

PUBLIC EXHIBITION

PARRAMATTA DEVELOPMENT CONTROL PLAN
2011
HOUSEKEEPING AMENDMENT NO.2

WEDNESDAY 8 FEBRUARY 2017 – WEDNESDAY
8 MARCH 2017



CITY OF
PARRAMATTA

LIST OF EXHIBITION MATERIAL

1 Public Notice

2 Council Report 28 November 2016

3 Issues Paper

4 Draft Waste Guidelines

1 Public Notice

PUBLIC EXHIBITION OF PARRAMATTA DEVELOPMENT CONTROL PLAN 2011 (PDCP 2011) HOUSEKEEPING AMENDMENT NO.2 AND DRAFT WASTE MANAGEMENT GUIDELINES

City of Parramatta is exhibiting a number of proposed draft housekeeping amendments to Parramatta Development Control Plan 2011. The purpose of a housekeeping amendment is to group multiple minor changes largely of an administrative nature into a single amendment process.

There are a total of 20 housekeeping amendments to Parramatta DCP 2011. They propose to:

- Correct anomalies and discrepancies
- Clarify consultation processes for some development applications and planning proposals
- Update references to policies that are out of date or superseded
- Seek a policy change to current provisions contained in the control plan

A draft guideline document titled '*Waste Management Guidelines for new development applications*' is also being exhibited concurrently for comment. The draft guidelines form part of the housekeeping amendments to Parramatta DCP 2011.

The draft guidelines provide information on the waste management requirements for the development application process, providing clarity and prescriptive controls on bin sizes, storage and collection services for detached dwellings, dual occupancies, multi-dwelling housing and Residential Flat Buildings (RFB). The guidelines also provide guidance for mixed use and commercial developments

The proposed draft housekeeping amendments to Parramatta Development Control Plan 2011 and Draft Waste Management Guidelines will be on public exhibition from **8 February 2017 – 8 March 2017** and can be inspected in the following ways:

- **Log on to Council's website:** <https://www.cityofparramatta.nsw.gov.au/about-parramatta/news>
- **Visit Parramatta City Council Administration Building**, Ground Floor, 126 Church Street, Parramatta: *Monday – Friday 8.30am to 4.30pm.*
- **Visit Parramatta City Library**, 1-3 Fitzwilliam Street, Parramatta: *Monday – Friday 9.30am to 8pm; Saturday 9.30am to 4pm; Sunday 2.00pm to 5.00pm.*

Written comments on the draft amendment to Parramatta Development Control Plan 2011 Draft Waste Management Guidelines are invited. All submissions received by Council will be considered before final decisions are made. Any submission received may be made publicly available and may include the name(s), address, signature and contact details provided.

All submissions are to be received by 4:30 pm Wednesday 1 March 2017.

Submissions can be sent to:

Interim General Manager

City of Parramatta

P.O. Box 32

Parramatta NSW 2124

Attention: Diana Khoury – Land Use Planning

Subject: Parramatta Development Control Plan (DCP) 2011 – Housekeeping Amendment No.2 (F2013/01179)

Council will also accept e-mailed submissions sent to council@cityofparramatta.nsw.gov.au.

For further information or queries please contact Council on (02) 9806 5730.

2 Council Report 28 November 2016

ECONOMY

ITEM NUMBER	8.2
SUBJECT	Parramatta Development Control Plan 2011 - Housekeeping Amendment No.2
REFERENCE	F2013/01179 - D04473741
REPORT OF	Project Officer- Land Use Planning

PURPOSE:

To seek Council's endorsement of a housekeeping amendment to Parramatta Development Control Plan 2011 (PDCP 2011) for the purpose of public exhibition. The housekeeping amendment (No 2) seeks to make twenty (20) amendments to Parramatta DCP 2011.

RECOMMENDATION

- a) **That** Council resolve to endorse a housekeeping amendment to the Parramatta DCP 2011 that reflects the changes described in Attachment 1.
- b) **That** the endorsed draft DCP amendment be placed on public exhibition for a period of not less than 28 days and the outcomes reported back to Council.
- c) **That** Council endorse the draft '*waste management guidelines for new development applications*' as provided at Attachment 2 for the purpose of public exhibition and inclusion in PDCP2011.
- d) **Further, that** Council authorise the Interim General Manager to correct any minor anomalies of a non-policy and administrative nature that may arise during the amendment process.

BACKGROUND

1. Parramatta DCP 2011 was adopted by Council on 22 November 2010. It was prepared in accordance with the requirements under Division 6, Part 3 of the Environmental Planning & Assessment Act 1979. This part of the act required Council to consolidate all development control plans that apply to the Parramatta Local Government Area (LGA) into one plan, with the exception of the then Parramatta City Centre DCP 2007. The Parramatta City Centre DCP 2007 was subject to a separate review.
2. On 25 November 2014 Council resolved to consolidate the Parramatta City Centre DCP 2007 with Parramatta DCP 2011. Following its endorsement, Parramatta DCP 2011 was amended to include the controls relevant to the Parramatta City Centre.
3. In 2013, Parramatta DCP 2011 was the subject of a Housekeeping Amendment (Amendment No.1). A housekeeping amendment is a common planning practice that occurs across Local Environmental Plans (LEPs) and Development Control Plans (DCPs) with a purpose to group multiple minor changes into a single amendment process.

4. All proposed amendments under Housekeeping No.1 were endorsed by Council, the majority of which were of an administrative nature. Since this amendment a further group of errors, anomalies and potential refinements have been identified, the majority of which are considered minor and largely of an administrative nature.
5. The errors/anomalies and potential refinements currently identified, in PDCP 2011 will ensure the most accurate information is being provided to the public and Council staff, and to prevent Council's planning controls being potentially misinterpreted throughout the development application process.
6. This group of amendments are the subject of this report and are referred to as Housekeeping Amendment No.2.

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011 HOUSEKEEPING AMENDMENT NO.2

7. There are a total of 20 Housekeeping amendments that are being proposed to Parramatta DCP 2011. These proposed amendments are described in more detail in Attachment 1. This attachment:
 - Identifies the issues and details the current provision
 - Identifies its category as either '*Significant*' or '*Minor*'
 - Explains the issue and provides a justification and rationale for the recommended change
 - Provides the proposed amendment for endorsement
8. A '*significant*' amendment refers to an amendment that has been the subject of a Council resolution, and/or is seeking a policy change to the current provisions contained in Parramatta Development Control Plan 2011. These amendments are discussed in more detail within this report, and further explained in Attachment 1.
9. A '*minor*' amendment refers to an amendment that is of a more minor policy impact or of an administrative nature. The intent of these minor amendments is either to;
 1. Clarify consultation processes for some development Applications and Planning Proposals.
 2. Resolve the wording of controls so they are easier to implement or so they are consistent with higher order controls in the LEP or other State policies.
 3. Update references to policies that are out of date or superseded.

These amendments are summarised in this report and explained in detail in Attachment 1 of this report.

MAIN AMENDMENTS PROPOSED

10. There are five '*significant*' amendments that are likely to be of greater interest because they have policy implications and are summarised below. Further information on these main amendments is also contained in Attachment 1 of this report.

Item 1 - Section 3.3.7 Waste Guidelines
Waste guide provisions

11. On 28 April 2014, a notice of motion was passed:

a) *That the waste guide provisions of the DCP be reviewed in relation to waste collection from residential flat buildings and multi-unit developments (or similar)*

b) *Further, that Council officers present a report and/or workshop to:*

- 1. Provide for options such as onsite collection of waste bins and/or commercial collections when the street front is inadequate to accommodate all waste bins, there may be impact of traffic and parking, impact to neighbours, and the character of the area on bin collection nights*
- 2. The options should be commensurate to the number of units/dwellings on a site*
- 3. The options should be pragmatic for both developers and residents.*
- 4. That the standard of collection aim to be equivalent to council collection.*

12. This notice of motion was in response to the increasing amount of Residential Flat Building (RFB) development within the Parramatta and LGA and associated high volume of waste bins during collection periods. Where RFB site characteristics such as street frontages and block widths are unable to accommodate the high volume of waste bins during collection, it is adversely impacting on the visual amenity, traffic, parking, and access on the street and surrounding area.

13. In responding to this issue, Council's Sustainability and Waste team have developed a draft guideline document titled '*Waste Management Guidelines for new development applications*'. The draft guidelines document contained at Attachment 2 provide information on the waste management requirements for the development application process, providing clarity and prescriptive controls on bin sizes, storage and collection services for detached dwellings, dual occupancies, multi-dwelling housing and Residential Flat Buildings (RFB). The guidelines also provide guidance for mixed use and commercial developments.

14. The key elements of these guidelines include:

In terms of garbage bin storage:

- For single detached dwellings, dual occupancies, and villas/townhouses with up to 8 dwellings, individual bin storage areas must be provided within the boundary of the development.
- For villa/townhouse developments containing 8 or more dwellings, a communal storage area is required. Storage areas must be designed so there is easy access and manoeuvrability for residents/care takers.

- For Residential Flat Buildings regardless of the amount of dwellings, a communal waste storage room must be provided on the premises. Storage rooms must be designed so there is easy access and manoeuvrability for residents/care takers
- For Residential Flat Buildings containing more than 8 dwellings, the movement of waste to the communal storage room is to be achieved through either a:
 - Interim room – a room provided on each floor for storage or garbage. A caretaker is required to transport the material from the interim room to the communal storage area or;
 - Chute system – installed to transport garbage to the communal storage rooms and interim rooms on each floor for storage.

In terms of waste collection:

- Residential development containing up to 8 dwellings can present their bins for kerbside collection.
 - Residential development containing more than 8 dwellings must provide for on-site waste collection either at grade on the driveway or within the basement.
 - Where on-site waste collection is not possible or impractical, kerbside collection for more than 8 dwellings will only be supported where it is demonstrated that there is no adverse impact on safety, traffic flows and amenity. Otherwise, other approaches will need to be negotiated at DA stage.
 - Easement to allow Council to provide on-site waste collection on private roads may be required as part of any approval.
15. These guidelines were also developed in consideration of Hornsby DCP 2013 which was also recently undergoing a housekeeping amendment following Council amalgamations. The Hornsby Housekeeping DCP amendment was considered by the City of Parramatta Council on 26 September 2016 and contained minor changes to waste provisions which now apply to the part of the current City of Parramatta LGA that was previously located within Hornsby LGA.
16. The proposed changes were based on achieving consistency with NSW Better Practice Waste Management Guide for Multi-Unit Dwellings. However, Council staff also considered it opportune to adopt some of Hornsby's existing DCP controls for waste management to begin establishing consistency and similar practice with newly adopted areas. This included the adoption of Hornsby's minimum basement heights to accommodate waste trucks, and the introduction of a term of easement for private on-site waste collection. Parramatta Council's current position is to not provide on-site waste collection for private roads/property.
17. The draft 'waste management guidelines' document is yet to be endorsed by Council and endorsement of the draft guidelines for the purpose of

public exhibition is sought. It is proposed that the draft guidelines be exhibited for comment concurrently with the Draft DCP Housekeeping Amendment No.2.

Item 2- Section 3.3.6 – Water Sensitive Urban Design (WSUD)

Section 3.3.6.1 – Drainage Requirements

Amendment to drainage requirements to reflect Council's current policy/objectives

18. A number of amendments are being proposed to Section 3.3.6.1 Stormwater drainage. *Stormwater drainage* refers to the management of run-off from land during and after rain, and is one of the management measures used to mitigate impacts on the water cycle. Good stormwater drainage management can remove accumulated material including litter, soil, nutrient, oils etc from the water and therefore improve water quality in the City's waterways.
19. Whilst most amendments to this section are of a minor nature, a significant amendment is being proposed in relation to stormwater drainage requirements, in particular Table 3.32 of section 3.3.6.1. This table is used to determine the stormwater requirements for development and is based on different land uses and scales of development.
20. The amendment to Table 3.32 seeks to modify the current stormwater drainage requirements for development and in particular the requirements for when a Site Stormwater Management Plan (SSMPs) is required. SSMPs are triggered by type and scale of development on land however on small sites the requirements are often unable to be effectively implemented and the improvements in water quality are not achieved. This amendment seeks to introduce a new measure (in addition to the existing measure based on 'type of development') relating to the size of the site, to better determine appropriate stormwater requirements and manage the delivery of SSMPs. This approach is considered more practical and able to achieve relevant DCP objectives. Further detail is provided at Attachment 1.

Item 3 - Section 4.1.9 Morton Street Precinct (Review of Precinct)

21. The Morton street precinct refers to a special precinct within Parramatta DCP 2011 which was identified due to its location adjacent to Parramatta CBD and capacity to accommodate for growth.
22. An inconsistency has been identified between the prescribed built envelope controls in Parramatta DCP 2011 and the permissible planning controls under Parramatta Local Environmental Plan 2011 (PLEP 2011), suggesting denser development than what the current PLEP 2011 planning controls permit (See Attachment 1- Item 3).
23. As the building envelope controls and forms specified in the DCP are not permissible, this housekeeping amendment seeks to amend the DCP to better reflect the permissible form and scale of development under Parramatta LEP 2011. This amendment will allow for consistency between the LEP and DCP and provide realistic development guidelines for this precinct

Item 4- Section 3.2.5 Streetscape – Control C1-C3 (Carports)

24. Current Parramatta DCP 2011 controls indicate that carports must be located behind the building line or to the rear of the property, with no provisions that relate to the development of carports ahead of a building line.
25. However where sites have no rear lane or capacity to access the rear yard by car from the street, they are unable to comply with these controls and an increased number of applications and enquiries are seeking approval for carports ahead of the building line.
26. This housekeeping amendment seeks to introduce concessional provisions in Parramatta DCP 2011 for carports forward of the building line, subject to compliance with recommended design controls. The introduction of controls will help guide the assessment of carports and produce better design outcomes.

Item 5 - Section 4.4.1 Epping (Special Precincts)

27. On 16 December 2013, Council resolved for potential contributory items within the Epping/Eastwood and Boronia Heritage Conservation Area (HCA) to be reviewed as part of a future amendment to the Parramatta DCP 2011. This resolution was the subject of a report to Council relating to the consideration of submissions to Parramatta DCP 2011 Epping Town Centre and Heritage Conservation Areas.
28. A total of four properties were identified in the submissions for potential identification in the DCP as 'contributory' items. A contributory item by virtue of their age, scale, materials, details, design style or intactness, make a significant contribution to the character of a heritage conservation area, but do not meet the threshold for a formal heritage listing under LEP 2011.
29. The four properties are: 42 Eastwood Avenue (Eastwood), 13 Chelmsford Avenue (Epping), 28 Lakeside Road (Eastwood), and 32 Rawson Street (Epping).
30. After investigating the subject properties and seeking advice from Council's heritage advisor, it is recommended that these properties be included as contributory items under Parramatta DCP 2011 as they contribute to the understanding of Epping's history. The inclusion of these properties as existing significant buildings in the DCP will help Council to protect Parramatta's heritage whilst integrating its conservation into future planning.

MINOR AMENDMENTS PROPOSED

31. There are a further fifteen (15) '*minor*' amendments that are proposed and are summarised below. Further information on these amendments is also contained in Attachment 1 of this report.

No.	Amendment to	Nature of change
6	Part 4 Special Precincts – 4.2.2 North Parramatta (4.2.2.1 All Saints Cemetery)	Text amendment to make the controls more consistent with PLEP 2011 controls. Clarification of DCP controls related to dual

		occupancy development in this precinct is required to ensure provisions are consistent with relevant LEP provisions. The controls suggest dual occupancy may be permitted on sites that do not meet the minimum lot size provision under PLEP 2011. This amendment will have no policy change implication as the LEP is the dominant policy document.
7	Reference made to RFDC (Residential Flat Design Code)	Remove reference to Residential Flat Design Code and replace with reference to Apartment Design Guidelines. This amendment will have no policy implications.
8	Part 4 Special Precincts 4.1.4 (East) Rydalmere Precinct	Current map showing open space around the shops at the Corner of Victoria Road and Park Road is inconsistent with LEP and is being amended accordingly. This amendment will have no policy implications as the LEP is the dominant policy document.
9	Section 3.1.3 B1 Neighbourhood Centre Landscaping	Amendment to deep soil zone controls relating to B1 Zones to provide guidance on how the deep soil zones should be achieved. Existing broader controls are resulting in poor outcomes and applicants constantly seeking to vary them. This amendment will have minor policy implications.
10	Section 3.1.3 Preliminary building envelope table	Amendment to the controls for residential flat buildings in relation to setbacks to make controls consistent with the provisions of the ADG. No policy change implication.
11	Section 3.3.5 Solar Access and Cross Ventilation	Current controls provide generic solar access controls for all residential densities ranging from single dwellings to apartment buildings. Controls that are specific to the development type are being specified to make sure the control is relevant to the form of development being considered. This amendment will have minor policy implications.
12	Section 3.3.3 – Visual and Acoustic Privacy	Clarification of when rear balconies will be permitted on single dwelling and dual occupancy development to provide clarity for the applicant. This amendment will have minor policy implications.
13	Section 3.3.1 Landscaping	Consolidating controls on landscape area in one section to improve communication and presentation of Council's requirements for development. This amendment will have no policy implications it is just a presentation issue.
14	Reference made to City Centre LEP	Removing references to the superseded LEP

	2007	2007 and replacing with references to LEP 2011. No policy implications.
15	Section 5 – notification procedures (relating to section 96 (1A) applications)	Minor section 96 (1A) applications (i.e. application to modify a consent) currently must always be readvertised. An amendment is proposed so that very minor applications can proceed without notification. This is a minor policy change.
16	Section 5.2.1– Advertised development	Currently all applications related to Heritage Item must be advertised more thoroughly (i.e. they become “Advertised development” where additional advertising and a longer exhibition period is required) than most other applications. A new approach is suggested where only more sensitive Heritage applications are advertised to as ‘Advertised Development’ and other more minor applications are notified via normal notification processes. This amendment will have minor policy implications.
17	Section 5.5.6 Planning Proposals	Wording is to be amended to clarify how the consultation strategy for Planning Proposals is determined by Council as part of Council’s reporting process.
18	Part 5 Other Provisions 5.2 – Child Care Centres	Current DCP refers to outdated legislation and it will be updated to reflect new legislation. This amendment will have no policy implications.
19	Section 5.4 Preservation of Trees or Vegetation	Amendment to text to clarify the intent of two existing controls and amend a definition that has the potential to cause confusion when applied by applicants/landowners. This amendment will have minor policy implications.
20	Section 4.2.2.3 Special precincts – Jeffery Avenue	Correction of spelling errors and removal of wording that has been inadvertently duplicated.

CONSULTATION & TIMING

32. The procedure for amending the Parramatta Development Control Plan 2011 is set out in the *Environment or Planning and Assessment Act and Regulations*. It involves the public exhibition of the proposed changes to the Parramatta Development Control Plan 2011. This provides community members with the opportunity to comment on the proposed changes.

33. Public exhibition will occur after Council endorses the proposed housekeeping amendment. The housekeeping amendment to the

Parramatta Development Control Plan 2011 will be exhibited for a period of 28 days.

34. After consideration of all submissions received, a report will be presented to Council following the public exhibition for its consideration of any submissions before the amendment is made.

Diana Khoury
Project Officer Land Use

Robert Cologna
Service Manager – Land Use Planning

Sue Weatherley
Director – Strategic Outcomes and Development

Sue Coleman
Director – City Services

ATTACHMENTS:

- 1 Attachment 1 - Issues Paper 100 Pages
- 2 Attachment 2 - Draft Waste Guidelines 31 Pages

REFERENCE MATERIAL

3 Issues Paper

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011 – HOUSE KEEPING AMENDMENT NO.2

This document provides an explanation of the 20 housekeeping issues raised within DCP Housekeeping Amendment No.2. This document:

- Identifies the issues and details the current provision
- Identifies its category as either 'Significant' or 'Minor'
- Explains the issue and provides a justification for the recommended change
- Proposes an updated provision (as shown in this document or otherwise referred to in an attachment)

A *significant* amendment refers to an amendment that has been the subject of a Council resolution, and/or is seeking a change which is considered a policy change to the current provisions contained in Parramatta Development Control Plan 2011.

A *minor* amendment refers to an amendment that is of an administrative nature for e.g. spelling errors, out dated legislation, clarification of wording for controls/principles without changing the intent, incorrect references and descriptions.

Any **red text** contained within this document or supporting attachments indicates change as follows:

Red text **with a strikethrough** - the deletion of content/s.

Red text **without a strikethrough** - an addition to the content/s

PROPOSED HOUSEKEEPING AMENDMENTS

Item	Section	Nature of Change	Category	Page No.
1	Section 3.3.7 Waste management	Review of waste guide provisions for residential flat buildings and multiunit dwellings.	Significant	1
2	Section 3.3.6 Water Sensitive Urban Design Section 3.3.6.1 Drainage requirements	Amendment to Table 3.31 and 3.32 Stormwater Drainage Requirements for clarity purposes. Amendment to drainage requirements to reflect Council's adopted Stormwater Disposal Policy	Significant	15
3	Section 4.1.9 Morton Street Precinct	Review of precinct and controls in relation to development.	Significant	26
4	Section 3.2.5 Streetscape – Control C1 – C3 (Carports)	Amendment to control to include provisions for carports ahead of building lines	Significant	29
5	Section 4.4.1 Epping (Special Precincts)	Addition of properties to the 'Existing Significant Buildings' list.	Significant	31
6	Part 4 Special Precincts – 4.2.2 North Parramatta (4.2.2.1 All Saints Cemetery)	Text amendment to make control more consistent with LEP controls	Minor	34
7	Reference made to RFDC (Residential Flat Design Code)	Text amendment to reflect current guidelines - ADG (Apartment Design Guide)	Minor	35
8	Part 4 Special Precincts 4.1.4 (East) Rydalmere Precinct	Mapping amendment to show correct zoning	Minor	40
9	Section 3.1.3 B1 Neighbourhood Centre Landscaping	Amendment to deep soil zone control regarding B1 Zones.	Minor	42
10	Section 3.1.3 Preliminary building envelope table	Amendment to control for residential flat buildings	Minor	44
11	Section 3.3.5 Solar Access and Cross	Amendment to design principles	Minor	46

Item	Section	Nature of Change	Category	Page No.
	Ventilation			
12	Section 3.3.3 – Visual and Acoustic Privacy	Amendment to control	Minor	48
13	Section 3.3.1 Landscaping	Amendment to control to include landscaped area minimum dimensions to design principles section 3.3.1 of the DCP.	Minor	50
14	Reference made to City Centre LEP 2007	Text amendment to refer to Parramatta LEP 2011.	Minor	52
15	Section 5.2.1– Advertised development	Clarification of advertised development	Minor	56
16	Section 5 – notification procedures (relating to section 96 (1A) applications)	Notification procedures for S96(1A) applications	Minor	58
17	Section 5.5.6 Planning Proposals	Amendment to procedure of requirements	Minor	61
18	Part 5 Other Provisions 5.2 – Child Care Centres	Text amendment to reflect current legislation	Minor	62
19	Section 5.4 Preservation of Trees or Vegetation	Amendment to text for clarification and to reflect	Minor	86
20	Section 4.2.2.3	Text amendment	Minor	97

Item 1

Section 3.3.7 Waste Management

Proposed Amendment

- Amendment to section 3.3.7 Waste Management to remove design principles and refer to new waste guidelines to be contained in the Appendix (subject to endorsement).
- Amendment to Appendix 8 of PDCP 2011 to include new Waste Management Guidelines document and new waste management template.
- Amendment to objective O.3 and O.6 to clarify their intent
- Introduce a new objective (O.7) to be consistent with the 'Waste Not Development Control Plan'

Explanation

On 28 April 2014, a notice of motion (italicised below) was passed to review the waste collection controls within DCP 2011. This notice of motion was in response to waste collection issues arising from the increasing amount of Residential Flat Building (RFB) development within the Parramatta LGA.

- a) *That the waste guide provisions of the DCP be reviewed in relation to waste collection from residential flat buildings and multi-unit developments (or similar)*
- b) *Further, that Council officers present a report and/or workshop to:*
1. *Provide for options such as onsite collection of waste bins and/or commercial collections when the street front is inadequate to accommodate all waste bins, there may be impact of traffic and parking, impact to neighbours, and the character of the area on bin collection nights*
 2. *The options should be commensurate to the number of units/dwellings on a site*
 3. *The options should be pragmatic for both developers and residents.*
 4. *That the standard of collection aim to be equivalent to council collection.*

In response to this resolution, Council's sustainability and waste team developed a new 'Waste Management Guidelines for new development applications' (See Attachment 2 of Council report). These guidelines are based on Council's DCP 2011 and current best practice waste management recommendations. The guidelines provide the following information:

- The waste management requirements that must be satisfied as part of the development application process
- Clarity and prescriptive controls on bin sizes, storage and collection services for detached dwellings, dual occupancies, multi-dwelling housing and Residential Flat Buildings (RFB).
- Guidance for mixed use developments, commercial development, food businesses, healthcare facilities, child care facilities and boarding houses.
- A performance criteria (contained at Appendix A) by development types that development applications involving demolition or construction are required to comply with.
- Terms of Easement (contained at Appendix B) to enable Council to service on-site waste collection on private roads/property.

As part of this report to Council, officers are also seeking endorsement of the draft guidelines for the purpose of public exhibition as recommended in the report to council. It is proposed that the draft guidelines be exhibited for comment concurrently with the Draft DCP Housekeeping Amendment No.2.

In developing the guidelines consideration was given to Hornsby DCP Housekeeping Amendment 2015 following Council amalgamations in May 2016. The Hornsby Housekeeping DCP amendment was considered by City of

Parramatta (CoP) Council on 26 September 2016 and contained minor changes to waste provisions applying to land formerly within Hornsby LGA, now located within the CoP LGA.

Due to timing and the minor nature of the Hornsby Council initiated amendments; CoP officers considered it appropriate to adopt similar practice where suitable. The Hornsby Council amendment included basement heights to allow for on-site waste collection, and the provision of an easement for private waste collection. Private waste collection has not previously been supported by CoP Council.

These guidelines now propose that Council allows on-site collection and to enter a private property with vehicles by way of an authorised easement (restricted to the property on the strata plan). The easement would provide indemnity against liabilities, losses, damages and other costs arising from the on-property collection service provided.

The new waste guidelines will become the main policy work guiding waste management throughout the development application process. In seeking endorsement of the guidelines, this DCP amendment seeks to remove existing design principles contained in Section 3.3.7. In its place the waste guidelines document will become the primary point of reference for applicants. An amendment to the existing Waste Management Plan (WMP) template contained at Appendix 8 is also proposed to align it with the new draft guidelines. A waste management template must be submitted with all development applications that involve demolition work, construction work, and/or the generation of waste applying to the specific type of development. The new guidelines and Waste Management Template will both be contained at Appendix 8 in PDCP2011, and will also be available online.

Minor amendments are also being sought to:

- Existing objective O.3 - to clarify its purpose
- Existing objective O.6 – to promote targets that goes beyond waste minimisation and encompasses resource recovery.
- Proposed additional objective O.7 – to promote Ecologically Sustainable Development (ESD).

The proposed wording of these amendments is shown in red below.

All amendments to section 3.3.7 as explained above are shown in Item 1 – Attachment 1, and a copy of the proposed waste management template in Item 1 – Attachment 2.

This amendments and new waste guidelines will better assist applicants throughout the development application process and improve waste collection and management within the Parramatta LGA. Council's future contracts may provide further opportunity to address waste management and requirements for larger communal bins as well as the expansion of services.

**Proposed
Text
amendment**

Section 3.3.7

Page 70 – Objectives

O.3 To ensure the waste generated by a building's occupants over its lifetime is

managed appropriately ~~and~~ efficiently and provides for maximum recovery, recycle or reuse.

O.6 To assist in achieving Federal and State Government waste minimisation and resource recovery (landfill diversion) targets

Insert new:

O.7 To minimise the overall environmental impacts of waste, in line with the principles of Ecologically Sustainable Development (ESD)

See Item 1 – Attachment 1 and Item 1 - Attachment 2.

3 Development Principles

3.3.7 Waste Management

Parramatta City Council considers the management of waste to be of high importance for the protection and enhancement of both the natural and built environments within not only the Local Government area but on a state, national and global level. Waste is increasingly being treated as a valuable resource due to the potential to reuse, recycle and recover products derived from various waste streams.

Objectives

- O.1 To reduce the quantity of waste and encourage the recycling of waste generated by demolition and the construction of new developments.
- O.2 To encourage building design that will minimise waste generation over the lifetime of the building.
- O.3 To ensure that waste generated by a building's occupants over its lifetime is managed appropriately, efficiently and provides for maximum recovery, recycle or reuse.
- O.4 To ensure that waste storage facilities are located appropriately and do not impact negatively on the streetscape.
- O.5 To ensure that waste can be effectively collected and managed.
- O.6 To assist in achieving Federal and State Government waste minimisation and resource recovery (landfill diversion) targets.
- O.7 To minimise the overall environmental impacts of waste, in line with the principles of Ecologically Sustainable Development (ESD).

Waste Management Guidelines for new Development Applications 2016'

Detailed provisions on waste management are contained in the 'Waste Management Guidelines for new Development Applications 2016' contained at Appendix xx. The guidelines document provides information of the waste management requirements for new Development Applications lodged with City of Parramatta Council. The requirements set out in this guide are based on the objectives contained in Council's Development Control Plan 2011 (DCP 2011) and current best practice waste management recommendations.

These provisions apply to proposals requiring Development Consent or a Complying Development Certificate, and will include demolition, construction (including earthworks), alteration/addition and/or change of use of buildings for all types of developments in Parramatta City Council. This section should also be used as a guide for activities which are classified as exempt development or development which falls under Part 5 'Environmental Assessment' of the *Environmental Planning and Assessment Act 1979*.

Applicants are also required to prepare a Waste Management Plan addressing the above objectives in accordance with the requirements detailed in Parramatta City Council's *Waste Management Plan template 2016* and *Waste Management Guidelines for new Development Applications 2016*. Both of these documents are contained at Appendix 8 and can be downloaded from Council's website www.parracity.nsw.gov.au/build/planningandforms. Should this template not be used then the applicant must ensure that all of the required information in Council's *Waste Management Guidelines for new Development Applications 2016* outlined is provided.

Notes:

Please refer to the NSW Office of Environment and Heritage, Model Waste Not Development Control Plan Chapter 2008 for waste and recycling generation rates. ~~This can be viewed at <http://www.environment.nsw.gov.au/resources/warr/08353SiteWasteMin2.pdf>.~~ For multi-unit development applications, please refer to the NSW Office of Environment and Heritage 'Better Practice Guide for Waste Management in Multi-unit Dwellings' for guidance on waste facility design and management. Both of these documents can be viewed or downloaded from www.environment.nsw.gov.au/resources/warr/

Further Information

Business Recycling website, www.businessrecycling.com.au

NSW Office of Environment and Heritage website, www.environment.nsw.gov.au

~~NSW Department of Environment and Climate Change~~ ~~NSW Office of Environment and Heritage~~, *Better Practice Guide for Waste Management in Multi-unit Dwellings 2008*

NSW Office of Environment and Heritage, *Model Waste Not Development Control Plan Chapter 2008*

~~Streamline website, www.streamline.org.au~~

NSW Environment Protection Authority, *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021*



WASTE MANAGEMENT PLAN

DEMOLITION, CONSTRUCTION, AND USE OF PREMISES

The applicable sections of this table must be completed and submitted with your Development Application.

Completing this table will assist you in identifying the type of waste that will be generated and will advise Council of how you intend to reuse, recycle or dispose of the waste.

Please refer to the City of Parramatta Waste Management Guidelines for new applications for the specific requirements for your type of application. This can be downloaded from www.parracity.nsw.gov.au/build/planningandforms

If you choose to provide an alternative waste management plan to the attached template please ensure all of the required information is addressed. Failure to provide all the required information may lead to further information being requested and a hold up in the final decision of your application.

The information provided will be assessed against the objectives of the City of Parramatta Council's Development Control Plan (DCP) 2011.

If space is insufficient in the table please provide attachments.

<p>Outline of Proposal</p> <p>Site address: _____</p> <p>Applicant's name and address: _____</p> <p>_____</p> <p>_____</p> <p>Phone: _____ Mobile: _____</p> <p>Email: _____</p> <p>Building and other structures currently on site: _____</p> <p>_____</p> <p>_____</p> <p>Brief description of proposal: _____</p> <p>_____</p> <p>_____</p> <p>The details provided on these forms, plans and attached documents are the intentions of managing waste relating to this project.</p> <p>Signature of applicant: _____ Date: _____</p>
--

DEMOLITION & CONSTRUCTION

Council is seeking to reduce the quantity of waste and encourage the recycling of waste generated by demolition and construction works. Applicants should seek to demonstrate project management which seeks to:

1. Re-use excavated material on-site and disposal of any excess to an approved site
2. Green waste mulched and re-used on-site as appropriate, or recycled off-site
3. Bricks, tiles and concrete re-used on-site as appropriate, or recycled off-site
4. Plasterboard waste returned to supplier for recycling
5. Framing timber re-used on site or recycled off-site
6. Windows, doors and joinery recycled off-site
7. All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with WorkCover Authority and EPA requirements
8. Plumbing, fittings and metal elements recycled off site
9. Ordering the right quantities of materials and prefabrication of materials where possible
10. Re-using formwork
11. Careful source separation of off-cuts to facilitate re-use, resale or recycling

How to Estimate Quantities of Waste

- There are many simple techniques to estimate volumes of construction and demolition waste. The information below can be used as a guide by builders, developers & homeowners when completing a waste management plan:

To estimate Your Waste:	
1.	Quantify materials for the project
2.	Use margin normally allowed in ordering
3.	Copy these amount of waste into your waste management plan

When estimating waste the following percentages are building “rule of thumb” and relate to renovations and small home building:

Material	Waste as a Percent of the Total Material Ordered
Timber	5-7%
Plasterboard	5-20%
Concrete	3-5%
Bricks	5-10%
Tiles	2-5%

Converting Volume into Tonnes : A Guide for Conversion

<p>Timber = 0.5 tonnes per m³ Concrete = 2.4 tonne per m³ Bricks = 1.0 tonne per m³ Tiles = 0.75 tonne per m³ Steel = 2.4 tonne per m³</p>

To improve/provide more reliable figures:

- Compare your projected waste quantities with actual waste produced;
- Conduct waste audits of current projects;
- Note waste generated and disposal methods;
- Look at past waste disposal receipts;
- Record this information to help estimate future waste management plans.
- On a waste management plan amounts of waste may be stated in – m² or m³ or tonnes (t).

IMPORTANT

- **The following tables should be completed by applicants proposing any demolition or construction work including the change of use, fit-out as well as alterations and additions of existing premises.**
- **The location of temporary waste storage areas and soil stockpiles during demolition and construction are to be shown on the submitted plans.**
- **Vehicle access to and from the site must be shown on the submitted plans.**
- **Stage three – Design of facilities should be completed by all applicants including change of use, fit-out as well as alterations and additions.**

Demolition Stage One – To be completed for proposals involving demolition

Materials On- Site		Destination		
		Reuse & Recycling		Disposal
Type of material	Estimated Volume (m ³) or Area (m ²) or weight (tonnes)	On-Site Specify how materials will be reused or recycled on-site	Off-Site Specify the contractor and recycling outlet	Specify the contractor and landfill site
* <u>Example only</u> * Bricks	*2m ³	* Clean and reuse for footings	*Broken bricks sent by XYZ demolishers to ABC Recycling	* Nil to landfill *or sent by XYZ demolishers to ABC Recycling

			company (including address and contact number)	company (including address and contact number)
Excavation material				
Green waste				
Bricks				
Tiles				
Concrete				
Timber				

Materials On- Site		Destination		
		Reuse & Recycling		Disposal
Type of material	Estimated Volume (m³) or Area (m²) or weight (tonnes)	On-Site Specify how materials will be reused or recycled on-site	Off-Site Specify the contractor and recycling outlet	Specify the contractor and landfill site
* <u>Example only</u> * Bricks	*2m ³	* Clean and reuse for footings	*Broken bricks sent by XYZ demolishers to ABC Recycling company (including address and contact	* Nil to landfill *or sent by XYZ demolishers to ABC Recycling company (including address and contact

			number)	number)
Plasterboard				
Metals				
Asbestos				
Other waste				

How will waste be separated and/or stored onsite for reuse and recycling? How will site operations be managed to ensure minimal waste creation and maximum reuse and recycling?

e.g. Staff training, selected deconstruction v. straight demolition, waste management requirements stipulated in contracts with sub-contractors, on-going checks by site supervisors, separate area set aside for sorted wastes, clear signage for waste areas etc .

Note. Details of the site area to be used for on-site separation, treatment and storage (including weather protection) should be provided on plan drawings accompanying your application.

Construction Stage two – To be completed for proposals involving construction

Materials On- Site		Destination		
		Reuse & Recycling		Disposal
Type of material	Estimated Volume (m ³) or Area (m ²) or weight (tonnes)	On-Site Specify how materials will be reused or recycled on-site	Off-Site Specify the contractor and recycling outlet	Specify the contractor and landfill site
* <u>Example only</u>		* Clean and reuse for	*Broken bricks sent by XYZ	* Nil to landfill *or sent by XYZ

* Bricks	*2m ³	footings	demolishers to ABC Recycling company (including address and contact number)	demolishers to ABC Recycling company (including address and contact number)
Excavation material				
Green waste				
Bricks				
Tiles				
Concrete				
Timber				

Materials On- Site		Destination		
		Reuse & Recycling		Disposal
Type of material	Estimated Volume (m ³) or Area (m ²) or weight (tonnes)	On-Site Specify how materials will be reused or recycled on-site	Off-Site Specify the contractor and recycling outlet	Specify the contractor and landfill site
* <u>Example only</u> * Bricks	*2m ³	* Clean and reuse for footings	*Broken bricks sent by XYZ demolishers to	* Nil to landfill *or sent by XYZ demolishers to

			ABC Recycling company (including address and contact number)	ABC Recycling company (including address and contact number)
Plasterboard				
Metals				
Other waste				

How will waste be separated and/or stored onsite for reuse and recycling? How will site operations be managed to ensure minimal waste creation and maximum reuse and recycling?

e.g. Staff training, recycled materials used in construction, waste management requirements stipulated in contracts with sub-contractors, on-going checks by site supervisors, separate area set aside for sorted wastes, clear signage of waste areas etc.

Note. Details of site area to be used for on-site separation, treatment and storage (including weather protection) must be provided on plan drawings accompanying your application.

Design of facilities (Use of site) Stage three – To be completed for all proposals including change of use, fit out as well as alterations and additions

- Applicants should refer to Councils document ‘Waste Management Guidelines for new Development Applications’ for specific requirements related to the type of development proposed. This is available on Councils website.
- In the case of change of use, fit out as well as alterations and additions, if the proposal involves existing waste management practices then full details of current methods are to be provided

- All proposals are to show the waste storage areas on plan drawings which should accompany your application

Type of waste to be generated	Expected volume per week, number and size of bins	Proposed on-site storage and treatment facilities	Destination and contractor
Please specify. E.g. glass, paper, food waste, green waste, compost etc.	Volume (Litres – L)	For example: waste storage room, garbage chute, compaction equipment	For example: Recycling, landfill by council or private contractor (include name of contractor)
*Example only *Non-recyclable	*480L/week 2 x 240 L bins	*Waste storage room	*Landfill and recycling collected by XXX Collection company

Describe how you intend to ensure on-going management of waste on-site (e.g. lease conditions, caretaker, strata manger) as well as provide details of how the bin store area complies with councils bin storage area requirements relevant to the type of proposed development.

FINAL CHECK

Please read and tick the box to ensure all required information has been provided

1. Have you checked the waste requirements for the proposed type of development in Councils document ‘Waste Management Guidelines for new Development Application and provided all of the required information?
2. Have you completed the relevant sections to your application of the above waste management plan template or provided an alternative waste management plan addressing the required information?
3. Have you shown use of site waste storage areas, garbage chutes, bin pulls and compaction equipment on plans accompanying this application?
4. Have you shown the location of temporary waste storage areas, soil stock piles and vehicle entry/exit points during construction and demolition on the plans accompanying this application?
5. Have you shown the waste collection vehicle access to the collection point on-site (if applicable) on the plans accompanying this application?
6. Have you shown the pathway taken to move the bins to and from the on street collection point and the location of the on street collection point on the plans accompanying this application?

Item 2

Section 3.3.6.1 Stormwater Drainage (Water Sensitive Urban Design)

<p>Proposed Amendment</p>	<ul style="list-style-type: none"> • Amendment to design principle P.4 (page 64) to remove permeable paving from principle in promoting infiltration and stormwater run-off. • Amendment to design principles and controls contained in section 3.3.6.1 to refer to Council’s adopted stormwater disposal policy throughout the design principles and controls. • Amendment to table 3.31 (addition and amendment of Water Sensitive Urban Design (WSUD) measures) and 3.32 (amendment to development types and required treatment) • Amendment to table 3.32 to include secondary dwellings as a development type.
<p>Explanation</p>	<p>Stormwater drainage refers to the management of run-off from land during and after rain. Stormwater removes accumulated material including litter, soil, nutrient, oils etc. It is one of the management measures that are used to mitigate impacts on the water cycle.</p> <p><u>Amendment to design principle P.4</u></p> <p>PDCP 2011 contains a set of objectives and design principles that promote best practice of stormwater management and drainage.</p> <p>Design Principle P.4 states the following:</p> <p><i>“P.4 – Impervious surfaces are to be minimised and soft landscaping and/or permeable paving used to promote infiltration and reduce stormwater run-off”</i></p> <p>This principle aims to reduce water resistant surfaces and utilise materials i.e. soft landscaping and permeable paving to effectively infiltrate and reduce stormwater run-off. Council development engineers however, have identified that permeable paving is an ineffective material in achieving a long-lasting outcome. Permeable paving has shown to be only absorptive for a short period as overtime it becomes blocked with fine materials such as soil, dirt etc. as a result of stormwater runoff. This housekeeping amendment seeks to remove permeable paving to encourage better practice of stormwater management/drainage.</p> <p><u>Adopted Stormwater Disposal Policy</u></p> <p>In July 2015, Council’s Stormwater Drainage Policy was endorsed by Council. As part of its endorsement and of relevance to this housekeeping amendment was part e) of the resolution:</p> <p>(e) That council include the provisions of any adopted Stormwater Disposal Policy in future amendments to the citywide Development Control Plan.</p> <p>This policy evolved from Council’s current stormwater management guidelines. It was developed to communicate Council’s requirements for development to incorporate on-site detention systems (OSD). An OSD system is a stormwater management system designed to collect and detain water before releasing it at a controlled flow rate by gravity to</p>

Council's stormwater infrastructure and ultimately reduce flooding.

Council's Stormwater Drainage Policy does not supersede Council's Stormwater Management guidelines and both documents still need to be considered as part of the development application process. In ensuring that the adopted development provisions for OSD (in accordance with part e) of the resolution) are carried through Section 3.3.6.1 design principles and controls, PDCP2011 need to be amended to advise applicants to refer to the adopted policy. A number of controls are proposed to be amended to refer to *Council's stormwater drainage policy*, in addition to *Council's stormwater management guidelines*.

Amendment to table 3.31 and 3.32 Water Sensitive Urban Design

An amendment is also being sought to current Water Sensitive Urban Design Stormwater drainage requirements for certain land uses. In the Parramatta LGA, all developments are required to implement principles of WSUD. WSUD is a mechanism used to minimise the impacts from development upon the water cycle and achieve more sustainable forms of urban development by integrating stormwater management systems into the landscape.

In implementing these principles, table 3.32 (Stormwater Drainage Requirements) is used to determine the stormwater drainage requirements for different land uses and scales of development, and whether a Site Stormwater Management Plan (SSMP) is required. A SSMP is usually required for denser forms of development and is a plan identifying the potential impacts associated with stormwater run-off for a proposed development that provides a range of management strategies and appropriate measures for water quantity, water quality, and water re-use and environment concerns

Delivering an SSMP can at times prove difficult or unachievable due to the types of development being sought on small site areas. For e.g. developing multi-dwelling housing of 5 or more dwellings on smaller lots sizes leaves little space to accommodate for SSMP measures.

In resolving this issue Council officers consider it more practical if the DCP maintains the existing stormwater requirements based on the type/amount of development, but includes an additional measure based on the size of the land being developed. A combination of site size and number of dwellings on the site is necessary as the implementation of a SSMP is good practice where there is an increase in the number of dwellings however, is only achievable on larger lots that provide sufficient space to implement these measures.

It is proposed that where sites exceed an area of 1500m² and provide 5 or more dwellings, they will be required to provide an SSMP incorporating WSUD Strategy. For smaller sites between 750-1499m² with 5 or more dwellings, a strategy is not considered necessary however alternate WSUD measures will be required and considered so long as they demonstrate compliance with relevant DCP objectives.

A further minor amendment is also being sought to the application of this table on low scale residential development. Table 3.32 currently

	<p>indicates that single dwellings, dual occupancies or developments that provide no more than 4 dwellings must provide the BASIX stormwater requirements. This amendment proposes to include secondary dwellings as it is not currently listed, to clarify that the BASIX stormwater requirements also apply to this type of development.</p> <p>This revised approach will assist in producing a better outcome regarding WSUD and stormwater management on sites whilst providing more achievable controls. In the long term, it will also encourage water treatments across the Local Government Area (LGA) and aid in improving the overall water system quality which is consistent with other broader strategic objectives.</p> <p>Table 3.31 'Scale of WSUD application in urban catchments' is also proposed to be amended. As the type of WSUD information required to support a development application varies for different scales of development, the purpose of this table is to provide a list of WSUD measures appropriate for these different scales of development for e.g. an allotment scale or subdivision scale. The amendment being sought to this table is to expand the measures that are permitted by Council and encourage applicants to investigate other emerging technologies that may be permitted subject to Council's approval.</p> <p>A further amendment is also being proposed to this table to remove measures that apply to open space/regional space. Council works on public land as carried out under Part 5 of the EP&A Act do not require consent or planning controls to govern requirements. Therefore current references made to open/regional space for the application of WSUD within the DCP are not necessary and should be removed.</p>
<p>Proposed Text amendment</p>	<p>See Item 2 – Attachment 1</p>

3.3.6 Water Sensitive Urban Design

In the Parramatta Local Government Area, all developments will be required to implement the principles of Water Sensitive Urban Design (WSUD). WSUD is an approach that aims to minimise the impacts of development upon the water cycle and achieve more sustainable forms of urban development. It aims to integrate stormwater management systems into the landscape in a manner that provides multiple benefits including stormwater retention and detention and water efficiency, whilst addressing the pre-development considerations of flooding, waterways and groundwater protection, habitat creation and improving visual amenity.

3.3.6.1 Stormwater Drainage

Objectives

- O.1 To minimise the quantity of stormwater run-off including changes in flow rate and duration by disconnecting impervious areas.
- O.2 To protect and enhance existing natural or constructed drainage networks including channel bed and banks by controlling the magnitude and duration of erosive flows.
- O.3 To ensure that downstream flora and fauna are protected from stormwater impacts during and post construction.
- O.5 To minimise surcharge from the existing drainage systems.
- O.6 To minimise and control nuisance flooding and to provide for the safe passage of less frequent floods.
- O.7 To ensure that on-site stormwater management measures are operated and maintained in accordance with design specifications.

Design Principles

- P.1 WSUD principles are to be integrated into the development through the design of stormwater drainage, on-site detention and landscaping and in the orientation of the development rather than relying on 'end of pipe' treatment devices prior to discharge.
- P.2 Operating practices and technology are to be employed to prevent contamination of stormwater.
- P.3 Development is to be sited and built to minimise disturbance of the natural drainage system.
- P.4 Impervious surfaces are to be minimised and soft landscaping ~~and/or permeable paving~~ used to promote infiltration and reduce stormwater run-off.
- P.5 WSUD elements should be located and configured to maximise the impervious area that is treated.
- P.6 Adequate provision is to be made for the control and disposal of stormwater run-off from the site to ensure that it has no adverse impact on Council's stormwater drainage systems, the development itself, or adjoining properties. Stormwater drainage design criteria are to be in accordance with **Council's Stormwater Disposal Policy and current Design and Development Guidelines.**
- P.7 On-site detention (OSD) will be required as outlined in the Upper Parramatta River Catchment Trust On-Site Detention Handbook, **subject to compliance with Council's Storm Water Disposal Policy and current Design and Development Guidelines.**

- P.8 Stormwater, including overland flows entering and discharging from the site, must be managed. The site drainage network must provide the capacity to safely convey stormwater run-off resulting from design storm events listed in Council's Design and Development Guidelines.
- P.9 Council will generally not permit the construction of stormwater drainage lines through public reserves.
- P.10 The design and location of stormwater drainage structures, such as detention and rainwater tanks, ~~is to be integrated with the landscape design for the site. Above ground structures are not to be visually intrusive.~~ **is to be in accordance with Council's Stormwater Disposal Policy and current Design and Development Guidelines.**
- P.11 Run-off entering directly to waterways or bushland is to be treated to reduce erosion and sedimentation, nutrient and seed dispersal.
- P.12 The discharge of polluted waters from the site is not permitted. Discharges from premises of any matter, whether solid, liquid or gaseous is required to conform to the Protection of the Environment Operations Act and its Regulations, or a pollution control approval issued by the NSW Office of Environment and Heritage for Scheduled Premises.
- P.13 For developments required to prepare a WSUD strategy as identified in Table 3.32, those developments must achieve pollution reduction targets identified in Table 3.30 and prepare a WSUD Strategy as outlined in Appendix 7.
- P.14 All development must consider the WSUD measures listed in Tables 3.31 in order to achieve water quality and quantity targets.
- P.15 Pollution load reduction as defined in Table 3.30 is to be determined preferably through the Model for Urban Stormwater Improvement Conceptualisation (MUSIC), using suitable modelling parameters for Parramatta / Western Sydney. Pollution load reduction may also be determined by an equivalent, widely accepted model or methodology.

Table 3.30: Stormwater Treatment Targets for Development

Pollutant	Performance Target reduction loads ¹
Gross Pollutants	90% reduction in the post development mean annual load of total gross pollutant load (greater than 5mm)
Total Suspended Solids	85% reduction in the post development mean annual load of Total Suspended Solids (TSS)
Total Phosphorus	60% reduction in the post development mean annual load of Total Phosphorus (TP)
Total Nitrogen	45% reduction in the post development mean annual load of Total Nitrogen (TN)
Hydrocarbons, motor oils, oil and grease	No visible oils for flows up to 50% of the one-year ARI peak flow specific for service stations, depots, vehicle body repair workshops, vehicle repair stations, vehicle sales or hire premises, car parks associated with retail premises, places of public worship, tourist and visitor accommodation, registered clubs and pubs

NOTE: Reductions in loads are relative to the pollution generation from the same development without treatment.

Table 3.31: Scale of WSUD Application in Urban Catchments

Source: UPRCT WSUD Technical Guidelines for Western Sydney

WSUD Measure	Allotment Scale	Subdivision Scale	Open Space or Regional Scale
Vegetated Swales	N/A	Yes	Yes
Vegetated Filter Strips	Yes	Yes	Yes
Sand Filters	Yes	Yes	Yes
Rain Gardens	Yes	Yes	Yes
• Off-line (planting beds or pits)	Yes	Yes	Yes
• On-line (conveyance)			
Permeable Pavements			
• Not on roads	Yes	Yes	Yes
• Permitted in parking bays	Yes	Yes	Yes
Infiltration Trenches	Yes	Yes	Yes
Infiltration Basins	N/A	Yes	Yes
Rainwater Tanks	Yes	N/A	N/A
Landscape Developments	Yes	Yes	
Gross Pollutant Traps and Fillers	Yes	Yes	

Other technologies (independently varied for performance) will be considered

Design Controls

The type of WSUD information required to support a Development Application varies for different scales of development. The design controls required by this DCP are based on the fact that additional impervious areas resulting from new development or alteration / addition to existing development cause increased stormwater runoff which impacts on hydrology, water quality and waterway stability. The impact of site imperviousness is also influenced by the degree of connectivity to the stormwater drainage system.

C.1 Development must comply with Table 3.32.

- C.2 Where a Site Stormwater Management Plan (SSMP) incorporating water sensitive urban design measures is required, it must:
- identify the potential impacts associated with stormwater run-off for a proposed development and provide a range of appropriate measures for water quantity, water quality and water efficiency and re-use; and
 - be developed in accordance with Council's **Stormwater Disposal Policy and current Design and Development Guidelines; and**
 - achieve pollution reduction targets identified in Table 3.30 and consider measures as identified in Table 3.31; and
 - utilise the MUSIC modelling tool (or equivalent) to determine pollution load reduction as defined in Table 3.30; and
 - address the requirements of Appendix 7 – Water Sensitive Urban Design Strategy Guide; and
 - be prepared by a suitably qualified professional.

Procedural Steps:

Step 1 – Identify the development type by using Table 3.32.

Step 2 – Determine what Water Efficiency and Stormwater Treatment Targets are required for the development type (refer to BASIX and WELS Scheme references and Table 3.30) utilising the MUSIC model or equivalent **model approved by Council** to justify the selection and sizing of measures to meet Council targets for your development type.

Step 3 – Submit the completed requirements (in accordance with Appendix 7) with your Development Application for assessment.

Table 3.32: Stormwater Drainage Requirements

Land Use	Development Type	Water Efficiency		Stormwater Treatment
		BASIX	WELS Scheme	SSMP incorporating WSUD Strategy
Residential	Minor alterations and additions <\$50k – no requirements	Not Required (NR)	NR	NR
Residential	Alterations and additions <\$50k with new roof area greater than or equal to 50 square metres	NR	Required	Rainwater tank connected to roof area. Minimum 2000 litres in volume.
Residential	Major alterations and additions >\$50k	Required	NR	NR
Residential	New single dwellings, dual occupancies and residential developments up to 4 dwellings including secondary and multi dwelling housing, residential flat buildings and mixed use development	Required	NR	NR
Residential	Residential development on lots of 750-1499m ² , and consisting of 5 or more dwellings including multi dwelling house, residential flat buildings and mixed use development (excluding dual occupancy)	Required	NR	Not required (Council will grant consideration to alternate options where they demonstrate that the objectives under Storm Water Drainage are being achieved. For e.g. rain gardens, additional deep soil areas.)
Residential	Residential development on lots of 1500m ² or more, consisting of 5 or more dwellings including multi dwelling housing, residential flat buildings and mixed use development (excluding dual occupancy)	Required	NR	Required (WSUD measures listed in Table 3.31 must be considered for this type of development)
Residential	Residential development of 5 or more dwellings including multi dwelling housing, residential flat buildings and mixed use development	Required	NR	Required
Commercial & Industrial	All new development	NR	Required	Required
Commercial & Industrial	Alteration and additions where the increase in the roofed and / or impervious area* is equal to or greater than 150m ²	NR	Required	Required
Subdivision	Residential subdivision up to and including 4 lots	NR	NR	NR



Subdivision (where new road or carriage works are involved)	Residential (5 or more lots) or commercial and industrial subdivision	NR	NR	Required
Other development not listed above	>\$50k whereby additional impervious* and roofed area is greater than 150 square Metres	NR	Required	Required

NOTE:

* Additional impervious area includes building footprint (including roof area), vehicle access ways and parking spaces.

Further Information

Engineers Australia 2005, *Australian Runoff Quality*.

eWater Corporative Research Centre 2009, MUSIC Modelling Guidelines for New South Wales

Facility for Advancing Water Biofiltration 2008, *Guideline Specifications for Soil Media in Bioretention Systems*.

Parramatta City Council, Stormwater Disposal Policy

Parramatta City Council, *Design and Development Guidelines on Stormwater Drainage*.

South East Queensland Healthy Waterways Partnership 2010, Water by Design Guidelines and Resources - <http://waterbydesign.com.au/guidelines/>

Water Sensitive Planning Guide - www.wsud.org

Water Sensitive Urban Design Engineering Procedure: Stormwater, Melbourne Water.

Water Sensitive Urban Design Technical Guidelines for Western Sydney (UPRCT, 2004) - www.wsud.org/tech

3.3.6.2 Water Efficiency

Objectives

- O.1 To reduce consumption of potable water.
- O.2 To harvest rainwater and urban stormwater runoff for use.
- O.3 To reduce waste water discharge.
- O.4 To capture, treat and reuse wastewater where appropriate.

Design Principle

- P.1 Development is to incorporate relevant measures to facilitate water conservation such as:
- ▣ landscaping with plant species that require minimal water
 - ▣ using water efficient taps, dual flush toilets, shower roses or flow restricting devices
 - ▣ providing water efficient appliances such as washing machines and dishwashers
 - ▣ minimising the volume of stormwater draining from the development site and facilitating water re-use through the use of rainwater tanks, on-site detention and re-use of onsite grey water/black water or externally treated/recycled water (dual reticulation where applicable).

Design Controls

Residential Development

- C.1 Where applicable, development is to demonstrate compliance with the design principles embodied in the Building Sustainability Index (BASIX). All commitments listed on a BASIX certificate must be marked on all relevant plans and specifications.
- C.2 Residential development not subject to BASIX is to incorporate water efficiency measures including 3 star Water Efficiency Labelling and Standards Scheme (WELS Scheme) plumbing fixtures.

Non-residential Development

- C.3 All of the following water saving measures are to be incorporated into new non-residential developments. Alterations and additions (of existing building footprint) where the increase in the roofed and/or impervious area is less than 150 metres squared require compliance with (i) and (ii) below. Alterations and additions (of existing building footprint) where the increase in the roofed and/or impervious area is equal to or greater than 150 metres squared require compliance with (i) and (ii) below and are encouraged to incorporate the remaining five water efficiency requirements in the alterations and additions to the existing building.

- (i) Plumbing fixtures are to meet minimum Water Efficiency Labelling and Standards (WELS) Scheme Standards including 3 star rated showerheads, 4 star rated toilet cisterns, 5 star rated urinals and 6 star rated water tap outlets.
- (ii) Appliances (dishwashers, clothes washers etc) are to be 3 stars (WELS Scheme) or better rated with respect to water use efficiency. Demonstrate, if necessary, how these requirements will be achieved for replacement appliances, appliances not installed at construction, or bought in by occupants following construction.
- (iii) Rainwater tanks or other alternative water sources are to be installed to meet 80% of toilet and laundry demands.
- (iv) Connection to recycled water (serviced by dual reticulation) for permitted non-potable uses such as toilet flushing, laundry, irrigation, car washing, fire fighting, industrial processes and cooling towers.
- (v) Incorporate passive cooling methods that rely on improved natural ventilation to supplement or preclude mechanical cooling, cooling towers are to be connected to a conductivity meter to ensure optimum circulation; include a water meter connected to a building energy and water metering system to monitor water usage; and to employ alternative water sources where practical.
- (vi) Water use within open spaces to be minimised by improved soils, passive irrigation and integration of vegetated stormwater treatment system into open spaces.
- (vii) Irrigation, water features and other open space features are to be supplied from alternative sources (e.g. rainwater, greywater, or wastewater) to meet 80% of demand.

Further Information

BASIX Design Guideline: A-Rated Water Fittings and Appliances

BASIX website: www.basix.nsw.gov.au

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

Water Sensitive Planning Guide: www.wsud.org

WELS Scheme: www.waterrating.gov.au

3.3.6.3 Grey Water

Grey water is the wastewater from your washing machine, laundry tub, kitchen sink, dishwasher, shower, bath and hand basins. It does not include wastewater from the toilet, urinal or bidet which is known as blackwater. Greywater can be used around the home or business as an alternative to using drinking water.

There are three ways that greywater can be reused - manual bucketing, greywater diversion devices, and greywater treatment systems as per Table 3.33.

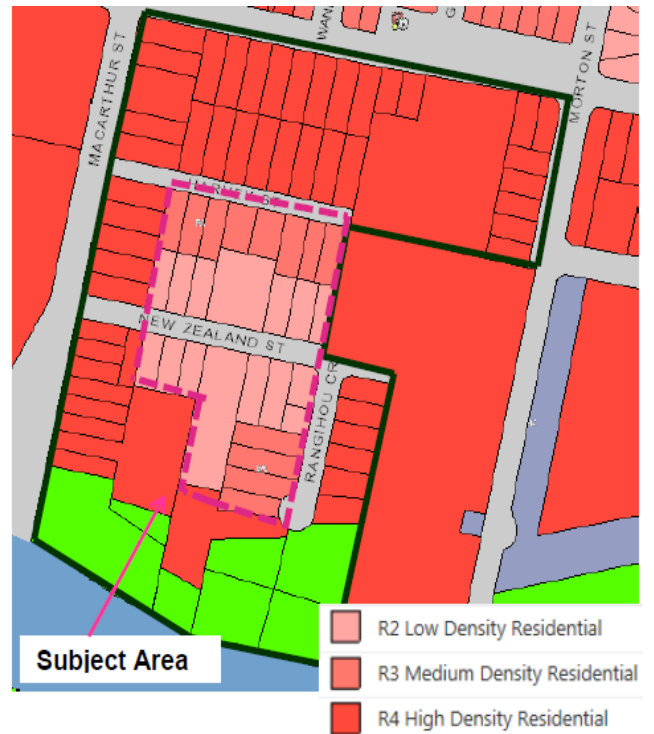
Table 3.33: Greywater reuse methods and required approvals

Item 3	
Section 4.1.9 Morton Street Precinct	
Proposed Amendment	<ul style="list-style-type: none"> Amendment of Morton Street Precinct to include an updated Figure 9.4.1.2 to remain consistent with Parramatta LEP 2011.
Explanation	<p>The Morton street precinct is identified as a special precinct within Parramatta DCP 2011. It is located adjacent to Parramatta CBD and has been identified as having the capacity to accommodate more residential growth and supporting infrastructure. DCP 2011 provides Figure 9.4.1.2, displaying the indicative building envelopes (i.e. Height of building and where they should be located on the site to achieve the desired built form outcome (See Item 3 – Attachment 1)).</p> <p>The assessment of development applications within this precinct has identified a conflict between Parramatta LEP 2011 and Parramatta DCP 2011; where in one area the desired future character contained within the DCP is inconsistent with what is permitted in the LEP. The area in question is identified as outlined (see dotted) line in Diagram 1 below. This area is only part of the area identified in PDCP 2011, and forms part of the extended Morton Street precinct. The current zoning in this precinct is mixed and includes sites zoned R2 Low Density and others zoned R3 Medium density as shown in Diagram 2 below. Apartment buildings are not permitted on the low and medium density sites, but the diagram in the DCP indicates apartment buildings on these sites as the desired built form outcome.</p> <p>It is intended to amend diagram 9.4.1.2 in the DCP to remove apartment building forms from the R2 Low Density and R3 Medium density sites as currently shown, and instead make reference to the built form permitted in these zones such as 2-3 storey/6-9 metre height developments (see Item 3 – Attachment 1).</p> <p>All other buildings in other parts of the precinct shown in the DCP are consistent with what is permitted on these sites under the permissible planning controls. Therefore no amendment to controls for the other areas is required.</p>
Proposed Text/Amendment	See Item 3 – Attachment 1

Diagram 1
Building envelope subject area
DCP 2011



Diagram 2
Zoning of subject area
PLEP 2011



Legend:

Type A		Street setback
Type B		3 Storey apartments
Type C		Street edge
Type D		Corner sites/Dual frontages
Type E		Tower element

Type	Storeys	Height (Metres)
A	4-8	9-20
B	3-4	11-14
C	3-4	11-14
D	6-8	14-20
E	10-12	28-34

Item 3 - Attachment 1



Item 4	
Section 3.2.5 – Streetscape	
Proposed Amendment	<p>Amendment to Section 3.2.5:</p> <ul style="list-style-type: none"> • Additional new design principles and design control to provide guidance on when the development of a carport in front of the building line is appropriate. • Re-order remaining principles and design controls
Explanation	<p>Section 3.2.5 ‘Streetscapes’ of Parramatta DCP 2011 is aimed at ensuring new development responds to, reinforces, and sensitively relates to the spatial characteristics of the existing urban environment. The proposed DCP amendment seeks to provide controls for the development of carports on some sites.</p> <p>Current design principles and design controls within this section of the DCP indicate a preference for parking structures i.e. carports and garages that do not dominate building facades or front setbacks, and for carports to be developed behind building lines/to the rear of the property. The current design principles/ controls in PDCP 2011 read as follows:</p> <ul style="list-style-type: none"> • <i>P.10 – ‘Garages and parking structures are not to dominate the building façade and front setback’. (Page 46)</i> • <i>C.2 – ‘At grade garages and carports are to be located a minimum of 300mm behind the front wall of the building, or recessed behind the second story front wall’. (Page 47)</i> • <i>C.3 – ‘Carports and garages associated with dwelling houses should be located at the rear of the property where this is the prevailing pattern of development in the street and the garage does not compromise other controls such as soft soil requirements’. (Page 47)</i> <p>Where sites have no rear lane or capacity to access the rear yard by car from the street, they are unable to comply with the current DCP carport requirements and recent development applications are now seeking approval for carports in front of the building line. It is not considered reasonable to completely prohibit new carports in front of the building line. This amendment will introduce concessional provisions for sites seeking to provide carports forward of the building line, and better assist in the assessment of development applications by providing greater clarity on where it may be appropriate to allow the item.</p>
Proposed Text amendment	<p>Section 3.2.5</p> <p>Page 46 - Design Principles</p> <p>Insert new:</p> <p>P.11 – Where existing site conditions do not allow for a carport behind the building line/to the rear of the property, a concession may be granted provided the carport integrates with the dwelling and existing street character.</p> <p>P.11-P.13 will be renumbered accordingly and will be numbered P12-14.</p>

Page 47 - Design Controls

Dwelling houses

Insert new:

C.4 – Where there is no rear lane and no capacity to access the rear yard by car from a street, a carport can be developed in front of the building line but only where an acceptable setback is provided, and where the design of the carport acceptably integrates with the design of the existing dwelling (such as matching roof pitch, materials), and responds to the existing street character of the area. No flat roof carport structures will be permitted.

Existing controls C.4 to C.13 will be renumbered accordingly and will be numbered C.5 to C.14.

Item 5

Section 4.4.1 Epping (Special Precincts)

Proposed Amendment

- Addition of the following properties to the 'Existing Significant Buildings' list contained within Section 4.4.1:
 - 42 Eastwood avenue, Eastwood
 - 13 Chelmsford Avenue, Epping
 - 28 Lakeside Road, Eastwood
 - 32 Rawson Street, Epping

Explanation

On 16 December 2013, a report was provided to Council regarding draft amendments and consideration of submissions to PDCP 2011 Epping Town Centre and Heritage Conservation Areas (HCA). At this meeting Council resolved that potential contributory items within the Epping/Eastwood and Boronia Heritage Conservation Areas be reviewed as part of a future amendment to the Parramatta DCP 2011:

***(d) Further,** that potential contributory items within the Epping/Eastwood and Boronia heritage conservation areas be reviewed as part of a future amendment to the Parramatta DCP 2011*

Parramatta DCP 2011 identifies existing significant buildings that collectively demonstrate the history of a conservation area and contribute to its significance. These buildings are referred to as 'Contributory items'. 'Contributory items' are generally not listed as heritage items in the Council's LEP but by virtue of their age, scale, materials, details, design style or intactness, make a significant contribution to the character of a heritage conservation area and therefore reinforce its heritage significance. Items that are identified as contributory items should be retained with only subtle appropriate changes to the appearance so they retain their contribution to the conservation area.

For the purpose of this housekeeping amendment, the report relating to Epping Town Centre and HCAs and supporting submissions were reviewed to identify the properties that might be suitable to be considered for listing as an existing significant building/potential contributory item within the Epping/Eastwood and Boronia Heritage Conservation Area.

The following 4 properties were identified, and advice from Council's heritage advisor sought:

1. 42 Eastwood avenue, Eastwood
2. 13 Chelmsford Avenue, Epping
3. 28 Lakeside Road, Eastwood
4. 32 Rawson Street, Epping

The property at 32 Rawson Street, Epping has also been identified as a potential item of local heritage significance and was mentioned in the LEP Housekeeping Amendment No.2 report to Council on 10 October 2016. An item that is LEP listed will generally need to be of historical, or aesthetic, or scientific, or social significance; or be rare; or be connected to historical people, or be significant for what they represent (or a combination of these). In order to list an item, it must meet the heritage

	<p>assessment criteria of the NSW Heritage Council. By heritage listing an item, it is a formal recognition that the community wants to retain the item for future generations, and therefore it must be protected. Any changes to heritage items involve much greater scrutiny than a contributory item. The LEP Housekeeping report noted that the listing of 32 Rawson Street, Epping would be considered in a broader heritage review in future.</p> <p>Notwithstanding the above, all four properties listed have maintained their historical imagery and details of significance and contribute to the understanding of Epping's history, and therefore should be identified as contributory items in PDCP 2011.</p> <p>The inclusion of these four properties as existing significant buildings in the DCP will help Council to protect Parramatta's heritage whilst integrating its conservation into future planning. As contributory items, development of these properties will be considered on a case by-case basis, with the aim being to maintain the character (through contributory items) and 'heritage significance' of the area as a whole.</p> <p>See Item 5 Attachment 1 for a more detailed explanation and review of these properties.</p>
<p>Proposed Text amendment</p>	<p>Addition of properties to Section 4.4.1 - Existing significant buildings (Epping/Eastwood)</p> <p>Page 329:</p> <p>Eastwood Avenue: Nos 2, 4, 5, 6, 7, 10, 11A, 12, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 28,29, 30, 31, 32, 33, 34, 36, 37, 38, 40, 42, 43, 44, 45, 46, 48, 49, 50, 51, 52, 57, 58, 59, 60, 61, 62, 65, 67, 68, 69, 72, 73, 74, 75, 76, 77, 78, 80, 83, 84, 85, 86, 90, 91, 102, 104A, 105, 109</p> <p>Chelmsford Avenue: Nos 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,12, 13,14, 16, 18, 20, 22, 23, 24, 26</p> <p>Page 330:</p> <p>Lakeside Road: Nos 9, 11, 13, 15, 17, 19, 21, 23, 24, 25, 26, 27,28, 29, 30, 31, 32, 34, 35, 36, 38, 39,40, 42, 43, 44, 45, 46, 48, 59, 61, 65, 67</p> <p>Page 330:</p> <p>Rawson Street: Nos 1, 2, 3, 4, 6, 7, 8, 10, 11, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 31, 32, 32A, 33, 34B, 35, 36, 37, 39, 40, 42, 44</p>

Item 5 – Attachment 1 - Review of contributory items - Epping

Property	Description	Explanation of significance
42 Eastwood Avenue, Eastwood	'In between the wars' bungalow on a block containing a number of trees.	<p>This property is not currently included in the list of existing significant buildings in PDCP2011 as an 'existing significant building', or as an 'intact house from the 1940s and 50s'.</p> <p>The dwelling was subject to an approved DA in 1993 for alterations and the construction of a carport. These alterations have not compromised the dwellings appearance, and the bulk of the building has remained intact. Given that the bulk of the building has not excessively changed, it has continued to contribute to the understanding of the conservation area's history and should be listed as a significant building within PDCP 2011.</p>
13 Chelmsford Avenue, Epping	Building constructed in 1934, and is an example of an interwar bungalow (with original features)	<p>This property is not currently included in the list of existing significant buildings in PDCP 2011.</p> <p>Chelmsford Avenue consists of a mixture of dwellings including a number of existing significant buildings (as identified in DCP 2011) with other dwellings that have been significantly altered/re-developed in a way that has introduced 2 storey developments.</p> <p>This property was subject to an approved DA in 2012 for alterations (2 storey addition to the rear) and the deconstruction of the garage. Despite these alterations, the bulk of the building has been maintained and it still holds its historical imagery. As such it continues to provide a contribution to the understanding of the area's history and should be listed as a significant building within PDCP 2011.</p>
28 Lakeside Road, Eastwood	Federation Style development	<p>This property is not currently included in the list of existing significant buildings in PDCP 2011.</p> <p>This property was subject to an approved DA in 2012, for the construction of a front fence, and alteration to the rear. The alterations are not visible from the street and the front fence does not detract from the dwelling. The property remains in good condition and still holds a historical presence, contributing to the historical significance of the area and thus should be included on the list of significant buildings within PDCP 2011.</p> <p>Council's heritage advisor also supports its listing in the DCP on the ground that it contributes to the understanding of the area's history.</p>
32 Rawson Street, Epping	Grand Interwar Bungalow	<p>This property is not currently included in the list of existing significant buildings in PDCP 2011.</p> <p>This property was subject to an approved DA in 2001 for a garage and carport, but has changed considerably since. Notwithstanding this, Council's heritage advisor considers it to still maintain a historical presence and aesthetic beauty that should be considered in the future assessment of any proposal to redevelop the site.</p>

Item 6	
Part 4 Special Precincts – 4.2.2 North Parramatta (4.2.2.1 All Saints Cemetery)	
Proposed Amendment	<ul style="list-style-type: none"> • Amendment to control C.29 to apply to particular properties that meet the minimum lot size for dual occupancy development i.e. 600m². •
Explanation	<p>Currently DCP 2011 provides a design control (C.29) that applies to dual occupancy development in the All Saints Special Character Area (SCA), where the second dwelling is permitted to front onto a rear laneway lot on Buller and Short Streets. Though, dual occupancy cannot technically be achieved on most lots fronting this lane as they do not meet the required minimum lot size specified in Parramatta LEP 2011.</p> <p>Under Parramatta LEP 2011, a minimum lot size of 600m² is required for dual occupancy development. A GIS review has shown that all lots that back onto Short Street do not meet the minimum lot size and only 3 rear lots on Buller Street being 13A, 25 and 29 Buller Street do have a sufficient lot size for dual occupancy development.</p> <p>Lots that appeared to be of a larger size that could potentially seek a variation under Clause 4.6 of Parramatta LEP 2011– Exception to development standards were also considered in the investigation of this amendment. This clause provides flexibility to certain development standards to particular development. These investigated lots at a minimum fall short by approximately 100 m², and it is therefore unlikely that an exemption would be granted in permitting dual occupancy development on these lots.</p> <p>As Control 29 (C.29) is strictly for dual occupancy facing the rear lane, it is proposed that it only applies to lots 13A, 25 and 29 Buller Street as they comply with the minimum lot size for dual occupancy development under Parramatta LEP 2011. This amendment is recommended so that the controls for dual occupancy in this area are not misconstrued in the development application process.</p>
Proposed Text Amendment	<p>Page 166: Section 4.2.2.1 – Short and Buller Streets</p> <p>C.29 For dual occupancy facing rear lane at 13A, 25 and 29 Buller Street:</p> <p>(ii) detached dual occupancy to be built facing the rear lane, but only where it strictly complies with:</p> <ul style="list-style-type: none"> • minimum 3m total side boundary setbacks, either divided along both sides of the new building or along one side boundary only. The side setback area, if 3m or more and fully landscaped, can be included in the garden space calculations • new building to be setback 1m from existing lane alignment. Except for driveway area, the setback area is to be fully landscaped • garaging for one car only • 3m maximum width for driveway access to rear lane • maximum wall height for new building of 5.7m • roof pitch similar to neighbouring buildings • building materials of either unpainted or unplastered face bricks or commons, or of painted timber or other lightweight materials, such as imitation timber cladding and fibro • light weight roofing materials, such as corrugated iron or colourbond

Item 7

Reference made to Residential Flat Design Code (contained in Part 3 and 4)

Proposed Amendment

- Any reference made to the Residential Flat Design Code (RFDC) needs to be amended to reflect the updated Apartment Design Guide (ADG).

Explanation

Following review of SEPP 65, the Residential Flat Design Code (RFDC) has been superseded by the Apartment Design Guide (ADG). Any controls and figures referred to in the PDCP 2011 from this superseded document need to be replaced with the equivalent control in the ADG.

Section 3.3.5 – Solar Access & Cross Ventilation

Page 62:

Figure 3.27

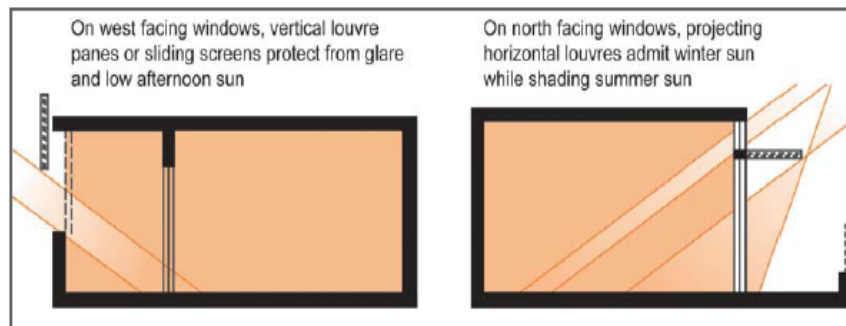


Figure 3.27 Multi-unit design to enhance solar access
Source: Residential Flat Design Code, Planning NSW

Replaced with new equivalent figure from ADG and updated accordingly

Proposed Text/Amendment



Figure 3.27 Shading devices on balconies should shade summer sun and allow winter sun access to living areas
Source: Apartment Design Guide, NSW Department of Planning & Environment

Figure 3.28

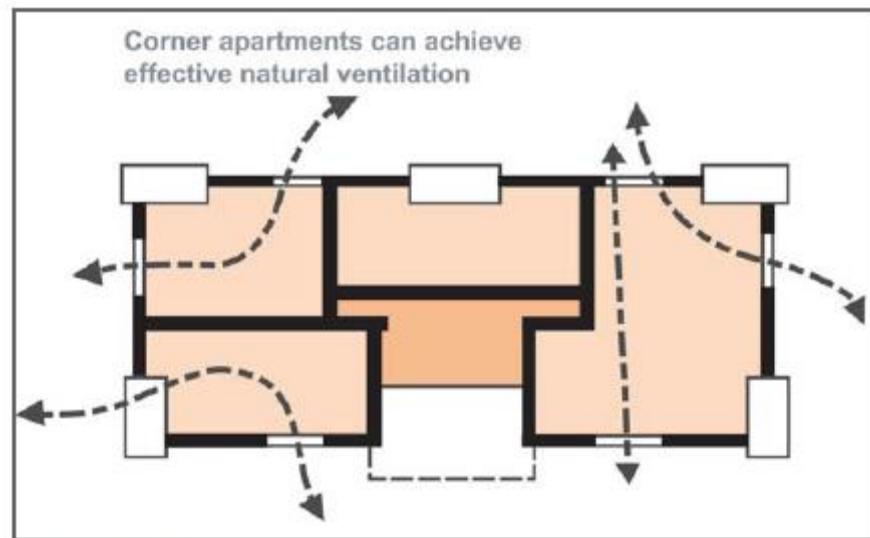


Figure 3.28 Cross ventilation of apartments
Source: Residential Flat Design Code, Planning NSW

Replaced with new equivalent figure from ADG and updated accordingly

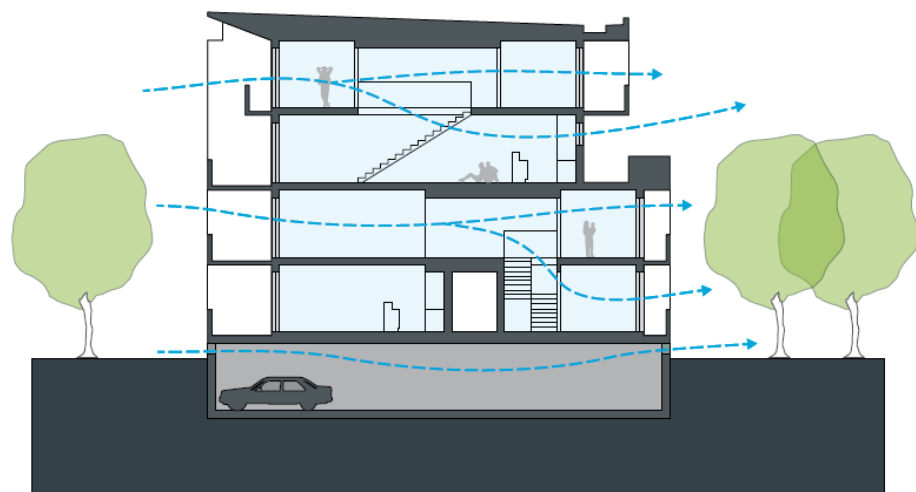


Figure 3.28 Cross Ventilation of Apartments
Source: Apartment Design Guide, NSW Department of Planning & Environment

Page 63:

Figure 3.29

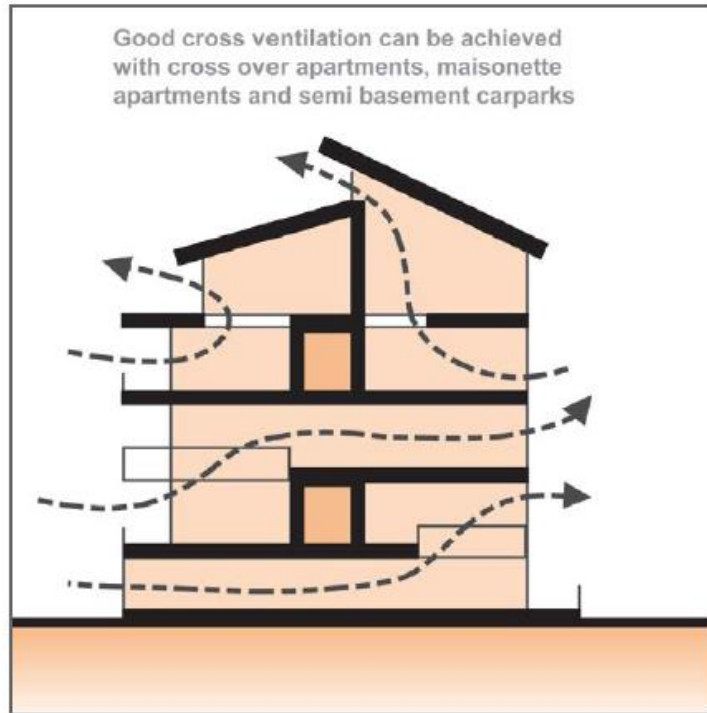


Figure 3.29 Cross ventilation of multi-unit buildings
 Source: Residential Flat Design Code, Planning NSW

Replaced with new equivalent figure from ADG and updated accordingly

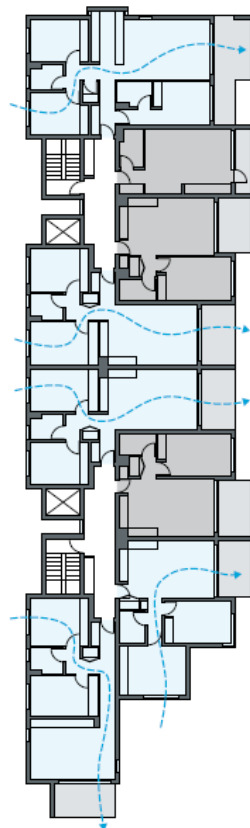


Figure 3.29 Cross Ventilation of Multi Unit Buildings
 Source: Apartment Design Guide, NSW Department of Planning & Environment

Section 3.1.3 - Business zones (building envelope table)

Page 36:

“*Where development proposes a residential zone (if permitted in the zone) or adjoins a residential use and is more than 2 storeys in height, building separation is to be provided as per the *Residential Flat Design Code Apartment Design Guide* published by the NSW Department of Planning”

Section 3.3.5

Page 64:

Further Information

BASIX website: www.basix.nsw.gov.au

BASIX Design Guidelines, including Thermal Comfort

~~Department of Infrastructure, Planning and Natural Resources Residential Flat Design Code~~ “NSW Department of Planning & Environment, *Apartment Design Guide*”

Sustainable Energy Development Authority (SEDA)

Section 4.1.5 – Design controls

Page 119:

“C.6 – Podium setbacks to new and existing lane ways and road extensions are shown in Figure 4.1.5.9 and Figure 4.1.5.10. Podium setbacks can be aligned to the laneway except where accommodating outdoor dining opportunities or where building separation requirements of *the Residential Flat Design Code Apartment Design Guide* seeks increased setbacks”.

Page 120:

“C.8 – In all circumstances residential components of a development must comply with the minimum building separation distances prescribed under the ~~Residential Flat Design Code Apartment Design Guide~~”

“C.9 – In all circumstances residential components of a development must comply with the minimum building separation distances prescribed under the ~~Residential Flat Design Code Apartment Design Guide~~”

Section 4.1.6 - Design Controls

Page 135:

C.5. Where development proposes of adjoins residential development greater than 2 storeys in height, building separation requirements prescribed by the ~~Residential Flat Design Code Apartment Design Guide (ADG)~~ published by the NSW Department of Planning & Environment

should be achieved”

Section 4.3.2.2

Page 211:

Residential development

1. Where applicable, new residential development is to be designed to meet the requirements of State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Flat Development and the ~~Residential Flat Design Code~~ Apartment Design Guide”.

Item 8

Part 4 Special Precincts 4.1.4 (East) Rydalmere Precinct (Figure 4.1.4.1)

Proposed Amendment

- Amend Figure 4.1.4.1 (Page 112) to indicate that it is developable land (zoned B2 Local Centre) and no longer existing park.

Explanation

•
Parramatta LEP 2011 Housekeeping Amendment No.1 resulted in amendments to 25 Council-owned properties throughout the LGA.

This amendment came into force on 3 August 2012, and resulted in 400A Victoria road also known as John Carver Reserve (the subject site of this amendment item), being rezoned from RE1 Public Recreation to B2 Local Centre and its reclassification changed from Community to Operational.

PDCP 2011 still shows the land as 'existing parkland' in Figure 4.1.4.1 (shown below). This amendment is recommended to clarify that this land is no longer existing parkland but developable land, and to ensure the DCP controls are consistent with those in the Parramatta LEP 2011.



Figure 4.1.4.1

Proposed

Amendment



Figure 4.1.4.1

Item 9

Section 3.1.3 – Preliminary Building Envelope Table - Business Zones - B1
Neighbourhood Centre Landscaping

Proposed Amendment

- Amend deep soil zone control applicable in residential B1 zones to provide a numerical control that will produce a more desirable outcome.
- Re-word DCP control relating to deep soil zone and landscaped area in Business Zones.

Explanation

Sites zoned residential B1 differ from other business zones as they are often located in low density residential areas, and usually consist of smaller lot sizes than those in B2, B3 and B4 zones. A GIS review has shown that a large number of B1 zoned lots contained within the Parramatta LGA have very small site areas but also vary greatly. Lot sizes mainly range from 150 m² to approximately 2000 m².

In the context of the Parramatta LGA, applying the same landscaping principle to a B1 Zone as to large scale town/city centre sites is impractical particularly where these sites are developed for shop top housing of only up to 3 storeys.

Current controls relating to deep soil zones and landscaped areas in B1, B2 B4, B6, shop top housing and general B5 zones are as follows:

Rear setback area is to be a deep soil landscape area for the following:

- *In the B4 Zone if residential development is proposed at ground level*
- *For all business zones, if site adjoins residential development or a residential zone, or on merit*

Where deep soil zones are assessed on merit, it usually results in little or no deep soil zones for development on these lands.

Given that the nature of B1 zones differs to all other Business zones due to the location (in low density residential areas) and small lot size characteristics, it is recommended that a numerical control is introduced in the DCP to help produce a more desirable outcome in these areas.

In managing this issue, a building envelope deep soil control relating to the rear setback of the development and lot size is being proposed as part of this housekeeping amendment.

As B1 zoned lots within the LGA vary in size, building envelope controls will result in a different built form outcome on each site, particularly where controls are expressed as a percentage/relative to the size of a lot. PDCP 2011 specifies that the rear setback area within B1 zone is to provide “15% of the site length where the boundary adjoins a residential development or a residential zone, and otherwise on merit”. This setback is important where there is an interface between residential and commercial development and often the setback area would be landscaped to provide a visual screen to support the buffer to adjoining residential uses provided by the building setback. The deep soil zone is preferred to be located along the rear boundary to allow for the landscaping to be provided.

	<p>Where a site is small (i.e. below 400m²) there is limited opportunity to manage the interface through design measures to protect the amenity of adjoining properties. So in these cases it will be specified that the rear boundary must be the location of the deep soil planting and associated landscaping.</p> <p>For sites larger than 400m² there is more scope for the design to deal with the interface with the adjoining uses and so the proposed control is more flexible allowing for the deep soil to be provided in an alternate location subject to assessment of the impacts of the proposal as part of the DA process.</p> <p>Having a mandated amount for deep soil will assist in producing better deep soil outcomes in B1 zones whilst providing space for other rear lane requirements such as rear lane servicing.</p> <p>A minor amendment is also being sought to the rewording of controls contained in Section 3.1.3 (as italicised shown above) to clarify their intent.</p>
<p>Proposed Text amendment</p>	<p>Section 3.1.3</p> <p>Page 36:</p> <p><u>Business Zones (as shown in table 3.1.3)</u></p> <p>Rear setback area is to be a deep soil landscape area for the following:</p> <ul style="list-style-type: none"> • For lots greater than 400 square metres in the B1 Zone 50% of the rear setback is to be a deep soil landscape area zone or 30 square metres across the entire site, whichever is greater. • For lots less than or equal to 400 square metres in a B1 Zone, 50% of the rear setback is to be a deep soil landscape area zone • In the B4 zone If residential development in the B4 zone is proposed at ground level • For all business zones If the site adjoins residential development or a residential zone, and is business zoned land.

Item 10

Section 3.1.3 Preliminary Building Envelope Table – Residential flat buildings.

Proposed Amendment

- Amend the side setback control in table 3.1.3 (Primary building envelope tables) to clarify side setback controls for Residential Flat Buildings (RFBs) to achieve a more desirable built form outcome consistent with the Apartment Design Guidelines (ADG).

Explanation

The preliminary building envelope table in section 3.1.3 of PDCP 2011 specifies a minimum side setback of 4.5 metres for residential flat buildings. Side setback controls are important in delivering visual privacy and contribute to achieving adequate building separations.

Side setbacks for RFBs vary depending on whether they are setback from a *habitable room** or *non-habitable room** to achieve visual privacy as well as the height of the building to ensure setbacks contribute to providing adequate *building separation** (*refer to definitions below). Development controls for RFBs such as setbacks and building separation can be found within the DCP and are ultimately informed by the ADG.

**A habitable room* refers to any room used for normal domestic activities other than a bathroom, toilet, pantry etc. and other spaces of a specialised nature occupied neither frequently nor for extended periods.

**A non-habitable room* refers to a space of a specialised nature not occupied frequently or for extended periods, including a bathroom, laundry, corridor, hallway etc.

**Building separation* is the distance measured between building envelopes or buildings. Separation between buildings contributes to the urban form of an area and the amenity within apartments and open space areas.

Council's DCP indicates that the minimum side setback is 4.5 metres for RFBs within the primary building envelope table (Section 3.1.3). Whilst 4.5 metres is a side setback control that does apply to an RFB (contained in the ADG), the current DCP does not clarify that this is the setback that applies to an RFB that is between a habitable room and a non-habitable room and for a building up to 25 metres in building height. It also does not inform the absolute minimum control required i.e. building up to 12m requires a 3 metre distance to non-habitable rooms.

Further, the DCP control for building separation between habitable rooms is listed in Section 3.3.3 Visual and Acoustic Privacy in control C.8 – "*the minimum separation between habitable rooms/balconies is 12m*".

The minimum separation between apartment buildings potentially located adjoining each other on adjoining sites should have a significant impact on the setback as the setback should allow for appropriate separation of habitable rooms to protect the amenity of residents in units that face each other.

The minimum separation requirement of 12m specified in Section 3.3.3 is a simplification of the controls for building separation in Section 3F "Visual Privacy of the ADG. This section of the ADG has different separations based on whether the room/ spaces facing one another are habitable or non-habitable as indicated in the adjoining table

Building Height	Habitable Rooms & Balconies	Non-habitable rooms
Up to 12m (4 storeys)	6m	3m
Up to 25m (5-8 storeys)	9m	4.5m
Over 25m (9+ storeys)	12m	6m

Council's controls will be amended so that applicants/designers are referred to Section 3F of the ADG to determine what the appropriate building separation will be and this will in effect inform the required setback from the boundary. Example If a 5-8 storey building has balconies fronting a side boundary then the separation between it and a Residential flat building must be 9m and so the setback from the boundary is 4.5m so both sites share the 9m building separation equally (i.e. 4.5m each)

Section 3.1.3

Page 35:

Multi Dwelling Housing and Residential Flat Buildings

Side setbacks – Residential flat buildings

Proposed Text amendment

Side setback should be provided to ensure compliance with Section 3F 'Visual Privacy' of the ADG which details the building separations required between residential flat buildings.¹

¹ Where a site adjoining the subject site does not contain an apartment building at the time the development application is being assessed, the separation required will be that specified for habitable rooms and balconies in Section 3F of the ADG. Example: If a 5-8 storey building has balconies fronting a side boundary then the separation between it and a Residential flat building must be 9m and so the setback from the boundary is 4.5m so both sites share the 9m building separation equally (i.e. 4.5m each)

Item 11

Section 3.3.5 Solar Access and Cross Ventilation

Proposed Amendment

- Amendment to solar access design principle P.2 to refer to living room windows or at least one habitable room, and also defer to the ADG for solar access controls in residential flat buildings.

Explanation

The current control for solar access in relation to residential development states:

“Dwellings within the development site and adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9.00a.m and 3.00p.m on June 21.”

Currently this control applies equally to all residential settings including denser urban environments that accommodate residential flat buildings however, it is not possible to achieve the same solar access outcome across different forms of development.

Typical residential settings i.e. single dwellings, two storey dwelling, dual occupancies and townhouses; generally have a greater surface area for each dwelling (i.e. outside walls) which can accommodate more windows positioned to achieve maximum sunlight. Denser urban environments (i.e. apartment developments) on the other hand, cannot realistically achieve the same or similar solar access outcome. This is due to overshadowing caused by adjoining dense development with greater heights, as well as smaller wall surface areas per dwelling which further limits solar access.

The Apartment Design Guide (ADG) recognises a varied requirement in denser urban environments such as the Parramatta CBD where flat buildings are more likely. The requirement recognises a varied duration of solar access and identifies living rooms and private open spaces as the primary areas to achieve solar access. It is as follows:

- (1) Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9am and 3pm at mid winter in the Sydney Metropolitan area and in the Newcastle and Wollongong Local Government Areas.
- (2) In all other areas, living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 3 hours direct sunlight between 9am and 3pm at mid-winter.

This DCP amendment therefore seeks to distinguish the differences between the different types of residential development through the provision of different solar access controls. Currently the DCP does not make reference to these ADG controls. It is recommended that for clarification purposes and to make the solar access requirements known for residential flat buildings that the relevant control is amended to refer to the ADG.

Furthermore, achieving solar access in all habitable rooms is unrealistic in typical residential setting particularly where lots run north to south which is considered to be a typical street arrangement. This is because the building envelope controls required by the DCP (particularly side

	<p>setbacks) for dwelling houses do not allow better solar access outcomes on these lots that do not overshadow adjoining properties.</p> <p>Solar access cannot be achieved in <u>all habitable rooms</u> in this context, and so this principle should be amended to provide a more realistic outcome by seeking solar access in the primary living area of the dwelling for e.g. family rooms/living area.</p>
<p>Proposed Text amendment</p>	<p>Section 3.3.5</p> <p>Page 61:</p> <p><u>Design Principles</u></p> <p>P.2 - Detached single and two storey, dual occupancy and townhouse dwellings within the development site and adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms in the primary living area, and in at least 50% of the private open space between 9.00a.m and 3.00p.m on June 21. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced. For units within residential flat buildings, refer to controls contained within Part 4 of the Apartment Design Guidelines (ADG). In order to demonstrate that this can be achieved, shadow diagrams may be required with the development application.</p>

Item 12

Section 3.3.3 Visual and Acoustic Privacy

<p>Proposed Amendment</p>	<ul style="list-style-type: none"> • Addition of new design controls for rear balconies in dwelling houses and dual occupancies. • Re-number controls accordingly
<p>Explanation</p>	<p>Section 3.3.3 provides objectives aimed at ensuring that visual privacy is provided within a development and between a development and its neighbours, and that development does not cause unreasonable overlooking of habitable rooms and principle private open spaces of dwellings.</p> <p>Design principle P3 states:</p> <p><i>“Building elements such as balconies and decks are to be designed to minimise overlooking of living areas, private open spaces of adjoining dwellings and adjoining school yards”.</i></p> <p>For privacy reasons, elevated rear facing balconies for dwelling houses and dual occupancies are generally not supported in the City of Parramatta LGA. This is because the privacy of neighbours is easily impacted on as it is difficult to prevent overlooking particularly where rear balconies are positioned on upper floor levels. In a two story dual occupancy context this issue is intensified. Where land is subdivided to provide for dual occupancy, equal/similar portions of lots are developed and with typically smaller setbacks. Permitting upper floor rear balconies in this context will impact on visual privacy and exacerbate overlooking onto neighbouring properties due to increased development on lots with smaller setbacks.</p> <p>Whilst alternative solutions such as privacy screens can potentially be effective for dwellings and dual occupancy development, they also impact on the amenity of dwellings as they minimise solar access and therefore is not a favourable approach.</p> <p>This housekeeping amendment seeks to propose additional controls related to rear facing balconies in dwellings and dual occupancy development by prohibiting rear balconies in dual occupancies at upper levels, and allowing rear balconies in dwellings provided they are indented into the built form and a 12metre setback is achievable at the rear of the property.</p> <p>By integrating the rear balcony into the single dwelling building form and providing an adequate separation particularly to the rear of the property, this will mitigate privacy issues in dwellings. However, this same principle cannot apply to subdivided lots for dual occupancy development due to smaller side and rear setbacks that are less likely to produce adequate separations to adjoining properties, and as such is unable to alleviate overlooking on neighbouring properties.</p>
<p>Proposed Text amendment</p>	<p>Section 3.3.3</p> <p>Page 56:</p> <p>Design Controls</p>

Residential flat buildings, multi dwelling housing, the residential component of mixed use development, dwelling houses, and dual occupancies

Insert new control:

C.1 – Rear balconies are not permitted on dual occupancy development at upper floor levels.

Amendment to existing control C.1 to be renumbered to C.2

Insert new control:

C.3 – For dwelling houses, rear balconies are only permitted where they are indented into the building form and a setback of 12 metres is provided to the rear boundary/adjoining backyard.

Amendment to existing controls C.2 - C.10 to be renumbered to C.4 –C-12 due to additional controls.

Item 13

Section 3.3.1 Landscaping

Proposed Amendment

- Amendment to Section 3.1.3 (Preliminary Building Envelope Table), to include reference to definition of landscape area to be contained in section 3.3.1 (see next dot point).
- Amendment to Section 3.3.1 to include glossary term for landscaped area as design principle
- Re-order design principles accordingly.

Explanation

Landscape area controls apply to a number of developments in varying zones. For e.g. residential, business and industrial zones.

Currently, the general minimum dimensions for landscaping areas are only specified within the glossary term for landscape area' which is located at the back of the PDCP 2011. The glossary term reads as follows:

Landscape Area (has the same meaning as in Parramatta LEP 2011):

A part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

To measure landscaped open space:

- *Impervious surfaces such as driveways, paved areas, roofed areas, car parking and storm water structures, decks and the like and any area with a width or length of less than 2 metres are excluded*
- *The water surface of swimming pools is included*
- *Landscaping is to be at ground level*
- *The minimum soil depth of land that can be included as landscaped open space is 1 metre.*

The DCP contains controls for landscaping in two locations (Section 3.1.3 Preliminary building envelope table and Section 3.3.1 'Landscaping'), however neither section specify the minimum dimensions that apply to landscape areas, or the way in which landscaped open space is measured (which is included in the glossary definition).

To improve clarity in the development application process, it is recommended the definition/dimensions be brought forward and displayed within Section 3.3.1, to allow for earlier consideration of the minimum dimensions. In addition, reference should also be made to Section 3.3.2 which contains the minimum requirements i.e. minimum area and dimension requirements for private open space. The reason for consolidating all this information on open space and landscape design in one section is to make it simpler for a designer to understand the controls they need to achieve when preparing a design.

In ensuring that the dimensions of landscape areas are being considered throughout development, the preliminary building envelope table (3.1.3) should also be amended to provide a reference to the definition of 'landscape area' by containing an additional 'Note' to refer to the glossary for the definition of this term. Accompanying notes to the building envelope table provide further instruction on the application of

	<p>the table, and in this case the new note would provide information on the measurement of landscaped open space.</p> <p>This amendment will ensure better communication of the landscape minimum dimensions required for development to both Council officers, and applicants participating in the development application process.</p>
<p>Proposed Text amendment</p>	<p>Section 3.3.1</p> <p>Page 50: Insert new principle:</p> <p>P.1 - Landscape Area (has the same meaning as in Parramatta LEP 2011) and is defined as a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.</p> <p>Existing P.1 to P.4 will be renumbered accordingly and will be numbered P.2-P.5</p> <p>Insert new principle:</p> <p>P. 6 Landscaped open space can be measured based on the following:</p> <ul style="list-style-type: none"> - Impervious surfaces such as driveways, paved areas, roofed areas, car parking and storm water structures, decks and the like and any area with a width or length of less than 2 metres are excluded. - The water surface of swimming pools is included - Landscaping is to be at ground level - The minimum soil depth of land that can be included as landscaped open space is 1 metre. <p>Refer to section 3.3.2 for private open space landscaping minimums</p> <p>Existing P.5 - P.13 will be renumbered accordingly and will be numbered P.7-P.15.</p> <p>Section 3.1.3 – Preliminary Building Envelope Table</p> <p>Page 33</p> <p><i>NOTE 4: Refer to Glossary for definition of ‘Landscape Area’</i></p> <p>Page 35</p> <p><i>NOTE 6: Refer to Glossary for definition of ‘Landscape Area’</i></p> <p>Page 36</p> <p><i>NOTE 6: Refer to Glossary for definition of ‘Landscape Area’</i></p> <p>Page 37</p> <p><i>NOTE 2: Refer to Glossary for definition of ‘Landscape Area’</i></p>

Item 14	
References made to City Centre LEP 2007	
Proposed Amendment	<ul style="list-style-type: none"> The Parramatta Development Control Plan 2011 currently refers to the City Centre LEP 2007 and to clauses that previously existed under this LEP (the city centre LEP no longer exists as it has been incorporated into Parramatta LEP 2011). This needs to be updated to reflect Council's most current planning instrument i.e. Parramatta LEP 2011.
Explanation	<p>On 18 December 2015, Amendment No.10 came into force which consolidated the Parramatta LEP 2011 and Parramatta City Centre LEP 2007. Parramatta LEP 2011 now incorporates the controls formerly in Parramatta City Centre LEP 2007 and LEP 2007 has been repealed.</p> <p>DCP 2011 currently contains 21 references to the Parramatta City Centre LEP 2007 and in some cases reference to certain clause numbers from LEP 2007 which now need to be updated as a result of the consolidation of the LEPs. These references need to be amended to refer to the correct planning instrument and clause numbers.</p>
Proposed Text amendment	<p>Page 7:</p> <p>1.4 Relationship to other Plans and Policies</p> <p>This DCP is to be read in conjunction with the Parramatta LEP 2011 and Parramatta City Centre LEP 2007. If there is any inconsistency between this DCP and the Parramatta LEP 2011 or Parramatta City Centre LEP 2007, the LEP will prevail.</p> <p>1.5 Purpose of this Development Control Plan</p> <p>The purpose of this DCP is to supplement the Parramatta LEP 2011 and Parramatta City Centre LEP 2007 and provide more detailed provisions to guide development.</p> <p>Page 8:</p> <p>1.8 Terms used in this Development Control Plan</p> <p>In this DCP, terms have the meaning ascribed in the Environmental Planning and Assessment Act, 1979 and the Parramatta LEP 2011 and Parramatta City Centre LEP 2007. Certain terms used in this DCP are defined in the glossary.</p> <p>Page 74:</p> <p>3.4.1 Culture and Public Art</p> <p><u>Design Principles</u></p> <p>P.1 All new development having a capital value of more than \$5,000,000 in the following major local centres and zoned as indicated in the Parramatta LEP 2011 and Parramatta City Centre LEP 2007 is required to provide and implement an Arts Plan as part of the overall development. The plan is to include the provision of high quality</p>

artworks within the development in publicly accessible locations, near main entrances and street frontages and in lobbies.

Page 80:

3.5.1. General

This section of the Plan contains the general principles and controls that apply to development on and in the vicinity of heritage items and heritage conservation areas identified in the Parramatta LEP 2011 ~~and Parramatta City Centre LEP 2007~~. They include controls and guidelines for maintenance, alterations and additions, new development and archaeological issues. This section must be read in conjunction with other relevant controls of this Plan, particularly Part 4.

Page 82:

3.5.1

Development near Heritage Items

C.3 Where development is proposed that adjoins a heritage item identified in the Parramatta LEP 2011 ~~or Parramatta City Centre LEP 2007~~, the building height and setbacks must have regard to and respect the value of that heritage item and its setting.

Page 86:

3.5.2 Archaeology

Parramatta has rich archaeological resources, which provide the opportunity to gather information about the past that is not available from other sources. This Section clarifies how these archaeological resources are to be managed. The most important thing to remember about archaeology is that notwithstanding any requirements that might be set out by Council, there are “catch-all” legal obligations set out in State legislation in the form of the Heritage Act 1977. In this regard you should check with Council whether the site has been identified as having any archaeological significance. A “relic” is defined as any object, or deposit relating to settlement of NSW, not being an aboriginal settlement, which is more than fifty years old. There is also an obligation under the Heritage Act to stop work and contact the Heritage Office if relics are unexpectedly disturbed or uncovered. Certain procedures then need to be followed which are set out in the Parramatta LEP 2011, ~~Parramatta City Centre LEP 2007~~, and the Heritage Act, 1997, including possible requirement for approval of an excavation permit before any other development proceeds.

Whilst the requirements of the Heritage Act are therefore very broad ranging, it needs to be remembered that there are no obligations on an owner or builder to do anything prior to commencing work unless the site has been identified as containing underground relics, or being likely to. In this regard, the owner of a heritage listed building, you should check with Council whether the site has been nominated as having any archaeological significance. This will apply to relatively few sites. Certain

procedures then need to be followed which are set out in the Parramatta LEP 2011, ~~Parramatta City Centre LEP 2007~~ and also in the NSW Heritage Act 1977. A Council officer will provide further guidance in these situations.

Page 87:

3.5.3 Aboriginal Cultural Heritage

Aboriginal heritage is protected in Parramatta under the Parramatta LEP 2011 ~~and Parramatta City Centre LEP 2007~~. Planning controls of these LEPs require the Council to consider the impact of development on known or potential Aboriginal archaeological sites or sites of cultural or historical significance to Aboriginal people. When development applications are lodged for such sites, the Council must also consider an Aboriginal Heritage Assessment along with advice from the National Parks and Wildlife Service and local Aboriginal communities.

Page 97:

3.7.2 Site Consolidation and Development on isolated sites

Design Principles

P.1 Development for the purpose of residential flat buildings, multi dwelling housing in the form of town houses, villas or the like is not to result in the creation of an isolated site that could not be developed in compliance with the relevant planning controls, including the Parramatta LEP 2011, ~~Parramatta City Centre LEP 2007~~ and this DCP.

Page 242:

4.3.3.5 Access and Car Parking

d) On-Site Parking

Car parking rates for the Parramatta City Centre are contained in Clause ~~7.4 of Parramatta LEP 2011 22C of Parramatta City Centre LEP 2007~~. These rates are maximums rates and are not to be exceeded.

Page 268:

4.3.3.7 City Centre Special Areas

c) Park Edge

The planning controls include the applicable maximum building height and floor space ratio controls under ~~the City Centre LEP 2007 the Parramatta LEP 2011~~. They also include the DCP controls outlined in this section of the DCP. When these controls are complied with, development applications will not need to be referred to the Commonwealth Government for approval under the EPBC Act.

Page 271:

Area B Building Height and Floor Space Ratio controls

~~The Parramatta City Centre LEP 2007~~ The Parramatta LEP 2011 specifies the applicable maximum building height and floor space ratio controls for Area B within the Park Edge Special Area. Bonus height and floor space ratio provisions under the LEP apply when the development exhibits design excellence as judged under an architectural design competition.

Page 272:

Protection of important views to and from Old Government House and Domain

Note: Parramatta Park is also listed on the NSW State Heritage Register and as an item of State Heritage significance under the ~~Parramatta City Centre LEP 2007~~ Parramatta LEP 2011. These listings mean that the provisions of the Heritage Act, 1977 and the heritage clauses of Parramatta City Centre LEP 2007 must be complied with for development on or within the vicinity of OGH. These considerations do not impact on the referral requirements of the EPBC Act.

Page 288:

4.3.3.8 Design Excellence

Objectives

To improve the design quality of city buildings for development applications where the provisions of Parramatta LEP 2011 ~~Parramatta City Centre LEP 2007~~ require that proposed development is to be designed as a result of a design competition.

Provisions

1. In determining a development application, ~~Clause 22B of Parramatta City Centre LEP 2007~~ Clause 7.10 of Parramatta LEP 2011 requires the consent authority to consider whether the proposed development exhibits design excellence.
2. In accordance with ~~Clause 22B of Parramatta City Centre LEP 2007~~ Clause 7.10 of Parramatta LEP 2011 the consent authority is to consider whether the design of the building is the result of an architectural competition that facilitates design excellence.

Item 15

Section 5.5.1 – Modification applications involving minimal environmental impact

<p>Proposed Amendment</p>	<ul style="list-style-type: none"> • Amendment to the description of Section 96(1A) applications to provide more clarity regarding notification procedures.
<p>Explanation</p>	<p>Notification procedures involved with S96(1A) applications (when applicants modify development consents generally) are similar to those required under S96(AA)s (modification by Council of consents granted by the court). Currently both these types of applications are required to be notified as follows:</p> <ol style="list-style-type: none"> a) A letter to adjoining land owners and occupiers, and where possible the name of the owner/occupier will be used. As a minimum, the extent of surrounding properties receiving a letter shall be shown in Figure 1. b) A letter to each person who made a submission the original development application. c) The notification period is 14 calendar days. <p>The development services unit encounter numerous S96 (1A) applications that are of a very minor nature. For e.g. modifying the length of time to satisfy deferred commencement requirements or a change of materials. Notifying minor S96(1A) applications that do not present visible physical changes to an original consent or any visible external changes to an approved development is considered to be an ineffective use of time and resources.</p> <p>In order to minimise the amount of advertising and notification required while still capturing the intent of this provision, an amendment is being sought to provide further discretion in the notification process in relation to S96(1A) applications . It is proposed that criteria will be put in place to specify which applications should be notified. Where the nature of an application will result in no physical changes or where physical changes or a modification generates no appreciable impacts, it is proposed that no notification be required.</p>
<p>Proposed Text amendment</p>	<p>Addition of new text in Section 5.5.1 (shown in red text) based on the nature of applications.</p> <p>Page 478:</p> <p><i>Applications for modification of development consent where the modification involves minimal environmental impact fall under two sections of the EP&A Act, these being Section 96(1A) or Section 96AA (Section 96AA applications refer to those applications for modification by Council of consents granted by the Land & Environment Court).</i></p> <p><i>For S96(1A) applications, public notification requirements are as follows:</i></p> <ol style="list-style-type: none"> <i>a) Where no physical changes to an original consent/no visible external change to an approved development is proposed, no notification or advertising is required.</i> <i>b) Where physical changes proposed or modifications generate appreciable impacts to surrounding development, notification and</i>

advertising as per the original development application is required.

These applications will be publicly notified as follows under this DCP:

Section 96AA applications will all be publicly notified.

Where S96(1A) applications require public notification under this DCP, they are to be notified as follows:

- a) A letter to adjoining land owners and occupiers, and where possible the name of the owner/occupier will be used. As a minimum, the extent of surrounding properties receiving a letter shall be as shown in Figure 1.*
- b) A letter to each person who made a submission to the original development application.*
- c) The notification period is 14 calendar days.*

NOTE: Clause 117 of the EP&A Regulation specifies requirements for notification to the Land & Environment Court of Section 96(1A) modification applications where the development consent was granted by the Land & Environment Court.

Item 16

Section 5.2.1- Advertised Development

Proposed Amendment

- Amendment to Section 5.2.1 (ii) (g) to amend reference to Clause 5.10.

Explanation

Section 5 contained at the Appendix of PDCP 2011 explains the notification procedures involved for development applications. In general terms, development applications at minimum are *notified* or can be *advertised* subject to the nature of the application.

Section 5.1 provides information on the minimum notification standard required for all development applications (unless specified as advertised development). Minimum notification procedures apply to developments such as single/two storey dwelling houses and minor alterations/additions to development for e.g. carports, swimming pools, subdivision, or minor alterations/additions to advertised development. The minimum notification procedure involves a letter being sent to adjoining property owners and occupiers, or owners and occupiers in the vicinity that may have an interest in the development application. The letter is to identify the property, proposed works, and inform landowners/occupiers of the opportunity to lodge a submission regarding the proposed development. The notification period is 14 calendar days.

Section 5.2.1 'Advertised Development' provides for certain development to be subject to notification processes over and above the standard described above due to their significant nature. The Environmental Planning and Assessment Act enables Council's to identify "advertised development" under a planning instrument and/or development control plan. Under Section 5.2.1 (ii) of Parramatta DCP 2011, the following is identified as advertised development:

- a. Residential flat buildings
- b. Multi dwelling housing
- c. SEPP (Seniors Living)
- d. Non-residential development in or adjoining a residential area that may impact on residential amenity
- e. Mixed use development
- f. the demolition of a heritage item or a building, work, relic, tree, or place in a heritage conservation area
- g. the carrying out of development referred to in Clause 5.10 of Parramatta LEP 2011

but excludes minor alterations and additions to the above.

In advertising a development application, extensive notification to adjoining/surrounding owners and occupiers is required, in addition to the following:

- A notice published in the local newspaper circulating in the area of the development
- A notice placed on council's website

- Exhibition material to be displayed at Council's central library, and branch library closest to the development site.
- A suitably protected laminated notice will be placed on the land in an area that is highly visible.
- A letter sent to public authorities, which may have an interest in the application.

The notification period for advertised development is 21 calendar days commencing the day after the notice appears in the local paper. The requirements for advertised development procedures involve a substantial amount of Council resources and time.

This housekeeping amendment is seeking to amend part g) of Section 5.2.1(ii) to provide direction for development assessment officers on advertised development in relation to LEP clause (5.10), and minimise the amount of advertised development where it is not considered needed.

Clause 5.10 'Heritage conservation' of Parramatta LEP 2011 is aimed at conserving Parramatta's heritage and contains provisions that inform the carrying out of any development under this clause. As 5.2.1 (ii) (g) currently applies, it is resulting in a large number of development applications being advertised as it refers to all development assessed under this clause.

Development under this clause includes:

- Demolition works to heritage items, aboriginal objects, or a building, work, relic, tree or place in a heritage conservation area
- Altering the exterior to heritage items, aboriginal objects, or a building, work, relic, tree or place in a heritage conservation area
- Altering a heritage item that is a building by making structural changes to its interior
- Land subdivision on land on which a heritage item/Aboriginal place or object is located
- Erecting a building on land on which a heritage item/Aboriginal place or object is located
- Excavation works on archaeological sites/Aboriginal place

The development services unit has suggested that it may not be warranted for all the above works to be advertised. Past practice of advertised development has indicated that demolition works relating to heritage items or houses in a heritage conservation area are mostly in the broader interests of the public and as such advertising is warranted. Currently 5.2.1 (ii) f) *the demolition of a heritage item or a building work, relic, tree, or place in a heritage conservation area* already captures the advertising of these works.

Whilst all other development applications containing works to/relating to Clause 5.10 (as listed above) are still of importance to the public, when considered in context of the extensive resources and time required by Council to undertake advertising procedures, it is suggested that the nature of these applications do not merit extensive notification and should adopt the minimum notification procedures instead. Both notification and advertisement procedures still advise adjoining/surrounding landowners of the proposed change, and provide the opportunity to lodge a submission regarding the proposed application.

	<p>Moreover, in ensuring that the intent of this DCP provision is still captured, the 'Conservation Incentives' (5.10.10) provision contained in Clause 5.10 should remain as a form of advertised development. The Conservation Incentive clause contains provisions that allow non-permissible uses on a heritage site. Development of this nature is considered significant and of interest to the public and should therefore continue to be defined as advertised development in PDCP 2011.</p> <p>As 5.2.1 (ii) f) already captures demolition works relating to heritage items, a work, relic, tree or place in a heritage conservation area as advertised works separate to part g), it is recommended that an amendment only be made to 5.2.1 (ii) (g) to only refer to Clause 5.10.10 (conservation incentives clause) as advertised development. This will provide further discretion for development officers.</p> <p>This amendment will assist in minimising the amount of advertised development, and will lessen the amount of resources/time currently being utilised for the advertising of applications that do not warrant extensive notification procedures.</p>
<p>Proposed Text amendment</p>	<p>Amendment to Section 5.5.2 (ii) (g) (page 447):</p> <p><i>In addition, this DCP identifies the following as advertised development:</i></p> <ul style="list-style-type: none"> <i>a. Residential flat buildings</i> <i>b. Multi dwelling housing</i> <i>c. SEPP (Seniors Living)</i> <i>d. Non-residential development in or adjoining a residential area that may impact on residential amenity</i> <i>e. Mixed use development</i> <i>f. the demolition of a heritage item or a building, work, relic, tree, or place in a heritage conservation area</i> <i>g. the carrying out of development referred to in Clause 5.10 5.10.10 of Parramatta LEP 2011</i> <p><i>but excludes minor alterations and additions to the above.</i></p>

Item 17

Section 5.5.6 Planning Proposal

Proposed Amendment

- Amendment to text for clarification

Explanation

Section 5.5.6 currently reads as follows:

“Draft Planning Proposals, which are prepared for the purpose of rezoning land, will be publicly exhibited in accordance with the requirements of the EP&A Act. A letter will also be sent to property owners and occupiers within the area proposed to be rezoned. A report to Council will be prepared outlining the nature and extent of notification for Council’s consideration.”

The provision relating to the notification of a planning proposal requires clarification (as underlined above).

The reporting of this detail is generally undertaken in conjunction with ‘Part 5 – Community Consultation’ of a planning proposal as specified in the Department of Planning & Environment’s ‘A guide to preparing planning proposals’. A planning proposal must provide an outline of the community consultation to be undertaken in respect of the planning proposal. This is considered via the reporting process where a planning proposal receives endorsement from Council.

It is recommended that this text be amended to eliminate the misinterpretation that a separate specific report on the nature of consultation will be reported to Council.

Proposed Text amendment

Page 480

Section 5.5.6

“Draft Planning Proposals, which are prepared for the purpose of ~~rezoning land~~ amending planning controls that apply to land, will be publicly exhibited in accordance with the requirements of the EP&A Act. A letter will also be sent to property owners and occupiers within the area affected by the change proposed to be ~~rezoned~~ amended. ~~A report to Council will be prepared outlining the nature and extent of notification for Council’s consideration.~~ Planning Proposal documents which are reported to Council prior to consultation being undertaken must contain an outline of the public consultation to be undertaken in respect of the planning proposal.”

Item 18

Part 5 Other Provisions 5.2 Child Care Centres

Proposed Amendment	<ul style="list-style-type: none">Section 5.2 of the PDCP 2011 references out-dated legislation and needs to be updated to reflect current legislation and regulations governing child care centres i.e. the National Quality Framework.
Explanation	<p>The document currently referenced in section 5.2 of the DCP released by the NSW Department of Community Services in 1998 titled 'Best Practice Guidelines in Early Childhood Physical Environments' is no longer in effect. It has been superseded by the National Quality Framework which sets out the requirements for the physical environment of child care centres in Quality Area 3.</p> <p>Any controls referred to in the PDCP from this superseded document need to be replaced and relevant section reworded to reflect the relevant equivalent control within Quality Area 3 Physical Environment in the National Quality Framework.</p>
Proposed Text amendment	See Item 18 Attachment 1

~~Children under six years old are constantly learning. Most of a child's learning actually takes place during these years. All of the experiences a child has in this time contribute to the kind of people they will eventually become. Services that provide care and education for young children carry enormous responsibilities to make a positive contribution to each child's development.~~ (Walsh, P. and NSW Department of Community Services (1998), Best Practice Guidelines in Early Childhood Physical Environments, page 9)

Parramatta City Council is committed to planning for the needs of its families and children.

Formal child care services, such as pre-schools and long day care, have a significant role to play in a child's development. Whereas once the education and care of children aged under 6 was the principal responsibility of their parents and families, child care provided by accredited and licensed providers has now become commonplace in Australia. With the sustained high rates of workforce participation for women, formal child care services are in fact critical to a healthy, modern society.

The quality of the environment provided in early childhood education services, together with the quality of teaching programs, are critical factors in a young child's development. The environment must be rich, attractive and inviting to the child and parent and be flexible enough to be constantly adapted to meet children's ongoing needs.

~~Increasingly, early childhood educators are finding a correlation between the quality of child care environments and child development. Marked patterns of negative behaviour that correlate to tight poorly designed spaces are being noted. Well-designed facilities, based on a careful assessment of young children's needs, result in positive responses and behaviour that requires little adult intervention or direction. Put simply, children are happier in environments that respond to them.~~ (Walsh, P. and NSW Department of Community Services (1998), Best Practice Guidelines in Early Childhood Physical Environments, page 10)

The physical environment plays a critical role in keeping children safe; reducing the risk of unintentional injuries; contributing to their wellbeing, happiness, creativity and developing independence; and determining the quality of children's learning and experiences. To maximise children's engagement and level of positive experience and inclusive relationships, an approved service needs to carefully consider physical layout and resources in the environment. (Australian Children's Education & Care Quality Authority (2013) Guide to the National Quality Standard, page 80).

Because children are critical to our future, Council will encourage excellence and best practice in the design of centre-based child care services. Council will also encourage the provision of child care services that meet identified unmet demands.

This Section in the DCP contains guidance, objectives and development standards designed to encourage both private and not-for-profit providers to achieve best practice in the physical design of centre-based children's services.

At the same time, Council is mindful that the people who live in its residential neighbourhoods highly value the amenity afforded by those neighbourhoods. This DCP therefore contains development standards that limit the potential impacts of child care centres on the residents' enjoyment of their neighbourhoods.

NOTE: *Child care centre* has the same meaning as in the Parramatta LEP 2011.

Overall Objectives

- O.1 To promote excellence and best practice in the location and physical design of child care centres.
- O.2 To promote the creation of superior child-friendly environments and the operation of high quality early childhood education programs in child care centres
- O.3 To promote the establishment of centre-based children's services on a range of suitable sites throughout the City of Parramatta.



- O.4 To promote the establishment of children's services that meet the needs of the community, including the provision of more places for children aged under 2 years of age and the provision of places in and around employment nodes.
- O.5 To provide guidance for Council, the community and children's services providers regarding the minimum development standards that apply to the location and physical design of child care centres.
- O.6 To ensure that proposals for new and enlarged child care centres respond positively to their context and setting, and minimise impacts on the amenity of the surrounding neighbourhood.
- O.7 To encourage the development of child care centres that maximise the safety and well-being of children in care.
- O.8 To describe the steps, information requirements and approvals required in order for a new child care centre to be established or an existing centre to be enlarged.
- O.9 To establish development standards and controls for child care centres that are succinct, consistent and unambiguous; and which state in what circumstances those controls may be varied and outlining the process for an applicant seeking a variation.

5.2.1 Development to which this section of the DCP applies

This Section applies to proposals to establish a new child care centre and to proposals to alter or enlarge an existing child care centre.

A child care centre is defined in Parramatta LEP 2011.

Alterations to an existing centre may include demolition or extension of a building or outdoor structures, an increase in the approved number and age group of child care places, an alteration to the hours of operation, or a proposal to add or expand outside of school hours (OOSH) care services.

Home based child care services

A *home-based child care* means a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:

- the service is appropriately licensed within the meaning of the *Children and Young Persons (Care and Protection) Act 1998*.
- the number children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 5 who do not ordinarily attend school.

This section does not generally apply to home based child care services, although many of the objectives and standards for centre-based services in this Section may be useful for those wishing to establish such a service.

A proposed new home based child care service (or a proposal to alter or enlarge an existing service) generally requires the development consent of Council. Applicants for home based services should refer to the Parramatta LEP 2011 to determine the consent requirements.

5.2.2 Relationship to other Documents

Children's Services Legislation

Licensing **Service** approval for operation of a child care centre or the expansion of an existing centre is to be obtained from the NSW Department of Education and Communities under the Children and Young Persons (Care and Protection) Act 1998. To obtain a **license service approval**, the Act requires a children's services provider to comply with **Children's Services Regulation 2004 (the Regulation) Children (Education and Care Services) Supplementary Provisions Regulation 2012 (the Regulation)**. This Section addresses issues pertaining to Council's planning responsibilities, as well as complementing and expanding upon the minimum Regulation licensing standards. This Section does not reiterate the Regulation requirements in any detail as they may be subject to change. Selected references to the Regulation are included where appropriate in this Section.

Please note however, that not all the provisions of the Regulation are included, therefore applicants are advised to refer to the Regulation to ensure compliance with all relevant provisions.

Best Practice Guidelines

The Regulation sets out minimum standards for buildings, facilities and operational practices. However, using best practice principles will not only deliver a better facility for users but one that is more viable in the long term. (Walsh, P. and NSW Department of Community Services, op. cit., page 26)

This Section promotes best practice in the location and design of physical environments for centre based children's services.

The reference upon which the best practice requirements are based is "Best Practice Guidelines in Early Childhood Physical Environments prepared" by Walsh, P. and NSW Department of Community Services (1998). Proponents should refer to and obtain a copy of this document from the Department of Education and Communities as part of the design of their child care centre and the preparation of their development application.

This Section cites extracts from "Best Practice Guidelines in Early Childhood Physical Environments". The extracts are shown in italic text. The extracts constitute notes to this Section and do not form part of the text of this Section.

National Quality Framework

The National Quality Framework aims to increase quality and drives continuous improvement and consistency across Australian education and care services.

The Framework came into effect in 2012 and is underpinned by the Education and Care Services National Law ('National Law') and Education and Care Services National Regulations ('National Regulations') to create the National Quality Standard and Regulatory Framework for most long day care, preschool./kindergarten, family day care and outside school hours care services in all states and territories.

National Quality Standard – Quality Area 3 'Physical Environment'

The National Quality Standard sets a national benchmark for the quality of education and care services, and gives services and families a better understanding of a quality service. This enables families to make informed decisions about the services providing education and care to their child.

Quality Area 3 – 'Physical Environment' of the National Quality Standard focuses on the physical environment and ensuring that it is safe, suitable and provides a rich and diverse range of experiences that promote children's learning and development. This Quality Area promotes best practice in the location and design of physical environments for centre based children's services.

Proponents should refer to and obtain a copy of "The Guide to the National Quality Standard" online from the Australian Children's Education & Care Quality Authority's website as part of the design of their child care centre and the preparation of their development application.

Building Code of Australia

Building Code of Australia (BCA) compliance is necessary in order to be granted a construction certificate. The BCA specifies the relevant standards which apply to centre based children's services. These are technical requirements relating to structural considerations, fire resistance, access and egress, services and equipment and health and amenity. They are mandatory and the child care centre proponents are strongly advised to take the BCA requirements into consideration early in the design process.

Food Act 2003 (incorporating food safety standards)

Where child care centres conduct food preparation on their premises, the activity is subject to the provisions of the NSW Food Act. This legislation adopts national food safety standards which apply to all food businesses and places requirements on the operator to ensure the facilities provide for the safe preparation of food. More information on specific design needs for the kitchen and associated areas is contained in Section 5.2.3. The business is also obliged to notify the details of the business to the NSW Food Authority. Contact details are Tel: 1300 552 406 or visit the website www.foodauthority.nsw.gov.au.

5.2.3 Planning Controls for Child Care Centres

Site Selection

Objectives

- O.1 To ensure that child care centres are located on sites that are suitable for the purpose of providing high quality care for young children.
- O.2 To ensure that child care centres are located on sites that provide high levels of safety, security, environmental health, and amenity for children.
- O.3 To ensure users of child care centres are not exposed to undesirable health and safety risks.
- O.4 To ensure child care centres are provided in locations that will make a positive contribution to, and not prejudice the continued operation of, existing surrounding uses.
- O.5 To encourage the location of child care centres in locations where they are easily accessed by all forms of public transport, vehicles, bicycles and walking, and in proximity to public transport nodes and complementary community land uses.
- O.6 To encourage the provision of children's services in and near business centres and workplaces.
- O.7 To discourage the location of child care centres in locations where they will cause unreasonable levels of disruption to the existing amenity of residential areas.

Design Principles and Controls

The way in which an environment is designed, equipped and organised determines the way that space and resources are used by children. (Australian Children's Education & Care Quality Authority (2013) Guide to the National Quality Standard, page 80).

~~*Early childhood settings where the buildings are light and attractive and the playgrounds large and dominated by plants are, by their very form, inviting and stimulating. These settings invite positive, joyous experiences in day-to-day living and learning.*~~ (Walsh, P and NSW Department of Community Services, op. cit., page 10)

Preferred sites for a child care centre are sites:

- where safe and convenient vehicular access can be provided;
- where safe and convenient pedestrian access can be provided;
- where there is less exposure to neighbouring dwellings and other noise sensitive uses (for example, corner sites);



- that are of a size and shape that provides for efficient building forms, generous access/circulation spaces and extensive play areas;
- that form part of an existing educational, open space or other community facility;
- that are within walking distance of major public transport services;
- that are within existing workplaces or business and employment nodes; and
- that are not located adjacent to arterial and main roads or sites within cul-de-sacs.
- Child care centres on the following sites are discouraged:
 - sites comprising battle-axe allotments and sites with access to a road with limited access and turning capability;
 - steep sites that inhibit convenient access for persons with a disability or reduce the usability of outdoor play areas;
 - where land contaminants, air or noise pollution or other risks or hazards are present on the site or in the immediate vicinity;
 - long, narrow sites; and
 - that are in close proximity to another existing or approved child care centre in a Residential zone. A separation of at least 200m is preferred.

Sites in proximity to another existing or approved child care centre

The location of child care centres on land within close proximity to another existing or approved centre in a residential zone is discouraged, unless it can be demonstrated that the cumulative impacts relating to traffic generation, on-street car parking and noise generation are within acceptable limits for a residential area.

Site size and shape

The size and shape of a potential site for a proposed child care centre is a major factor that will affect the quality of care that can be provided by the children's service, the long-term viability of the centre and the effectiveness of the facilities to be provided.

The Regulation's requirements for minimum unencumbered indoor and outdoor space (which in turn are key determinants of total site size) are considered a bare minimum which may limit the centre's ability to respond to future trends, child or community needs.

Larger sites support larger spaces, both indoor and outdoor. A larger space ensures a greater variety, diversity and number of play opportunities for children. It also gives greater flexibility to take advantage of other site planning issues and constraints (such as providing sufficient car parking and providing adequate setbacks to neighbours).

This DCP does not stipulate a minimum site size for the establishment of a child care centre, although does require the provision of best practice standards of indoor and outdoor unencumbered space that ~~in certain circumstances are required for service approval.~~

~~“Best Practice Guidelines in Early Childhood” provides a guide for the effective minimum site areas required for different sized child care centres designed in accordance with best practice principles: Quality Area 3 ‘Physical Environment’ of the National Quality Standard refers to the National regulations in providing the required space provisions for outdoor (Regulation 107) and indoor (Regulation 108) encumbered space. For each child being educated and cared for by the approved service, the following space provisions apply:~~

Indoor space	Outdoor space
3.25 m ² /child being educated and cared for by the approved service	7 m ² /child being education and cared for by the approved service



No. of licensed places	Building (m ²)	Transition area (m ²)	Playground (m ²)	Total site area (m ²)*
75	600	150	1,125	2,000
40	400	100	800	1,400
25	175	65	625	935

* excludes areas of the site dedicated for car parking and front setback areas
Sources: Best Practice Guidelines in Early Childhood Physical Environments, page 30

Child Care Centres in Residential Zones

Objectives

- O.1 To limit the impact of child care centres on the amenity of residential areas by promoting the establishment of smaller-sized centres in the City's residential neighbourhoods.
- O.2 To allow larger child care centres only in circumstances where a minimum component of places for children under 2 years of age is provided and where best practice standards of indoor and outdoor unencumbered space is provided.
- O.3 To ensure that child care centres in residential areas are an ancillary facility servicing the local community in which they are located and not a dominant non-residential use.
- O.4 To promote child care centre building forms that are compatible with the character of existing surrounding residential development.
- O.5 To ensure that child care centres do not undermine or compromise the amenity of residential areas.
- O.6 To use landscaping to:
 - protect the visual and acoustic privacy of adjoining properties;
 - provide adequate screening for outdoor play areas; and
 - enhance the streetscape presentation of the development.

Design Principles and Controls

Building siting and design

Except where provided by this Section, the child care centre shall comply with the relevant height, floor space ratio, minimum frontage, minimum street and side setback and building envelope controls for the respective Residential zones contained in both the relevant environmental planning instrument applying to the land and any other section applying to this land.

The minimum side setback for a new child care centre is 2 metres, except where the proposal involves conversion of an existing dwelling house then the setbacks shall comply with the requirements of Part 3 of this DCP.

On sites zoned Residential:

- the child care centre building is to be designed so as to appear as a dwelling house when viewed from the street. However, this does not preclude the use of 'U' shaped or 'L' shaped buildings for the purpose of minimising acoustic impacts on neighbouring properties as described in the Section on Acoustic and Visual Privacy.



- the front setback area may only be used for access, parking and landscaping purposes, shall not be used as an outdoor play space and shall not be included in calculations of unencumbered outdoor space.

Council encourages the use of single storey buildings in Residential zones for the purposes of child care centres for reasons of safety and access. In the case of a building that is higher than single storey, the above ground levels of the building should only be used for the purposes of storage and staff facilities.

Minimum indoor and outdoor space and maximum number of child care places

Except as provided for below, the minimum amount of indoor unencumbered space and outdoor unencumbered space to be provided per child care place shall comply with the requirements of the Regulation. At the time this DCP was made the Regulation required a minimum of 3.25 square metres of indoor unencumbered space per place and a minimum of 7 square metres per place for outdoor unencumbered space.

The maximum number of child care places to be provided in any child care centre in a Residential zone is 40.

However, in recognition of the unmet demand for child care places for children aged under 2 years throughout the City and as a means of encouraging the provision of more of these places, Council may permit the establishment of child care centres with more than 40 places.

Council will only permit a child care centre in a Residential zone with more than 40 places where:

- a minimum of 33% of the places are provided for children under 2 years of age; and
- The best practice standards are interpreted as a minimum of 4.5 square metres indoor unencumbered space per place and a minimum of 15 square metres per place for outdoor unencumbered space.

In cases where a proposed centre meets the two criteria described above, the maximum number of child care places to be provided in any child care centre in a Residential zone is 75. This standard is to ensure that any child care centre in a Residential zone does not unreasonably impact upon the amenity of the neighbourhood in terms of traffic safety, privacy and noise.

Hours of operation

Hours of operation will be generally limited to between 7am and 7pm Monday to Friday. Variation of these hours of operation will only be considered where the proposed child care centre is to be located in proximity to other non-residential uses that are permitted to operate outside of these hours.

Landscaping

A landscape buffer with a minimum width of 1 metre shall be provided along the side and rear boundaries of the development. A landscaping setback abutting the street frontage with a minimum width of 2 metres shall be provided.

Child Care Centres in Other Zones

Objectives

- O.1 To ensure that proposed child care centres will be compatible with the objectives of the relevant zone.
- O.2 To ensure that proposed child care centres in non residential zones are compatible with, and do not affect the operation of, any existing or likely future non residential land uses in the immediate vicinity.
- O.3 To provide opportunities for child care places close to workplaces and business centres.
- O.4 To allow the location of child care centres above ground level where no viable alternatives exist.



Design Principles and Controls

Building siting and design

The child care centre shall comply with the relevant height, floor space ratio, minimum frontage, minimum street and side setback and building envelope controls for the respective zones contained in both the relevant environmental planning instrument applying to the land and any other Section applying to the land.

Minimum indoor and outdoor space

Except as provided below, the minimum amount of indoor unencumbered space and outdoor unencumbered space to be provided per child care place shall comply with the requirements of the Regulation. At the time this Section was made the Regulation required a minimum of 3.25 square metres of indoor unencumbered space per place and a minimum of 7 square metres per place for outdoor unencumbered space.

In recognition of the greater amount of space usually available on sites zoned for either Special Uses (SP2 Infrastructure Zone) or Open Space purposes (RE1 Public Recreation or RE2 Private Recreation Zones), Council will pursue best practice provision of indoor and outdoor space for child care centres located in these zones.

Child care centres to be situated on land zoned either Special Uses (SP2 Infrastructure Zone) or Open Space purposes (RE1 Public Recreation or RE2 Private Recreation Zones) shall incorporate the following standards:

- Indoor unencumbered space: minimum 4.5 square metres per child care place
- Outdoor unencumbered space: minimum 15 square metres per child care place

Level within building

Child care centres should generally be situated on ground level of a building.

Child care centres in business zones may be located above ground level, but only where it can be demonstrated that there are no viable alternatives for the location of a child care centre at ground level in the building due to:

- the built form of the building and density of the surrounding area; and
- access to above-ground open space is available.

Other requirements in respect to above-ground centres are as follows:

- A reduction in the minimum amount of indoor unencumbered space per child is not permitted.
- Playrooms are to be designed so as to be enclosed by floor to ceiling height glass. Glass used in the building is to be in accordance with AS 1288-2006 - Glass in buildings - Selection and installation.
- Indoor areas adjacent to public areas shall be screened to prevent direct sight into child care centres.
- A safe refuge area shall be provided within the child care centre and opening directly to a dedicated fire-isolated stair. The minimum total area of the refuge shall be calculated at the rate of 0.25 square metres per person for the capacity of the centre, including staff. The doors, walls, floors and ceiling of the refuge shall have a minimum Fire Resistance Level (FRL) equal to that required for the fire stairs.
- Also refer to the Section on 'Outdoor Areas' below for requirements for outdoor play spaces.

Proximity to noise or odour generating uses

Child care centres must not be situated near to significant noise or odour generating uses, or to sites which (due to the prevailing land use zoning) may in future accommodate noise or odour generating uses.



Access and Parking

Objectives

- O.1 To maintain a safe environment for pedestrians, motorists and cyclists in and around child care centres.
- O.2 To ensure that safe and convenient car parking arrangements for child care centres are provided.
- O.3 To ensure all new child care centres, and alterations and additions including any associated spaces such as outdoor space, parking areas and the like, are designed to be accessible to all people within the community.
- O.4 To ensure that car parking areas associated with child care centres are designed to be consistent with the character of the area and to have minimal visual impact.

Design Principles and Controls

Car parking rates

On site car parking is to be provided at the rate of a minimum of 1 parking space per 4 child care places. Parking for people with a disability is to be provided at the rate of 1 space in every 10 spaces. If the car parking required is less than 10 spaces then at least 1 space must be provided.

A reduction in the minimum parking requirement may be considered where:

- there is sufficient safe on street parking available at appropriate times located outside the development within the frontage of the subject site; and
- the development is not likely to result in any adverse impact on the safe operation of the surrounding road network.

Notwithstanding the above, the availability of on street parking within cul-de-sacs will not be considered in any justification for the reduction in the minimum parking requirement.

Any variation to the minimum parking requirement, is to be justified by a traffic and transport assessment. Refer to 'Supporting Technical Assessments' 5.2.4 of this section for the matters to be addressed in a traffic and transport assessment.

Vehicle circulation and car parking design

Vehicle circulation and car parking areas shall be designed to allow the safe drop-off and collection of children and the safe movement and parking of staff, parent, visitor and service vehicles. In this regard:

- the design shall take into account nearby traffic generators, street design, and the existing environment for pedestrians and cyclists;
- access driveways shall not be located opposite, or in the vicinity of, road intersections;
- on site car parking and vehicle manoeuvring areas are to be designed so that vehicles are able to safely enter and leave the site in a forward direction;
- the development must comply with the provisions of AS 2890.1 Parking Facilities - Off Street Car Parking;
- tandem parking may be provided but only where the spaces that are not accessible at all times are designated for staff use;
- car parking areas and access ways shall not visually dominate the external appearance of the development and shall be softened by the provision of appropriate plantings in the front setback area;



- access provision to the outdoor play spaces and playgrounds should allow for trucks that occasionally deliver items such as sand or gardening supplies through secure-locking gates; and
- provision of at least one secure bicycle parking space should be made for each development at a rate of one space per 25 child care places.

Council will not support applications where existing traffic volumes or road geometry are such that danger would be created by pedestrians crossing the road to enter the child care centre site or by vehicles turning in the vicinity of the site.

Pedestrian access design

Access arrangements must ensure that safe and convenient access to the entry of the child care centre is available to all persons. Additionally, outdoor play spaces in the centre must be accessible for children. In this regard:

- pedestrian access that is separated from vehicular access is to be provided from the street to the building and from all car spaces to the building (it is essential that children using the centre do not need to walk past the back turning circle of a car);
- the development must comply with the provisions of AS 1428.1 Design for Access and Mobility and comply with Part D of the Building Code of Australia;
- all pedestrian pathways in the development should have a minimum width of 1.2 metres to allow easy circulation throughout the site;
 - the maximum grade of the front setback and any area of the site to be counted as unencumbered play space should be no greater than 1 in 12;
- hard paved surfaces are to be provided leading into the entry of a play environment and continuing inside that will allow children and adults with mobility aids as well as toddlers in strollers to enter with ease;
- if basement car parking is to be incorporated into the proposal, a lift or ramp must be provided between the basement level and upper levels; and
- the use of inclinator as the sole access for persons with a disability will not be supported.

Acoustic and Visual Privacy

Objectives

- O.1 To minimise the noise generation impacts generated by child care centres on the amenity of neighbouring residential properties.
- O.2 To minimise intrusion of noise on child care centres from external sources.
- O.3 To ensure the privacy of surrounding premises is maintained and protected from overlooking.

Design Principles and Controls

Acoustic privacy

The design of the child care centre should aim to locate sleep rooms and play areas away from external noise sources.

Centres must be designed in a manner that minimises noise transmission to neighbouring residential premises. The following design and operational matters are to be adopted for the management of noise generated by the centre:



- Where feasible, designs should be based on a 'U' shaped or 'L' shaped layout for the buildings, with external activity areas positioned such that the building structures act as a noise barrier (refer to Figures 10.2 and 10.3 in Appendix 10). If one of these layouts is not adopted, the applicant must provide a valid justification to Council as to why an alternative approach is more suitable or necessary.
- Orienting the building and outdoor play spaces having regard to impacts on neighbours (for example, locating play areas away from neighbouring bedrooms).
- Maximising the separation between the active outdoor play area (as opposed to passive activities such as sand pits, painting, storytelling etc) and the façade of any neighbouring premises.
- Ensuring openable windows at the child care centre and external play areas do not have a direct line of sight to neighbouring sensitive uses.
- Locate pedestrian access ways and ramps away from neighbouring sensitive premises where practicable.
- Adopt low noise features such as self closing gates with soft closure (ie low noise) hinges, selection of low noise air conditioning equipment, minimising the use of speed humps and ensuring car park surfaces and access ways are smooth.

The applicant should note that use of acoustic controls and management measures will not be accepted in cases where the design has not adequately addressed the above objectives.

Acceptable Acoustic Management Measures

Where optimal design and layout of the child care centre results in noise levels that do not comply with the acoustic criteria specified in Table 10.1 in Appendix 10, acoustic management measures must also be incorporated in the design. The preferred approach to acoustic management is through provision of physical measures such as barriers, enclosures, changes to glazing and provision of air conditioning. Management measures that must be implemented and monitored by staff and parents are not considered appropriate for a well designed child care centre.

Acceptable acoustic mitigation solutions include, but are not necessarily restricted to, the following:

Erection of noise barriers, which may include fencing types and other barriers that minimise noise transmission, to a maximum height of 2m for a flat site. Noise barriers in excess of 2m in height will be considered for sloping sites (eg. where a barrier is positioned on a retaining wall due to changes in levels). Figure 10.4 in Appendix 10 presents examples of situations where barrier heights in excess of 2m are acceptable. The barriers (and any access points such as gates) must have a minimum mass density of 12 kg/m², no air gaps between panels or at the base. The use of composite barrier constructions utilising clear barrier panels should be considered where there is potential for the barrier to restrict the vision of vehicles entering and/or leaving the premises.

- The majority of internal surfaces are to utilise absorptive materials as opposed to reflective to reduce the potential for reverberant fields to increase noise emissions and reduce speech intelligibility.
- Provision of mechanical ventilation and fixed windows (at the child care centre or adjacent receptors) where windows and doors must remain closed to achieve the appropriate noise criteria.

The following approaches are not considered appropriate for management of noise emissions from child care centre activities:

- Restricting the number of children utilising external play areas at any one time.



- Restricting the time periods and/or times of day that children are allowed to use external play areas.
- Staging of outdoor activities to reduce the number of children playing outdoors at any one time.

All child care centre development applications are to be supported by an acoustic assessment report. The acoustic assessment must be completed by an appropriately qualified and experienced person or organisation. The assessment is to address the following:

- Noise and acoustics matters included in [Best Practice Guidelines in Early Childhood Physical Environments Quality Area 3 'Physical Environment' of the National Quality Standard in association with The Regulation](#).
- Identification of sensitive noise receivers to be potentially impacted.
- Quantification of the existing acoustic environment at the receiver locations. Measurement techniques and assessment period should be fully justified and in accordance with relevant Australian Standards and NSW Office of Environment and Heritage requirements. The following specific requirements are to be followed as a minimum:
 - i. Type 1 or Type 2 noise instrumentation in current NATA or manufacturers calibration, field calibrated before and after the measurements.
 - ii. Monitoring of LAeq, LMax, LA1, LA10, LA50 and LA90 noise levels continuously, with results presented as 15 minute averages.
 - iii. Details of the prevailing meteorological conditions during the monitoring. Monitoring data for periods with wind speeds at ground level in excess of 5m/s or when more
 - iv. than 1mm of rain per hour must be deleted from the monitoring dataset to prevent a weather related bias.
 - v. Details of the noise monitoring positions, including microphone height (1.5m above ground level is the preferred height to represent receiver noise levels), whether a wind shield was fitted, potential effects of reflecting surfaces, trees or structures, confirmation of either a free-field or façade monitoring position (including distance from the building façade), whether the monitoring position was located on hard or soft ground and information about the most significant noise sources at the measurement position.
 - vi. Confirmation that the noise monitoring was completed during representative conditions and that no unusual circumstances or activities are likely to have affected the noise monitoring results.
 - vii. A five (5) day measuring period is required in order to cover proposed operating hours for weekdays. If Saturday operations are proposed, monitoring data must also be collected for a representative Saturday.
 - viii. The acoustic report is to present in full, the results of the noise monitoring for each position along with a summary of these data for the proposed operating hours of the child care centre. The summary must present the data as hourly average noise levels for each of the noise indices and statistical parameters measured.
- Identification of all noise that is likely to emanate from the child care centre and the subsequent prediction of resultant noise at the identified sensitive receiver locations from the operation of the premises. The predictions are to be completed in accordance with the recommendations of the NSW Office of Environment and Heritage and specifically address the following:
 - i. Provide predicted noise levels at all receptors on adjacent properties of noise levels from all relevant activities at the child care centre.
 - ii. Consider the influence of topography, relative heights and actual floor levels for the activities for the activities at the child care centre.
 - iii. All predictions must represent the receiver position. This should be taken as 1.5m above floor level for noise impacts at centre and neighbouring receptors.



- iv. The noise modelling of external play areas must assume that all external play areas could be utilised simultaneously.
- v. This source noise level must be adopted for each area and room where children's activities can occur, and the modelling must assume that noise can be emitted from each play area or room simultaneously.
- vi. The acoustic report is to provide details of all modelling assumptions including source noise data, modelled noise positions, receiver heights and locations, confirmation of the methodology adopted along with a copy of the model input and output data.
- vii. Details of any acoustic control measures that will be incorporated into the proposal.
- viii. Proposed fencing height, materials and acoustic performance of barriers where barrier structures are to be used to ameliorate noise impacts.
- ix. A statement from a certified acoustic consultant certifying that the development is capable of operating without causing a nuisance and able to operate without undue noise disturbance from external noise sources.

Visual privacy

The development design should incorporate measures to minimise overlooking of living areas and private open space areas in adjoining residential premises. A landscape buffer with suitable screening plants and with a minimum width of 1 metre shall be provided along the side and rear boundaries of the development to help achieve this.

Indoor Areas

Objective

O.1 To provide attractive, adaptable, safe and functional indoor spaces which provide positive experiences and developmental growth of children and enable adequate staff supervision of children at all times.

Design Principles and Controls

Adequate space can mitigate stress in both children and staff. Tight playrooms and playgrounds result in noise, overcrowding, children being easily distracted and their play becoming less focused. Competition for the use of the same play facilities often results in anti-social aggressive behaviour. Restricted space also impacts negatively on staff because it often means that they need to spend time managing children's disruptive behaviour instead of working creatively with the children. (Walsh, P. and NSW Department of Community Services, op. cit., page 17)

Sufficient physical space and careful arrangement of the environment allows children to access different areas, move between spaces, explore, experiment, create and express themselves without disturbing other children. By creating environments that work for children, educators are able to spend valuable time interacting with children. (Australian Children's Education & Care Quality Authority (2013) Guide to the National Quality Standard, page 82).

A minimum of 3.25 square metres of unencumbered indoor floor space shall be provided for each child care place.

The design of indoor spaces shall address the facilities and equipment requirements contained in [Part 3 of the Children's Services Regulation \(2004\) Children \(Education and Care Services\) Supplementary Provisions Regulation 2012](#). Evidence shall be submitted with the development application substantiating that the child care centre proposal complies with these requirements.

Quality Area 3 'Physical Environment' of the National Quality Standard in association with The Regulation ["Best Practice Guidelines in Early Childhood Physical Environments"](#) provides comprehensive guidance on appropriate facility inclusions and the optimum size, arrangement and interrelationships of indoor spaces.

The guidelines and standards contained in the [Best Practice document National Quality Standard](#) should be applied wherever possible in the design of the child care centre proposal and in all cases where a proposal seeks to exceed the maximum 40 child care places in a Residential zone. The Regulation's minimum indoor space requirements do not necessarily constitute best practice. Council encourages the application of the best practice indoor space standards to be applied in all child care centres (that is, 4.5 square metres of unencumbered indoor space per child care place) and requires the best practice standards to be applied in



certain circumstances (that is, in centres zoned SP2 Infrastructure, RE1 Public Recreation or RE2 Private Recreation, and in larger centres in Residential zones).

~~*Unless space is carefully organised it can promote negative behaviour in children. Open space without the sub-areas generally results in children running around aimlessly. Lack of clearly defined spaces for setting up play activities invites unnecessary intrusion on children quietly at play. Poor allocation of space restricts the ability of staff to supervise children. All of these situations invite conflict and disruption and place additional demands on staff to avert negative behaviour in the children. Good organisation of space promotes the absorption of children in activities and the effective implementation of a teaching programme.*~~ (Walsh, P. and NSW Department of Community Services, op. cit., page 18)

The design of indoor areas shall address the following (as a minimum):

- appropriate pedestrian access and circulation within the building;
- convenient access from indoor to outdoor spaces;
- safety and security within the child care centre in relation to occupational health and safety for children, staff and visitors;
- clear and unobstructed lines of sight to all areas within the child care centre for views of staff and children at all times, especially in toilets, nappy change areas and sleeping areas;
- the provision of food preparation and storage areas commensurate with the preparation of safe food;
- consideration of the food flow pattern to establish adequate space and operating efficiencies; guidance on how to design a facility addressing these aspects is provided in Australian Standard 4674 - Design, fitout and construction of food premises;
- sufficient natural light for play areas and appropriate external shading of windows;
- natural cross ventilation through the appropriate placement of openings;
- use of safety glass and safety markers on glass at child and adult height is required;
- the use of energy efficient appliances;
- appropriate storage and construction of garbage and recycling areas;
- mechanical ventilation of nappy change areas and toilets;
- floors to be of a non slip surface and easy to clean; and
- each playroom has its own storeroom/cupboard and bed storage.

Outdoor Areas

Objectives

- O.1 To ensure the provision of outdoor play areas that cater for a variety of experiences for children including learning play, active and quiet time and other development experiences.
- O.2 To facilitate best practice in the provision of early childhood play spaces, ensuring such spaces are interesting, stimulating, safe, secure and functional, and that enable adequate staff supervision of children at all times.
- O.3 To ensure that landscaping is aesthetically pleasing to children as well as being safe and functional.
- O.4 To ensure that the outdoor areas are designed so as to minimise potential impacts on any adjacent residential premises.

Design Principles and Controls

Outdoor play spaces and playgrounds

For urban children, a playground may offer their only opportunity for [active] play. The safe backyards, streets and parks of their parents' generation are no longer a part of childhood. The early childhood playground deserves fuller attention and development than it has received in the past, since it meets a right of childhood. (Walsh, P. and NSW Department of Community Services, op. cit., page 94)

Outdoor play spaces are to be:



- located away from the main entrance of the child care centre, car parking areas or vehicle circulation areas;
- designed to incorporate natural elements, with rocky outcrops, existing trees and gardens that utilise child-friendly species;
- landscaped with plants that are not noxious, do not have prickles, and do not represent a major allergy or inhalation hazard;
- integrated with indoor space and provide direct and easy access between those areas (refer to 'Transition Areas' below);
- of a design and layout to enable clear lines of sight to all areas of the outdoor space to allow direct staff supervision from other areas of the child care centre;
- a compact square, rectangular or L-shaped area sited on one or two adjoining sides of the building, to facilitate functional use by children and effective supervision by staff;
- located with a northern orientation for maximum solar access where possible;
- adequately shaded in accordance with Shade for Child Care Services published by the NSW Cancer Council and NSW Health Department;
- located away from existing and potential noise and environmental pollution sources;
- located away from the living/bedroom windows of surrounding dwellings where possible;
- located away from areas where objects can be projected down onto play areas where possible;
- inaccessible from public areas outside the child care centre (except in the case of an emergency evacuation or centre deliveries);
- adequately fenced on all sides; and
- designed with an outdoor storage area for the storage of outdoor equipment without being part of the outdoor play area and without inhibiting supervision of children.

Further requirements for outdoor play spaces are as follows:

- Measures for the protection of outdoor play areas from adverse wind and climatic conditions are to be implemented. Shade structures are to be designed so as to be visually unobtrusive when viewed from neighbouring residential properties.
- The outdoor play spaces must allow ready egress in the case of an emergency.

Outdoor play spaces should be designed in accordance with the requirements included in **Best Practice Guidelines in Early Childhood Physical Environments-Quality Area 3 'Physical Environment' of the National Quality Standard in association with The Regulation**. In accordance with the **Guidelines National Quality Standard**, outdoor spaces are to provide for a variety of play experiences through the provision of distinct and roughly equal-sized sub-spaces, being:

- open areas for the use of gross motor skills such as running;
- quiet areas for focused play like sandpits (including formal quiet areas for contained play like finger painting); and
- active areas for busy physical play like climbing.

Playgrounds are to comply with AS 1924 Playground Equipment for Parks, Schools and Domestic Use, Part 1 General Requirements and Part 2 Design Construction - Safety Aspects; AS/NZS 4422 - Playground Surfacing - Specifications, Requirements and Test Methods; and AS/NZS 4486 - Playgrounds and Playground Equipment.

A sound playground is an inviting natural setting that elicits a multitude of play responses. Children using a well-planned playground will engage in activities as various as: sitting in the shade and talking, digging, playing with water, observing birds and insects, running with a ball, building with sand or sailor blocks or junk materials, pushing and pulling carts and other wheeled items, lying on their backs watching the dappled light under a tree, rolling in the long grass, running up to the tops of mounds and peeping over the fence to the view beyond, hiding under bushes just for the fun of it, pretending to be a frog, swooning with a friend, nursing a doll under a shade tree, blowing a bubble to the wind, picking flowers and herbs and smelling them, crunching leaves, sweeping sand, selecting and putting away equipment and talking with a teacher. (Walsh, P. and NSW Department of Community Services, op. cit., page 93)



The design of interesting, stimulating, safe, secure and functional outdoor play spaces is a specialised task requiring the involvement of professionals experienced in the task. Council will require a landscape plan prepared by a qualified landscape architect or other landscape design professional with demonstrated experience in the design of children's play spaces to be submitted with any development application for a child care centre.

Centres located in business zones

In addition to the above requirements, for centres that are to be located above ground level in business zones:

- child-safe fencing is to be provided for the safety of children and to prevent objects being thrown over the edge; and
- every effort should be made to make outdoor space as inviting as possible with generous use of shade structures and tub planting.

It may be impracticable to provide the required minimum amount of useable outdoor play space in child care centres located in business zones. In these circumstances Council may permit the provision of some or all of that space in an indoor space.

Such space is to be designed and equipped to permit children to participate in activities that promote gross motor skills, provided that:

- the outdoor space is to be physically separated from the indoor space, with visual and physical access between the two areas for staff supervision and ease of access for children and staff; and
- the area has a northern orientation for access to natural sunlight.

Transition Areas

A transition area is an area between the building and the playground that provides supporting space for both indoor and outdoor activities. It is space additional to the space required for the building and the playground and may comprise a veranda, terrace or undercroft.

The design of new child care centres should make provision for a transition area or areas. The design criteria for transition areas are as follows:

- The transition area should be located between the playrooms and the playground either as a separate space or as one large continuous space.
- The dimensions of the transition area (width and length) must provide for effective activity zones. A minimum width of 4 metres is required to ensure sufficient space for activity zones with access space around them.
- Transition areas should be designed in accordance with the requirements included in ~~Best Practice Guidelines in Early Childhood Physical Environments~~ Quality Area 3 'Physical Environment' of the National Quality Standard in association with The Regulation.
- Transition areas are not to be included in calculations of outdoor unencumbered play space.

Fencing

Fencing is to comply with the requirements of Section 3.2.6 of this document, applying to the land that contains provisions for the fencing of developments.

The perimeter of the site should be fenced on all sides with a fence at least 1.8 metres high, except within the front setback area. Front setback fencing is to comply with any relevant requirements contained in any other DCP applying to the land.

Fencing with a height greater than 1.8m will only be supported where it is considered necessary to achieve compliance with the acoustic privacy provisions of this DCP.

Fencing is to be of a height, design and material suitable to contain noise generated by the children's activities and compatible with the building and fencing materials in the area.



Fencing is to be designed so as to enable emergency evacuation by emergency services personnel.

Child-proof fencing and gates shall be provided around the outdoor play areas, and to the entrance of the child care centre.

Fencing must not obstruct sight lines between pedestrians and vehicles.

Landscape plan

A detailed landscape plan (minimum scale 1:100) must be prepared by a suitably qualified landscape professional and submitted with all development applications for child care centres. The plan must address the following:

- trees to be retained and the means of protecting them;
- trees to be removed;
- material of all paved and hard standing areas;
- height and type of fences;
- location and species of all plants proposed, with a variety of trees and plants to be used which create visual interest for children and can provide shading where appropriate;
- location of outdoor play areas and play equipment and consideration of the effects of outdoor play on the compaction and erosion of soil and vegetation (raised garden beds may be appropriate to address this issue);
- size of plants at maturity, container sizes, quantities, staking and spacing;
- best practice landscape design for child care centres contained in **Best Practice Guidelines in Early Childhood Physical Environments Quality Area 3 'Physical Environment' of the National Quality Standard in association with The Regulations** including:
 - separation of outdoor space into active and quiet areas;
 - separation of outdoor space according to age ranges, including the locations of low fencing or other structures which divide the outdoor spaces; and
 - outdoor spaces which include a variety of surfaces such as grass, sand, soft porous paving and the like.

Waste Management

A waste storage area/facility is required to be provided for all centres in accordance with the requirements of the Section 3.3.7 of this DCP.

All centres are required to use the services of a private waste contractor with collections occurring at least twice per week.

A waste management plan is required to be submitted with all applications that addresses the waste management related to both demolition/construction waste and the on-going management of waste during operation of the centre. For matters required to be addressed in the Waste

Management Plan, refer to the requirements in Section 3.3.7 of this DCP. In addition, the Waste Management Plan is to address the following:

- number and type of bins and recycling receptacles;
- placement of garbage and recycling bins in relation to the outdoor play spaces and neighbouring properties;
- arrangements for the cleaning of bins;
- frequency and times of collection and proposed measures to minimise the impacts of waste vehicle noise and offensive odours on neighbouring properties; and
- the submission of written evidence demonstrating that the applicant has contacted a minimum of three (3) private waste contractors to enquire regarding waste collection services and nomination of the preferred contractor.

5.2.4 Application Preparation and Pre-lodgement

The Approval Process

- Approval of a new child care centre will involve a proponent completing the following steps. Some of the steps will be appropriate for existing children's services licensees intending to modify the operation of or enlarge an existing child care centre.
- Understand the licensing process for establishing a new children's service by obtaining information from the NSW Department of Education and Communities' web site.
- Research the need for children's services in the local area, including location and service offered by existing centres, and the demography of the area.
- Locate a suitable site for the proposed child care centre based on needs research and the site selection and other criteria included in this DCP.
- Prepare documentation to support the submission of a development application for the proposed child care centre. The documentation requirements are described in this section.
- Arrange a development application pre-lodgement meeting with officers from Council's Development Unit to confirm that all relevant issues associated with the proposal have been adequately addressed. Lodge the development application, plans and documentation with Parramatta City Council.
- Council officers will assess the development application and, where necessary, the applicant may be requested to provide additional information on the proposal. Council determines the application
- If development consent is granted, the provider of the children's service will be required to lodge a **License Service Approval** application with the NSW Department of
- Education and Communities under the Regulation. Responsibility for determination of this application rests with the Department.
- Proponent to obtain a Construction Certificate.
- Following construction of the development, an Occupation Certificate must be obtained prior to the issue of a **License Service Approval** by the Department of Education and Communities. Once a **License Service Approval** is issued, the child care centre may commence operations.

Prior to Lodgement of Development Application

The period prior to the lodgement of a development application is very important. This is the period when the need for the proposed children's service should be researched, when a site for the centre is selected and a preliminary design prepared. Sufficient time spent in the planning of a new centre will in most cases result in a timely assessment and approval by Council.

Child care centres require approvals from at least two authorities: the relevant local council and the NSW Department of Education and Communities. Council is responsible for issuing development and (where it is the Principal Certifying Authority) construction approvals for centres while the Department is responsible for

licensing of centres. The proponent must also be familiar with the Department's licensing requirements prior to lodging a DA for the proposal.

Use of appropriate professionals

Council aims to promote excellence and best practice in early childhood education environments. The design of excellent physical environments for centre-based child care services is a specialised task requiring the involvement of qualified and experienced design professionals throughout.

Deployment of a skilled architect and landscape architect who are experienced in designing internal and external spaces for child care centres will assist in ensuring that a high quality design is prepared and that the proposal is approved by Council.

The use of design professionals with experience in the application of best practice standards and the standards contained in the Regulation is considered fundamental to a successful application. Other professional involvement, as described in this section will also be required in the centre design process.

Consultation with Council staff

All proponents for new child care centres are strongly advised to consult with Council officers about the details of their application at an early stage. The range of staff to be contacted include but are not limited to, Council's Town Planner, Building Surveyor and Environmental Health Officer to address the range of matters that will apply to the development application. Once a preliminary design has been prepared a DA pre-lodgement meeting may be arranged to clarify issues associated with the proposal and check the type and level of documentation required to be submitted with the formal application.

Proponents wishing to arrange a DA pre-lodgement meeting should contact Council's Development Services Unit on 9806 5600.

Note: Proponents wishing to research the social characteristics of particular local areas prior to the selection of development sites may contact Council's Community Place Development Officer for the relevant area in the Community Capacity Building Team on 9806 5792.

Consultation with the community

Child care centre proposals can attract a great deal of community interest and concern - particularly centres proposed to be sited in residential neighbourhoods.

Proponents are strongly encouraged to discuss their preliminary plans with those who neighbour the child care centre site prior to the lodgement of a formal development application. This activity can be very effective in establishing good relationships with those who would be living near the children's service. It can also be useful in crystallising key neighbour concerns at an early stage enabling the centre design to be modified to respond to those concerns, which can in turn avoid or reduce delays in the processing of the application once it is formally lodged.

Requirements for Submission of Information with Development Applications

All Applications

A formal development application with accompanying building plans is required to be submitted for proposals for new child care centres or alterations and additions to existing child care centres.

All building plans must be prepared by an accredited architect or other professional as defined in the Children's Services Regulation .

The following support documentation is also required to be submitted.

- A Statement of Environmental Effects addressing the matters included in Section 79C of the Environmental Planning and Assessment Act 1979.
- A checklist and statement prepared by the professional responsible for preparing the building plans substantiating that the proposed child care centre satisfies the requirements of Part 3 of the Regulation and the requirements of the BCA.
- A landscape plan prepared by a qualified landscape architect or other landscape design professional with demonstrated experience in the design of children's play spaces. The plan shall address the matters included in the Sections 'Supporting Technical Assistance' and 'Outdoor Areas' below. A site analysis addressing the requirements included in Section 'Site Analysis' below.

Supporting Technical Assessment

In addition to the documentation discussed above, the applicant will need to arrange for various supporting technical assessments to be prepared. In many cases this will involve the use of qualified professionals (for example, traffic engineers, acoustic engineers).

The type of assessment required, the circumstances when it is required, and the matters to be covered in the assessment are described in the table below

Types of technical assessment	This assessment is required:	This assessment should address:
Architectural plans and statement of compliance	For any proposed new or enlarged child care centre	<p>Building siting and design matters included in this DCP.</p> <p>Matters included in clause 16 (1) (e) of the <i>Children's Services Regulation 2004</i></p> <p>Relevant <i>Building Code of Australia</i> standards relating to child care centres</p> <p>Indoor and transition area requirements included in Best Practice Guidelines in Early Childhood Physical Environments the National Quality Standard</p> <p>The suitability of the food preparation facilities to meet the requirements of the food safety standards</p>
Landscape plans	For any proposed new or enlarged child care centre	<p>Matters included in this Section for <i>Outdoor Areas</i></p> <p>Outdoor play space matters included in Best Practice Guidelines in Early Childhood Physical Environments the National Quality Standard</p> <p>Play area matters included in <i>Child-friendly environments</i> (DUAP and the NSW Play Alliance 1999)</p> <p>Requirements of <i>Shade for child care services</i> (NSW Cancer Council and NSW Department of Health 2005)</p>
Child care centre operational plan of management	For any proposed new or enlarged child care centre	<p>The process for consideration and resolution of any complaints made by users or neighbours of the centre</p> <p>The timing and frequency of staff / parent meetings or other events at the centre outside the usual hours of operation of the centre</p> <p>Measures to manage child safety in and around the proposed centre, including management of car parking and vehicle drop-off areas, access by unauthorised persons, etc.</p> <p>Measures to manage noise that will be emitted from the proposed centre, including noise emitted from play areas and for car parking and vehicle areas</p>
Waste management plan	For any proposed new or enlarged child care centre	Matters included in Section 3.3.7 of this DCP
Access and mobility audit	For any proposed new or enlarged child care centre	<p>Matters included in this Section for Access and Car Parking</p> <p>Access requirements included in Best Practice Guidelines in Early Childhood Physical Environments the National Quality Standard</p>
Shade audit	For any proposed new or enlarged child care centre	<p>Matters included in Best Practice Guidelines in Early Childhood Physical Environments</p> <p>Requirements of <i>Shade for child care services</i> (NSW Cancer Council and NSW Department of Health 2005)</p>

Types of technical assessment	This assessment is required:	This assessment should address:
Traffic and transport assessment	For any of the following: <ul style="list-style-type: none"> • a child care centre that proposes 30 or more places • a child care centre that is to front a major road • a child care centre that proposes any variation to the minimum access and parking requirements 	Matters included in this Section for Access and Car parking Matters included in Section 3.6.2 of this DCP. Access and turning provisions for service and emergency vehicles, such as ambulances, delivery, garbage collection and maintenance vehicles. Other matters including: <ul style="list-style-type: none"> • likely/projected trip generation; • parking requirements, including the design of parking areas, and any pick-up and drop-off facilities; • current road safety conditions, including an accident history in the locality; and • the expected impact of the proposed development on the existing and future traffic conditions.
Acoustic assessment	For any proposed new or enlarged child care centre	Matters included in Section 3.3.3 of this DCP
Land contamination assessment	For any of the following: <ul style="list-style-type: none"> • a child care centre to be located on or adjacent to land currently or formerly used for purposes identified in Section 2.4.4 of this DCP • a child care centre to be located on land fronting a major road or a road that was previously a major road • a child care centre to be located within a building erected prior to 1970 and that could contain elevated levels of lead in paint • a child care centre to be located on land containing any building likely to contain asbestos 	Requirements of <i>State Environmental Planning Policy No. 55 - Remediation of Land and Managing Land Contamination Planning Guidelines SEPP 55 - Remediation of Land (DUAP and EPA 1998)</i>
Electro magnetic field or radio frequency impacts assessment	For any proposed new or enlarged child care centre within 100 metres of a high voltage transmission line easement, or the site of a mobile phone tower or antennae, or any other source of electromagnetic radiation	Guidelines or research issued by the Commonwealth Government's Australian Radiation Protection and Nuclear Safety Agency
Air quality assessment	For any of the following: <ul style="list-style-type: none"> • a child care centre that is to be located adjacent a railway or major road • a child care centre within or adjacent to Business, Mixed Use or Industrial zoned land or adjacent to industrial land uses 	Any quality guidelines issued by the NSW Environment Protection Authority



Types of technical assessment	This assessment is required:	This assessment should address:
Fire safety and evacuation plan (required prior to the issue of an Occupation Certificate)	For any proposed new or enlarged child care centre	<p>Compliance with the requirements of AS 3745-2002. Emergency control organisation and procedures for buildings, structures and workplaces</p> <p>The mobility of children and how this is to be accommodated during an evacuation</p> <p>The location of a safe congregation area, away from the evacuated building, busy roads, other hazards and evacuation points of other residents or tenants within the building or surrounding buildings Where the centre is part of a larger building or complex, that the</p> <p>evacuation plan is complementary and consistent with other emergency evacuation plans in place</p> <p>The supervision of children during the evacuation and at the safe congregation area with regard to the capacity of the child care centre and the child : staff ratios.</p>
Aboriginal heritage Assessment on	For any proposed new or enlarged child care centre a properly identified as High or Medium Sensitivity or that involves the disturbance of sandstone outcrops, bushland or land within 100m of a creek or river foreshore	<p>Relevant matters included in Parramatta LEP 2011 Relevant matters included in Part 4 of this DCP</p>
Heritage Impact Statement	For any proposed new or enlarged child care centre on a properly identified in an environmental planning instrument as an item of heritage significance or within a heritage conservation area	<p>Relevant matters included in Parramatta LEP 2011 Relevant matters included in Part 4 of this DCP</p>
Archaeological Assessment	For any proposed new or enlarged child care centre that proposes to disturb a relic or is likely to disturb a relic	<p>Relevant matters included in Parramatta LEP 2011 Relevant matters included in Part 4 of this DCP</p> <p>Parramatta Historical Archaeological Landscape Management Study</p>
Arts Plan	For child care centres on sites greater than 5,000m ² in area	<p>Matters included in Section 3.4.1 of this DCP</p> <p>Matters included in the Public Domain Plan, the Arts Facilities and Cultural Places framework and the Arts Plan Process Guidelines</p>



Site Analysis

The following details are to be provided in a site analysis to be submitted with any development application involving a proposal to establish a new or enlarge an existing child care centre. These details are in addition to any other matters to be included in a site analysis required under Section 2.3 of this DCP.

Site characteristics:

- Natural features, including bushland and rock outcrops
- Topography and slope
- History of land use and any potential sources of land contamination
- Microclimate and aspect
- Trees and landscape
- Stormwater drainage
- Availability of utility services

Proximity to hazards and risks:

- Existing and potential on and off-site electromagnetic fields (50Hz and radio frequency fields 3khz – 300ghz)
- Contaminated land on or near the site
- Lead in painted surfaces, carpets, furnishings and roof void in existing buildings
- Proximity to sources of air and noise pollution (for example, major roads, smokestacks)
- Proximity to odour generating uses and sources
- Proximity to LPG tanks
- Proximity to water cooling and water warming systems
- Proximity to legal and approved drugs clinics, brothels or other like uses
- Any other identified environmental health hazard or risk relevant to the site and/or existing buildings within the site

Neighbouring properties details:

- Location of buildings, structures, major trees and private open space
- Height and floor levels of buildings
- Land use
- Street elevation including one house on each side of site
- Living room windows overlooking the site
- Location of any facing doors and windows, particularly those likely to be near children's play areas
- Locations of bedrooms and other noise sensitive rooms
- Structures located on or near boundaries of the site
- Architectural character of buildings and front fencing
- Setbacks and building zones
- Difference in levels between the site and adjacent properties
- Views and solar access enjoyed by neighbouring properties
- Drainage characteristics

Traffic and parking:

- Traffic volumes in peak hours
- Street carriageway width
- Location of nearby side streets and public parking areas
- Availability of on-street parking throughout the day
- Nearby traffic control devices (for example, median strips, roundabouts)

Direction and distance to local facilities:

- Local shops
- Schools
- Public transport
- Recreation and community facilities
- Public open space
- Existing child care centr

Item 19

Chapter 5.4 Preservation of Trees or Vegetation

Proposed Amendment

- Chapter 5.4 of the DCP requires some minor amendment to text to remove incorrect references, clarify the intent of controls, and update penalty costs to reflect the State Debt Recovery current 'Fixed Penalty Handbook'.

Explanation

This housekeeping amendment seeks to make minor amendments to text for clarification purposes to ensure the intent and application of these provisions is clear throughout the development application process. The proposed changes include:

A change to the penalty amounts

The penalty amounts currently referenced within this section of the DCP need to be updated to reflect the State Debt Recovery Office increased penalty rate (contained within the Fixed Penalty Handbook). Where a person or company breaches the controls, they may be issued a penalty infringement notice. The existing penalty rates in the DCP indicate up to \$1500 for individuals and up to \$3000 for companies. These amounts need to be amended to reflect the increased rates which are up to \$3000 for individuals and up to \$6000 for companies.

Removal of incorrect referencing

In 'Section 3 – Exempt Works - Part B' provision 10 currently references an Australian Standard that is incorrect. This amendment seeks to remove to this standard as it does not apply.

Clarifying the intent of controls

'Section 3 – Exempt Works' contains provisions relating to tree works that do not require a permit or development application approval with Part C indicating where an exception applies.

Part C1 of this section indicates that exemption applies to all land, except for:

"Tree works on a tree where the trunk of the tree at ground level is within 3 metres of:

- a) The outside enclosing wall of a legally constructed building; or*
- b) The outside edge of the footings of a legally constructed carport; or*
- c) The outside edge of the coping of a legally constructed swimming pool"*

Similarly Part C2 of this section indicates exemption applies to all land, except for "...where the trunk of such tree is located within 5 metres of any sewer or:

- a) The outside enclosing wall of a legally constructed building; or*
- b) The outside edge of the footings of a legally constructed carport; or*

	<p style="text-align: center;"><i>c) The outside edge of the coping of a legally constructed swimming pool”</i></p> <p>This proposed amendment seeks to clarify the types of swimming pools that are impacted by this provision. In both C1 and C2, it is only intended to apply to ‘in-ground’ swimming pools as they require development approval. It is proposed to add the words ‘in-ground’ in front of the word swimming pool to clarify this.</p> <p>An additional note is also being proposed to be added on the end of control C1 and C2. The purpose of this note is to ensure applicants understand that exemptions only apply when the tree/the dwelling house or other structure are on the <u>same land</u>, as this has been misconstrued by applicants in the past.</p> <p><u>Amendment to glossary definition</u></p> <p>Section 4 of chapter 5.4 provides a list of definitions as they apply to this section.</p> <p>An amendment is being sought to the definition of part c) of ‘Tree works’. Currently this definition reads as follows:</p> <p><i>“Tree Works” means:</i></p> <p style="text-align: center;"><i>c) Any pruning or removal of roots (greater than 40mm in diameter) from a tree inside its Tree Protection Zone (TPZ).</i></p> <p>This amendment seeks to remove the reference to the TPZ.</p> <p>A TPZ refers to an area around a tree to protect its root system and maintain the health and stability of a tree. A TPZ is implemented when a tree is located in close proximity to a development and/or construction work to ensure minimal damage to the root system. A TPZ varies for all trees and is calculated using the diameter of a tree from a 1.5 metre height, and a radial distance then determined to provide the area known as the ‘protection zone’.</p> <p>The application of this definition suggests that any tree works relating to the removal of a root/s that fall outside of the TPZ do not require a Council approval. However, as a TPZ is not a generic calculation and varies across trees, this definition cannot be applied accurately unless an applicant has undertaken a detailed assessment of the subject tree and has determined its tree protection zone. As a result, this may lead to an applicant engaging in tree works presumed to not require Council approval.</p> <p>Removing the reference to the TPZ will not impact the application of this definition, but will require the applicant to obtain an approval for tree works relating to pruning and the removal of root/s. This will ensure the protection of necessary roots by preventing applicants from potentially misconstruing the application of this definition, and works that do not require Council approval.</p>
Proposed Text amendment	See Item 19 Attachment 1



5.4 Preservation of Trees or Vegetation

This section outlines the trees or vegetation to which Clause 5.9 of the Parramatta City Council Local Environmental Plan 2011 (LEP 2011) and Clause 34 Parramatta City Centre Local Environmental Plan 2007 applies by reference to species, size, or location.

Trees play an important role in the 'greening' of our city. They make our surroundings pleasant, provide relief from summer heat and reduce glare from the pavement. They also increase the value of real estate, reduce runoff and improve the quality of the air we breathe.

Council considers it important to carefully manage this precious resource and to preserve the existing urban forest within the Parramatta City Council Local Government Area for the purpose of establishing green corridors and maintaining the natural aesthetic values within the urban environment.

Trees on sites listed on the New South Wales State Heritage Register require Heritage Council approval or exemption from this approval prior to any pruning ~~of or~~ proposed removal. Exemptions may be granted for pruning up to 30% of the canopy of a tree on a State Heritage Register-listed site within a two year period. More information on Heritage Council approvals and exemptions is available online at www.heritage.nsw.gov.au/development.

Objectives

- O.1 To maintain and enhance the amenity of Parramatta Local Government Area through the preservation of appropriate trees and vegetation.
- O.2 To retain Parramatta Local Government Area's urban forest cover particularly its street tree and parkland tree population to alleviate urban heat impact.
- O.3 To appropriately manage trees and vegetation in order to ensure their health and long term retention.
- O.4 To conserve trees of ecological, heritage, aesthetic and cultural significance.
- O.5 To protect and manage individual trees as an important community asset.
- O.6 To establish the procedural framework and requirements governing the pruning, removal and subsequent replacement of trees within the City.
- O.7 To ensure all new development considers and protects existing trees on development sites and provides opportunity for the healthy growth of large trees.

How to use this Part

This Part is to be read in conjunction with Clause 5.9 Preservation of Trees or Vegetation of LEP 2011, or Clause 34 of LEP 2007.

The controls in this Part, to the extent of any inconsistency in relation to trees, take precedence over the controls in other Parts of the Development Control Plan 2011 (DCP 2011).

All references to Acts, Regulations, Codes, Australian Standards, Plans, policies, the Technical Manual and the Guide are to those documents as amended over time.

This Part has 4 sections:

- ▶ **Section 1 - Introduction**
- ▶ **Section 2 - Tree Permits** - Explains which tree works require a tree permit and sets out the controls for these works.
- ▶ **Section 3 - Exempt Works** - Explains which tree works do not require a tree permit or development application approval.
- ▶ **Section 4 - Definitions**

Section 1: INTRODUCTION

Trees to which the control applies:

- 1 Any tree or palm - whether indigenous, endemic, exotic or introduced species with a height equal to or exceeding 5 metres.
- 2 Any tree or mangrove vegetation located on public land, irrespective of size.
- 3 Any tree or plant, irrespective of size:
 - (a) that is listed in a Register of Significant Trees; or
 - (b) that is or forms part of a heritage item, or that is within a heritage conservation area; or
 - (c) that is or forms part of an Aboriginal object, or that is within an Aboriginal place of heritage significance.

Penalties

A person found guilty of an offence for a contravention of these controls may be issued a penalty infringement notice not exceeding ~~\$1500~~ \$3000 for individuals, ~~\$3000~~ \$6000 for companies, fined up to \$110,000 if dealt with in the Local Court or up to \$1,100,000 if dealt with in the Land & Environment Court.

In addition to a penalty awarded, the Court may also order the repair, remedial pruning or replacement of a damaged or removed tree and impose an order to maintain such replacement to maturity.

Section 2: TREE PERMIT

This section explains which tree works require a tree permit and sets out the controls for these works.

Controls

- C.1 A tree permit must be obtained before any tree works are carried out on a tree. An arboricultural report and other reports and information, may be required to be submitted as part of the Tree Permit assessment process.
- C.2 All tree works must be carried out in accordance with the WorkCover NSW Code of Practice: 'Amenity Tree Industry' - 1998.
- C.3 Trees removed as a consequence of approval by a tree permit may need to be replaced with a suitable canopy tree or trees in a suitable location on the site.

Offset Program

Should Council approve tree works, Council prefers that trees that are removed are replaced on the site with a suitable replacement canopy tree and in a suitable location onsite. However, there may be circumstances when there is no suitable location on site (for example, in the case of small backyards); in this case, a financial contribution will be required to be paid to support public tree planting. Offset fees are contained within Council's published fees and charges.

How an Application is Made

An application for consent to undertake tree works shall be made, using Council's Tree Permit Application, by **all** owners of the land on which the tree works are to be carried out or by any person with written consent of the owners. The application form must be completed and submitted to Council together with the appropriate fee.

Trees which are considered to be dangerous

If a tree is considered to be:

- ▶ dead;
- ▶ dying; or
- ▶ posing an imminent risk to human life or property,

a tree permit application is not required to be submitted to Council for the removal of that tree.

If Council is satisfied that the tree is dead, dying or posing an imminent risk to human life or property, it will issue a letter confirming that the tree is exempt from the requirement for a tree permit and tree works may be undertaken. Council may require a replacement tree to be planted to ensure that in time this tree is replaced.

Note: Section 3 details exemptions from a tree permit for tree works to be undertaken by the State Emergency Service or Rural Fire Service in response to emergency, severe natural event and other nominated circumstances.



In determining if the tree is posing an imminent risk to human life or property, a tree risk assessment will be undertaken that will consider:

- ▶ Likelihood of failure
- ▶ Likelihood of impacting a target
- ▶ Consequences of impact

Assessment Process

In considering a tree application, the Council shall consider the retention value of the tree through a 3 step process:

Step 1: Assess the sustainability of the tree in its location. This is determined by considering the vitality, structural condition, age/longevity of the tree and suitability of the tree to the site.

Questions to be considered

- Has the tree reached the end of its lifespan or is there evidence of decline?
- Does the tree show evidence of potential structural failure, and could become dangerous requiring it to be removed at a later date?
- Does the tree impact on a main area of private open space, so that it compromises the use of the open space for passive or active recreation?
- Is there evidence of damage to the tree due to pests or disease that will reduce the lifespan of the tree?
- Is there evidence that the tree is causing structural damage to a building?
- Is the species of tree suited to the location?

Step 2: Assess the landscape and amenity significance of the tree. This is determined by considering the amenity, heritage and environmental value of each tree.

Questions to be considered

- Is the tree prominent in the streetscape?
- Does the tree have heritage significance or contribute to the significance of a place?
- Is the tree a contributory item to a heritage place or conservation area?
- Does the tree represent a typical planting of the era of the associated building or park's construction or creation?
- Does the tree contribute to an established streetscape?
- Does the tree have high aesthetic value?
- Is the tree indigenous or endemic species?
- Is the tree part of a remnant endemic collection of trees or vegetation?
- Does the tree have the potential to provide a habitat for native fauna?
- Is the tree part of a threatened ecological community listed under the *Threatened Species Conservation Act 1995*? If yes, a Seven Part Test may be required.

Where a tree is identified as part of an ecological community listed under Schedules 1 and 2 of the *Threatened Species Conservation Act 1995*, Section 5A of the *Environmental Planning and Assessment Act 1979* applies and an "Assessment of Significance" must be prepared by a qualified ecologist and submitted to Council with the application.

Step 3: Consider sustainability and landscape significance together to determine the retention value.

- Trees will be categorised as having a high, medium, low or very low retention value.
- Trees with a high retention value or a medium retention value should be considered for retention.
- Trees with a low retention value can usually be removed, however their replacement may be a requirement of removal.

Neighbour's Trees

If a neighbour's tree overhangs your property boundary you may undertake pruning within your property boundary, provided it can be carried out in accordance with Australian Standard AS4373

- 2007, 'Pruning of Amenity trees' from within your property and you have obtained consent from Council prior to undertaking such works.

Consent Duration

- 1 Consent issued by Council shall lapse if the works referred to in the consent have not been completed within two (2) years from the date of consent.
- 2 Consent issued by Council in conjunction with a subdivision approval, a building approval, complying development or development consent shall lapse if these approvals or consents lapse or become invalid, void or are surrendered.
- 3 Consent for tree works associated with development may, if granted, be issued concurrently with the development application or complying development consent but may also be subject to any landscaping and streetscaping requirements or any conditions imposed under any relevant SEPP, LEP, DCP or other Council Policy.
- 4 A copy of the consent must be kept on the site of the tree works and produced on demand to Council's duly authorised officers, servants or agents.

Issues which do not usually warrant removal or pruning of trees:

- A tree is shedding leaves, fruit, bark, cones or twigs.
- A tree is causing minor structural damage, such as footpaths or driveways.
- There are fears about healthy trees failing.
- A tree is causing minor shading.
- A tree is causing blockage to pipes, unless the damage is serious and recurring. Root pruning, replacement of old dilapidated pipes, or use of root barriers may solve the problem (evidence would need to be provided if the problem is serious).
- Pruning for amenity views.

Applications for consent to prune or remove trees located on publicly owned land, including Council Parks, Reserves and Road Reserves

Council, or its duly authorised servants or agents, may carry out the pruning or removal of a tree/s including bushland vegetation from Council owned or controlled land.

- 1 All tree works conducted by Council will comply with relevant Australian standards and specifications as determined by the Council policies. The cost of all non-essential tree works for trees located on public land will be the responsibility of the applicant. Council or an authorised agent will carry out any such approved works.
- 2 Where a Council Public Works project requires tree/s to be pruned or removed, consent must be sought at the planning stage in consultation with Council's Open Space and Natural Resources Unit.

Public consultation on the removal of public trees will be undertaken in accordance with Council's *Public Tree Assessment and Procedural Guidelines*.



Opportunity for Review

If you are dissatisfied with a decision, you may request a review of the determination of a tree application.

Section 82A of the *Environmental Planning and Assessment Act 1979* provides that the applicant may request the Council to review the determination. The request must be made in writing (or on the review application form) together with payment of the appropriate fee. The review must be lodged and determined **within six (6) months of the date** on which you receive the determination notice.

Note: To enable the Section 82A review to be considered within the six month timeframe prescribed under the *Environmental Planning and Assessment Act 1979*, it is advisable to lodge the application for review under Section 82A as soon as possible.

Section 82A does not apply to complying development, designated development, integrated development, or a determination made by Council under Division 4 in respect of Crown applications.

Section 97 of the *Environmental Planning and Assessment Act 1979* gives you the right to appeal to the Land and Environment Court **within six (6) months of the date** on which you receive advice of Council's decision.

Section 3: EXEMPT WORKS

Explains which tree works do not require a permit or development application approval.

Introduction

This section explains when approval from Council (either by tree permit or by development application) is not required to carry out tree works, including the removal or pruning of a tree.

Exempt Tree Works

The following are exempt tree works and do not require a permit or development application approval:

PART A - Exemption applies to land under care, control, management of Council

- 1 Tree works on a tree on land owned or under the care, control and management of Council where the tree works are carried out by Council.

PART B - Exemption applies to all land:

- 1 Removal of a dead tree in accordance with *WorkCover NSW Code of Practice 'Amenity Tree Industry' - 1998*.
- 2 Tree works carried out on a tree by the State Emergency Service or Rural Fire Service in response to an emergency or severe natural event.
- 3 Tree works required under the provisions of Section 48 of the *Electricity Supply Act 1995*.
- 4 Tree works on any tree of a species that has been declared a noxious plant under the *Noxious Weeds Act 1993*.
- 5 Trees that are required to be removed as part of a Section 66 Directive under the *Rural Fires Act 1997* or the provisions provided under the 10/50 Vegetation Clearance Code of practice for New South Wales.
- 6 Trees that are required to be removed by a Rural Fire Brigade because it poses or will pose a significant threat to access along required fire trails or to human life, buildings or other property during a bushfire.
- 7 Trees that have otherwise become dangerous from actions associated with hazard reduction burns undertaken in accordance with a Part V approval under the *Environmental Planning and Assessment Act 1979*, or a bushfire.
- 8 Trees that are required for immediate removal where this is essential for emergency access or emergency works by Council or the State Emergency Services.
- 9 Trees that are required for removal in accordance with Part 6 Division 4 section 46 of the *Sydney Water Act 1994*.
- 10 Trees required for removal in accordance with sections 88, 107, 138 and 139 of the *Roads Act 1993*. ~~and in accordance with AS4373 2007.~~

PART C - Exemption applies to all land, **except for** land/tree which:

- is listed on the Register of Significant Trees;
- is or is located on a site classified as being part of a vulnerable, threatened or endangered ecological community or provides or has the potential to provide habitat for native fauna or fauna classified as vulnerable or threatened under the *Threatened Species Conservation Act 1995* (NSW) or the *Environmental Protection and Biodiversity Conservation Act 1999* (Commonwealth);
- is or forms part of a heritage item or place;
- is within a heritage conservation area;
- is or forms part of an Aboriginal object;
- is within an Aboriginal place of heritage significance; or
- is on public land.

1 Tree works on a tree where the trunk of the tree at ground level is within 3 metres of:

- a. the outside enclosing wall of a legally constructed building; or
- b. the outside edge of the footings of a legally constructed carport; or
- c. the outside edge of the coping of a legally constructed **in-ground** swimming pool.

Note: This exemption does not apply to a Tree on adjoining land. The Tree and the dwelling house or other structure referred to above must both be on the same land for the exemption to apply

2 The tree is of a species *Populus spp.* - (Poplar), *Salix spp.* - (Willow), *Cinnamomum camphora* - (Camphor Laurel) and *Liquidambar styraciflua* - (sweet gum), where the trunk of such tree is located within 5 metres of any sewer or

- a. the outside enclosing wall of a legally constructed building; or
- b. the outside edge of the footings of a legally constructed carport; or
- c. the outside edge of the coping of a legally constructed **in-ground** swimming pool.

Note: This exemption does not apply to a Tree on adjoining land. The Tree and the dwelling house or other structure referred to above must both be on the same land for the exemption to apply

3 Tree works on any tree on the following list:

Note: The trees listed below are identified by their botanical name (common names are provided as reference only). Cultivated varieties (cvs.) of the trees listed are not included for exemption except where specified.

Botanical Name	Common Name
<i>Acacia baileyana</i>	Cootamundra Wattle
<i>Acacia decurrens</i>	Green Wattle
<i>Acacia saligna</i>	W.A. / Golden Wreath Wattle
<i>Acer negundo</i>	Box Elder
<i>Albizzia lophantha</i>	Crested Wattle / Persian silk
<i>Alnus jorullensis</i>	Evergreen Alder
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Cotoneaster pannosus</i>	Cotoneaster
<i>Eriobotrya japonica</i>	Loquats
<i>Erythrina spp.</i>	Coral Trees
<i>Ficus elastica</i>	Rubber Tree
<i>Gleditsia triacanthos</i>	Honey Locust
<i>Lagunaria patersonia</i>	Norfolk Is. Hibiscus
<i>Ligustrum lucidum & cvs</i>	Large Leafed Privet
<i>Ligustrum sinense</i>	Small Leafed Privet

Botanic Name	Common Name
<i>Melia azedarach</i>	White Ceder
<i>Nerium oleander</i>	Oleander
<i>Olea europaea var. africana</i>	African Olive
<i>Populus alba</i>	White / Silver Poplar
<i>Populus deltoides</i>	White / Silver Poplar
<i>Populus nigra</i>	Black Poplar
<i>Populus nigra Italica</i>	Lombardy Poplar
<i>Pyracantha augustifolia</i>	Firethorn
<i>Robinia pseudoacacia</i>	False Acacia / Black Locust
<i>Rhus toxicodendron</i>	Rhus / Sumac Tree
<i>Salix alba ssp.babylonica</i>	Weeping Willow
<i>Salix matusdana 'Tortuosa'</i>	Tortured Willow
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Schinus terebinthifolius</i>	Brazilian Mastic / Pepper Tree
<i>Syagrus romanzoffianum</i>	Cocos Island / Queen Palm
All edible fruit and nut trees except native species such as <i>Acmena spp.</i> (Lily Pilly), <i>Syzygium spp.</i> (Lily Pilly), <i>Elaeocarpus spp.</i> (Blueberry Ash) or <i>Macadamia spp.</i> (Macadamia Tree).	

Exempt Pruning Works

This clause only allows pruning of a tree if it is carried out in accordance with *Australian Standard AS4373 - 2007, 'Pruning of Amenity trees'* and *WorkCover NSW Code of Practice 'Amenity Tree Industry' - 1998*.

These exemptions apply to all land:

- 1 The removal of dead branches from a tree.
- 2 Selective pruning, being only pruning to remove branches no larger than 50mm diameter at the nearest branch collar to clear:
 - a. a roof;
 - b. an external face of a building;
 where branch encroachment is within 2m of such and where the owner of the land where the centre of the tree trunk originates provides written consent.
- 3 Pruning of trees to remove branches no larger than 50mm diameter at the nearest branch collar to maintain distance clearances to powerlines as set out under section 48 of the *Electricity Supply Act 1995*.
- 4 Crown modification pruning of a hedge by no more than 20% of its height and or width in any one year.
- 5 Crown maintenance pruning of trees in accordance with sections 88,107,138 and 139 of the *Roads Act 1993* and in accordance with AS4373 2007.
- 6 Selective pruning of branches or foliage emanating over public land from privately owned trees where access is required to be restored or created by Council or the State Emergency Services.
- 7 Selective pruning to remove any species of parasitic mistletoe or parasitic plant from any part of a tree.



Section 4: DEFINITIONS

In this Part:

"**Aboriginal Object**" means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

"**Aboriginal Place of Heritage Significance**" means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition, that is:

- (a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation ceremonial or story places or areas of more contemporary cultural significance.

Note: The term may include (but is not limited to) places that are declared under section 84 of the *National Parks and Wildlife Act 1974* to be Aboriginal places for the purposes of that Act.

"**Bushland**" has the same meaning as that defined in 'State Environmental Planning Policy No. 19 - Bushland in Urban Areas', as referred to in the Parramatta City Council Vegetation Management Plan 1998.

"**Contributory Item**" means a tree that makes a contribution to a heritage item or conservation area including streetscape and parkland trees. This contribution may be visual, aesthetic or functional (e.g. wind protection, provision of shade, shelter, etc.).

"**Dangerous Tree**" means a tree that will inflict imminent liability or harm to a person's life or property.

"**Dead Tree**" means a tree that is no longer capable of performing any of the following *processes*:

Photosynthesis via its foliage crown (as indicated by the presence of moist, green or other coloured leaves);

Osmosis (the ability of the roots system to take up water);

Turgidity (the ability of the plant to hold moisture in its cells);

Epicormic shoots (the production of new shoots as a response to stress, generated from buds under the bark or from a lignotuber - an underground stem);

or is exhibiting any of the following *symptoms*:

Permanent leaf loss in both deciduous and evergreen plants;

Permanent wilting (the loss of turgidity which is marked by drying out of stems, leaves and roots);

Shedding of the epidermis (bark dries out and peels off to the beginning of the sapwood - new wood).

"**Destroy**" means any immediate or ongoing process or activity leading to the death of a tree.

"**Dying Tree**" means a tree that has entered senescence and is unable to be restored to a former healthy condition.

"**Hedge**" means a dense line or row of trees planted as a screen, fenceline or boundary indicator.

"**Height**" means the distance measured vertically between the horizontal plane of the lowest point of the base of the tree which is immediately above ground and the horizontal plane of the uppermost point of the tree.

"Heritage Conservation Area" means an area of land of heritage significance shown on a heritage map and described in a heritage schedule in a Local Environmental Plan, and includes any heritage items situated on or within that area.

"Heritage Item" means a building, work, place, relic, tree, object or archaeological site the location and nature of which is identified in a Heritage Study, described in a heritage schedule in a Local Environmental Plan, or the NSW State Heritage Register.

"Injury" and **"Willful Destruction"** includes the administering of a chemical or artificial substance to a tree or part of a tree or, the alteration of ground level or water table which causes damage to the tree or any part of the tree including roots. This includes any physical injury especially by machinery on construction sites.

"Legally constructed" means built in compliance with environmental and planning legislation and instruments in force within the City at the time of construction.

"Lop" or **"Lopping"** means cutting branches or stems between branch unions or internodes, with the final cut leaving a stub.

"Owner" has the meaning ascribed to it in the *Local Government Act 1993*, No. 30.

"Pruning" means the removal of any stem/s back to the intersection of another stem/s to a swollen area of the intersection called the branch collar. This also means any act or acts of severing any part of a tree so as to cause reduction of the air space occupied by the branches and foliage of a tree. All pruning is to conform to Australian Standard AS 4373 - 2007 "Pruning of amenity trees".

"Removal" and **"Cutting Down"** means the cutting down or dismantling of a tree so that the tree, including its branches, foliage, trunk, stump and root system will not regrow. This includes the poisoning of the stump and/or roots and/or removal or grinding out of its remains to prevent regrowth.

"Top" or **"Top Lopping"** means the reduction of the height of a tree through the practice of lopping.

"Transplant" or **"Transplanting"** is the removal of a tree that is excavated from its place of origin from within the ground and is relocated within the ground of the same property or re-establishment within the ground or a container within another property.

"Tree" long lived woody perennial plant greater than (or potentially greater than) 5 metres in height with one or relatively few stems (Australian Standard AS 4373-1996 "Pruning of amenity trees").

"Tree Works" means:

- a. Any pruning of the crown of a tree (except for deadwood in accordance with Section 2 of this Part);
- b. any removal of a tree;
- c. any pruning or removal of roots (greater than 40mm in diameter ~~from a tree inside it's-Tree Protection Zone;~~ and/or
- d. any alteration (excavation or fill) to the soil level within the Tree Protection Zone of a tree on the land or on adjoining land.

"Urban Forest" is defined as the totality of trees and shrubs on all land around urban areas and is measured as a canopy cover percentage of the total urban area.

Item 20	
Section 4.2.2.3 Special Precincts – Jeffery Avenue	
Proposed Amendment	<ul style="list-style-type: none"> • Amendment to text to correct spelling errors and remove duplicate wording.
Explanation	<p>This section of the DCP contains spelling errors and duplication. This needs to be amended for clarity purposes.</p>
Proposed Text amendment	<p>Page 169</p> <p>Section 4.2.2.3</p> <p>Jeffrey Jeffery Avenue</p> <p><u>Distinctive Characteristics</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> curvilinear road layout typical of the 1940s and 50s <input type="checkbox"/> consistency in the scale, siting and design of houses with only minor obvious changes <input type="checkbox"/> detached houses - two or three bays wide, with a projecting bay, often including the porch with wrought iron railing <input type="checkbox"/> houses in brown, mottled brick or fibro-cement with brick base; low hipped roofs in terracotta or cement tiles, some with gabled ends clad in white painted weatherboards <input type="checkbox"/> double hung sash windows with timber frames <input type="checkbox"/> grassed front gardens merging with verge, some front boundaries defined by planting and a few low brick walls <input type="checkbox"/> wire or paling fences separating the front and rear gardens <input type="checkbox"/> narrow grassed verge without footpaths <input type="checkbox"/> street tree planting of bottle brushes, in recent decades <input type="checkbox"/> mature trees in gardens and streets <input type="checkbox"/> street tree planting of bottle brushes, in recent decades <input type="checkbox"/> mature trees in gardens and streets

4 Draft Waste Guidelines

DRAFT WASTE MANAGEMENT GUIDELINES FOR NEW DEVELOPMENT APPLICATIONS

The Draft Waste Management Guidelines for New Development Applications forms part of the housekeeping amendments to Parramatta DCP 2011 and should be read in conjunction with Parramatta DCP Housekeeping Amendment No.2 - Item 1 (Section 3.3.7 Waste Management).

The guidelines document provides information of the waste management requirements for new Development Applications lodged with City of Parramatta Council. The requirements set out in this guide are based on Council's Development Control Plan (DCP) 2011 and current best practice waste management recommendations. The document includes the following information:

- The waste management requirements that must be satisfied as part of the development application process
- Clarity and prescriptive controls on bin sizes, storage and collection services for detached dwellings, dual occupancies, multi-dwelling housing and Residential Flat Buildings (RFB)
- Guidance for mixed use developments, commercial development, food businesses, healthcare facilities, child care facilities and boarding house
- A performance criteria (contained at Appendix A) by development types that development applications involving demolition or construction are required to comply with
- Terms of Easement (contained at Appendix B) to enable Council to service on-site waste collection on private roads/property.

The draft guidelines will become the main policy work guiding waste management throughout the development application process.



Waste Management Guidelines for new Development Applications 2016

This guidelines document provides information of the waste management requirements for new Development Applications lodged with City of Parramatta Council. The requirements set out in this guide are based on Council's Development Control Plan (DCP) 2011 and current best practice waste management recommendations.

REDUCE

REUSE

RECYCLE

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1.0 Waste Management Plans

A Waste Management Plan (WMP) must be submitted with all development applications that involve demolition work, construction work, and/or the generation of waste. The WMP is to address the controls that apply to the specific type of development as outlined in this document, and must be in accordance with the template provided on Council's website at www.parracity.nsw.gov.au/build/planningandforms

Development applications which involve demolition and/or the construction of new buildings must comply with the Performance Criteria at Appendix A and include a Waste Management Plan.

2.0 Demolition & Construction

APPLICABILITY

This section applies to applications that involve:

- Demolition works;
- Construction works, including alterations/additions to existing buildings.

SUBMISSION REQUIREMENTS

2.2.2 Waste Management Plan

Applicants are required to complete stages 1 and 2 of Council's Waste Management Plan Template. This plan must address:

- 2.1.1 Expected volumes and types of waste to be generated;

- 2.1.2 Details of how this waste will be re-used, recycled or disposed of. Name and contact details for each receiving waste facility are required;
- 2.2.3 Details of how waste will be managed on site during demolition and construction so that waste is adequately separated, stored and reused/recycled/disposed of. For example through staff training, requirement in contracts, signage, etc.


2.2 Site Plans/Drawings

Applicants are required to submit plans with their application which show:

- 2.2.1 Location of areas where waste will be sorted for disposal or recycling;
- 2.2.2 Location of areas where waste and soil stock piles will be stored on site;
- 2.2.3 Access path for vehicles removing waste from the site.

2.3 Controls

- 2.3.1 Documentation (such as receipts) for the transport and disposal of waste and recycling materials from the site must be retained. This documentation must be made available to Council on request to monitor compliance with the approved Waste Management Plan.
- 2.3.2 The removal and transport of asbestos containing materials must be conducted by an EPA licensed contractor, and the materials must be disposed of at an appropriately licensed facility. These activities must be conducted in accordance with the requirements of SafeWork NSW, the *Protection of the Environment Operations (Waste) Regulation 2005* and EPA Waste Classification Guidelines 2008.
- 2.3.3 The Protection of the Environment Operations (Waste) Regulation 2014 has requirements for waste transporters to record the movement of more than 100 kilograms of asbestos waste or more than 10 square metres of asbestos sheeting. Transporters must use the online Waste Locate system. For more information see <https://wastelocate.epa.nsw.gov.au/>
- 2.3.4 Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of SafeWork NSW and the EPA, and with the provisions of the Work Health and safety Act 2011, NSW Protection of the Environment and Operations Act 1997 (NSW) and the NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).
- 2.3.5 Any contaminated material to be removed from the site shall be disposed of to an EPA licensed land fill.

- 
- 2.3.6 Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

3.0 Detached & Secondary Dwellings, Dual Occupancies, Villas & Multi-dwelling housing

APPLICABILITY

This section applies to applications for:

- New single detached/secondary dwelling developments;
- New dual occupancy developments;
- New villa developments and multi-dwelling housing (where 3 or more dwellings are on the same parcel of land, each with access at ground level including town houses).
- Amendments to existing multi-dwellings housing developments that will significantly affect waste generation and/or management.

SUBMISSION REQUIREMENTS

3.1 Waste Management Plan

Applicants are required to complete Stage 3 of Council's Waste Management Plan Template. This plan must address:

- 3.1.1 Expected volumes and types of waste to be generated from use of the site. Waste generation rates of **80 Litres/unit/week for general garbage** and **40 Litres/unit/week for co-mingled recycling** should be applied when calculating this figure.
- 3.1.2 Details of how this waste will be stored on site, including provisions for the separation of general waste, recycling and garden organics;
- 3.1.3 Details of how ongoing management of waste will be conducted (e.g. caretaker, tenant as part of lease agreement).

3.2 Site Plans/Drawings

Applicants are required to submit plans with their application which show:

- 3.2.1 Location of an indoor waste/recycling cupboard for each dwelling;
- 3.2.2 Location and design of an on-site bin storage area.

3.3 Controls

- 3.3.1 Each dwelling must be provided with an indoor waste/recycling cupboard that is large enough to accommodate a single days waste and provides for the separation of garbage and recycling.
- 3.3.2 For single detached dwellings, dual occupancies, and villas/townhouses with less than 8 units, individual bin storage areas must be provided. The area must be capable of accommodating Council's waste, recycling and green waste bins. The waste bin storage area is to be located on the ground level for these developments.
- 3.3.3 For multi-dwelling housing developments containing 8 or more units, a communal storage area is required. Storage area/s must be located so as to not adversely affect the amenity of the premises, must not immediately adjoin private open space, windows or clothes drying areas, must be provided with water supply (tap) and drainage facilities (to sewer) for cleaning. If enclosed the area must also have lighting and ventilation also. The size is to be calculated on the basis of waste generation rates and proposed bin sizes. Table 1 outlines communal bin area bin and room size requirements. Please contact Council's Waste Management Team to discuss options for appropriate bin configurations.

TABLE 1 Requirements for communal bin areas			
<i>Bin Capacity (L)</i>	140L	240L	360L or larger
<i>Bin Dimensions (m²)</i>	Height: 0.926 Width: 0.536m Depth: 0.615m	Height: 1.060m Width: 0.730m Depth: 0.585m	Height: 1.1m Width: 0.680m Depth: 0.848m
<i>Size of storage area (m²) for all bin sizes</i>	Design storage areas so that there is easy access for residents and caretakers including allowance for the manoeuvrability of bins including minimum aisle space of 1.2m. Area must be large enough to accommodate all waste generated.		

	<p>e.g. number of bins x size of bins + space for manoeuvrability Please see Appendix A of the DECC “Best Practice Guide for Waste Management in Multi-unit Dwellings” 2008 for layouts of bin storage areas.</p>
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- 3.3.4 Where bins are to be placed on the kerb for collection a suitable location must be provided where individual bins can be placed in a position where a distance of 1m is allowed between other bins and obstacles such as parked cars or trees. 3.5m must be provided between the top of the bin and overhead power lines.
- 3.3.5 Bins are to be placed out on a kerb for collection no earlier than the night before a collection, and must be returned to the storage area on the premises no later the night after the collection. Between collection days, all waste and recycling generated on the premises must be contained within the designated bins secured closed with lids and stored within the designated waste storage area.
- 3.3.6 Dwelling occupants are responsible for moving bins to and from the kerb for collection where each dwelling has their own bins.
- 3.3.7 Where bins are shared between residents signage indicating the appropriate use of bins must be provided and a caretaker appointed who is responsible for managing waste including:
- moving of bins to and from the collection point
 - washing of bins
 - keeping the bin area clean and tidy
- 3.3.8 To avoid impact on pedestrian safety and traffic congestion during collection periods, only developments that contain up to 8 dwellings should present their bins for kerbside collection.
- 3.3.9 Developments containing more than 8 dwellings are required to have an on-site storage and collection point. Where on-site collection is not possible or impractical, kerbside collection for more than 8 dwellings may be supported where it is demonstrated that there will be no adverse impact on safety, traffic flows and amenity.
- 3.3.10 In the case where bins are not presented kerbside, Council shall determine the need for either on site access by collection vehicles or the requirement for bins to be wheeled to an agreed collection point for servicing. The

transfer of bins to a collection point and their return can either be the responsibility of as caretaker or body corporate, or can be arranged by Council in accordance with Council adopted Fees and Charges.

- 3.3.11 Council does not usually offer services to private roads or building basements. However, Council may provide on-site collection and enter private property with vehicles, but this would require prior approval and the transfer of an authorised easement restricted to the common property on the strata plan (see Appendix B). The easement would provide indemnity against liabilities, losses, damages and other costs arising from the on-property collection service provided.
- 3.3.12 Where on-property collection is required to service the development, adequate and safe access must be provided for Council's Standard Waste Collection Vehicles as follows:
- a) The site must be designed to allow collection vehicles to enter and exit the site in a forward direction and to adequately manoeuvre once on-site;
 - b) The route of travel for the waste vehicle is to be of sufficient strength and quality to support a standard waste collection vehicle;
 - c) The minimum basement height must be 3.5m clearance for Small Rigid Vehicles (SRV) access (for up to 5 storeys residential height) and 4.5m basement height clearance for Heavy Rigid Vehicles (HRV) access into residential developments of 6 storeys or greater, as well as mixed use and commercial and industrial developments; and
 - d) The grades of entry and exit ramps and manoeuvrability (including turning circles) must not exceed the capabilities of the waste collection vehicle and are to comply with AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities.

Applicants should contact Council's Waste Services section to confirm truck sizes and advise of current servicing arrangements.

4.0 Residential Flat Buildings

APPLICABILITY

This section applies to applications for:

- Buildings containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing;
- Amendments to existing residential flat building (RFB) developments that will significantly affect waste generation and/or management.

SUBMISSION REQUIREMENTS

Applicants are required to complete Stage 3 of Council's Waste Management Plan Template. This plan must address:

4.1 Waste Management Plan

- 4.1.1 Expected volumes and types of waste to be generated from use of the site. Waste generation rates of **80 Litres/unit/week for general garbage and 40 Litres/unit/week for co-mingled recycling** should be applied when calculating this figure.
- 4.1.2 Details of how this waste will be stored on site, including provisions for the separation of waste and recycling, and details of any garbage chutes (designed in accordance with the requirements of the Building code Australia and the Department of Environment and Climate Change Better Practice Guide for Waste Management in Multi-Unit Dwellings) or compaction equipment;
- 4.1.3 Details of how ongoing management of waste will be conducted (e.g. caretaker, tenant as part of lease agreement).

4.2 Site Plans/Drawings

Applicants are required to submit plans with their application which show:

- 4.2.1 Location of an indoor waste/recycling cupboard for each dwelling;
- 4.2.2 Location and design of all communal waste storage area/s, capable of accommodating all waste generated on the premises;

- 4.2.3 Location of any garbage chutes, compaction equipment, bin pulls or interim storage rooms on each floor;
- 4.2.4 Location of any service lifts used for waste/recycling transport;
- 4.2.5 Identification of collection point, including path of travel for moving bins from storage area to collection point (if kerbside collection) or vehicular access path to storage area (if on-property collection).

4.3 Controls

- 4.3.1 Each unit must be provided with an indoor waste/recycling cupboard that is large enough to accommodate a single days waste and provides for the separation of garbage and recycling.
- 4.3.2 Communal waste storage room/s must be provided on the premises and shall be constructed to comply with all the relevant provisions of Council including:
 - a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
 - b) Be located on either the ground floor or basement with a minimum 1.2m aisle space for access;
 - c) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
 - d) The walls being cement rendered to a smooth, even surface and coved at all intersections;
 - e) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet;
 - f) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia; and
 - g) The maximum travel distance from any dwelling to the waste services room is not to exceed 75 metres.
- 4.3.3 All RFB developments are required to provide separate bins for both general and recycling waste with a minimum size of 240 Litres which are to be shared between units. The size is to be calculated on the basis of waste generation rates and proposed bin sizes. Table 2 outlines communal bin area bin and room size requirements.
- 4.3.4 The bin carting route must allow bins to be wheeled directly to the collection point over solid, flat or ramped surfaces with a maximum grade of 7% (3% for bulk garbage bins 360L or greater); not over steps, landscape edging or gutters; to be free of obstructions; and a minimum 2 metres wide (see Table 3).

- 4.3.5 All waste must be removed at regular intervals and not less frequently than once per week for garbage and fortnightly for recycling.

TABLE 2 Requirements for communal bin areas			
<i>Bin Capacity (L)</i>	240L	360L	660L and larger Contact a bin supplier for sizes
<i>Bin Dimensions (m²)</i>	Height: 1.060m Width: 0.730m Depth: 0.585m	Height: 1.1m Width: 0.680m Depth: 0.848m	
<i>Size of storage area (m²) for all bin sizes</i>	<p>Design storage areas so that there is easy access for residents and caretakers including allowance for the manoeuvrability of bins including minimum aisle space of 1.2m. Area must be large enough to accommodate all waste generated.</p> <p>e.g. number of bins x size of bins + space for manoeuvrability Please see Appendix A of the DECC “Best Practice Guide for Waste Management in Multi-unit Dwellings” 2008 for layouts of bin storage areas.</p>		

- 4.3.6 Kerbside waste collection is considered unsuitable in most circumstances given the high number of bins and the associated time taken to service the bins. Where this is not possible due to site-specific constraints, kerbside collection may be supported if it can be demonstrated that this arrangement will not create any adverse issues.
- 4.3.7 To avoid impact on pedestrian safety and traffic congestion during collection periods, only developments that contain up to 8 dwellings should present their bins for kerbside collection.
- 4.3.8 Developments containing more than 8 dwellings are required to have an on-property collection point. Where on-property collection is not possible or impractical, kerbside collection for more than 8 dwellings may be supported where it is demonstrated that there will be no adverse impact on safety, traffic flows and amenity.

- 4.3.9 In the case where bins are not presented kerbside, Council shall determine the need for either on site access by collection vehicles or the requirement for bins to be wheeled to an agreed collection point for servicing. The transfer of bins to a collection point and their return can either be the responsibility of as caretaker or body corporate, or can be arranged by Council in accordance with Council adopted Fees and Charges.
- 4.3.10 Council does not usually offer services to private roads or building basements. However, Council may provide on-site collection and enter private property with vehicles, but this would require prior approval and the transfer of an authorised easement restricted to the common property on the strata plan (see Appendix B). The easement would provide indemnity against liabilities, losses, damages and other costs arising from the on-property collection service provided.
- 4.3.11 Vehicular access to bin collection areas must be considered in terms of road gradients, horizontal alignments, vertical curves, cross-falls, verges, pavement widths, turning areas, clearance heights, manoeuvring clearance and road strength (load bearing). Where on-property collection is required to service the development, adequate and safe access must be provided for Council's Standard Waste Collection Vehicles as follows:
- a) The site must be designed to allow collection vehicles to enter and exit the site in a forward direction and to adequately manoeuvre once on-site;
 - b) The route of travel for the waste vehicle is to be of sufficient strength and quality to support a standard waste collection vehicle;
 - c) The minimum basement height must be 3.5m clearance for Small Rigid Vehicles (SRV) access (for up to 5 storeys residential height) and 4.5m basement height clearance for Heavy Rigid Vehicles (HRV) access into residential developments of 6 storeys or greater, as well as mixed use and commercial and industrial developments; and
 - d) The grades of entry and exit ramps and manoeuvrability (including turning circles) must not exceed the capabilities of the waste collection vehicle and are to comply with AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities.

Further details can also be found in Appendix D of the DECC "Best Practice Guide for Waste Management in Multi-unit Dwellings" 2008 for vehicle access and turning circles.

Applicants should contact Council's Waste Services section to confirm truck sizes and advise of current servicing arrangements.

- 4.3.12 Additional dedicated areas for temporary storage of unwanted bulky items (eg. cardboard, furniture or appliances) are to be provided adjacent to waste storage rooms, and must be accessible to all residents.
- 4.3.13 All waste and recycling materials are to be wholly contained within the designated bins and secured closed with lids to prevent leaks and spills.
- 4.3.14 If using Council's kerbside waste service, the following restrictions apply:
- (a) All bins must be placed out, with lids firmly closed, and presented at the kerb the evening before a collection and must be returned the next evening;
 - (b) The frontage must be sufficient to accommodate all bins placed on the kerb 1 metre apart;
 - (c) Where bins are to be placed out and collected on land subject to community title, a letter of indemnity is required to be submitted to Council as part of any development application; and
 - (d) Where bins are to be placed out on a cul-de-sac, a turning circle of at least 25m diameter kerb to kerb (27.8m diameter wall to wall, swept circle) is required.
- 4.3.15 For developments with over 8 dwellings, the movement of waste to the communal storage room is to be achieved through either:
- a) an interim room provided on each floor for storage of garbage and recycling material. An appointed caretaker transports material from the interim rooms to the communal storage room via a service lift; OR
 - b) a chute system installed to transport garbage to the communal storage room and interim rooms on each floor for storage of recycling. An appointed caretaker transports recycling from the interim rooms to the communal storage room. Chutes are not suitable for recycling due to the risk of glass breakage or blockage of chute by bulky cardboard (see Section 4.3.20).
- 4.3.16 Where bins are shared between residents signage indicating the appropriate use of bins must be provided and a caretaker appointed who is responsible for managing waste including:
- moving of bins to and from the collection point
 - washing of bins
 - keeping the bin area clean and tidy

4.3.17 Between collection periods, bins and associated waste must be stored within the designated storage room/s. For developments with less than 8 dwellings bins are to be placed out on a kerb for collection no earlier than the night before a collection, and must be returned to the storage area on the premises no later than the night after the collection.

4.3.18 If bins are required to be moved from the storage area to a collection point, the path provided must not contain any steps, and must comply with the specific requirements set out in the Table 3 below:

TABLE 3 Requirements for bin movement path			
<i>Bin Capacity</i>	≤ 360L	360L – 1000L	> 1500L
<i>Max. distance of path to be moved along</i>	75m	5m	3m
	50m (for aged or disabled persons)		
<i>Grade of path to be moved along</i>	1:14 (7%)	1:30 (3%)	1:30

4.3.19 Where on-site collection is not possible because of topographic or access constraints, and/or restrictive site dimensions, adequate arrangements need to be made for the convenient, safe and direct access between the waste storage room and the collection point. These arrangements need to be discussed at a pre-lodgement meeting with Council’s Waste Services section.

4.3.20 For developments comprising four or more storeys (8 or more dwellings), the development can incorporate a waste chute system to the following specifications:

- a) The waste chute system will provide a chute for garbage only.
- b) Waste Disposal points are to be provided on each residential level of the development in an accessible and readily identifiable location.
- c) The chute is to be designed to minimise noise and fire risks being cylindrical in section and having a diameter of at least 500mm. The chute is to be completely enclosed in a fire-rated shaft and constructed in accordance with the Building Code of Australia.
- d) The chute is to terminate in a garbage room and discharge directly into a receptacle/bin that prevents spillage and overflow. The waste chute service room must be located directly under where the chute terminates.
- e) A site caretaker/manager will be required to transfer all bins from the chute service room to the agreed waste bin storage area ready for collection.

5.0 Mixed Use Developments

APPLICABILITY

This section applies to applications for:

- Mixed use developments comprising a combination of residential and commercial units (or two or more different land uses) within the one development
- Amendments to existing mixed use developments that will affect waste generation and/or management.

SUBMISSION REQUIREMENTS

In addition to the requirements set out for Multi Dwelling housing and Residential Flat Buildings, the following submission requirements apply to applications for mixed use developments:

5.1 Controls

- 5.1.1 Separate waste facilities must be provided for residential and commercial tenants. These are to be designed and located so that the residential tenants cannot access the commercial waste facilities and vice versa.
- 5.1.2 A caretaker must be appointed to manage the separate residential and commercial waste facilities and ensure ongoing management of the development.
- 5.1.3 In developments comprising less than 4 residential storeys (or 8 dwellings), residents can be made responsible for transporting garbage and recycling from their unit to the communal storage room.
- 5.1.4 In developments comprising more than 4 residential storeys (or 8 dwellings), the movement of waste to the communal storage room is to be achieved through either:
 - a) an interim room provided on each floor for storage of garbage and recycling material. An appointed caretaker transports material from the interim rooms to the communal storage room via a service lift; OR
 - b) a chute system installed to transport garbage to the communal storage room and interim rooms on each floor for storage of recycling. An appointed

caretaker transports recycling from the interim rooms to the communal storage room. Chutes are not suitable for recycling due to the risk of glass breakage or blockage of chute by bulky cardboard.

- 5.15 Waste management for the residential units must comply with the requirements as outlined in Section 4 – Residential Flat Buildings.
- 5.1.6 Each commercial unit must be provided with a clearly defined storage area that is of a size that easily accommodates all waste and recycling generated from that unit for at least one day. Waste management for commercial units must comply with the requirements for commercial developments outlined in Sections 6.0 – 11.0.

6.0 All Commercial Developments

APPLICABILITY

This section applies to applications for:

- All new commercial developments;
- Amendments to existing commercial developments that will affect waste generation and/or management.

SUBMISSION REQUIREMENTS

Applicants are required to complete Stage 3 of Council's Waste Management Plan Template. This plan must address:

6.1 Waste Management Plan

- 6.1.1 Expected volumes and types of waste to be generated from use of the site.
- 6.1.2 Details of how this waste will be stored on site, including provisions for the separation of waste types, and details of any specialised waste services (e.g. disposal of trade waste or hazardous waste).
- 6.1.3 Details of how ongoing management of waste will be conducted.
- 6.1.4 Nomination of the private waste contractor to provide waste collection service.

6.2 Site Plans/Drawings

Applicants are required to submit plans with their application which show:

- 6.2.1 Location of indoor waste/recycling receptacles on the premises.
- 6.2.2 A waste storage room/s must be provided on the premises and shall be constructed to comply with all the relevant provisions of Council including:
 - a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation and/or compaction of different waste types;
 - b) Be located on either the ground floor or basement with a minimum 1.2m aisle space for access;
 - c) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, covered at all intersections with walls;
 - d) The walls being cement rendered to a smooth, even surface and covered at all intersections;
 - e) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet; and
 - f) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.
- 6.2.3 Location and design of the designated waste storage area/s, capable of accommodating all waste generated on the premises and allowing for separation of waste types.
- 6.2.4 Location of any grease traps.
- 6.2.5 Identification of collection point, including path of travel for moving bins from storage area to collection point (if kerbside collection) or vehicular access path to storage area (if on-property collection). The transfer of bins to a collection point and their return can either be the responsibility of as caretaker or body corporate, or can be arranged by Council in accordance with Council adopted Fees and Charges.
- 6.2.6 In the case where Council is requested to provide a service on-property via a private road or basement, the development would need to meet the requirements as outlined in Sections 4.3.10 and 4.3.11.

7.0 FOOD BUSINESSES

APPLICABILITY

This section applies to applications for:

- New food business, including, but not limited to restaurants, cafes, supermarkets, butchers, fish shops, packaged food outlets, and canteens;
- Amendments to existing food businesses that will affect waste generation and/or management.

SUBMISSION REQUIREMENTS

In addition to the requirements set out for 'All Commercial Developments', the following submission requirements apply to applications for food businesses:

7.1 Controls

- 7.1.1 Design, construction and fit out of all waste facilities must comply with AS 4674 – 2004 *Design, Construction and Fit-out of Food Premises*.
- 7.1.2 A grease trap must be provided for all premises, except for temporary premises and those only providing pre-packaged food. The grease trap must be located away from food preparation, storage and packaging areas. Access to the grease trap for emptying must not be through these areas. A trade waste agreement with Sydney Water must be acquired before discharge of any waste water to the sewer system, including grease trap waste.
- 7.1.3 A garbage storage area or designated garbage room is to be provided on the premises and must be capable of accommodating all waste generated on the premises for at least one day.
- 7.1.4 If an external garbage storage area is to be provided, it must be:
 - a) provided with a hose tap connected to a water supply
 - b) paved with an impervious material
 - c) graded and drained to an approved waste disposal system

- 7.1.5 If a designated garbage room is to be provided, it must be:
- a) provided with a hose tap connected to a water supply
 - b) consist of impervious floors and walls
 - c) be coved at the intersection of the floor and walls
 - d) graded and drained to floor waste connected to sewer
 - e) sufficiently ventilated and well lit
 - f) proofed against pests
- 7.1.6 If the premises produces more than 50L per day of meat, fish or poultry waste, waste must be collected daily or stored in a refrigerated garbage room until collection.
- 7.1.7 If the premises is to produce waste cooking oil, an appropriate private waste contractor is to be engaged for its collection. A bunded, covered area is to be provided on the premises for the storage of waste oil.
- 7.1.8 Garbage must be removed with sufficient frequency so as to avoid nuisance from pests and odours with bins regularly being cleaned in an area that drains to sewer.

8.0 Healthcare & Skin Penetration Facilities

APPLICABILITY

This section applies to applications for:

- New healthcare facilities and premises where skin penetration activities are to be conducted, including but not limited to dentists, medical centres, tattoo parlours and beauty salons;
- Amendments to existing healthcare and skin penetration facilities that will affect waste generation and/or management.

SUBMISSION REQUIREMENTS

In addition to the requirements set out for 'All Commercial Developments', the following submission requirements apply to applications for healthcare and skin penetration businesses:

8.1 Controls

- 8.1.1 Waste facilities and management practices for healthcare facilities are to comply with NSW Health publication “Waste Management Guidelines for Health Care Facilities” (1998).
- 8.1.2 Waste facilities and management for skin penetration premises are to comply with the requirements set out in the *Public Health Act 2010, Public Health Regulation 2012*.
- 8.1.3 A designated waste storage room is to be provided on the premises. The room must be:
 - a) provided with a hose tap connected to a water supply
 - b) consisted of rigid impervious flooring
 - c) inaccessible to the public and secured with a lockable door
 - d) graded and drained to floor waste connected to sewer
 - e) sufficiently ventilated and well lit
 - f) proofed against pests
 - g) designed to allow for segregation of waste into correct streams
- 8.1.4 All waste receptacles, including bins and sharps containers, must be inaccessible to the public and sealed when not in use. Waste receptacles must be appropriately lined and bags of waste must be tied closed before being placed in bins for collection.
- 8.1.5 Garbage chutes are not permitted to be installed or used for the transport of waste in healthcare or skin penetration premises.
- 8.1.6 A sufficient number of waste receptacles must be provided on the premises to accommodate the volume and type of waste generated. If sharps are to be used on the premises, a designated sharps container must be provided and serviced by an appropriately licensed sharps waste contractor. Details of the private waste contractor must be provided to Council as part of the waste management plan.
- 8.1.7 Hazardous waste, including sharps and clinical waste (bulk body fluids and blood, material containing blood, etc.), is not permitted to be disposed of through the general waste stream. Council cannot receive hazardous waste and therefore an appropriately licensed private contractor must be engaged to provide this service. Details of the private waste contractor must be provided to Council as part of the waste management plan.

9.0 Child Care Facilities

APPLICABILITY

This section applies to applications for:

- New child care facilities;
- Amendments to existing child care facilities that will affect waste generation and/or management.

SUBMISSION REQUIREMENTS

In addition to the requirements set out for 'All Commercial Developments', the following submission requirements apply to applications for child care facilities:

9.1 Waste Management Plan

- 9.1.1 Details of the arrangements for the ongoing maintenance and cleaning of the bins;
- 9.1.2 Details on the frequency and times of collection of waste, and the proposed measures to minimise impacts on neighbouring properties;
- 9.1.3 In the absence of Council being the nominated waste service provider, the applicant must submit written evidence demonstrating that they have contacted at least three (3) waste contractors regarding waste collection, and the details of the preferred private waste contractor to provide the service.

9.2 Site Plans/Drawings

- 12.2.1 Location of garbage and recycling bins in relation to the outdoor play spaces and neighbouring properties.

9.3 Controls

- 12.3.1 Waste can be collected by either Council or a private waste contractor and collections must occur at least once per week or more, depending on the bin size combinations agreed upon.

10.0 Boarding Houses

APPLICABILITY

This section applies to applications for:

- New boarding house facilities;
- Amendments to existing boarding house facilities that will affect waste generation and/or management.

SUBMISSION REQUIREMENTS

In addition to the requirements set out for 'All Commercial Developments' the following submission requirements apply to applications for boarding houses:

10.1 Controls

- 10.1.1 Communal garbage and recycling facilities are to be provided within the development site. The waste storage area must be suitably enclosed, screened from view from the street, and located behind the front setback line. Facilities to cleanse storage containers on site are to be provided.
- 10.1.2 Waste storage areas shall be provided in an accessible location, and must achieve at grade access to the street for collection;
- 10.1.3 New boarding houses and the intensification of existing boarding houses must comply with the design principles in Section 3.3.7 of this DCP and must submit a Waste Management Plan with the development application.
- 10.1.4 At minimum waste storage must be provided at the following rate:
 - Class 1(b) buildings (up to 12 residents) must provide 2 x 240 litre waste bins; and 2 x 240 litre recycling bins; and 1 x 240 litre green waste bin, or the equivalent capacity.
 - Class 3 buildings (over 12 residents or 300m²) must provide waste storage in accordance with requirements for Class1(b) buildings, for up to 12 residents, with an additional capacity of 40 litres waste storage and 40 litres recycling storage per person over 12 persons.
 - Provision of additional green waste bins will be determined on the size and nature of outdoor areas

- 10.1.5 If contaminated sharps are generated, non-reusable sharps containers shall be provided in accordance with relevant Australian Standards for disposal. Final disposal must be undertaken by licensed contaminated waste contractors.

11.0 Sex Services & Restricted Premises

APPLICABILITY

This section applies to applications for:

- Sex services premises, restricted premises and businesses and entertainment premises providing adult entertainment;
- Amendments to sex services premises, restricted premises and businesses and entertainment premises providing adult entertainment that will affect waste generation and/or management.

SUBMISSION REQUIREMENTS

In addition to the requirements set out for 'All Commercial Developments', the following submission requirements apply to applications for Sex Services and Restricted Premises:

11.1 Controls

- 11.1.1 Waste facilities and management practices are to comply with Work Cover NSW requirements detailed in "Health and Safety Guidelines for Brothels" (2001) and City of Parramatta Council's Development Control Plan 2011.
- 11.1.2 A designated waste storage room is to be provided on the premises. The room must be:
- a) provided with a hose tap connected to a water supply
 - b) consisted of rigid impervious flooring
 - c) inaccessible to the public and secured with a lockable door
 - d) graded and drained to floor waste connected to sewer
 - e) sufficiently ventilated and well lit
 - f) proofed against pests
 - g) designed to allow for segregation of waste into correct streams

- 11.1.3 If contaminated sharps, eg needles are used in a brothel, then non-reusable sharps containers which comply with Australian Standard–AS 4031 should be provided for their disposal.
- 11.1.4 All waste receptacles, including bins and sharps containers, must be inaccessible to the public and sealed when not in use. Waste receptacles must be appropriately lined and bags of waste must be tied closed before being placed in bins for collection.
- 11.1.5 There should be provision for disposal of used condoms, dams, gloves, soiled tissues and the like in the rooms where sexual services are provided to clients. Preferably use bins with sliding lids to eliminate odours.
- 11.1.6 A sufficient number of waste receptacles must be provided on the premises to accommodate the volume and type of waste generated. If sharps are to be used on the premises, a designated sharps container must be provided and serviced by an appropriately licensed sharps waste contractor. Details of the private waste contractor must be provided to Council as part of the waste management plan.
- 11.1.7 Hazardous waste, including sharps and clinical waste (bulk body fluids and blood, material containing blood, etc.), is not permitted to be disposed of through the general waste stream. Council cannot receive hazardous waste and therefore an appropriately licensed private contractor must be engaged to provide this service. Details of the private waste contractor must be provided to Council as part of the waste management plan.

Further Information

For further information please contact Council's customer service centre on 9806 5050 and ask for either:

1. Council's Environmental Health Officer (Waste) - if your enquiry is directly related to waste information required in your application.
2. Council's Waste and Sustainability Team – if your enquiry is about waste services offered by Council.

END OF TEXT

References

1. Parramatta City Council Development Control Plan 2011.
http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/planning_controls/development_control_plans/dcp
2. Department of Environment and Climate Change NSW (2008). *Better Practice Guide to Waste Management in Multi-Unit dwellings*.
www.epa.nsw.gov.au/resources/warrlocal/080042-MUD-waste-mgt.pdf
3. Work Cover NSW requirements detailed in “Health and Safety Guidelines for Brothels” (2001).
<http://www.workcover.nsw.gov.au/search?query=brothel+guidelines&btnSearch=Submit>

Appendix A

Performance Criteria by Development Type

PERFORMANCE CRITERIA		DEVELOPMENT TYPE						
STORAGE		Subdivision with engineering works	Demolition	Single dwellings, semi-detached and dual occupancy	Multi-unit dwellings and residential flat buildings	Mixed Use Development	Business Use	Industrial Use
Stockpile	Siting to take account of environmental factors, e.g. slope, drainage, location of waterways and native vegetation	✓	✓	✓	✓	✓	✓	✓
	Facilitate on-site source separation	✓	✓	✓	✓	✓	✓	✓
	Facilitate re-use of materials on-site	✓	✓	✓	✓	✓	✓	✓
	The establishment and maintenance of a resource recovery system and the completion of a waste stream analysis to identify waste materials that have the potential to be reduced, reused or recycled							
Site Waste Bins	Provide sufficient space for storage of recyclables and garbage on-site	✓	✓	✓	✓	✓	✓	✓
	Facilitate on-site source separation	✓	✓	✓	✓	✓	✓	✓
	Facilitate re-use of materials on-site	✓	✓	✓	✓	✓	✓	✓
Waste cupboard	Provide an indoor waste cupboard or sufficient space within the kitchen (or an alternate location) for the interim storage of waste and recyclables for each dwelling/unit			✓	✓	✓	✓	✓

	Design and locate so as to be accessible and useable			✓	✓	✓	✓	✓
	Design and locate to cater for change of use				✓	✓	✓	✓
On Site Waste Area	Locate an onsite waste/recycling storage area for each dwelling that is of sufficient size to accommodate the required number of Council waste, recycling and garden waste bins			✓	✓	✓	✓	✓
	Multiple or communal storage rooms are required where the development is 8 or more dwellings or where the site characteristics warrant				✓	✓	✓	✓
	Locate waste compaction equipment where proposed				✓	✓	✓	✓
	Waste storage area is to be easily accessible and have unobstructed access to Council's usual collection point			✓	✓	✓	✓	✓
	Locate waste containers in a suitable location so as to complement the design of the development			✓	✓	✓	✓	✓
	Locate waste areas so to avoid vandalism, nuisance and adverse visual impacts on residents, neighbours and the streetscape			✓	✓	✓	✓	✓
	Provide access to a cold water supply for the cleaning of bins and the waste storage area(s). Wastewater is to be discharged to the sewer				✓	✓	✓	✓
	Allow space for signs and educational material to be displayed in waste storage areas				✓	✓	✓	✓
	Provide area(s) for storage of bulky waste (eg. clean up materials) and adequate servicing				✓	✓	✓	✓

COLLECTION/DISPOSAL		Subdivision with engineering works	Demolition	Single dwellings, semi-detached and dual occupancy	Multi-unit dwellings and residential flat buildings	Mixed Use Development	Business Use	Industrial Use
Collection Point	Identify a sufficiently sized kerbside collection point for the collection and emptying of Council's waste, recycling and garden waste bins. The collection point should not impede up on traffic and pedestrian safety			✓	✓	✓	✓	✓
	Ensure the bin transfer route to the collection point does not exceed a grade of 1:14 where bin sizes are less than 360L and 1:30 grade for greater than 360L.			✓	✓	✓	✓	✓
	Provide Council with onsite demolition and construction waste receipts to confirm which facility received the material for recycling or disposing	✓	✓	✓	✓	✓	✓	✓
	On-property collection by Council (private roads or basements) will require transfer of an authorised easement restricted to the common property on the strata plan (see Appendix B). Minimum requirements for basement heights, ramp grades, turning circles and access apply			✓	✓	✓	✓	✓

Appendix B

Terms of Easement

Annexure to transfer granting easement from

.....to the City of
Parramatta Council over the land in certificate of title volume.....Folio

Full and free right for the Transferee its servants and agents and all persons authorised by the Transferee to go, pass and repass over the whole of the land hereinbefore described as the servient tenement at all times with or without vehicles for the purpose of collecting and removing garbage, recycling and refuse from the servient tenement and for the purposes incidental thereto *PROVIDED ALWAYS* that nothing herein contained shall entitle any person exercising the aforesaid rights to enter any building private open space/courtyard except to the extent necessary to gain access to garbage/recycling receptacles located therein in positions approved by the Transferee or to drive any motor vehicle on to any part of the servient tenement which has not apparently been constructed or provided for the purpose of a carriage way or parking area for vehicles and *PROVIDED FURTHER* that if the servient tenement is hereafter subdivided pursuant to the Strata Titles Act (as amended) the rights hereby granted shall be further restricted to the common property comprising in such strata plan and any lot comprised therein shall be released from the easement hereby transferred.

The rights hereby granted may be exercised by the Transferee its servants, agents and all persons authorised by the Transferee to enter the servient tenement without being liable for damage which may be occasional to the servient tenement or any improvements thereon including any paving,, driveways, footpaths, lawns, gardens, fences, walls, buildings or to the property of any person therein or thereon otherwise than by reason of the negligence of the Transferee, its servants and agents and/or of persons authorised by the Transferee.

Without limiting the generality of and notwithstanding anything hereinbefore contained, if any carriage way or parking area and/or the adjacent land supporting the same is damaged by reason of the movement thereon of any vehicle being used in connection with the collection of garbage/recycling from the servient tenement neither the Transferee its servants and agents nor any person authorised by the Transferee shall be liable in respect thereof. the Transferee its servants and agents and all persons authorised by it to exercise the rights hereby granted shall be indemnified and be kept indemnified by the Transferor its successors and assigns against all actions, suits, causes or action or suits, claims, demands, proceedings, costs, charges, damages, or expenses whatsoever which may be brought or made, instituted or claimed against and from them or any of them by the Owner or occupier of the servient tenement or any part thereof or by any person in respect of any loss or injury sustained or threatened or damages suffered or feared by any such person whether in property or person as a consequence of any act or thing done or omitted by any person whilst upon the servient tenement for the purpose of collecting garbage/recycling from the same or for a purpose incidental thereto except where such loss, injury or damages result from the negligence of the Transferee its servants, agents or of any person authorised by the Transferee as aforesaid.

Nothing herein contained shall oblige the Transferee to have garbage/recycling collections from points within the servient tenement or shall prevent the Transferee from discontinuing collection from within the servient tenement *PROVIDED ALWAYS* that if the Transferee discontinues collection of garbage from within the servient tenement the Transferee and the registered proprietor for the time being of the servient tenement shall respectively have the same rights and obligations with regard to the removal of garbage/recycling from the servient tenement as they would have had if this transfer had not been executed.

NOTE:- *Council will accept a modified form of the easement in which the site of the easement is specifically defined by a plan which will be annexed to the transfer.*