



Canterbury-Bankstown Development Control Plan 2023

Draft Housekeeping Amendments

May 2024

Note: Draft housekeeping amendments to the DCP are shown as:

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



LIST OF DRAFT HOUSEKEEPING AMENDMENTS

All Chapters	3
Chapter 1.1 – Introduction and Administration	5
Chapter 2.3 – Tree Management.....	6
Chapter 3.2 – Parking.....	11
Chapter 3.3 – Waste Management.....	15
Chapter 3.5 – Subdivision	16
Chapter 3.7 – Landscape	16
Chapter 4.2 – Heritage Items	17
Chapter 4.3 – Heritage Conservation Areas	19
Chapter 5.1 – Residential Accommodation (Former Bankstown LGA).....	23
Chapter 5.2 – Residential Accommodation (Former Canterbury LGA)	29
Chapter 6.1 – Strategic Centres (General Requirements)	33
Chapter 7.1 – Commercial Centres (General Requirements)	35
Chapter 8.1 – Employment Lands (General Requirements)	37
Chapter 9.1 – Industrial Precincts (General Requirements)	39
Chapter 10.3 – Home Businesses.....	39
Chapter 10.5 – Places of Public Worship	40
Heritage Character Statement	41
Landscape Guide	41



DRAFT AMENDMENTS – ALL CHAPTERS

[1] Council's vision

Add reference to Council's overarching intent and vision for the City to the inside cover page of all chapters to read:

Welcome to the City of Canterbury-Bankstown



Great Cities

We believe in creating vibrant, dynamic, and diverse communities that offer opportunities for people to connect, pursue their passions, and contribute to the world around them.



Naturally Green

We protect and prioritise nature in and around our city to enhance environmental sustainability and improve the quality of life for our residents.



Design Excellence

We encourage buildings, spaces, and objects that are both beautiful and practical, enhancing the beauty, accessibility, and safety of our built environment.



People First

We prioritise the needs, preferences, and aspirations of our community in all aspects of urban planning and design, creating supportive and enriching places people love.



Community

We engage with our community to ensure their needs and aspirations are reflected in the outcome, creating sustainable, resilient, vibrant, diverse, and inclusive places.



Sustainability

We seek designs that reduce negative impacts on the environment while also promoting social and economic well-being.



Net-Zero

We encourage our community to design buildings and places that produce as much renewable energy as they consume, reducing greenhouse gas emissions, lowering energy bills, and increasing resilience to environmental shocks and stresses.

Join us in creating a City that's liveable, loveable, and sustainable for all!



[2] Names of state environmental planning policies

Update the names of the state environmental planning policies, wherever these appear in the DCP, to read:

Former name	New name
State Environmental Planning Policy (Affordable Rental Housing) 2009	<i><u>State Environmental Planning Policy (Housing) 2021</u></i>
State Environmental Planning Policy No 65 (Design Quality of Residential Apartment Development)	<i><u>State Environmental Planning Policy (Housing) 2021</u></i>
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	<i><u>State Environmental Planning Policy (Sustainable Buildings) 2022</u></i>

[3] Reference to ‘application’

Replace ‘development application’, wherever it appears in the DCP, with ‘*application*’.



DRAFT AMENDMENTS – CHAPTER 1.1 [INTRODUCTION AND ADMINISTRATION]

[4] **Definition ‘application’**

Section 1 (page 9) – Add definition to read:

Application means:

- (a) a development application,
- (b) an application to modify a development consent,
- (c) an application to review a determination of a development application, or
- (d) an application to review a determination of an application to modify a development consent.

[5] **Savings provision**

Insert Section 3 (page 13) to read:

SECTION 3 – SAVINGS PROVISION

Council adopted the Canterbury-Bankstown Development Control Plan 2023 on 25 May 2021. This DCP came into effect on 23 June 2023 and applies to applications lodged on or after this date.

Table 1 – Amendments to this DCP

<u>Amendment</u>	<u>Adoption date</u>	<u>Commencement date</u>	<u>Description of amendment</u>
<u>1</u>	<u>24 May 2022</u>	<u>28 July 2023</u>	<u>Insert Chapter 8.3 in relation to 167 Hume Highway, Greenacre. There is no savings provision in relation to Amendment 1.</u>
<u>2</u>	<u>23 May 2023</u>	<u>25 August 2023</u>	<u>Insert Chapter 11.12 in relation to 445 Canterbury Road, Campsie. There is no savings provision in relation to Amendment 2.</u>



DRAFT AMENDMENTS – CHAPTER 2.3 [TREE MANAGEMENT]

[6] Objectives

Section 1 (page 4) – Add objectives to read:

05 *To protect trees that contribute to the heritage significance of places.*

06 *To protect trees from tree vandalism.*

[7] Works requiring a permit

Section 2 (page 5) – Amend clause 2.1 to read:

A person must not cut down, fell, uproot, kill, poison, vandalise, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 2.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.

[8] Prescribed trees

Section 2 (page 5) – Amend clause 2.3 to read:

Chapter 2.3 of this DCP applies to ~~the following trees~~:

(a) all trees regardless of size, species or origin, located on:

- (i) public land; or
- (ii) public places; or
- (iii) public reserves; or
- (iv) public roads; and

(b) trees on all other land that satisfy one or more of the following criteria:

- (i) all trees that are 5m or more in height; ~~and~~ or
- (ii) all mangroves, regardless of size; ~~and~~ or
- (iii) all trees, regardless of size, listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the Biodiversity Conservation Act 2016; ~~and~~ or
- (iv) all trees, regardless of size, listed under the Environmental Protection and Biodiversity Conservation Act 1999; ~~and~~ or
- (v) all trees, regardless of size, located on land included on the Biodiversity Map under the Canterbury-Bankstown Local Environmental Plan 2023; ~~and~~ or



- (vi) all trees, regardless of size, located on sites listed as a heritage item in Schedule 5 of the Canterbury-Bankstown Local Environmental Plan 2023;
~~and or~~
- (vii) all trees, regardless of size, located in the foreshore area under the Canterbury-Bankstown Local Environmental Plan 2023.

[9] **Exemptions**

Section 2 (page 6) – Amend clause 2.4 to read:

Exemptions on public land, public places, public reserves, and public roads

2.4 Despite clause 2.3, Chapter 2.3 of this DCP does not apply to:

- (a) the removal of, or any work to, any tree carried out by Council where the tree is located on land in the ownership, or the care, control or management of Council and the work is carried out by or on behalf of Council;
- (b) the removal of trees or bushland where it is essential for emergency access or emergency works by Council or a public authority;
- (c) any other exemptions granted to Council or a public authority in accordance with legislation;
- (d) tree works as conditioned by a development consent approval or works permit, where the tree work is carried out on a specified street tree(s) in accordance with the conditions of consent.

Exemptions on all other land

2.5 Despite clause 2.3, Chapter 2.3 of this DCP does not apply to:

- (a) trees located within 3m of the external wall of an approved dwelling, not including a secondary dwelling. The distance shall be measured from the external wall of the approved dwelling to the centre of the trunk of the tree at 1.4m above ground level;
- (b) the following tree species:

Scientific Name	Common Name
Acacia baileyana	Cootamundra Wattle
Acacia podalyriifolia	Queensland Silver Wattle
Acacia saligna	Golden Wattle
Ailanthus altissima	Tree of Heaven
Bambusa spp.	Bamboo
Celtis sinensis	Hackberry
Cinnamomum camphora	Camphor Laurel (less than 10m in height)
Citrus limon cvs.	Lemon Tree
Citrus reticulata cvs.	Mandarin Tree
Citrus sinensis cvs	Orange Tree
Citrus x paradisi cvs	Grapefruit Tree
Eriobotrya japonica	Loquat Tree
Erythrina x sykseii	Common Coral Tree
Eucalyptus nicholii	Narrow-leafed Peppermint



Eucalyptus scoparia	Willow Gum
Ficus elastica and cvs.	Rubber Tree
Gleditsia triacanthos	Honey Locust
Ligustrum lucidum	Broad-leaf Privet
Ligustrum sinense	Narrow-leaf Privet
Liquidambar styraciflua	Liquidambar
Malus domestica and cvs.	Apple Tree
Mangifera indica	Mango Tree
Morus spp.	Mulberry Tree
Musa spp.	Banana
Olea europaea subspecies africana	African Olive
Phoenix canariensis	Canary Island Date Palm (with a trunk less than 4m in height)
Phyllostachys spp.	Rhizomatous Bamboo
Pinus radiata	Radiata Pine Tree
Populus spp.	Poplars
Prunus avium / P. cerasus and cvs.	Cherry Tree
Prunus persica and cvs.	Peach Tree
Prunus spp. and cvs.	Plum Tree
Prunus spp. and cvs.	Apricot Tree
Pyrus communis and cvs.	European Pear
Robinia pseudoacacia and cvs	Robinia
Salix spp.	Willow Tree
Schefflera actinophylla	Umbrella Tree
Schinus terebinthifolius	Broad-leaf Pepper Tree
Syagrus romanzoffiana	Cocos Palm
Toxicodendron succedaneum	Rhus Tree
X Cupressocyparis leylandii and cvs.	Leyland Cypress

- (c) plants declared a weed under the Biosecurity Act 2015;
- (d) ~~dead trees where they are not required as habitat for native fauna~~
dying or dead tree provided Council is satisfied that:
 - (i) the tree is dying or dead; and
 - (ii) the condition of the tree is not the result of an act of tree vandalism or a breach of Chapter 2.3; and
 - (iii) the tree is not required as habitat for native fauna;
- (e) dangerous trees where it can be proved by the owner to Council's satisfaction that pruning or removal is the only reasonable option to avoid an imminent threat to human life or property;
- (f) recognised horticultural varieties of trees grown for fruit production;
- (g) selective pruning of up to a total of 10% of the crown of an indigenous tree and up to a total of 20% of the crown of an exotic tree species over a 12 month period. Branches pruned must be no greater than 150mm in diameter. Pruning works must comply with the Australian Standard AS 4373–2007, Pruning of amenity trees and consist of the following pruning classes only:

Crown maintenance:

- deadwooding



- crown thinning
- selective pruning

Crown modification:

- reduction pruning
- crown lifting
- remedial pruning
- line clearance

Note: Clause 2.4 (g) does not apply to any tree:

- listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the Biodiversity Conservation Act 2016; or
 - listed under the Environmental Protection and Biodiversity Conservation Act 1999; or
 - located on a site listed as a heritage item in Schedule 5 of the Canterbury-Bankstown Local Environmental Plan 2023; or
 - located on land included on the Biodiversity Map under the Canterbury-Bankstown Local Environmental Plan 2023; or
 - located in a conservation corridor; or
 - located in the foreshore area under the Canterbury-Bankstown Local Environmental Plan 2023;
- (h) pruning of palms to remove fruit and dead fronds;
- (i) trees listed for removal under a current development consent;
- (j) tree works lawfully conducted in accordance with the Forestry Act 2012, Telecommunications Act 1997, Airports Act 1996, Roads Act 1993, Rural Fires Act 1997, Electricity Supply Act 1995, State Emergency and Rescue Management Act 1989, Surveying and Spatial Information Act 2002, and an Order issued under the Tree (Disputes between Neighbours) Act 2006.

[10] Matters for consideration

Section 2 (page 8) – Amend clause 2.5 to read:

- 2.6** Council will consider, but not be limited to, the following matters when determining an application to prune or remove a tree:
- (a) the suitability of the tree for site conditions;
 - (b) the condition of the tree;
 - (c) the contribution of the tree to the local landscape;
 - (d) the environmental contribution of the tree;
 - (e) the impact of the tree on the property and associated infrastructure;
 - (f) the amenity of the occupants of the site;
 - (g) the impact on the heritage significance of an item or area;
 - (h) any damage to the tree that may or may not be the result of tree vandalism.



Note: The dropping of leaves, flowers, fruits, seeds or small elements of deadwood are part of a tree's normal life cycle, and ordinarily will not provide the basis for the pruning or removal of ~~the~~ a tree.

Renumber subsequent clauses in Section 2 accordingly.

[11] **Definitions**

Section 3 (page 11) – Amend the following definitions to read:

dying or dead tree means a tree that no longer has a functioning xylem and/or phloem system, evidenced by permanent leaf loss, permanent desiccation of branches and stems, and bark peeling off back to the sapwood.

indigenous tree means a tree species ~~that existed in New South Wales before European settlement~~ originating from Australia.

tree means, for the purpose of Chapter 2.3 of this DCP, a long lived perennial plant greater than 5m in height with one or ~~relatively few~~ more main stems or trunks.

[12] **Definitions**

Section 3 (page 11) – Add the following definitions to read:

public land has the same meaning as in the Local Government Act 1993.

public places has the same meaning as in the Local Government Act 1993.

public reserves has the same meaning as in the Local Government Act 1993.

public roads has the same meaning as in the Local Government Act 1993.

tree vandalism means but is not limited to:

- (a) wounding to tree trunks or the breaking or tearing of roots or branches;
- (b) wounding to tree trunks or branches from fixing objects using nails, wires, staples or similar fastening materials;
- (c) applying herbicides or other chemicals that have the effect of harming a tree or its Tree Protection Zone;
- (d) spilling or washing off toxic chemicals that cause injury or damage to a tree;
- (e) drilling or other actions that cause injury or damage to a tree;
- (f) damage to tree roots from stockpiling materials, soil compaction, filling, excavation or altering soil levels within its Tree Protection Zone;
- (g) failure to protect a tree during works.



DRAFT AMENDMENTS – CHAPTER 3.2 [PARKING]

[13] Reference to ‘car space’

Section 2 (page 6) – Replace ‘space’ and ‘parking space’, wherever these appear in the second column of the Off-Street Parking Schedule marked ‘Car spaces’, with ‘car space’.

[14] Drop-off and pick-up for medical centres

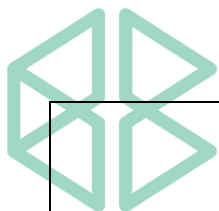
Section 2 (page 9) – Amend the Off-Street Parking Schedule for medical centres to read:

Land use	Car spaces	Bicycle spaces
Medical centres	1 car space per 25m² gross floor area. Medical centres must also provide: • Parking spaces suitable for an ambulance and visitors with disabilities. • <u>At least 1 car space for safe drop-off and pick-up, either on-site or on-street based on availability, safety and a parking study.</u>	Not applicable

[15] Parking rate for places of public worship

Section 2 (page 10) – Amend the Off-Street Parking Schedule for places of public worship to read:

Land use	Car spaces	Bicycle spaces
Places of public worship	<u>Place of public worship that is located outside a centre (B2, B4 Zone) and where the gross floor area of the assembly area is 500m² or less:</u> • 1 car space per 5m² of the assembly area <u>or a rate based on a parking study, if the applicant is seeking a reduced parking provision.</u> • Car parking for ancillary uses and social/special events must be provided on-site on the basis of a parking study to be submitted with the application. <u>Place of public worship that is located within a centre (B2, B4 Zone); or where the gross floor area of the assembly area is greater than 500m²:</u>	Visitors: 1 space per 20



	• <u>1 car space per 5m² of the assembly area, however this rate is to be validated through a parking study, to be submitted with the application.</u> • <u>In addition to the requirements of Chapter 10.5, the parking study must consider other comparable places of public worship in terms of building size, worshipper capacity, type of worship (i.e. seated or unseated), accessibility and potential use of alternative means of transport, existing short term parking availability and vehicle occupancy rates. The parking study should correlate with the submitted plan of management.</u> • Car parking for ancillary uses and social/special events must be provided on-site on the basis of a parking study to be submitted with the application.	
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[16] Parking rate for gyms

Section 2 (page 10) – Amend the Off-Street Parking Schedule for recreation facilities to read:

Land use	Car spaces	Bicycle spaces
Recreation facilities	<u>Bowling alleys</u> 3 spaces per lane <u>Gymnasiums</u> <u>3 spaces per 100m² gross floor area</u> <u>Squash/tennis courts</u> 3 spaces per court <u>Other facilities</u> Parking study with a survey of similar facilities is required.	<u>Bowling alleys</u> 1 space per 4 lanes <u>Squash/tennis courts</u> 1 space per 4 courts <u>Other facilities</u> Staff: 1 space per 400m ² gross floor area Visitors: 1 space per 200m ² gross floor area

[17] Parking rate for restaurants

Section 2 (page 10) – Amend the Off-Street Parking Schedule for restaurants by correcting ‘restautants’ to read ‘restaurants’.



[18] Parking rate for shop top housing in the former Bankstown LGA

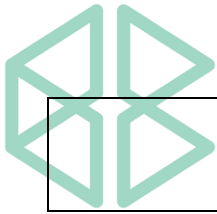
Section 2 (page 13) – Amend the Off-Street Parking Schedule for shop top housing in the former Bankstown LGA to read:

Land use	Car spaces	Bicycle spaces
Shop top housing in the former Bankstown LGA	Zone R4 – 1 car space per ~~retail/business~~ <u>commercial premises/health services facility</u> in addition to the off-street parking requirements for residential flat buildings. Zone <u>B1 or B2</u> – 1 car space per dwelling; ~~A retail premises must comply with the off-street parking requirements for shops;~~ ~~A business premises must comply with the off-street parking requirements for business premises.~~ <u>Any use within the group term ‘commercial premises’ must comply with the off-street parking rate for that use;</u> <u>Any use within the group term ‘health services facilities’ must comply with the off-street parking rate for that use.</u> Zone <u>B4</u> – <u>Minimum 1 car space and maximum 3 car spaces per dwelling; and 1 visitor car space per 5 dwellings.</u> <u>Any use within the group term ‘commercial premises’ must comply with the off-street parking rate for that use;</u> <u>Any use within the group term ‘health services facilities’ must comply with the off-street parking rate for that use.</u>	Not applicable

[19] Parking rate for vehicle body repair workshops/vehicle repair stations

Section 2 (page 14) – Amend the Off-Street Parking Schedule by inserting an omitted number ‘4’ for vehicle body repair workshops/vehicle repair stations to read:

Land use	Car spaces	Bicycle spaces
Vehicle body repair workshops/vehicle repair stations	1 car space per 20m² retail GFA; and 6 car spaces per work bay, to be split as follows: 1 car space for staff; 1 car space for visitors;	1 space per 5 staff



	• <u>4</u> car spaces for vehicles awaiting assessment or repairs.	
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[20] Electric vehicle charging equipment

Section 3 (page 17) – Add the following objectives:

- 04** To encourage the electrification of vehicles.
- 05** To ensure development provides for the current and future electric vehicle charging needs of residents and occupants.

Section 3 (page 23) – Add the following clauses:

Electric vehicle charging equipment

3.48 All car spaces in Class 2 buildings must be serviced by a cable tray:

- (a) located within 10m of the car spaces;
- (b) sized to accommodate the same number of cables as car spaces that the cable tray serves;
- (c) that terminates at the closest electric vehicle distribution board as required by section J9D4 of the National Construction Code 2022 Volume One;
- (d) that enables installation of charging stations in individual car spaces without works that require the consent of the building owner.

Note: Section J9D4 ‘Facilities for electric vehicle charging equipment’ in the National Construction Code 2022 Volume One – Building Code of Australia contains details for the provision and design of distribution boards to support electric vehicle charging units in car parks.

3.49 Development may propose an alternative to a cable tray if it demonstrates the same or better than the requirements of clause 3.48.



DRAFT AMENDMENTS – CHAPTER 3.3 [WASTE MANAGEMENT]

[21] Objectives

Section 1 (page 5) – Amend the objectives to read:

- O3** To maximise residential amenity and minimise adverse environmental and health related impacts associated with waste management such as odour and noise from bin storage, collection areas and waste collection vehicles.
- O5** To ensure development facilitates all waste streams being handled, stored and collected in a manner to reduce risk to health and safety of all users including pedestrians, maintenance (such as caretakers), collection staff and contractors (and required vehicles and equipment).

[22] Nominated collection points

Section 3 (page 9) – Amend clause 3.4 to read:

The location of the nominated collection point and bin storage area must not adversely impact on ~~the~~ the streetscape, building design or amenity of dwellings.

[23] On-street waste collection

Section 3 (page 9) – Add a clause following clause 3.9 to read:

3.10 Council cannot provide a collect and return service at locations where waste collection vehicles are not permitted to stop in accordance with road rules.

Renumber subsequent clauses in Section 3 accordingly.

[24] Nominated collection points

Section 3 (page 13) – Amend clause 3.23 to read:

- 3.24** The design of the bin storage areas of mixed use development must ensure:
- (a) the residential component of mixed use development complies with the development controls for residential flat buildings;
 - (b) the commercial component of mixed use development complies with the development controls for commercial development;



- (c) the bin storage areas for the residential and commercial components of development are separate with restricted access to prevent unauthorised access and illegal dumping;
- (d) compliance with the requirements of the applicable Waste Design for New Developments Guide.

DRAFT AMENDMENTS – CHAPTER 3.5 [SUBDIVISION]

[25] Access handle width

Section 2 (page 5) – Amend the objective to read:

~~The~~ To ensure the access handle provides safe and convenient vehicle and pedestrian access to the dwelling at all times.

Section 2 (page 6) – Amend clause 2.2 to read:

Where the subdivision of land is creating:

- (a) a single battle-axe lot, the minimum width of an access handle is 3.75m; or
- (b) two or more battle-axe lots, the minimum width of an access handle is 3.75m plus a passing bay at 30m intervals.

DRAFT AMENDMENTS – CHAPTER 3.7 [LANDSCAPE]

[26] Tree protection

Section 2 (page 6) – Amend clause 2.6 to read:

Development must consider the retention of existing trees, including street trees, in the building design.

[27] Landscape features

Section 3 (page 7) – Amend clause 3.4 to read:

- 4 Small ponds provide water and habitat.



DRAFT AMENDMENTS – CHAPTER 4.2 [HERITAGE ITEMS]

[28] Garages

Section 6 (page 12) – Separate clause 6.2 into two clauses to read:

6.2 Garages must solely locate at the rear of the site.

6.3 ~~Locate garages and~~ Carports must locate at the rear of the house. If this is not possible and side access is available, ~~locate garages or carports~~ a carport may be located at least 1m behind the predominant building line, and to the rear of any front verandah. The ~~prescribed 1m~~ setback may need to be increased where these structures obscure any significant or characteristic features of the place such as side entrances, porticos, windows or the like.

Renumber subsequent clauses in Section 6 accordingly.

[29] Gates

Section 6 (page 13) – Amend clause 6.4 (page 12) to read:

6.5 Original or early fences or gates are not to be removed, altered or widened to create car access from the main street frontage.

[30] Gates

Section 7 (page 14) – Amend Section 7 to read:

SECTION 7–FENCES AND GATES

Explanation

~~Fencing is~~ Fences and gates are of particular importance to a heritage item. Fences and gates establish the setting of a place, define the garden allotment and complement the style and character of the building or place. A poorly designed and built fence can detract considerably from the visual amenity of a place and obscure important views. It is important to design new fences and gates that are appropriate to the period and style of the place.

Objectives

O1 To retain original or early front ~~fencing~~ fences and gates.



- 02** To ensure that new or replacement fences and gates are consistent with the period and style of the heritage item.
- 03** To ensure that materials, finishes and colours of fences and gates are consistent with the period and style of the heritage item.

Development controls

- 7.1** Retain and conserve original or early fences, gates and associated features.
- 7.2** Reinstatement of known original and early ~~fencing~~ fences and gates is appropriate and encouraged.
- 7.3** New front fences and gates are to be of a design and height that is appropriate to the period and style of the building.



DRAFT AMENDMENTS – CHAPTER 4.3 [HERITAGE CONSERVATION AREAS]

[31] Infill development

Section 4 (page 12) – Amend clause 4.4 to read:

The bulk, height, scale, predominant roof form, materials and building envelope of infill development must be consistent with nearby contributory buildings and that of the heritage conservation area as a whole.

[32] Infill development

Section 4 (page 12) – Amend clause 4.7 to read:

Street facing balconies are ~~generally not supported~~ permitted.

[33] Garages

Section 7 (page 16) – Separate clause 7.2 into two clauses to read:

7.2 Garages must solely locate at the rear of the site.

7.3 ~~Locate garages and~~ Carports must locate at the rear of the house. If this is not possible and side access is available, ~~locate garages or carports~~ a carport may be located at least 1m behind the predominant building line, and to the rear of any front verandah. The ~~prescribed 1m~~ setback may need to be increased where these structures obscure any significant or characteristic features of the place such as side entrances, porticos, windows or the like.

Renumber subsequent clauses in Section 7 accordingly.

[34] Gates

Section 7 (page 17) – Amend clause 7.4 (page 17) to read:

7.5 Original or early fences or gates are not to be removed, altered or widened to create car access from the main street frontage.



[35] Garages

Section 7 (page 17) – Amend clause 7.13 to read:

7.14 For new development, locate ~~garages~~ at-grade car spaces and carports behind the predominant building line. Garages within the front elevation of an infill building are not supported and are to be located in the rear yard area. For new development that is not single or detached dwellings, car parking entrances are to be at the side of the building, appropriately set back, and are not to be visually dominant. Any at-grade car parking is to be appropriately screened from the street preferably with landscaping.

[36] Gates

Section 8 (page 18) – Amend the explanation and objectives to read:

SECTION 8–FENCES AND GATES

Explanation

~~Fencing is~~ Fences and gates are of particular importance to a heritage item. Fences and gates establish the setting of a place, define the garden allotment and complement the style and character of the building or place. A poorly designed and built fence can detract considerably from the visual amenity of a place and obscure important views. It is important to design new fences and gates that are appropriate to the period and style of the place.

Objectives

- O1** To retain original or early front ~~fencing~~ fences and gates.
- O2** To ensure that new or replacement fences and gates are consistent with the period and style of the heritage item.
- O3** To ensure that materials, finishes and colours of fences and gates are consistent with the period and style of the heritage item.

[37] Gates

Section 8 (page 18) – Amend clause 8.2 to read:

Reinstatement of known original and early ~~fencing~~ fences and gates is appropriate and encouraged.



[38] Gates

Section 8 (page 18) – Amend clause 8.3 to read:

New front fences and gates are to be of a design and height that is appropriate to the period and style of the building.

[39] Trees

Section 9 (page 21) – Amend clause 9.6 to read:

Existing trees and plantings that contribute to the character of the heritage conservation areas are to be retained. Where ~~early or original~~ plantings cannot be retained due to age or disease, replace with the same or similar plant species where possible. If plants of a similar species cannot be used, then the use of plants native to the local area is encouraged.

[40] Outbuildings

Section 10 (page 22) – Amend clause 10.5 to read:

The roof form of an outbuilding shall be subservient to the principal dwelling and use a simple hip, gable, or skillion form.

[41] Seniors housing

Add Section 23 (page 45) to read:

SECTION 23–SENIORS HOUSING

Explanation

The State Environment Planning Policy (Housing) 2021 allows seniors housing in heritage conservation areas, which may require a different building footprint and size than other residential accommodation. The SEPP requires seniors housing to complement heritage conservation areas. This section seeks to achieve this, along with the relevant controls in the SEPP and Seniors Housing Design Guide.

Objectives

- O1** *To ensure that seniors housing maintains and conserves existing contributory buildings.*



02 *To ensure seniors housing is compatible with the character and significance of the heritage conservation areas as set out in the Area Character Statements.*

03 *To discourage site consolidation for the purposes of seniors housing.*

Development controls

23.1 *Development must retain and appropriately conserve any existing contributory buildings.*

23.2 *Development should maintain the existing subdivision pattern by locating on lots in heritage conservation areas that meet the requirements of the State Environment Planning Policy (Housing) 2021 and avoiding site consolidations.*



DRAFT AMENDMENTS – CHAPTER 5.1 [RESIDENTIAL ACCOMMODATION (FORMER BANKSTOWN LGA)]

[42] Desired character

Section 1 (page 5) – Amend C1 to read:

The desired character is to have a low density residential environment in Zone R2 where the typical features are dwelling houses, dual occupancies, ~~and~~ secondary dwellings, and ancillary development within a generous landscaped setting. The site cover and building form of development must be compatible with the prevailing suburban character and amenity of this zone. This zone is also the most restrictive in terms of other permitted uses that are considered suitable. These are generally restricted to facilities and services that meet the day-to-day needs of residents.

[43] Setbacks

Add 'setbacks' to Objective O1 in Section 2 (page 7), Section 4 (page 18), Section 5 (page 24), Section 6 (page 30), Section 8 (page 39), Section 9 (page 45) and Section 10 (page 53).

Add 'setbacks' to Objective O3 in Section 3 (page 13).

[44] Internal amenity

Amend Objective O2 in Section 2 (page 7), Section 4 (page 18), Section 5 (page 24), Section 6 (page 30), Section 7 (page 35), Section 8 (page 39), Section 9 (page 45) and Section 10 (page 53) to read: To ensure the building form, ~~and~~ building design, room sizes and internal layout of [insert development type] provide appropriate amenity to residents in terms of private open space, access to sunlight, privacy, and useability.

Amend Objective O4 in Section 3 (page 13) to read: To ensure the building form, ~~and~~ building design, room sizes and internal layout of [insert development type] provide appropriate amenity to residents in terms of private open space, access to sunlight, privacy, and useability.

Add Objective O6 in Section 7 (page 35) to read: To ensure the building form, building design, room sizes and internal layout of [insert development type] provide appropriate amenity to residents in terms of private open space, access to sunlight, privacy, and useability.



[45] Private open space

Add objective in Section 2 (page 7), Section 3 (page 13), Section 4 (page 18), Section 5 (page 24), Section 6 (page 30), Section 7 (page 35), Section 8 (page 39), Section 9 (page 45) and Section 10 (page 53) to read: To ensure the size, location and design of private open spaces provide appropriate amenity to residents in terms of useability, access to sunlight, privacy and landscape.

Renumber the remaining objectives accordingly.

[46] Basements

Add objective in Section 2 (page 7), Section 4 (page 18), Section 5 (page 24), Section 6 (page 30), Section 8 (page 39), Section 9 (page 45), Section 10 (page 53) to read: To ensure basements are well-designed and integrate into the overall design of the development.

Renumber the remaining objectives accordingly.

[47] Landscape

Add objectives in Section 2 (page 7), Section 3 (page 13), Section 4 (page 18), Section 5 (page 24), Section 6 (page 30), Section 7 (page 35), Section 8 (page 39), Section 9 (page 45) and Section 10 (page 53) to read:

- To ensure the landscape design contributes to a high quality streetscape and amenity.
- To provide deep soil zones to allow for and support healthy plant and tree growth.

Renumber the remaining objectives accordingly.

[48] Fill

Separate clauses 2.3 (page 7), 3.6 (page 14), 4.4 (page 19), 5.3 (page 24), 6.3 (page 30), 8.4 (page 40), 9.5 (page 46) and 10.4 (page 53) into two clauses to read:

~~Any reconstituted ground level on the site must not exceed a height of 600mm above the ground level (existing) of an adjoining site except where:~~

- ~~(a) the [insert development type] is required to be raised to achieve a suitable freeboard in accordance with Chapter 2.2 of this DCP; or~~
- ~~(b) the fill is contained within the ground floor perimeter of the [insert development type] to a height no greater than 1 metre above the ground level (existing) of the site.~~



1. Any reconstituted ground level on the site within the ground floor perimeter of the [insert development type] must not exceed a height of 1m above the ground level (existing). For the purposes of this clause, the ground floor perimeter includes the front porch and any building facade cut-outs.
2. Any reconstituted ground level on the site outside of the ground floor perimeter of the [insert development type] must not exceed a height of 600mm above the ground level (existing) of an adjoining site. For the purposes of this clause, the ground floor perimeter includes the front porch and any building facade cut-outs.

Renumber the remaining clauses accordingly.

[49] Basement level within ground floor perimeter

Add a second sentence to clauses 2.9 (page 8), 4.11 (page 19), 5.10 (page 25), 9.11 (page 47) and 10.10 (page 54) to read: For the purposes of this clause, the ground floor perimeter includes the front porch and any building facade cut-outs.

[50] Wall height for dual occupancies

Section 4 – Amend clause 4.8 (page 19) to read: ~~For the portion of the building wall that has a wall height less than or equal to 7 metres,~~ The minimum setback for a building wall to the side boundary of the site is 0.9 metre. Council may increase the minimum setback to reduce any impact on the amenity of an adjoining dwelling or to avoid the drip line of a tree on an adjoining site.

Section 4 – Delete clause 4.9 (page 19), which reads: ~~For the portion of the building wall that has a wall height greater than 7 metres, the minimum setback to the side boundary of the site is 1.5 metres.~~

Renumber the remaining clauses in Section 4 accordingly.

[51] Side boundary access

Section 4 (page 19) – Amend clause 4.10 to read:

The minimum setback between a dual occupancy and the side boundary must be clear of obstacles such as a hot water unit, waste storage area, storage shed and the like. The intended outcome is to provide a clear path at all times for residents and visitors to access the rear yard and/or carry out maintenance works.



[52] Garage design for semi-detached and attached dwellings

Add a second sentence to clauses 5.28 (page 28) and 6.24 (page 34) to read:

Council does not permit internal stacked or tandem garages.

[53] Parking rate for multi dwelling housing

Section 7 (page 37) – Delete clause 7.13, which reads:

~~Multi dwelling housing must provide:~~

- ~~(a) a minimum 1 car space per dwelling with 2 or less bedrooms; and~~
- ~~(b) a minimum 2 car spaces per dwelling with 3 or more bedrooms; and~~
- ~~(c) must locate the car parking spaces behind the front building line.~~

Renumber the remaining clauses in Section 7 accordingly.

[54] Blank walls

Section 8 (page 39) – Add the following objective to read:

07 *To minimise the effect of blank walls.*

Section 8 (page 44) – Add the following clauses to read:

Blank walls

8.31 *Large areas of blank, minimally or poorly articulated walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, green walls, public art or a recognisable increased setback to the upper storey.*

8.32 *Blank walls are not permitted where facing the public domain.*

8.33 *The maximum length of any blank wall must not exceed 5m.*

8.34 *The maximum height of a blank wall must not exceed 3m.*

8.35 *Where adjacent development is unlikely to occur in the short term, blank side walls should include public art or murals.*



[55] Livable housing

Section 11 (page 59) – Amend the table in clause 11.1 to read:

Development types	Development controls
Dwelling houses	New dwelling must achieve the Silver Standard.
Secondary dwellings	New dwelling must achieve the Silver Standard.
Dual occupancies and semi-detached dwelling	At least one dwelling must achieve the Gold Standard; and the second dwelling must achieve the Silver Standard.
Multi dwelling housing and attached dwellings	~~A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard.~~ <u>A minimum 40% of new dwellings must comply with the Livable Housing Design Guidelines (Livable Housing Australia), to be split as follows:</u> • <u>a minimum 20% of new dwellings must achieve the Silver Standard;</u> • <u>and</u> • <u>a minimum 20% of new dwellings must achieve the Gold Standard.</u>
Residential flat buildings and shop top housing	~~A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard.~~ <u>A minimum 40% of new dwellings must comply with the Livable Housing Design Guidelines (Livable Housing Australia), to be split as follows:</u> • <u>a minimum 20% of new dwellings must achieve the Silver Standard;</u> • <u>and</u> • <u>a minimum 20% of new dwellings must achieve the Gold Standard.</u> However, it is noted that shop top housing will not deliver dwellings at the ground floor as this would be inconsistent with the LEP definition.
Boarding houses	A minimum 20% of new boarding rooms must achieve the Silver Standard.



[56] Front fences

Section 13 (page 64) – Amend clause 13.2 to read:

The external appearance of a front fence ~~along the front boundary of the site~~ forward of the front building line or facing a classified road 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.

Despite this clause, the solid construction of a fence behind the front building line of dwelling houses and dual occupancies on corner sites may achieve a fence height up to 1.8 metres.

[57] Boatsheds

Section 13 (page 65) – Amend clause 13.9 to read:

The maximum storey limit for boatsheds is single storey. ~~An attic and basement is~~ Attics and/or basements are not permitted.

[58] Undergrounding of overhead wires

Section 14 (page 67) – Add the following objectives to read:

O10 To ensure development contribute to a high quality streetscape.

O11 To minimise visual clutter in the streetscape associated with overhead infrastructure.

Section 14 (page 67) – Add the following clause to read:

New buildings in Zone R4 (undergrounding overhead wires)

14.6 New buildings must ensure:

- (a) all overhead wires, including but not limited to electrical and telecommunication services wires, along the street frontages of the site are located underground as part of the development;
- (b) any redundant power poles are removed and replaced with underground supplied street lighting columns;
- (c) all works are carried out at the landowner's expense.



DRAFT AMENDMENTS – CHAPTER 5.2 [RESIDENTIAL ACCOMMODATION (FORMER CANTERBURY LGA)]

[59] Road definitions

Section 1 (page 6) – Reinstate definition to read:

Definitions

Local road means any road or street other than a major road.

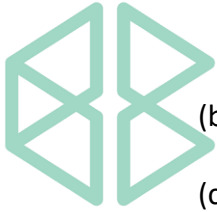
Major road means the following roads in the former Canterbury Local Government Area:

• Albert Street; • Bayview Avenue; • Beamish Street (between Brighton Avenue and Canterbury Road); • Belmore Road; • Bexley Road; • Bonds Road; • Brighton Avenue; • Burlington Avenue (between Fore Street and Karool Avenue); • Burwood Road; • Canterbury Road; • Fore Street; • Fifth Avenue; • Georges River Road; • Hartill-Law Avenue; • Homer Street (between Bexley Road and the Cooks River); • Jeffery Street (between Canterbury Road and King Street); • King Street; • Karool Avenue (between Permanent Avenue and Burlington Avenue); • King Georges Road; • Kingsgrove Road; • Lakemba Street (between Albert Street and King Georges Road); • Loch Street; • Milton Street; • Moorefields Road; • Moxon Road; • New Canterbury Road; • Ninth Avenue; • Orissa Street; • Permanent Avenue; • Punchbowl Road; • Second Avenue; • Thompson Street (between Burlington Avenue and Permanent Avenue); • Viking Street; • Wardell Road; • William Street; and • Wiqqs Road.

[60] Solar access

Amend clauses 2.10 (page 20), 3.12 (page 41), 4.12 (page 60), 5.3.12 (page 99) and 6.3.13 (page 127) to read:

- C1** Where site orientation permits at least primary living areas of dwellings must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June. Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.
- C2** Principal areas of private open space must receive a minimum of 3 hours of sunlight between 8.00am and 4.00pm on 21 June to at least 50% of the open space surface area. Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.
- C3** ~~Dwellings must comply with the following:~~
- (a) ~~At least one living room window and at least 50% or 35m² with minimum dimension of 2.5m (whichever is the lesser), of ground level private open space.~~



- (b) ~~Receive a minimum of 3 hours sunlight between 8.00am and 4.00pm on 21 June.~~
- (c) ~~Where existing overshadowing by buildings and fences is already greater than this control, sunlight is not to be reduced by more than 20%.~~

Renumber the remaining clauses accordingly.

[61] Torrens Title subdivision of dual occupancies

Section 3 (page 44) – Transfer the content of Policy 53-056 to read:

3.15 Torrens Title subdivision

Development control

C1 Torrens Title subdivision of any dual occupancy approved by the former Canterbury City Council prior to 1 November 2005 are to be considered on its individual merits and subject to the following criteria:

- 1.1** an objection under clause 4.6 of the Canterbury-Bankstown Local Environmental Plan 2023 being submitted with the development application objecting to the minimum frontage requirements applied to subdivision of lots containing an existing dwelling contained in the Canterbury-Bankstown Local Environmental Plan 2023, if necessary; and
- 1.2** the proposed subdivision would have been permitted at the time the original consent for the dual occupancy was issued; and
- 1.3** the proposed subdivision complies with a minimum 230m² lot size; and
- 1.4** the proposal does not include dual occupancies involving the conversion of existing garages or outbuildings, granny flats or the like as it was never the intention of Council that these types of dual occupancies should be subdivided.

Repeal Policy 53-056.

[62] Blank walls

Section 5.2.10 (page 74) and 5.3.9 (page 93) – Add the following objective to read:

O8 To minimise the effect of blank walls.

Section 5.2.10 (page 77) and 5.3.9 (page 96) – Add the following clauses to read:

Blank walls

C36 Large areas of blank, minimally or poorly articulated walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, green walls, public art or a recognisable increased setback to the upper storey.



C37 Blank walls are not permitted where facing the public domain.

C38 The maximum length of any blank wall must not exceed 5m.

C39 The maximum height of a blank wall must not exceed 3m.

C40 Where adjacent development is unlikely to occur in the short term, blank side walls should include public art or murals.

[63] Undergrounding of overhead wires

Section 5.2.15 (page 81), 5.3.16 (page 102), 6.2.11 (page 111) and 6.3.12 (page 125) – Add the following objectives to read:

O2 To ensure development contribute to a high quality streetscape.

O3 To minimise visual clutter in the streetscape associated with overhead infrastructure.

Section 5.2.15 (page 83), 5.3.16 (page 104), 6.2.11 (page 112) and 6.3.12 (page 126) – Add the following clause to read:

C14 New buildings must ensure:

- (a) all overhead wires, including but not limited to electrical and telecommunication services wires, along the street frontages of the site are located underground as part of the development;
- (b) any redundant power poles are removed and replaced with underground supplied street lighting columns;
- (c) all works are carried out at the landowner's expense.

[64] Livable housing

Section 9 (page 142) – Amend the table in clause C1 to read:

Development types	Development controls
Dwelling houses	New dwelling must achieve the Silver Standard.
Secondary dwellings	New dwelling must achieve the Silver Standard.
Dual occupancies and	At least one dwelling must achieve the Gold Standard; and the second dwelling must achieve the Silver Standard.



semi-detached dwelling	
Multi dwelling housing and attached dwellings	A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard. <u>A minimum 40% of new dwellings must comply with the Livable Housing Design Guidelines (Livable Housing Australia), to be split as follows:</u> • <u>a minimum 20% of new dwellings must achieve the Silver Standard;</u> <u>and</u> • <u>a minimum 20% of new dwellings must achieve the Gold Standard.</u>
Residential flat buildings and shop top housing	A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard. <u>A minimum 40% of new dwellings must comply with the Livable Housing Design Guidelines (Livable Housing Australia), to be split as follows:</u> • <u>a minimum 20% of new dwellings must achieve the Silver Standard;</u> <u>and</u> • <u>a minimum 20% of new dwellings must achieve the Gold Standard.</u> However, it is noted that shop top housing will not deliver dwellings at the ground floor as this would be inconsistent with the LEP definition.
Boarding houses	A minimum 20% of new boarding rooms must achieve the Silver Standard.



DRAFT AMENDMENTS – CHAPTER 6.1 [STRATEGIC CENTRES (GENERAL REQUIREMENTS)]

[65] Blank walls

Section 3 (page 10) – Add the following objective to read:

04 To minimise the effect of blank walls.

Section 3 (page 11) – Amend clauses 3.5 to 3.7 to read:

3.5 ~~Development must architecturally treat blank walls that can be viewed from the street or other public domain area (such as railway corridors) by incorporating public art, variation in building materials and/or other architectural design methods to Council's satisfaction.~~

3.65 Building services such as downpipes and balcony drainage must integrate with the facade design.

3.76 The design of balcony balustrades on the lower levels may be predominantly solid and/or opaque to provide privacy to residents and to screen drying areas.

Blank walls

3.7 Large areas of blank, minimally or poorly articulated walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, green walls, public art or a recognisable increased setback to the upper storey.

3.8 Blank walls are not permitted where facing the public domain.

3.9 The maximum length of any blank wall must not exceed 5m.

3.10 The maximum height of a blank wall must not exceed 3m.

3.11 Where adjacent development is unlikely to occur in the short term, blank side walls should include public art or murals.



[66] Livable housing

Section 8 (page 20) – Amend the table in clause 8.5 to read:

Development types	Development controls
Residential flat buildings and shop top housing	~~A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard.~~ <i><u>A minimum 40% of new dwellings must comply with the Livable Housing Design Guidelines (Livable Housing Australia), to be split as follows:</u></i> <i><u>a minimum 20% of new dwellings must achieve the Silver Standard;</u></i> <i><u>and</u></i> <i><u>a minimum 20% of new dwellings must achieve the Gold Standard.</u></i> However, it is noted that shop top housing will not deliver dwellings at the ground floor as this would be inconsistent with the LEP definition.
Boarding houses	A minimum 20% of new boarding rooms must achieve the Silver Standard.

[67] Undergrounding of overhead wires

Section 8 (page 19) – Add the following objectives to read:

O10 To ensure development contribute to a high quality streetscape.

O11 To minimise visual clutter in the streetscape associated with overhead infrastructure.

Section 8 (page 23) – Add the following clause to read:

8.22 New buildings must ensure:

- (a) all overhead wires, including but not limited to electrical and telecommunication services wires, along the street frontages of the site are located underground as part of the development;*
- (b) any redundant power poles are removed and replaced with underground supplied street lighting columns;*
- (c) all works are carried out at the landowner's expense.*



DRAFT AMENDMENTS – CHAPTER 7.1 [COMMERCIAL CENTRES (GENERAL REQUIREMENTS)]

[68] Blank walls

Section 3 (page 10) – Add the following objective to read:

04 To minimise the effect of blank walls.

Section 3 (page 11) – Amend clauses 3.5 to 3.7 to read:

3.5 ~~Development must architecturally treat blank walls that can be viewed from the street or other public domain area (such as railway corridors) by incorporating public art, variation in building materials and/or other architectural design methods to Council's satisfaction.~~

3.65 Building services such as downpipes and balcony drainage must integrate with the facade design.

3.76 The design of balcony balustrades on the lower levels may be predominantly solid and/or opaque to provide privacy to residents and to screen drying areas.

Blank walls

3.7 Large areas of blank, minimally or poorly articulated walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, green walls, public art or a recognisable increased setback to the upper storey.

3.8 Blank walls are not permitted where facing the public domain.

3.9 The maximum length of any blank wall must not exceed 5m.

3.10 The maximum height of a blank wall must not exceed 3m.

3.11 Where adjacent development is unlikely to occur in the short term, blank side walls should include public art or murals.



[69] Undergrounding of overhead wires

Section 9 (page 23) – Add the following objectives to read:

O11 To ensure development contribute to a high quality streetscape.

O12 To minimise visual clutter in the streetscape associated with overhead infrastructure.

Section 9 (page 26) – Add the following clause to read:

9.23 New buildings must ensure:

- (a) all overhead wires, including but not limited to electrical and telecommunication services wires, along the street frontages of the site are located underground as part of the development;***
- (b) any redundant power poles are removed and replaced with underground supplied street lighting columns;***
- (c) all works are carried out at the landowner's expense.***

[70] Livable housing

Section 9 (page 23) – Amend the table in clause 9.5 to read:

Development types	Development controls
Residential flat buildings and shop top housing	~~A minimum 20% of new dwellings must achieve the Silver Standard; and a minimum 20% of new dwellings must achieve the Gold Standard.~~ <u>A minimum 40% of new dwellings must comply with the Livable Housing Design Guidelines (Livable Housing Australia), to be split as follows:</u> <i><u>a minimum 20% of new dwellings must achieve the Silver Standard;</u></i> <i><u>and</u></i> <i><u>a minimum 20% of new dwellings must achieve the Gold Standard.</u></i> However, it is noted that shop top housing will not deliver dwellings at the ground floor as this would be inconsistent with the LEP definition.
Boarding houses	A minimum 20% of new boarding rooms must achieve the Silver Standard.



[71] Front fences

Section 9 (page 24) – Amend clause 9.12 to read:

The external appearance of a front fence ~~along the street boundary of the site~~ forward of the front building line must ensure:

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

DRAFT AMENDMENTS – CHAPTER 8.1 [EMPLOYMENT LANDS (GENERAL REQUIREMENTS)]

[72] Blank walls

Section 2 (page 6) – Add the following objective to read:

06 To minimise the effect of blank walls.

Section 2 (page 11) – Add the following clauses to read:

Blank walls

2.8 Large areas of blank, minimally or poorly articulated walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, green walls, public art or a recognisable increased setback to the upper storey.

2.9 Blank walls are not permitted where facing the public domain.

2.10 The maximum length of any blank wall must not exceed 5m.

2.11 The maximum height of a blank wall must not exceed 3m.

2.12 Where adjacent development is unlikely to occur in the short term, blank side walls should include public art or murals.

Renumber the remaining clauses in Section 2 accordingly.



[73] Blank walls

Section 3 (page 9) – Add the following objective to read:

O15 To minimise the effect of blank walls.

Section 3 (page 12) – Add the following clauses to read:

Blank walls

3.9 Large areas of blank, minimally or poorly articulated walls are not acceptable. Measures to avoid this may include windows, awnings, sun shading devices, pergolas, green walls, public art or a recognisable increased setback to the upper storey.

3.10 Blank walls are not permitted where facing the public domain.

3.11 The maximum length of any blank wall must not exceed 5m.

3.12 The maximum height of a blank wall must not exceed 3m.

3.13 Where adjacent development is unlikely to occur in the short term, blank side walls should include public art or murals.

Renumber the remaining clauses in Section 3 accordingly.



DRAFT AMENDMENTS – CHAPTER 9.1 [INDUSTRIAL PRECINCTS (GENERAL REQUIREMENTS)]

[74] Front fences

Section 5 (page 18) – Amend clause 5.12 to read:

The external appearance of a front fence along the primary and secondary street frontages forward of the front building line must ensure:

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

DRAFT AMENDMENTS – CHAPTER 10.3 [HOME BUSINESSES]

[75] Home industries

Replace ‘home business’ with ‘home business or home industry’ throughout Chapter 10.3.

[76] Food premises

Section 1 (page 4) – Add clause 1.4 to read:

Food premises

1.4 A home business or home industry that involves the manufacture of food products must comply with:

- (a) Food Act 2003;
- (b) Food Regulation 2010;
- (c) FSANZ Food Standards Code; and
- (d) Australian Standard AS 4674–2004, Design, construction and fitout of food premises.



DRAFT AMENDMENTS – CHAPTER 10.5 [PLACES OF PUBLIC WORSHIP]

[77] Assembly areas

Section 1 (page 6) – Amend the definition of ‘assembly area’ to read:

assembly area means the sum of that portion of the gross floor area of a building to be used for public assembly for the purpose of worship or other purposes and any outdoor area that may be used for public assembly for the purpose of worship or other purposes. It includes:

- halls;
- mezzanines;
- secondary areas of assembly such as choir or musicians' areas, altar areas confessional areas, podiums, staging and the like;
- rooms used for religious instruction;
- any excessive internal circulation space; and
- rooms and any outdoor areas (including covered areas) capable of being used for overspill accommodation of the congregation during a worship service.

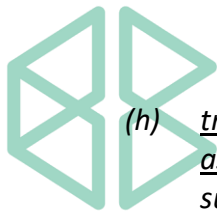
Ancillary areas such as kitchens, toilets, washrooms and residential accommodation, which are not normally used for worship, are not considered to be part of the assembly area.

[78] Management plans

Section 6 (page 21) – Amend clause 6.5 to read:

Council requires development applications to submit a Management Plan to determine:

- (a) hours of operation and days of operation;
- (b) special events: a detailed calendar of any festivals and special events must be supplied with the application, together with details of the arrangements for parking during these times;
- (c) number of persons attending at any one time, including non-worship and ancillary activities, and proposed measures to minimise impacts on the surrounding amenity;
- (d) expected ‘catchment area’ from which the congregation will travel; ~~and~~
- (e) any proposed street parades and road closures;
- (f) the function and operation of indoor and outdoor spaces on the site to be used during normal services and special events;
- (g) the circulation of people and vehicles within the site and how movements will be managed;



- (h) traffic and parking control measures to manage on-site and off-site parking, such as but not limited to pick up/drop off arrangements and parking patrol of surrounding streets;
- (i) the complaints handling and resolution procedures, with a complaints register to be submitted to Council annually.

DRAFT AMENDMENTS – HERITAGE CHARACTER STATEMENT

[79] Hurlstone Park Heritage Conservation Areas

Amend the building contribution rankings for the Duntroon Street Heritage Conservation Area (page 18) to read:

Number	Street	Ranking
4	Fernhill Street	1
6	Fernhill Street	1
8	Fernhill Street	1
10	Fernhill Street	1
12	Fernhill Street	2
14	Fernhill Street	3
16	Fernhill Street	1
18	Fernhill Street	3
20	Fernhill Street	1
20A	Fernhill Street	1
22	Fernhill Street	1
24	Fernhill Street	1

DRAFT AMENDMENTS – LANDSCAPE GUIDE

[80] Landscape plan

Amend clause 2.1 (page 4) to read:

Development type	DA lodgement requirement
Dwelling houses/swimming pools	~~No requirement~~ <u>Landscape plan</u>

[81] Prescribed trees

Replace 'significant tree', wherever it appears in the DCP and Landscape Guide, with 'prescribed tree'.