

# Canterbury-Bankstown Development Control Plan 2023

## Compliance Table

The relevant controls set out in Chapter 6.2 of the CBDCP applying to the development are addressed in the table below.

| Chapter 6.2 – Bankstown City Centre                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
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| Control                                                                    | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Compliance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Section 3 – Building Form (Northern and Southern CBD Cores)</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <u>Setbacks</u><br>3.1                                                     | Development must comply with the minimum street setbacks as shown in Figure 3a.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | The site is identified as being located within the Northern and Southern CBD cores. The development complies with the nil street setback requirement.                                                                                                                                                                                                                                                                                                                                                                  |
| 3.2                                                                        | In determining the side and rear setbacks, Council must take into consideration the following matters:<br>(a) whether the proposed setbacks respond to site conditions; and<br>(b) whether the proposed setbacks are compatible with the surrounding context and desired character of the precinct; and<br>(c) whether the proposed setbacks comply with the Apartment Design Guide.                                                                                                                                                                                                                                                                                                                                                                                      | The proposed street setbacks range between 0 and 3 metres and the proposal is consistent with the building separation and setback requirements in the ADG, with the exception of the northern setback of Building A to Fetherstone street and the northern setback of Building C to 62 The Mall/Phil Egisch reserve. Despite these non-compliances the proposal achieves the objective under 3F-1 of the ADG. Refer to the discussion under the Housing SEPP regarding visual privacy in Section 4.1(d) of the Report. |
| <u>Site Specific Provisions: 83-99<br/>North Terrace, Bankstown</u><br>3.3 | Development must comply generally with the site layout shown in Figure 3b, with the intended outcome of:<br>(a) retaining this key strategic site as a single site;<br>(b) ensuring the form and separation of buildings on this key strategic site contribute to a high quality urban environment; and<br>(c) retaining the mid-block connection from the railway station to The Mall and The Appian Way.                                                                                                                                                                                                                                                                                                                                                                | It is considered that the proposal is generally consistent with the site layout, noting that 62 The Mall no longer forms part of the identified “strategic site”. The mid-block connection is retained, and the massing is consistent with the anticipated envelopes.                                                                                                                                                                                                                                                  |
| <u>Building Orientation</u><br>3.5                                         | The orientation of dwellings must consider the Apartment Design Guide.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | The application is inconsistent with the design criteria and objectives relating to solar access and ventilation. Refer to the discussion under the Housing SEPP regarding solar access and natural ventilation in Section 4.1(d) of the Report.                                                                                                                                                                                                                                                                       |
| 3.6                                                                        | Council may require the orientation of commercial and other non-residential development to maximise solar access in mid-winter (as shown in Figure 2i) to create comfortable internal conditions that eliminate or reduce the need for mechanical systems of heating and cooling. This helps to provide savings in operational energy and reductions in greenhouse emissions. If the building orientation enables the glazing to primarily face north, this maximises the winter sun penetration and takes advantage of the sun's higher angle in summer, requiring less shading.<br>Depending on the site orientation, the building orientation should avoid any glazing to solely face east and west as it can be difficult to shade and may cause heat gain in summer. | See above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Section 5 – Pedestrian Amenity and Active Street Frontages</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <u>Mid-block connections</u><br>5.1                                        | Development must retain existing mid-block connections or provide new mid-block connections as shown in Figure 5a to provide a legible pedestrian network that is easy to move around and connects important destinations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | The mid-block connection is retained.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

| Control                                  | Provision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Compliance                                                                                                                                                                                                                                                                                                          |
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| <u>Active street frontages</u><br>5.2    | <p>The design of street frontages must ensure:</p> <p>(a) the ground floor is at the same general level as the footpath and accessible directly from the street; and</p> <p>(b) the ground floor provides a positive street address in the form of entries, lobbies and clear glazing that contribute to street activity and promote passive surveillance. The ground floor facade must minimise large expanses of blank walls.</p> <p>This clause applies to locations where it is essential or desirable to retain the ground and first floors as commercial and retail floor space as shown in Figure 5a.</p> | <p>The ground plane and podium levels are dedicated for retail and other non-residential uses. It is considered that the ground floor provides positive street address and will activate the surrounding public domain.</p>                                                                                         |
| <u>Vehicle footpath crossings</u><br>5.3 | <p>Development must optimise the opportunities for active street frontages and streetscape design by:</p> <p>(a) making vehicle access points as narrow as possible;</p> <p>(b) limiting the number of vehicle accessways to a minimum; and</p> <p>(c) avoiding the location of car park entries, driveways and loading docks at the corners of street intersections.</p> <p>For sites with two or more frontages, car park entries, driveways and loading docks must locate on lanes and minor streets rather than primary street frontages or streets with high pedestrian activity.</p>                       | <p>Council's Traffic Engineer has assessed the application and issues regarding the proposed site access arrangements in terms of traffic and pedestrian safety, and traffic efficiency are raised. Refer to the discussion regarding site access under clause 6.9 of the CBLEP in Section 4.1(g) of the CBLEP.</p> |