Please note, this document is not an exhaustive list of all amendments, and should be read in conjunction with the Draft Development Control Plan 2012 (Amendment No. 5).

<table>
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<tr>
<th>Issue</th>
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</table>
| 1. Assorted minor corrections  
  - Grammatical and formatting mistakes  
  - Clarifications of meaning | Assorted minor changes | Various |
| **PART A – PRELIMINARY INFORMATION** | | |
| 2. Development Application Requirements  
  - Detailed documentation requirements missing | Added more details to landscape plan requirements  
  - Added more detail to requirements for external finishes and schedules | Part A2 2.2 Pages 8 and 13 |
| 3. Advertising and notification  
  - Footpath seating applications delayed by advertising requirements | Edited requirement so only certain applications must be notified | Part A3 3.2 Page 14 |
| **PART B – GENERAL PROVISIONS** | | |
| 4. Green Roofs and Walls  
  - Clarify controls to make them more understood by developers | New controls inserted and existing controls in Section 2.3 modified to clarify requirements.  
  - Cross-referenced with Sections C1.12 and C2.12 | Part B2 2.3 Page 27 |
| 5. Flooding  
  - Provide controls for if applicant wishes to not raise the building level | Inserted new controls (c) and (d) for automatic and manual flood gate systems | Part B6 6.2 Page 47 |
| 6. Accessibility and Adaptability  
  - Clarify which types of dwellings need to comply with these controls | Included a statement in introduction to exclude low density residential dwellings from the accessibility standards | Part B7 Accessibility and Adaptability Page 48 |
| 7. Universal Housing Design  
  - Insert new controls regarding universal housing design | Inserted a new section 7.3 Universal Housing Design. Unjustifiable Hardship became Section 7.4. | Part B7 Universal Housing Design Page 51 |
| 8. Car parking rates  
  - Clarify minimum parking rates | Minimum parking rates in Table 2 re-worded to ensure clarity | Part B8 8.1 Pages 56-57 |
### Summary of amendments in Draft Development Control Plan 2012 (Amendment No. 5)

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</table>
| 9. Aboriginal Sites | • Added into (f) reference to section 1.26 for pedestrian-dominated streets. Deleted figure 1  
• Edited 8.4(b) to remove duplication | Part B9  
9.15  
Pages 88-91 |
| 10. Public Art | • Made amendments to 9.15 text and Figure 21 | B11  
Public Art  
Page 104 |

#### PART C – RESIDENTIAL DEVELOPMENT

| 11. C1 objectives  
• New development should be consistent with the desired future character, not the existing character. | • Amended objective (d) so development is to be consistent with the desired future character of the area | C1  
Objectives  
Page 120 |
| 12. Height  
• Minimise non-compliances with height and/or FSR controls | • Added to introduction that where a non-compliance occurs with height and/or GFA in LEP, any additional impact is likely to be considered unacceptable | C1  
1.1.1 and 1.1.2  
Page 121 |
| 13. Setbacks  
• Definition of predominant building line conflicts with Standard Instrument definition  
• Front first floor setback should also be determined by predominant building line  
• Need to clarify how to define front, side and rear setbacks for lots on corners. | • Streamlined setback controls to reflect more detailed DCP definition.  
• Amended definition of predominant building line so it will apply to front and rear, ground and first floor  
• Added new objective (f) and control (c) to govern alignment of dwellings on corner lots | C1  
1.2.1  
Page 123 and 124 |
| 14. Objectives for excavation | • Inserted objective from Part C2 to Part C1 | C1  
1.3 |
### Summary of amendments in Draft Development Control Plan 2012 (Amendment No. 5)

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<thead>
<tr>
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<tbody>
<tr>
<td>• There are no objectives for excavation at Part C1</td>
<td>• Standard instrument definition inserted into introduction</td>
<td>Page 126</td>
</tr>
</tbody>
</table>
| 15. Dual occupancy  
• Definition required  
• Detached dual occupancy should only be acceptable when the site has a second street or lane frontage | • Deleted controls (c) – (d) and (f). Inserted new control (c). Deleted figure 5 | C1 1.5 Pages 128 and 129 |
| 16. Semi-detached dwellings  
• Remove controls which contradict with exempt development  
• Re-draft objective for 1.6.4 to provide greater clarity | • Removed controls (e) and (f) as the work can be done as exempt development.  
• Amended objective 1.6.4(a) | C1 1.6 Page 130-132 |
| 17. Visual and acoustic privacy  
• Privacy controls are too restrictive and should be limited to habitable rooms  
• External stairs should not be acceptable | • Amended control (a) so windows of habitable rooms are not to face windows of habitable rooms of neighbouring dwellings.  
• Added new control to restrict external stairs | C1 1.8 Page 137 |
| 18. Solar access  
• Solar access to ground plane is very difficult to calculate and assess, and a different measure should be used. | • Amended controls so requirements apply only to windows of living areas and principal open space areas | C1 1.9 Page 139 |
| 19. Views  
• Summarise the principles of the Tenacity Consulting v Warringah [2004] court case.  
• Clarify privacy screens and views | • Principles inserted, as per Part C2.16  
• Updated control to Clarify views are of greater value than privacy | C1 1.10 Pages 140 and 141 |
| 20. Design of car parking  
• Street planting should be replaced by two trees  
• Parking is not to conflict with pedestrian access | • Amended control (f) to require two replacement trees  
• Amended control (i) | C1 1.11.3 Page 145 |
| 21. Laneway development  
• Clarify controls relating to gable roof ends | • Clarified gable roof ends only acceptable based on merit assessment of their impacts | C1 1.14.1(b) Page 150 |
<table>
<thead>
<tr>
<th>Issue</th>
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<tbody>
<tr>
<td><strong>PART C2 – MULTI UNIT AND MULTI DWELLING HOUSING</strong></td>
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</tbody>
</table>
| 22. Relationship with SEPP 65  
  • Clause 6A of SEPP 65 details specific items that the DCP controls cannot be inconsistent with | • Added clause in C2 introduction specifying matters where SEPP 65 overrides the DCP | C2 Page 156 |
| 23. Ben Buckler Special Character Area  
  • Update Character Elements which are considered out of date | • Updated the Character Elements paragraphs to reflect the existing character of the area | Part C2 2.1.3 Pages 161-162 |
| 24. Planning Agreement Policy  
  • Needs reference to Planning Agreement Policy | • New clause in introduction to both C2.2 and C2.3 | Part C2 2.2 and 2.3 Pages 164 and 165 |
| 25. Site, Scale and Frontage  
  • Assessment criteria for exceeding the FSR is ineffectual, and encourages applications to exceed FSR | • Removed 2.2(b) | Part C2 2.2 Page 164 |
| 26. Height  
  • Assessment criteria for exceeding the height is ineffectual, and encourages applications to exceed height  
  • Attic controls should be moved to 2.21 and clarified  
  • Figure 18 and 19 are unclear | • Removed 2.3(b) and (c)  
  • Attic controls in (d) moved to section 2.21  
  • Figures 18 and 19 amended to show way to calculate heights for pitched and flat roof buildings with same controls | Part C2 2.3 Pages 165-167 |
| 27. Setbacks  
  • Objectives do not support the controls  
  • 6m rear setback control is resulting in considerable variances to building alignments particularly on long sites  
  • Side setbacks need clarification | • Amended objectives to strengthen their relationship with controls  
  • Amended control so rear setback is 6m or predominant building line, whichever is greater  
  • Replaced figures 21 and 22 with new figure showing predominant front and rear building line  
  • Amended wording of side setback controls to clarify intent | C2 2.5.2 Pages 171-172 |
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>28. Pedestrian access and entry</td>
<td>• Inserted new control (d)</td>
<td>C2 2.12 (Previously 2.11) Page 180</td>
</tr>
<tr>
<td>• Require pedestrian doorway to carpark</td>
<td></td>
<td></td>
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<tr>
<td>29. Communal open space</td>
<td>• Amended control (d) to provide criteria for not providing private open space</td>
<td>Part C2 2.14 (Previously 2.15) Page 182</td>
</tr>
<tr>
<td>• Need clarity on when private space may not be necessary to be provided</td>
<td></td>
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<tr>
<td>30. Solar access</td>
<td>• New control added to (a) to prohibit excavation for the purposes of subterranean apartments with poor amenity</td>
<td>C2 2.16 (Previously 2.15) Page 186</td>
</tr>
<tr>
<td>• Excavation for subterranean apartments leads to poor amenity</td>
<td></td>
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<tr>
<td>31. Attic and Roof Design</td>
<td>• Section 2.21 Attic and Roof Design moved to Section 2.9</td>
<td>Part C2 2.8 and 2.9 (Previously 2.21) Pages 175-177, 195</td>
</tr>
<tr>
<td>• Relationship between this section and 2.3 Height unclear</td>
<td>• Attic controls moved from 2.3 to 2.9 Attic and Roof Design. New objective (d) added. Controls relating to additional stories deleted. Controls relating to attic additions streamlined</td>
<td></td>
</tr>
<tr>
<td>• Controls for attic additions and additional storeys unclear</td>
<td>• New objective added to 2.8 to retain the architectural character of existing RFBs.</td>
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<tr>
<td>• Attic dormers are too large</td>
<td>• Clause (g) inserted to 2.9 to encourage multiple dormers rather than single large dormers</td>
<td></td>
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<tr>
<td>32. Plant/roof services requirements</td>
<td>• Inserted new objective (b)</td>
<td>Part C2 2.24 Page 198-199</td>
</tr>
<tr>
<td>• Building services should be encouraged in basements, to limit the visual impact of plant</td>
<td>• Deleted clause (d) regarding services projecting above the roof line and removed references in Figure 31</td>
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<tr>
<td>• Clause relating to additional height for services is being misinterpreted</td>
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**PART D – COMMERCIAL DEVELOPMENT**

<table>
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<tr>
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<tbody>
<tr>
<td>33. Amenity</td>
<td>• Added new control (g) requiring Plan of Management, linked to Requirements in Part A</td>
<td>Part D1 1.1 Page 201</td>
</tr>
<tr>
<td>• Plan of Management required by premises</td>
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</table>
## Summary of amendments in Draft Development Control Plan 2012 (Amendment No. 5)

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<tbody>
<tr>
<td>serving liquor and with extended trading hours</td>
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</table>
| **34. Amplified noise (music)**  
  • No controls regarding amplified noise | • Inserted provision (f) to guide the provision of amplified noise | Part D1  
  1.2  
  Page 202 |
| **35. Hours of operation trial periods**  
  • Inconsistency with OLGR licensing  
  • Clarify requirements before a premises can apply for extended hours of operation | • Included advisory note that licensed premises will not be granted hours of operation after 10pm on Sundays  
  • Inserted new control so a merit assessment is undertaken to determine appropriate required amount of time for premises to operate before trial hours can be granted | Part D1  
  Table 1, 1.3  
  1.3.1(e)  
  Page 204 |
| **36. Footpath seating**  
  • Need to clarify footpath seating is not available to pubs, bars and clubs | • Inserted new objective (c) and control (o) | Part D3  
  Introduction, 3.1  
  Pages 215 and 216 |
| **37. Footpath seating trading hours**  
  • No hours of operation specified for footpath seating | • Inserted clause (b) to specify maximum hours of operation to allow for dinner service but prevent anti-social behaviour | Part D3  
  3.3.1  
  Page 219 |
| **38. Footpath seating furniture examples require review for public safety** | • Two pictures removed from examples of furniture styles | Annexure D3-2  
  Page 232 |

### PART E – SITE SPECIFIC DEVELOPMENT

<table>
<thead>
<tr>
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</table>
| **39. Introduction to Part E**  
  • Need to clarify relationship between Part E and Part C | • Noted that where there is an inconsistency, Part E prevails | Part E  
  Introduction  
  Page i |
| **40. Town Square**  
  • Remove all references to town square and replace with Oxford Street Mall | • Replaced all references to Town Square with Oxford Street Mall  
  • Deleted figures 31 and 39 as they demonstrated the Town Square | Part E1  
  Assorted references |
| **41. Minimum hours of through-site links should be expanded** | • Amended control (b)(viii) to extend minimum hours to 10pm | Part E1  
  1.4.1  
  Page 239 |
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| 42. Splayed corners  
  • Splayed corners should not be discouraged | • Amended 1.6(c) as splayed corners create better spaces on the street for pedestrians | Part E1  
  1.7  
  Page 250 |
| 43. Street alignment  
  • Inconsistency between text, figure 10, and figure 32 with reference to street alignment | • Amended figure 10 to remove inconsistencies and reference figure 32 | Part E1  
  1.2, Figure 13 (Previously Figure 10), 1.7  
  Page 236, 255-256 |
| 44. Amend figures to include site of West Oxford Street Planning Proposal | • Amended figures 8, 10, 27 and 29 | Part E1  
  Assorted references |
| 45. Move 1.26 Access and Movement earlier to reflect the importance of the controls | • Section 1.26 moved to come after Section 1.3, to reflect the importance of the controls | Part E1  
  1.4 (previously 1.26)  
  Pages 239-243, 294-298 |
| 46. Oxford Street Mall  
  • Need requirements for Bronka arcade  
  • Amend figure 36 to show proposed pedestrian link through 145 Oxford Street  
  • Amend figure 40 to clarify controls  
  • Assorted amendments to Oxford Street Mall provisions | • Inserted new control 1.26.4(d) for Bronka arcade  
  • Amended figure 36  
  • Amended figure 40 (now 38) to clarify controls  
  • Assorted amendments to 1.26 | Part E1  
  1.26 (Previously 1.27)  
  Pages 299-313 |
| 47. Macpherson Street Neighbourhood Centre  
  • Figure 53 does not include Bronte RSL | • Amended figure includes Bronte RSL | Part E3 Local Village Centres  
  3.1.2  
  Page 350 |

**PART F – DEVELOPMENT SPECIFIC**

<table>
<thead>
<tr>
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</table>
| 48. Boarding House Requirements  
  • Section lacks some controls that were removed in previous amendment to the DCP following introduction of the ARHSEPP | • Reinserted clauses (d), (m), (n), and (o) that had been taken out following review of ARHSEPP controls  
  • Stated that F1 development types must conform to Parts C1, C2 and E where relevant | Part F1  
  Introduction and section 1.1  
  Pages 394-395 |
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</table>
| 49. Child care centres  
  - Too few provisions with respect to management and outdoor space | • Inserted new objectives and controls to section 3.2 and 3.4 | Part F3  
  3.1 – 3.4  
  Pages 399-404 |
| **Definitions** | | |
| 50. Review definitions  
  - wall height  
  - predominant building line  
  - green roof | • Deleted definition of wall height, retain definition of external wall height  
  • Amended predominant building line to ensure consistency with LEP definition  
  • Amend definition of green roof | Definitions  
  Pages 409, 413 and 417 |