

Canterbury Bankstown DCP 2023 Compliance Assessment

Control	Assessment	Compliance
Chapter 2.2 Flood Risk Management		
<i>SECTION 1—FLOOD RISK MANAGEMENT IN THE FORMER BANKSTOWN LOCAL GOVERNMENT AREA</i> <i>Sections 1–8 of Chapter 2.2 apply to flood liable land in the former Bankstown Local Government Area:</i> <i>(a) <u>Catchments affected by floodplain risk management plans and flood studies</u></i> <i>The floodplain risk management plans and flood studies adopted by Council identify flood liable land, and maps showing flood liable land will be held in the office of Council.</i> <i>(b) <u>Other flood liable land</u></i> <i>Other flood liable land for catchments that are affected by riverine, or stormwater flooding will be identified through an ongoing floodplain risk management process but may also be identified through a site-specific flood study. The habitable floor levels of development are to be a minimum 500mm above the 100-year flood level. Note: If a catchment is affected by riverine or stormwater flooding and Council is yet to adopt a draft floodplain risk management plan or flood study, all sites in that catchment must be regarded as being flood liable and are defined as a flood</i>	As confirmed in the Salt Pan Creek Catchment (Padstow) and the Rookwood Road Catchment Flood Study (Greenacre), the sites are not identified to be within flood liable land and are not mapped within the PMF or 1% AEP.	Complies



lot for the purposes of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Chapter 3.2 Parking

2.1. Development must use the Off-Street Parking Schedule to calculate the amount of car, bicycle and service vehicle parking spaces that are required on the site.	Both sites have calculated car parking based on the Off-Street Parking Schedule	Complies
2.2. In calculating the total number of car parking spaces required for development, these must be: (a) rounded down if the fraction of the total calculation is less than half (0.5) a space; or (b) rounded up if the fraction of the total calculation is equal or more than half (0.5) a space; and (c) must include a room that is capable of being converted to a bedroom.	Both sites have calculated car parking based on this method	Complies
2.3 Development comprising more than one land use must provide the combined parking requirement based on the individual rates of parking for each land use identified in the Off-Street Parking Schedule.	Not applicable	N/A
2.4 Car parking (and associated space such as access aisles) in excess of the Off-Street Parking Schedule will be counted as gross floor area.	Neither site propose car parking in excess of the Off-Street Parking Schedule	Complies
2.5 Development not included in the Off-Street Parking Schedule must submit a parking study for Council's consideration. A qualified traffic consultant must prepare the parking study.	Not applicable	N/A

2.6 The Off-Street Parking Schedule does not apply to changes of uses to business premises, food and drink premises, medical centres, office premises, recreation facilities (indoor), shops and veterinary hospitals within Zones E1, E2, and MUI provided:

(a) The new use does not result in an increase in the gross floor area of any building within which it is carried out.

(b) The new use does not cause the contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to the premises relating to car parking and vehicular movement.

Not applicable

N/A

2.7 The Off-Street Parking Schedule does not apply to minor alterations and additions to existing buildings within Zones E1, E2, and MUI which will result in an increase of up to 25m² in gross floor area.

Not applicable

N/A

Off-Street Parking Schedule

Warehouse or distribution centres	1 car space per 300m ² GFA or 1 car space per 2 staff, whichever is the greater. Note 1: Where a retailing component is involved and provided this does not exceed 15% of the gross floor area (covering the retail component only), 1 car space per 100m ² gross floor area is to be provided. Note 2: Where an office component is involved and provided this does not exceed 20% of the total gross floor area, 1 car space per 100m ² gross floor area is to be provided. Any additional office space will be assessed at a rate of 1 car space per 40m ² gross floor area.	1 space per 20 staff
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Table 15 and Table 16 within the Planning Proposal report outlines a future development could comply with the Off-Street Parking Schedule for both sites. However, for the Padstow site to provide compliant car parking, a significant on-site tree would require removal, thus reducing the on-site parking by two spaces.

It is considered the retention of this significant tree outweighs the requirement for the two on-site parking spaces given the contribution this tree provides to the site and its surrounds, which adjoins residential development to the west. The reduction of two on-site parking spaces is not significant and will have negligible impacts to the surrounding streets. While a permanent tenancy is not yet known, there is a likelihood that

Could comply – subject to detailed design



employers will be arriving and leaving site before and after peak where the demand for off-street parking is less.

Parking location

3.1 Development must not locate entries to car parking or delivery areas:

- (a) close to intersections and signalised junctions;*
- (b) on crests or curves;*
- (c) where adequate sight distance is not available;*
- (d) opposite parking entries of other buildings that generate a large amount of traffic (unless separated by a raised median island);*
- (e) where right turning traffic entering may obstruct through traffic;*
- (f) where vehicles entering might interfere with operations of bus stops, taxi ranks, loading zones or pedestrian crossings; or*
- (g) where there are obstructions which may prevent drivers from having a clear view of pedestrians and vehicles.*

Entries to car parking are not located in the identified locations.

Complies

3.2 Parking areas for people with disabilities should be close to an entrance to development. Access from the parking area to the development should be by ramps or lifts where there are separate levels.

Accessible parking spaces have been provided close to the building entrance. A future development can accommodate the required ramps or lifts.

Complies

3.3 Where above ground parking is the only solution possible, locate to the rear of buildings.

Alternate parking arrangements

Tandem parking spaces not required.

N/A

3.4 Council may consider tandem parking in the following situations:

(a) Industrial development where the users of the car parking will almost all be employees.

(b) High density residential flat buildings, shop top housing and mixed use development if the parking users reside in the same dwelling or the employees work in the same premises.

(c) For land within the former Canterbury Local Government Area, tandem parking for a maximum of two vehicles is permissible in dwelling houses, dual occupancies, attached dwellings, secondary dwellings, semi-detached dwellings, multi dwelling housing and multi dwelling housing (terraces) if the parking users reside in the same dwelling.

3.5 Tandem parking is not permitted where a high proportion of the users of the car park are visitors or customers.

3.6 Mechanical parking devices, including car lifts, will not be supported.

Mechanical parking devices are not required.

Complies

3.7 Despite clause 3.6, Council may consider turn tables for non-residential development in Zones E1, E2, and MU1, subject to further assessment.

Not applicable.

N/A

Access driveway width and design

The development can accommodate the required driveway widths

Complies

3.8 The location of driveways to properties should allow the shortest, most direct access over the nature strip from the road.

3.9 The appropriate driveway width is dependent on the type of parking facility, whether entry and exit points are combined or separate, the frontage road type and the number of parking spaces served by the access facility.

3.10 Driveway widths for existing dwellings and extensions to the existing properties are assessed on their merits.

Minimum headroom dimensions

3.12 Clear headroom dimension is necessary to make sure that vehicles are clear of mechanical or service obstructions such as fire sprinklers, lighting fixtures and signs. The following minimum headroom dimension must be maintained in all development.

Minimum headroom	Dimension
Cars and light vans	2.4m
People with disabilities	2.3m
Small rigid vehicles	3.6m

<i>Loading and unloading facilities</i> <i>3.13 Mixed use development must provide appropriate loading/unloading or furniture pick-up spaces. If no provision is made for the facilities, applications must provide justification why they are not necessary.</i>	Not applicable. The Planning Proposal relates to an industrial development	N/A
<i>3.14 Where rear lane access is not available and the commercial/retail gross floor area of a building is greater than 500m², Council requires:</i> <i>(a) at least one off-street parking space for delivery/service vehicles; and</i> <i>(b) additional off-street parking spaces or a loading dock depending on the size, number, and frequency of delivery/service vehicles likely to visit the premises.</i>	Rear lane access not applicable.	N/A
<i>3.15 The design of loading docks must:</i> <i>(a) be separate from parking circulation or exit lanes to ensure safe pedestrian movement and uninterrupted flow of other vehicles in the circulation roadways;</i> <i>(b) allow vehicles to enter and leave the site in a safe manner; and</i> <i>(c) have minimum dimensions of 4m by 7m per space.</i>	Loading docks will be located within a future warehouse thus being separate from any parking areas	Complies
<i>3.16 Access to and from the service area is to be convenient with a lift or ramp provided.</i>	Can be accommodated through a detailed design.	Complies
<i>3.17 Service vehicles are to enter and leave the site in a forward direction.</i>	All vehicles can enter and exit the sites in a forward direction	Complies

<i>Safety and security</i> 3.18 Sloping ramps from car parks, garages and other communal areas are to have at least one full car length of level driveway before they intersect pavements and carriageways.	Can be accommodated	Complies
<i>Sight distance requirements</i> 3.19 For all development, adequate sight distance must be provided for vehicles exiting driveways. Clear sight lines are to be provided at the street boundary to ensure adequate visibility between vehicles on the driveway and pedestrians on the footway and vehicles on the roadway.	Both sites can provide the required site distance requirements.	Complies
<i>Pedestrian access</i> 3.20 Parking areas should be designed so that through-traffic is excluded, and pedestrian entrances and exits are separate from vehicular entrances and exits.	The Greenacre site can easily accommodate this given the size of the site. The Padstow site however will likely require pedestrians and vehicles to utilise the same entrance given its size and likely location of a future building. Due to these size restrictions however, it is not envisaged a large warehouse can be accommodated on the site and any possible conflicts can be managed through a future operational management plan to support a future development application.	Can comply
3.21 Lifts and stair lobbies should be prominently marked to help users find them and to increase personal security	Can be accommodated.	Complies
3.22 In split-level/multi-level car parks, a stairway should be located at the split-level, to provide pedestrian access between these levels and eliminate pedestrians having to use vehicular ramps.	Can be accommodated	Complies

Chapter 3.3 Waste Management

SECTION 5—INDUSTRIAL DEVELOPMENT

<i>5.1 Development must provide bin storage and separation facilities within each tenancy and within the communal bin room.</i>	Both sites can meet the required bins storage and separation facilities. Refer to indicative waste management plans attached in Appendix F and Appendix G.	Complies
<i>5.2 Development must provide an appropriate and efficient waste storage system that considers:</i> <i>(a) the type of business; the volume of waste generated on-site;</i> <i>(b) the number of bins required for the development and their size;</i> <i>(c) additional recycling needs e.g. cardboard, pallets and milk crates; waste and</i> <i>(d) recycling collection frequencies.</i>	Both sites can meet the required waste management systems. Refer to indicative waste management plans attached in Appendix F and Appendix G.	Complies
<i>5.3 Development is to consider potential future uses, particularly where separate waste containers may be required for industrial process type waste and bunding of bin storage areas.</i>	Both sites have considered the potential future uses within the indicative waste management plans.	Complies
<i>5.4 Where development involves multiple tenancies, the design of development must ensure each tenancy will be able to obtain a Trade Waste Licence.</i>	The indicative waste designs will not limit a tenancy from being able to obtain a Trade Waste Licence.	Complies
<i>5.5 Bin storage areas are to integrate with the overall design and functionality of development and are to locate within the building envelope to enable these areas to be screened from view from the public domain.</i>	Both sites have considered the overall design and functionality of a future development. Refer to indicative waste management plans attached in Appendix F and Appendix G.	Complies

5.6 The design of the bin storage area must comply with the requirements of the applicable Waste Design for New Developments Guide.	Both sites can meet the requirements of the Waste Design for new Developments guide. Refer to indicative waste management plans attached in Appendix F and Appendix G.	Complies
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5.7 An on-site collection point is to be nominated for development. The location of the collection point must allow collection vehicles to enter and exit the site in a forward direction and allow all vehicle movements to comply with the Australian Standard AS 2890.2. The location of the collection point must ensure waste servicing does not impact on any access points, internal roads and car parking areas.	Due to the stage of the planning process and the uncertainties in relation to the future tenants, an on-site collection point has not been specifically identified. Notwithstanding, the sites can easily accommodate on-site collection, and this will be outlined within a future development application.	Complies
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5.8 Waste collection frequency is to be a minimum of once per week. Higher collection frequency may be required for development with larger waste generation rates and to ensure bin storage areas are kept clean, hygienic and free from odours. Higher collection frequencies must not impact on neighbouring residents in relation to noise, odour and traffic.	As outlined in the supporting indicative waste management plans, collection rates have been estimated and based on two collections weekly.	Complies
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Chapter 9 Industrial Precincts

Site cover 2.1 The sum of the total area of building(s) on the ground floor level must not exceed 70% of the site area.	Both sites can accommodate a building with a total sum no more than 70% of the site area.	Complies
Street setbacks 2.2 This clause applies to land within the former Bankstown Local Government Area:	The Greenacre site can accommodate the required 10m front setback. Refer to clause 2.4 below regarding the Padstow site.	

(a) Where sites adjoin a state or regional road (refer to Appendix 1), the minimum setback to the primary and secondary street frontages is 15m.

(b) Where sites do not adjoin a state or regional road, the minimum setback to:

(i) the primary street frontage is 10m; and

(ii) the secondary street frontage is 3m.

2.3 This clause applies to land within the former Canterbury Local Government Area:

(a) The minimum setback to the primary street frontage is 5m.

(b) The minimum setback to the secondary street frontage is 2m.

2.4 Despite clauses 2.2 and 2.3, Council may vary the minimum setback provided the development:

(a) complies with any statutory alignment that applies to the site; or

(b) provides adequate space to meet the vehicle access, car parking, loading and landscaping controls; or

(c) demonstrates compatibility with the building alignment of neighbouring development or the desired character of the area; or

(d) achieves an appropriate bulk and scale.

Not applicable – both sites are located within former Bankstown LGA

N/A

A future development at the Padstow site will likely require a variation to the minimum front setback clause. As demonstrated in the concept drawings in Appendix B, a future building will likely require a 4.5m minimum front setback to Gibson Avenue and 3m secondary setback to Gow Street. Gibson Avenue is a regional road and therefore the site is subject to a 15m primary street frontage setback.

As demonstrated in the Planning Proposal report and through the supporting Transport and Traffic Impact Assessment in Appendix D, a driveway will need to be located on Gow Street towards the eastern setback in order to mitigate any queuing impacts as well as meet TfNSW intersection distance requirements. This results in a future building footprint being pushed towards the Gibson Avenue frontage. Other design options have been investigated however these were found to result in non-compliant access.

**Variation
could be
justified.**



The proposed indicative setbacks allow for reasonable tree planting to soften the appearance to a future building and minimise the bulk of the development as much as practical. The location of a future building is also consistent with the building line of adjoining development along Gow Street.

While noting this will be further interrogated at the detailed design stage, the Planning Proposal documents outline the site can accommodate an industrial development that results in feasible building envelopes, compliant traffic conditions as well as an improved landscaped setting, albeit the non-compliant setbacks.

Side and rear setbacks

2.5 Council may require minimum setbacks to the side and rear boundaries of the site:

- (a) to maintain reasonable solar access or visual privacy to neighbouring dwellings; or
- (b) to avoid an easement or tree dripline on the site or adjoining sites; or
- (c) to comply with any multi-level risk assessment undertaken for a development that ascertains the need for an appropriate setback or buffer zone between the development and any adjoining or neighbouring land within a residential zone.

Noted. This matter will be addressed in a future development application.

**Can
comply**

2.6 The design of buildings must ensure that:

- (a) At least one living area of a dwelling on an adjoining site must receive a minimum three hours of sunlight between 8.00am and 4.00pm at the midwinter solstice. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected living areas of the dwelling.
- (b) A minimum 50% of the required private open space for a dwelling that adjoins a development receives at least three hours of sunlight between 9.00am and 5.00pm at the equinox. Where this requirement cannot be met, the development must not result with additional overshadowing on the affected private open space.

This control is not applicable to the Greenacre site given its location within the Chullora industrial precinct. The Padstow site however adjoins residential development to the west.

Complies

A future development will not result in non-compliant solar access for the adjoining properties. Any overshadowing as a result of the development will likely be limited to the properties front setback and will not impact their private open space.

Development adjacent to residential zones

2.7 In determining an application that relates to a site 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 midwinter solstice;

Detailed justification for the suitability of the Padstow site has been provided throughout the Planning Proposal report in relation to built form, noise and traffic. Matters such as security lighting, fumes, gases, smoke, dust or odours, or the like will be considered at the detailed design stage of the development.

Complies

- (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.

Setbacks to riparian corridors

The sites are not located in proximity of any riparian corridors.

N/A

2.8 Development must achieve a minimum setback of 15m from a riparian corridor (measured from the top of the watercourse banks) and must revegetate the riparian corridor to Council's satisfaction.

Development adjacent to channelled watercourses

The sites are not located adjacent to a channelled watercourse.

N/A

2.9 Development must provide access to channelled watercourses for maintenance and repair.

Open space

Both developments can provide the required 4.5m landscaped area.

Complies

2.10 Development must provide a landscaped area along the primary and secondary street frontages of a site in accordance with the following minimum widths:

Site area	Sites adjoining a state or regional road Minimum width for landscaped area	Sites not adjoining a state or regional road Minimum width for landscaped area to the primary street frontage	Sites not adjoining a state or regional road Minimum width for landscaped area to secondary street frontage
Less than 600m ²	2.5m	2.5m	2.5m
600m ² –999m ²	3.5m	3.5m	3m
1,000m ² –1,999m ²	4.5m	4.5m	3m
2,000m ² –3,999m ²	6m	6m	3m
Greater than 4,000m ²	10m	10m	3m

Despite this clause, Council may vary the minimum setback provided the development complements a high quality landscaped image of neighbouring development or the desired future character of the area.

2.11 Development must:

- (a) retain and protect any existing trees identified by Council on the site and adjoining sites; and
- (b) must not change the ground level (existing) within 3m of the base of the trunk or within the dripline, whichever is the greatest.

The Greenacre site currently does not have any existing trees on site, and a future development can be accommodated to ensure any trees on adjoining properties are protected.

Can comply

In relation to the Padstow site and as stated above, the retention of Tree 1 is contingent to an acceptance of the car parking variation. Tree 1 can be retained if these two parking spaces are removed which will result in a non-compliance with Council's off-street parking controls.

2.12 Development must plant at least one street tree at 5m intervals along the length of the primary and secondary street frontages. Council may vary this requirement in response to proposed tree species, site constraints limit their inclusion or a street tree already exists in good condition.

Both sites can accommodate the required street tree requirements

Complies



2.13 Development must plant trees in the landscaped area at a minimum rate of one canopy tree per 30m ² of the landscaped area. The canopy tree must be capable of achieving a mature height greater than 5m.	Both sites can accommodate the required tree planting	Complies
2.14 Where development proposes an outdoor car park with 20 or more car parking spaces, the car park design must include at least one tree per 5 car parking spaces to the following specifications: (a) a tree must be a single trunk species to allow a minimum visibility clearance of 1.5m measured above the ground level (existing); and (b) a tree must be planted in an island bed that is a minimum 2m in width and 4m in length.	Neither site propose nor require an outdoor car park with 20 or more car parking spaces.	N/A
Employee amenities 2.15 Development must provide an outdoor employee amenity area with a minimum area of 25m ² . This area should include a combination of grass, plantings, pavement, shade, and seating to allow employees to engage in a pleasant working environment.	Both sites can accommodate the required employee amenities area	Complies
2.16 Development must locate the employee amenity area away from sources of intrusive noise (such as loading and servicing, and heavy machinery), dust, vibration, heat, fumes, odour or other nuisances.	Both sites located the employee amenities area in suitable locations	Complies
SECTION 3–BUILDING DESIGN Good design is important to achieve a built form that has good proportions and a balanced composition of elements, reflecting	The proposed concept schemes have the ability to exhibit high quality design. Detailed design parameters such as internal layout, structure and external colours and materials will be included in a future development	Can comply



the internal layout and structure. It uses a variety of materials, colours and textures.

application. The concept designs will optimise a safe and secure industrial development.

Good design also optimises safety and security, within the development and the public domain. It provides opportunities to promote safety by maximising passive surveillance and defining secure access points that are visible and well-lit.

SECTION 4–ENVIRONMENTAL MANAGEMENT

Acoustic privacy

4.1 Development must:

- (a) consider the Noise Policy for Industry and the acoustic amenity of adjoining residential zoned land; and
- (b) may require adequate soundproofing to any machinery or activity that is considered to create a noise nuisance.

The Planning Proposal has been supported by Acoustic Assessments for both sites which demonstrate a future development can comply with the required noise policies for industrial development.

Complies

Pollution control

4.2 Development must adequately control any fumes, odour emissions, and potential water pollutants in accordance with the requirements of the relevant public authority.

A future industrial development can adequately apply pollution control measures to the sites

Complies

SECTION 5–SITE FACILITIES

Good design ensures sites facilities unify the development appearance and enhance the desired street character.

A future development can accommodate a unified development appearance.

Complies