setbacks to the side and rear boundaries of an allotment are:

- (a) 3 metres for the first storey (i.e. the ground floor). Council may allow a setback less than 3 metres provided it complies with the Building Code of Australia; and

- (b) 3 metres for the second storey.

2.11 For building walls with a window or balcony in residential flat buildings, the minimum setback to the side and rear boundaries of an allotment is 5 metres for all storeys.

Setbacks within an allotment

2.12 The minimum setbacks between two or more habitable buildings on an allotment in the neighbourhood centres are:

- (a) 9 metres between the external enclosing walls of dwellings; and
- (b) 6 metres between the balconies, above ground decks, and the like of dwellings.

Building form and design

2.13 Council applies the design quality principles of State Environment Planning Policy No. 65—Design Quality of Residential Apartment Development and the Apartment Design Guide to residential flat buildings, shop top housing, serviced apartments, boarding houses and mixed use development (containing dwellings). This includes buildings that are two storeys or less, or contain less than four dwellings.

Building design (substations)

X.X *The location and design of substations must be shown on the plans.*

X.X *Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.*

X.X *Substations must not be located forward of the front building line.*

Building design (utilities and building services)

X.X *The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.*

X.X *Utilities and building services are to be integrated into the building design and concealed from public view.*

SECTION 3–VILLAGE AND SMALL VILLAGE CENTRES

Explanation

The Metropolitan Plan and Council's Residential Development Study nominates the large shopping centres in the City of Bankstown as village and small village centres. These are Bass Hill, Chester Hill, Greenacre, Panania, Padstow, Punchbowl, Revesby, Sefton and Yagoona. The Metropolitan Plan defines village and small village centres as a group of shops and services for daily shopping generally with the following characteristics:

- Comprises a mix of retail premises and services for daily shopping, such as supermarkets, butchers, banks, hairdressers, cafes, restaurants, and take away food shops, as well as child care centres, schools and other compatible activities in the immediate vicinity.
- Comprises good links with the surrounding neighbourhood, and to regional and local bus network services.
- Contains medium and high density housing within the walking catchments of the centres. The walking catchment radius is approximately 400 metres for small village centres and 600 metres for village centres.

This section provides the building envelope controls for development in the Greenacre, Panania, Padstow and Punchbowl village and small village centres and the East Hills neighbourhood centre within Zone B2 Local Centre. Applicants must note 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

The objectives are:

- (a) To have development that is compatible with the desired character and role of the particular centre.
- (b) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.
- (c) To have development that provides adequate amenity to people who live in, work in and visit the village centres and small village centres.
- (d) To ensure the building form and building design of development provide appropriate amenity to neighbouring residential development in terms of access to sunlight and privacy.

- (e) To have transitional areas that are compatible with the prevailing suburban character and amenity of neighbouring residential environments.
- (f) To provide storey limits for the village centres and small village centres.

Development controls

The development controls to achieve the objectives are:

Lot widths

- 3.1** The minimum primary frontage for commercial development, shop top housing (containing a single dwelling), and mixed use development (that do not contain dwellings) with 2 or more storeys is 6 metres.
- 3.2** The minimum primary frontage for shop top housing and mixed use development with 3 or more storeys is 26 metres. This clause applies to mixed use development that contains dwellings.
- 3.3** The minimum primary frontage for residential flat buildings with 3 or more storeys is 30 metres.

Storey limit (not including basements)

- 3.4** The storey limit for development is 3 storeys (plus attic).
- 3.5** The minimum floor to ceiling height for a living area is 2.7 metres.

Setbacks to the primary and secondary frontages of allotments

- 3.6** The minimum setbacks to the primary and secondary frontages of an allotment are:
 - (a) zero setback for the basement level, the first storey (i.e. the ground floor), and the second storey; and
 - (b) 3 metres for the third storey (a balcony may occupy this setback provided the roof or parapet of the second storey screens the balcony when viewed from the street); and
 - (c) 5 metres for the fourth and fifth storeys.

Setbacks to the side and rear boundaries of allotments

- 3.7** Where development is adjacent to residential zoned land, Council may increase the minimum setbacks to the side and rear boundaries.

3.8 For blank building walls with no window or balcony, the minimum setback to the side and rear boundaries of an allotment is:

- (a) zero setback for all storeys provided the setback is to a boundary that adjoins non-residential zoned land and is not a secondary frontage; or
- (b) where the setback is to a boundary that adjoins residential zoned land:
 - (i) zero setback for the basement level, the first storey (i.e. the ground floor), and the second storey; and
 - (ii) 5 metres for the third and fourth storeys; and
 - (iii) 9 metres for the fifth storey.

3.9 The maximum depth for cross-through dwellings (i.e. single or dual aspect dwellings where the side building walls do not contain a window or balcony) is 14 metres.

3.10 For building walls with a window or balcony in commercial development, shop top housing and mixed use development, the minimum setbacks to the side and rear boundaries of an allotment are:

- (a) 3 metres for the first storey (i.e. the ground floor). Council may allow a setback less than 3 metres provided it complies with the Building Code of Australia; and
- (b) 3 metres for the second storey; and
- (c) 5 metres for the third and fourth storeys; and
- (d) 5 metres for the fifth storey provided the setback is to a boundary that adjoins non-residential zoned land; or
- (e) 9 metres for the fifth storey where the setback is to a boundary that adjoins residential zoned land.

3.11 For building walls with a window or balcony in residential flat buildings, the minimum setbacks to the side and rear boundaries of an allotment are:

- (a) 5 metres for all storeys; and
- (b) 9 metres for the fifth storey where the setback is to a boundary that adjoins residential zoned land.

Illustration to clause 3.6: Minimum setback to the primary and secondary frontages.

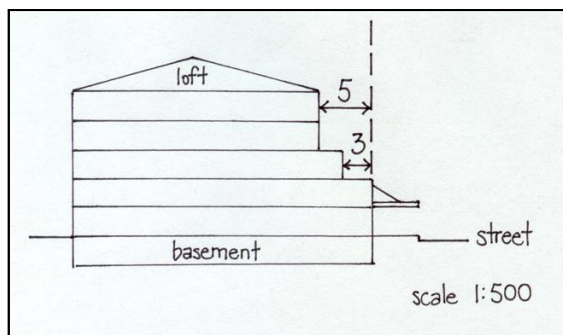


Illustration to clause 3.8: Minimum setback to the side and rear boundaries for a building wall with no window or balcony.

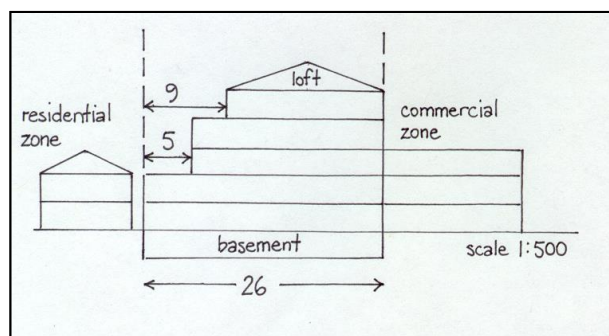


Illustration to clause 3.10: Minimum setback to the side and rear boundaries for a building wall with a window or balcony.

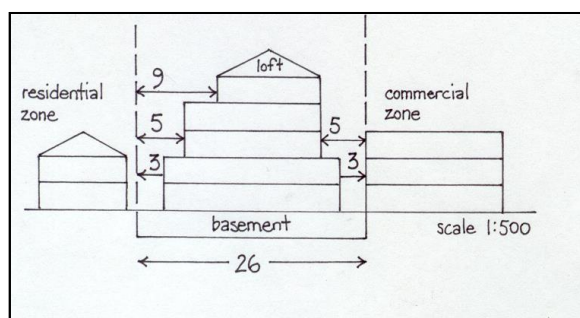
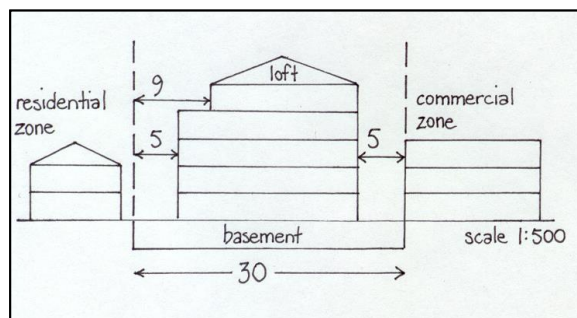


Illustration to clause 3.11: Minimum setback to the side and rear boundaries for a building wall with a window or balcony.



Setbacks within an allotment

3.12 The minimum setbacks between two or more habitable buildings on an allotment are:

- (a) 9 metres between the external enclosing walls of dwellings; and
- (b) 6 metres between the balconies, above ground decks, and the like of dwellings.

Building form and design

3.13 Council applies the design quality principles of State Environment Planning Policy No. 65–Design Quality of Residential Apartment Development and the Apartment Design Guide to residential flat buildings, shop top housing, serviced apartments, boarding houses and mixed use development

(containing dwellings). This includes buildings that are two storeys or less, or contain less than four dwellings.

Building design (substations)

X.X *The location and design of substations must be shown on the plans.*

X.X *Substations should be located underground. Where not possible, substations are to be integrated into the building design and concealed from public view.*

X.X *Substations must not be located forward of the front building line.*

Building design (utilities and building services)

X.X *The location and design of utilities and building services (such as plant rooms, hydrants, equipment and the like) must be shown on the plans.*

X.X *Utilities and building services are to be integrated into the building design and concealed from public view.*

SECTION 4–ENTERPRISE CORRIDORS

Explanation

The Metropolitan Strategy and Council's Residential Development Study nominate the Hume Highway as an enterprise corridor. The Metropolitan Strategy defines enterprise corridors as busy roads that are important for local employment and services. The commercial activity may help to buffer more sensitive uses such as residential development.

This section provides the building envelope controls for development within Zone B6 Enterprise Corridor.

Applicants must note:

- (a) Certain development may need to comply with Part A2 of this DCP. Part A2 provides more detailed development controls for centres and key development sites in the enterprise corridor. The development controls include storey limits, setbacks, landscape buffer zones and access. If applicable to a development application, the development controls of Part A2 will prevail if there is an inconsistency with any development controls in Part B2.
- (b) 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

The objectives are:

- (a) To have enterprise corridors that provide a distinctive and high quality environment for employment and economic activities.
- (b) to have a landscape buffer zone to the Hume Highway that enhances the Remembrance Driveway landscape corridor.
- (c) To have commercial development that may act as a buffer between a classified road or industrial precinct and dwellings to improve the amenity of dwellings in terms of air quality and acoustic privacy.

Development controls

The development controls to achieve the objectives are:

Storey limit (not including basements)

4.1 The storey limit for development is 2 storeys.

Setbacks

4.2 Development must provide a minimum 5 metre wide landscape buffer zone to the front boundary of an allotment.

4.3 The minimum setback to the side and rear boundaries of an allotment is 6 metres, with preference given to deep soil planting within the setback.

SECTION 5–BUILDING DESIGN

Explanation

Facades are the external face of buildings in the public realm and within a site. Their architectural quality contributes to the character and design of the public domain. High architectural quality requires the appropriate composition of building elements, textures, materials and colours and reflects the use, internal design and structure of a development.

The design of landscaped areas, front fences and signage is also an important consideration. Together, landscaped areas, front fences and buildings can operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for occupants and the adjoining Remembrance Driveway landscape corridor.

Where signage is required for business identification, the design of signage should be compatible with the desired streetscape character, with the scale and proportions of the development and without obscuring or dominating important views.

This section of the DCP contains building design controls for land within Zone B1 Neighbourhood Centre, Zone B2 Local Centre and Zone B6 Enterprise Corridor.

Objectives

The objectives are:

- (a) To have high architectural quality in development.
- (b) To encourage building facades and corner allotments to add visual interest to the streetscape.
- (c) To provide pedestrian comfort and protection from the weather.
- (d) To have facade designs and building footprints that integrate into the overall building form and enhance the desired contemporary street character.
- (e) To have a modern and interesting roof skyline.
- (f) To give the Hume Highway the appearance of a business enterprise corridor by creating active business frontages and limiting the domestic appearance of attics.
- (g) To have front fences that achieve an attractive streetscape and incorporate open style construction such as spaced timber pickets or wrought iron.

- (h) To ensure the design of dwellings are adaptable to a number of family types, and cater for senior residents and residents with disabilities.
- (i) To provide adequate amenity to the occupants of buildings and to neighbouring residential development in terms of solar access.
- (j) To provide adequate amenity to the occupants of buildings in terms of open space.
- (k) To provide appropriate landscaping in commercial centres.
- (l) To have a landscape buffer zone that encourages deep soil planting to enhance commercial centres or arterial roads.
- (m) To ensure the siting and design of buildings contribute to the personal and property security of people.
- (n) To ensure development is integrated with the public domain and contribute to an active pedestrian orientated environment.
- (o) To maximise natural surveillance so that people feel safe at all times.
- (p) To encourage building designs, materials and maintenance programs that reduce the opportunities for vandalism and graffiti.

Development controls

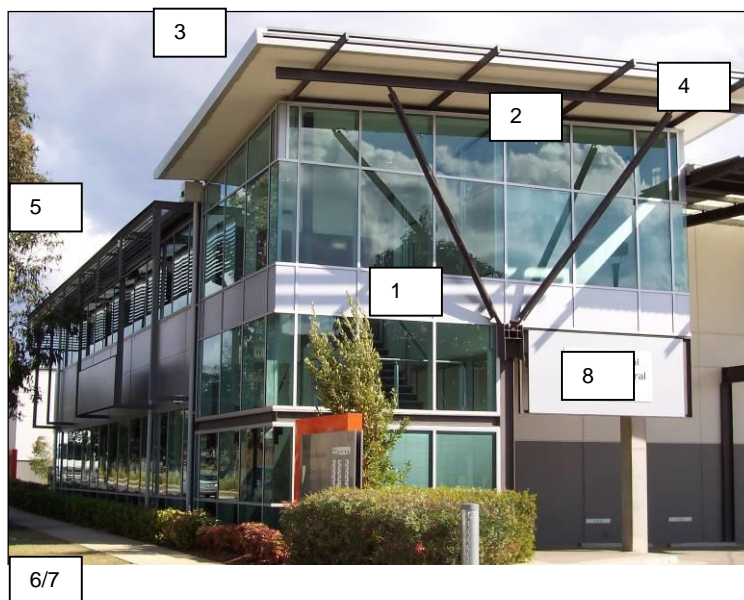
The development controls to achieve the objectives are:

Facade design

- 5.1** Council applies the design quality principles of State Environmental Planning Policy No 65–Design Quality of Residential Apartment Development and the Apartment Design Guide to residential flat buildings, shop top housing, serviced apartments, boarding houses and mixed use development (containing dwellings). This includes buildings that are two storeys or less, or contain less than four dwellings.
- 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 the architectural elements shown in the illustration to this clause; and
- (e) considers any other architectural elements to Council's satisfaction.

Illustration to clause 5.2: Architectural elements.



Architectural elements

- 1 contemporary architectural appearance
- 2 clear glazed facade
- 3 contemporary roof design
- 4 projecting wall elements
- 5 sun shading devices
- 6 landscaped buffer zone
- 7 no front fences
- 8 signs integrated with the building

5.3 ~~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.~~

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.

- 5.4** The street facade of development on corner allotments should incorporate architectural corner features to add visual interest to the streetscape.
- 5.5** Development should restrict the use of the first storey (i.e. the ground floor) to business, retail or other non-residential uses:
 - (a) to maintain business and retail floor space in the business zones; and
 - (b) to maintain active street frontages in the business zones.
- 5.6** Development in enterprise corridors may have predominantly glazed facades provided it does not cause significant glare nuisance.

Facade design (service stations and motor showrooms)

- 5.7** Service stations and motor showrooms must provide a minimum 3 metre wide landscape buffer zone to the front boundary of an allotment.
- 5.8** Service stations and motor showrooms must locate an active frontage use (such as a showroom, office, customer service area, convenience store or restaurant) along the Hume Highway boundary of an allotment.
- 5.9** Service stations and motor showrooms must locate a vehicle repair station and associated car park at the basement level or at the rear of an allotment.

Attic and roof design

- 5.10** Development must incorporate a high quality roof design that:
- (a) achieves a unique and contemporary architectural appearance; and
 - (b) combines high quality materials and finishes.
- 5.11** Council does not allow the following development to have attics:
- (a) development with 4 or more storeys in the village, small village and neighbourhood centres that adjoin the Hume Highway; or
 - (b) development in the enterprise corridors (this does not include residential development up to 2 storeys at the rear of an allotment).

Adaptable housing

- 5.12** Residential flat buildings, mixed use development and shop top housing that contain 10 or more dwellings must provide:
- (a) at least one adaptable dwelling plus an adaptable dwelling for every 50 dwellings; and
 - (b) must comply with AS 4299–Adaptable Housing.

Awnings

- 5.13** A traditional box awning must be provided continuously along retail streets to provide pedestrian shelter to footpaths. Council may allow an awning other than a traditional box awning where it considers:
- (a) the awning design to be an integral feature of the building design; and
 - (b) the awning design does not contain finishes susceptible to degradation (such as glazing material) that result in an unacceptable visual impact on the streetscape.

Council does not support cut outs in awnings for trees and light poles.

5.14 The height of an awning should:

- (a) match the height of an adjoining or nearby awning; and
- (b) have a consistent fascia height to accommodate a sign.

5.15 Development may incorporate an awning design in the enterprise corridors that:

- (a) achieves a unique and contemporary architectural appearance; and
- (b) combines high quality materials and finishes.

Front fences

5.16 The maximum fence height for a front fence is 1.8 metres.

5.17 The external appearance of a front fence along the street boundary of an allotment must ensure:

- (a) the section of the front fence that comprises solid construction (not including solid piers) must not exceed a fence height of 1 metre above natural ground level; 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.

5.18 Council does not allow the following types of front fences along the street boundary of an allotment:

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

Lighting

5.19 External lighting to development must give consideration to the impact of glare on the amenity of adjoining residents.

5.20 This clause applies to development that adjoin the Hume Highway:

- (a) the use of external lighting should accentuate the architectural form and features of development provided it does not cause significant glare on neighbours; and

- (b) the use of exterior wall mounted flood lights is permitted at the front of development, but not permitted at the rear of development unless it serves as security lighting.

Temporary structures

- 5.21** Council does not allow development to be in the form of a temporary structure along the Hume Highway.

Acoustic privacy

- 5.22** An office, shop, food premises and the like in neighbourhood centres must not open before 6.30am or close later than 10.00pm seven days a week.

Access to sunlight

- 5.23** The living areas for at least 70% of dwellings in a development must receive a minimum sum of 3 hours of sunlight between 8.00am and 4.00pm at the mid-winter solstice. Council may allow light wells and skylights to supplement access to sunlight. However, these building elements must not be the primary source of sunlight to living areas.

This clause applies to development that contain two or less storeys, or three or less dwellings such as shop top housing, mixed use development and residential flat buildings.

- 5.24** The living areas of a dwelling on an adjoining allotment must receive a minimum sum of 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.

Private open space

- 5.25** The private open space per dwelling must have a minimum depth of 2 metres and the private open space may be in the form of a balcony. This clause applies to development that contain two or less storeys, or three or less dwellings such as shop top housing.

Landscaping

- 5.26** This clause applies to development in the village centres, small village centres, neighbourhood centres and enterprise corridors that adjoin the Hume Highway. Development and a landscape buffer zone must plant a 75 litre tree at 5 metre intervals along the length of the Hume Highway boundary of an allotment, and must select the trees from the list in Appendix 1.
- 5.27** Commercial development and residential flat buildings with a primary frontage of 5 metres or more must provide at least 1 street tree per 5 metres of

primary frontage. Council may vary this requirement if a street tree already exists in good condition, if an awning or site constraints limit their inclusion, or a public domain plan is yet to determine the location of trees in a precinct.

Illustration to clause 5.26: Typical cross-section of setback with single row of trees along the Remembrance Driveway landscape corridor. This setback relates to commercial and mixed use development.

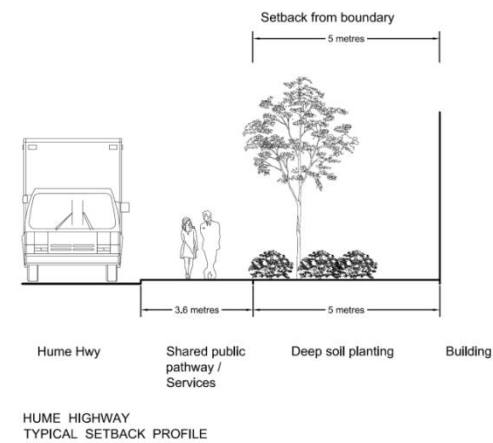


Illustration to clause 5.26: Typical cross-section of setback with service road and two rows of trees along the Remembrance Driveway landscape corridor. This setback relates to commercial and mixed use development.

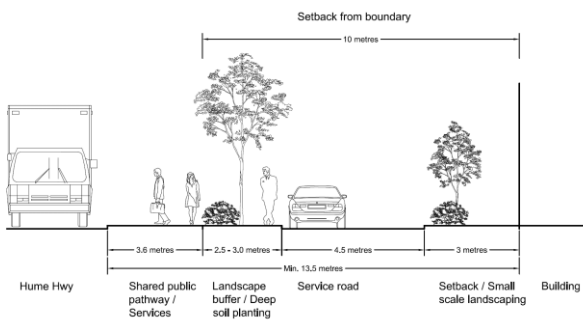
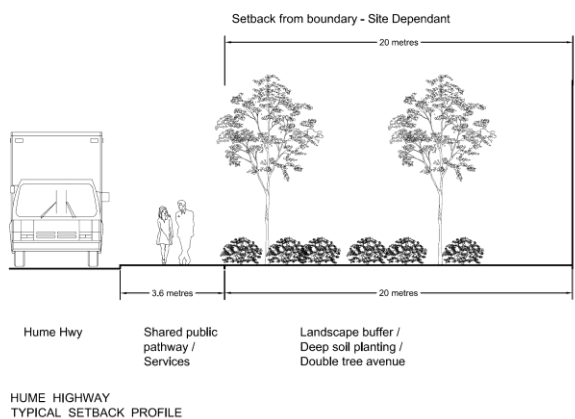


Illustration to clause 5.26: Typical cross-section of setback with two rows of trees along the Remembrance Driveway landscape corridor. This setback relates to residential flat buildings.



Entrances

- 5.28** The main entrance or entrances to development must face the street.
- 5.29** Access to the dwelling of shop top housing, mixed use development and residential flat buildings must be from the street. This may be provided:
- (a) as a passage or stairway that is separate to the non-residential area in the building; or
 - (b) as a passage or stairway that shares access with the dwellings of an adjoining development provided there is a legal arrangement to allow access at all times.
- 5.30** Council may permit rear lane access to the dwelling of shop top housing and mixed use development provided the rear lane achieves an appropriate level of safety, security, and lighting for residents and visitors. This clause solely applies to the following neighbourhood centres:
- (a) Nos. 90–100 Columbine Avenue, Bankstown;
 - (b) Nos. 101–109 Denham Road, Bass Hill;
 - (c) Nos. 1–7 Eldon Avenue and 48 Surrey Avenue, Georges Hall;
 - (d) Nos. 118–120 Rawson Road, Greenacre;
 - (e) Nos. 134–150 Centaur Street, Revesby Heights; and
 - (f) Nos. 63–79 Middleton Road, Villawood.

Building design and natural surveillance

- 5.31** Windows to the living areas of front dwellings, or the windows on the upper floors of development must overlook the street.
- 5.32** Where the ground floor of development faces the street, the ground floor must incorporate shopfront style windows with clear glazing so that pedestrians can see into the premises and vice versa. The use of obscure or opaque glass, or other types of screening is discouraged.
- 5.33** Above ground car parking must be setback a minimum 6 metres from the front building line to allow the gross floor area at the front of the building to be used for commercial, retail, or residential purposes. This clause does not apply to the front building line that faces a rear lane.

5.34 A public arcade or underpass in buildings must be wide and direct to avoid potential hiding places. Access to the arcade or underpass should be closed to the public between 11.00pm to 6.00am daily via a lockable door.

5.35 Lighting must be provided to the underside of an awning using vandal resistant, high mounted light fixtures.

Security devices for commercial development

5.36 The security door or grille to a shopfront facing the street must be transparent or an open grille type shutter. A solid roller door or shutter is not permitted.

Special requirements for development adjoining a railway corridor and open stormwater drains

5.37 Where an allotment shares a boundary with a railway corridor or an open stormwater drain, any building, solid fence or car park on the allotment 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 allotment 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 allotment that face the railway corridor or open stormwater drain.

If a setback for landscaping under this clause is impractical, other means to avoid graffiti must be employed that satisfies Council's graffiti minimisation strategy.

Development adjacent to residential zones

5.38 In determining a development application that relates to land adjoining land in Zone R2, R3 or R4, 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.

SECTION 6–BUSINESS DEVELOPMENT CENTRES AND BUSINESS PARKS

Bankstown Local Environmental Plan 2015 generally locates the business development centres within Zone B5 Business Development close to centres or corridors where it will support (and not detract from) the viability of those centres or corridors.

Bankstown Local Environmental Plan 2015 nominates land at the former Potts Hill Reservoirs site as Zone B7 Business Park.

Objectives

The objectives are:

- (a) To have development that is compatible with the desired character and role of the particular business zone.
- (b) To have development that achieves good urban design in terms of building form, bulk, architectural treatment and visual amenity.
- (c) To have transitional areas that are compatible with the prevailing suburban character and amenity of neighbouring residential environments.

Development controls

The development controls to achieve the objectives are:

Storey limit

- 6.1** The storey limit for development is 2 storeys. Council does not allow development to have attics.

Setbacks

- 6.2** Development must provide a minimum 5 metre wide landscape buffer zone to the primary and secondary road frontages.
- 6.3** The minimum setback to the side and rear boundaries of an allotment is 6 metres, with preference given to deep soil planting within the setback.
- 6.4** Council may increase the minimum setbacks to the side and rear boundaries:
- (a) to maintain reasonable solar access or visual privacy to neighbouring dwellings; or

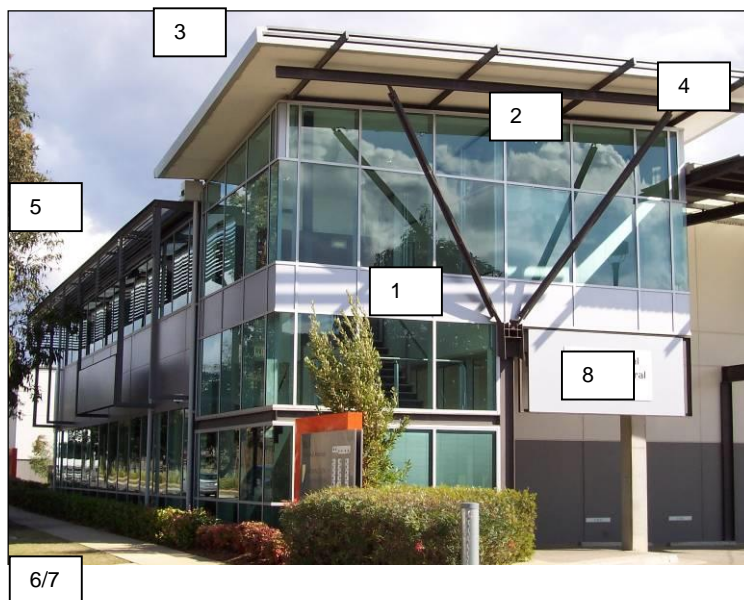
- (b) to avoid an easement or the dripline of a tree on an allotment or adjoining allotment.

Building design (business development zones)

6.5 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 the architectural elements shown in the illustration to this clause; and
- (e) considers any other architectural elements to Council's satisfaction.

Illustration to clause 6.5: Architectural elements.



Architectural elements

- 1 contemporary architectural appearance
- 2 clear glazed facade
- 3 contemporary roof design
- 4 projecting wall elements
- 5 sun shading devices
- 6 landscaped buffer zone
- 7 no front fences
- 8 signs integrated with the building

6.6 Development may have predominantly glazed facades provided it does not cause significant glare nuisance.

6.7 Development may incorporate an awning design that:

- (a) achieves a unique and contemporary architectural appearance; and
- (b) combines high quality materials and finishes.

Building design (business parks)

6.8 Development must comply with the Potts Hill Reservoir Concept Plan: Business Park Design Guidelines dated 9 July 2008 prepare by Allen Jack + Cottier subject to the following landscape setback requirements:

- (a) Site E:
 - (i) A minimum building setback of 6 metres to the northern boundary.
 - (ii) A minimum building setback of 10 metres to the southern boundary.
- (b) Site A:
 - (i) A minimum building setback of 6 metres for the northern boundary.
- (c) A minimum 60% of the nominated landscaped setback areas are to incorporate deep soil planting.

Access to sunlight

- 6.9** The design of buildings should achieve a northern orientation to maximise solar access.
- 6.10** The living areas of a dwelling on an adjoining allotment must receive a minimum sum of 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.

Development adjacent to residential zones

- 6.11** In determining a development application that relates to land adjoining land in Zone R2, R3 or R4, 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.

SECTION 7–AMUSEMENT CENTRES, INTERNET CAFES AND RESTRICTED PREMISES

Objectives

The objectives are:

- (a) To have amusement centres, internet cafes and restricted premises where the location, design, and activities do not affect the neighbourhood or surrounding uses.
- (b) To have amusement centres and internet cafes that are not used or intended to be used for gambling.
- (c) To have amusement centres and internet cafes where the management and patrons conduct themselves in an orderly manner.

Development controls

The development controls to achieve the objectives are:

Location

7.1 The siting of amusement centres and internet cafes 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 (amusement centres)

7.2 Amusement centres must locate on the ground floor of a building.

7.3 The front door and public access to amusement centres must face the street.

7.4 The shopfront windows must use clear glazing. Council does not allow the use of obscure or opaque glass, or other types of screening.

- 7.5** 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).
- 7.6** The number of games and amusement devices in amusement centres must not exceed the publicly accessible gross floor area divided by five.
- 7.7** 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.
- 7.8** 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.
- 7.9** Development must ensure the floor of an existing building has sufficient load capacity to support the proposed games and amusement devices.

Building design (restricted premises)

- 7.10** The consent authority 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.
- 7.11** The consent authority 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.

General requirements

7.12 Noise from amusement centres must not exceed 5dB(A) above the existing background noise level of the allotment.

7.13 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.

7.14 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

7.15 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 8—HOME BUSINESSES

Objectives

The objectives are:

- (a) To allow residents to carry out home businesses within a limited area of dwellings.
- (b) To ensure home businesses have a minimal impact on the amenity of adjoining properties.

Development controls

The development controls to achieve the objectives are:

General restrictions on development

- 8.1** Council prohibits the registration of home businesses as a factory or similar use under the requirements of WorkCover NSW.

Floor area

- 8.2** Home businesses 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.
- 8.3** Home businesses may occupy up to 30m² of gross floor area in a dwelling provided the home business is restricted to a single room.

Amenity

- 8.4** Council must consider the following matters to ensure home businesses have a minimal impact on the amenity of adjoining properties:
- (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.

Building design (signage)

8.5 Business identification signs must comply with the following controls:

- (a) Council permits only one sign per allotment;
- (b) the total sign area must not exceed 1.2 metre x 0.6 metre;
- (c) the sign is to be located on or behind the building line;
- (d) the sign is to be located at or below the awning level. Where there is no awning to the building, the sign is solely permitted below the window sill of the second storey windows;
- (e) if the sign is painted or attached to a building, the sign must not screen windows and other significant architectural features of the building;
- (f) the sign is to be non-illuminated;
- (g) Council does not permit flashing signs, flashing lights, signs which incorporate devices which change colour, signs where movement can be recognised by a passing motorist, signs that are not permanently fixed to the site, and signs made of canvas, calico or the like; and
- (h) Council may allow standard doctors', dentists' and veterinarians' signs.

8.6 Corporate colours, logos and other graphics must achieve a high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.

SECTION 9–ANCILLARY DEVELOPMENT

Objectives

The objectives are:

- (a) To have ancillary development that unifies the development appearance, and achieves good urban design in terms of architectural treatment and visual amenity.
- (b) To have signage that is compatible with the development on which it is displayed and the character of the locality.
- (c) To have development that does not lead to visual clutter through the proliferation of signage and displays.

Development controls

The development controls to achieve the objective are:

Business and building identification signs

9.1 Business and building identification signs within Zone B1 Neighbourhood Centre and Zone B2 Local Centre must comply with the following controls:

- (a) one under awning sign is permitted for each shop with a frontage up to 6 metres;
- (b) in addition to the under awning sign, the total permissible area of all signs must not exceed 1.1 square metres per 1.5 metres of street frontage; and
- (c) signs must not be permitted to overhang the footway unless such signs are under awning signs or where the sign is painted on the front of the awning, or where the maximum projection does not exceed 0.75 metre.

9.2 Council may allow development within Zone B5 Business Development to have a pylon sign provided:

- (a) it is limited to one pylon sign for each allotment boundary that adjoins a classified road; and

- (b) the sign is predominantly rectangular in shape with a vertical proportion; and
- (c) the envelope of the sign is 4 metres or 9 metres in height (to encourage two consistent heights rather than a variety of heights) and a maximum 2 metres in width.

In addition, Council may allow development to have other business or building identification signs provided:

- (a) the signs are attached to a building; and
- (b) the signs are suitably integrated with the architectural style of the building.

9.3 Development within Zone B5 Business Development must not display business or building identification signs or goods in the landscape buffer zone of an allotment. This clause does not apply to a pylon sign.

9.4 Development within Zone B6 Enterprise Corridors is limited to one pylon sign for each allotment boundary that adjoins the Hume Highway, and must ensure:

- (a) the sign is predominantly rectangular in shape with a vertical proportion;
- (b) the envelope of the sign is 4 metres or 9 metres in height (to encourage two consistent heights rather than a variety of heights) and a maximum 2 metres in width; and
- (c) the sign only identifies the businesses on the allotment and the street number to assist customers and visitors.

9.5 In addition to clause 9.4, Council may allow development to have other business identification signs provided:

- (a) the signs are attached to a building; and
- (b) the signs are suitably integrated with the architectural style of the building.

9.6 Development must not display signs or goods in the landscape buffer zone of an allotment. This clause does not apply to a pylon sign.

9.7 Building identification signs and business identification signs that are painted or attached to a building must not screen windows and other significant architectural features of the building.

9.8 Council does not allow the following signs:

- (a) flashing signs, flashing lights, signs which incorporate devices which change colour, a sign where movement can be recognised by a passing motorist;
- (b) signs extending over street boundaries, other than those permitted in conjunction with shops, or the like, where such buildings are erected on the street alignment;
- (c) any sign that would adversely affect existing traffic lights;
- (d) any sign that is not permanently fixed to the site;
- (e) any sign made of canvas, calico or the like. Council may grant a limited approval for a maximum period of 1 month, provided the sign complies with relevant legislation;
- (f) any under awning sign in excess of 2.5 metres x 0.4 metre; and
- (g) signs at a lower level than 2.6 metres over the footway.

Food premises

9.9 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.

Infrastructure

9.10 The siting of plant rooms, lift motor rooms, mechanical ventilation stacks, exhaust stacks 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 residential zoned land.

Parent rooms

9.11 Retail shopping complexes, entertainment establishments and entertainment facilities must provide at least one parent room.

APPENDICES

Appendix 1–Suitable trees on the Hume Highway

Australian Native Species	Common Name	Preferred Soil
		sand / clay Improved soil conditions composted garden soil
<i>Acmena smithii</i>	Lilli Pilli	
<i>Angophora costata</i>	Smooth Barked Apple	
<i>Brachychiton acerifolius</i>	Illawarra Flame Tree	
<i>Cupaniopsis anachroides</i>	Tuckeroo	
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	s*
<i>Eucalyptus beaureana</i>	Blue Box	
<i>Eucalyptus haemastoma</i>	Scribbly Gum	s*
<i>Eucalyptus maculata</i>	Spotted Gum	
<i>Eucalyptus moluccana</i>	Grey Box	c*
<i>Flindersia australis</i>	Australian Teak/ Crows Ash	
<i>Harpullia pendula</i>	Tulipwood	
<i>Leptospermum petersonii</i>	Lemon Scented Tea Tree	s/c*
<i>Lophostemon conferta</i>	Brushbox	
<i>Stenocarpus sinuatus</i>	Queensland Firewheel Tree	
<i>Syncarpia glomulifera</i>	Turpentine	s/c*
<i>Syzygium luehmannii</i>	Small Leaf Lilli Pilli	
<i>Tristania laurina</i>	Water Gum	
* Asterix denotes plant species native to Bankstown area. NOTE: Plants listed will benefit from improved garden soil conditions, irrigation and ongoing maintenance. The above plant list is not exhaustive, additional species may be considered. Planting to be determined with concession to site conditions, aspect, exposure, drainage and surrounding vegetation.		

Non-Native Species	Common Name	Preferred Soil– Improved Organic
<i>Gordonia axillaris</i>	Gordonia	
<i>Jacaranda mimosaeifolia</i>	Jacaranda	
<i>Koelreutaria paniculata</i>	Pride Of China	
<i>Lagerstroemia indica</i>	Crepe Myrtle	
<i>Liriodendron tulipifera</i>	Tulip Tree	

Bankstown City Council

Magnolia grandiflora	Bull Bay Magnolia	
Platanus cuniata	Cut-Leaf Plane	
Platanus x hybrida	London Plane	
Pyrus calleryana	Callery Pear	
Pyrus ussuriensis	Manchurian Pear	
Sapium sebiferum	Chinese Tallowood	
Ulmus parvifolia	Chinese Elm	
Zelkova serrata	Japanese Elm, Keyaki	