

**Draft Parking Development Control Plan
(Amendment No.1) as recommended for adoption**

xx Month 2012

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Part 1 Preliminary

1.1 Background

The Draft Parking Development Control Plan (Amendment 1) [the Draft DCP] has been prepared in response to Council's resolution of 16 April 2012:

That a DCP be prepared to amend the Parking DCP, Residential DCP 2003, Watsons Bay Heritage Conservation Area DCP, Double Bay DCP 2003 and the Neighbourhood Centres DCP as outlined in the report to the Urban Planning Committee on 26 March 2012, subject to the following amendments:

- a) Control C.5.9.5 of clause 5.9 (Car Parking and driveways) in the residential DCP 2003 be changed to read:

Dwelling houses on separate lots may only provide the maximum rate of two on-site parking spaces where this can be achieved within the precinct controls for the location of garages. The second space may be provided in tandem. For further detail on tandem parking see clause 2.2.4 of the Parking Development Control Plan regarding tandem parking.

- b) Equivalent changes for all types of residential development be made to cognate parts of the Residential DCP 2003, the Parking DCP, the Double Bay Centre DCP and the Neighbourhood Centres DCP as appropriate.
- c) Footnote references to tables within DCPs which set out residential parking generation rates be changed to read:

Round to the nearest whole number, with halves (i.e.0.5) to be rounded up.

The Draft DCP:

- Amends various development control plans to address Council's resolution of 16 April 2012 by:
 - Changing residential parking rates to maximum figures,
 - Clarifying that when calculating parking generation rates, halves (0.5) should be rounded up.
- Amends the Parking Development Control Plan (Parking DCP) by:
 - Changing the parking generation rate for dual occupancies from one space per dwelling to two spaces per dwelling,
 - Correcting typographical errors.
- Deletes the dual occupancy parking generation rate from the Residential Development Control Plan, therefore making the Parking DCP rate apply.

1.2 Name of plan

This plan is the Draft Parking Development Control Plan (Amendment No.1).

1.3 Objectives of plan

The objectives of the plan are:

- To provide that residential car parking rates across most of Council's development control plans are maximum rates.
- To acknowledge that providing less than the maximum parking rate may be acceptable on sites that are constrained and/ or where the variation is consistent with the desired future character of an area.
- To require justification where applications propose parking which exceeds maximum rates.
- To adopt a single maximum parking generation rate for dual occupancies.

1.4 Land to which this plan applies

This plan applies to all land within the Woollahra Municipality.

1.5 Relationship of this plan to the Act, Regulation and other plans or environmental planning instruments

This plan has been prepared under section 74C of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Assessment Regulation 2000*.

Woollahra Local Environmental Plan 1995 applies to the land to which this plan applies.

1.6 Approval and commencement of this plan

This plan was approved by Woollahra Council onand came into effect on

Part 2 Amendments to the Parking Development Control Plan

2.1 Amendment to clause 1.6 - Savings and transitional arrangements

After the last paragraph in clause 1.6 insert a new paragraph: 'This plan (as commenced 23 March 2011) continues to apply (in respect of land to which this DCP applies) to development applications, applications to modify consents under section 96 of the Act and applications for review of determinations under section 82A of the Act that were made prior to but not determined before the commencement of Amendment 1 to this plan'.

2.2 Amendment to clause 1.8 – Consideration of development applications

Following the first sentence of paragraph two in clause 1.8 (b) insert a new sentence: 'This plan contains minimum parking generation rates for non-residential development and maximum rates for residential development'.

2.3 Amendment to clause 2.2.1 - Residential parking generation rates

- In paragraph one of clause 2.2.1 delete the words 'must comply with the generation rates'. Insert instead: 'may only provide the maximum number of parking spaces'.

- In paragraph one of clause 2.2.1 delete the words ‘unless the provisions of other DCPs prevail’. Insert instead: ‘where this can be achieved within the controls for the location of garages in this plan and in other DCPs.
- In paragraph two of clause 2.2.1 after the words: ‘Where an application proposes to provide more or less than the number of spaces specified in Table 2.2, justification’ insert the words: ‘acceptable to Council’
- After the last bullet point of clause 2.2.1 insert a new paragraph: ‘Where less than the maximum parking rate is proposed, justification must cover matters such as, but not limited to,:
 - The matters listed in clause 1.8
 - Provisions of other relevant DCPs that apply to the site which may restrict parking.’
- In Table 2.2 - Residential parking generation rates, delete the car parking generation rate for dual occupancies of one space per dwelling and insert instead: A maximum of two spaces per dwelling.
- In Table 2.2 - Residential parking generation rates, delete the footnote reference for the mixed use component of residential development ‘⁶’. Insert instead ‘⁸’.
- In the footnote for Table 2.2 after the words ‘Round to the nearest whole number’ insert: ‘with halves (i.e. 0.5) to be rounded up’.

2.4 Amendment to clause 4.4 - Restaurants in the Double Bay Commercial Centre

In the second paragraph of clause 4.4 delete the footnote reference ‘⁸’ from the end of the second paragraph and insert instead ‘¹⁰’.

2.5 Amendment to Annexure 1 - Table of amendments to development control plans

Insert the following at the end of the table:

| Part A Section 3 Development control plan | Part B Section 3 Amendment |
|--|--|
| Woollahra Residential DCP 2003 | <p><u>Clause 1.7 Savings and transitional provisions</u></p> <p><u>In clause 1.7:</u></p> <ul style="list-style-type: none"> • <u>After the last paragraph insert a new paragraph:</u> <u>The RDCP (as amended by amendments 1, 2, 3 and 4) continues to apply (in respect of land to which this DCP applies) to development applications, applications to modify consents under section 96 of the <i>Environmental Planning and Assessment Act 1979</i> and applications for review of determinations under section 82A of the <i>Environmental Planning and Assessment Act 1979</i> that were made prior to but not determined before the commencement of Amendment 5 to the RDCP.</u> <p>Clause 5.9 Car parking and driveways</p> <p>In control C 5.9.3:</p> <ul style="list-style-type: none"> • Delete the words ‘and dual occupancies’ from paragraph one. • Delete the word ‘Minimum’ from the heading of column 2 of |

| | |
|--|---|
| | <p>the table and insert instead: ‘Maximum’.</p> <ul style="list-style-type: none"> • In the footnote to the table, after the words ‘Round to the nearest whole number’ insert: ‘, with halves (i.e. 0.5) to be rounded up.’ <p>In control C 5.9.4:</p> <ul style="list-style-type: none"> • Below the table, after the words ‘Round to the nearest whole number’ insert ‘, with halves (i.e. 0.5) to be rounded up.’ <p>In control C 5.9.5:</p> <ul style="list-style-type: none"> • In the first sentence, delete the words: ‘are provided with’ and insert instead ‘may only provide the maximum rate of’. • In the second sentence, delete the words: ‘can be stacked’ and insert instead: ‘may be provided in tandem. For further detail on tandem parking see clause 2.2.4 of the Parking Development Control Plan.’ <p>In control C 5.9.6:</p> <ul style="list-style-type: none"> • In the first sentence, after the words ‘Dwelling houses with bed and breakfast accommodation provide’ insert the words ‘a maximum of’. <p>After control C 5.9.13 insert the following:</p> <ul style="list-style-type: none"> • Note: Applications that seek to vary the number of parking spaces must address the precinct provisions in Part 4 and the relevant matters listed in clause 2.2.1 of the Parking Development Control Plan. <p>Table of Amendments</p> <p>At the bottom of the table insert the following:</p> <ul style="list-style-type: none"> • In the Amendment column insert: ‘No.5’ • In the Date of Commencement column insert: the date this amendment commences. • In the Description of Amendment column insert: This plan amends this DCP by removing parking generation rates for dual occupancies, changing residential parking generation rates to maximums and clarifying how parking generation rates should be rounded.’ |
|--|---|

| Part A Section 4 Development control plan | Part B Section 4 Amendment | | | | | | |
|--|--|--|----------------------|--------------------------|------|----------------|--|
| Watsons Bay Heritage Conservation Area DCP | <p>Clause 1.4 How to use this plan</p> <ul style="list-style-type: none"> • Under the heading Part 6 Appendices, after the last bullet point insert a new bullet point: <ul style="list-style-type: none"> ▪ Appendix D: Table of amendments <p><u>Clause 1.10 Savings and transitional provisions</u></p> <ul style="list-style-type: none"> • <u>Following the last paragraph insert a new paragraph:</u> <u>This plan (as commenced 15 October 2003 and as amended by Woollahra LEP 1995 Amendment No.47) continues to apply (in respect of land to which this DCP applies) to development applications, applications to modify consents under section 96 of the <i>Environmental Planning and Assessment Act 1979</i> and applications for review of determinations under section 82A of the <i>Environmental Planning and Assessment Act 1979</i> that were made prior to but not determined before the commencement of Amendment 1 to this plan.</u> <p>Clause 4.9 Carparking and access</p> <p>In control C14:</p> <ul style="list-style-type: none"> • Delete the words ‘with the exception of the following controls for residential flat buildings and mixed development’. Insert instead ‘where this can be achieved within the precinct criteria in Part 3 and provisions of clause 4.9 of this plan. <p>Applications that seek to vary the number of parking spaces must address all parking related controls in this plan and the relevant matters listed in clause 2.2.1 of the Woollahra Parking DCP.’</p> <ul style="list-style-type: none"> • Delete control C15. • Delete control C16. <p>Part 6 Appendices</p> <ul style="list-style-type: none"> • After Appendix C insert the following: <p>Appendix D: Table of amendments</p> <table border="1" data-bbox="643 1599 1428 2040"> <thead> <tr> <th data-bbox="643 1599 818 1682">Amendment</th> <th data-bbox="818 1599 1046 1682">Date of commencement</th> <th data-bbox="1046 1599 1428 1682">Description of amendment</th> </tr> </thead> <tbody> <tr> <td data-bbox="643 1682 818 2040">No.1</td> <td data-bbox="818 1682 1046 2040">day month 2012</td> <td data-bbox="1046 1682 1428 2040">Delete parking generation rates for residential flat buildings and for the residential component of mixed use development which were minimum rates. Refer applicants to the Parking Development Control Plan instead which uses maximum rates.</td> </tr> </tbody> </table> | Amendment | Date of commencement | Description of amendment | No.1 | day month 2012 | Delete parking generation rates for residential flat buildings and for the residential component of mixed use development which were minimum rates. Refer applicants to the Parking Development Control Plan instead which uses maximum rates. |
| Amendment | Date of commencement | Description of amendment | | | | | |
| No.1 | day month 2012 | Delete parking generation rates for residential flat buildings and for the residential component of mixed use development which were minimum rates. Refer applicants to the Parking Development Control Plan instead which uses maximum rates. | | | | | |

| Part A Section 5 Development control plan | Part B Section 5 Amendment | | | | | | | | | | |
|---|---|---------------|---|-----------|-----|-----------|---|------------|-----|---|--|
| Double Bay Centre DCP | <p>Clause 1.8 Relationship to the Act, the Regulation, and to other plans and policies</p> <p>Clause 1.9 Approval and commencement of this DCP</p> <ul style="list-style-type: none"> • Insert at the end of the table in clause 1.9 the amendment reference, approval date and commencement date of Double Bay Centre DCP (Amendment 4). <p><u>Insert the following new clause:</u></p> <p><u>1.10A Savings and transitional arrangements</u></p> <p><u>This DCP (as commenced 27 February 2004 and as amended by amendments 1, 2 and 3) continues to apply (in respect of land to which this DCP applies) to development applications, applications to modify consents under section 96 of the <i>Environmental Planning and Assessment Act 1979</i> and applications for review of determinations under section 82A of the <i>Environmental Planning and Assessment Act 1979</i> that were made prior to but not determined before the commencement of Amendment 4 to this DCP.</u></p> <p>Clause 6.7.2 On-site parking, <i>Residential component (of a mixed development)</i>:</p> <ul style="list-style-type: none"> • Delete the word ‘minimum’ from paragraph one. Insert instead: ‘maximum’. • Delete the word ‘provision’ from paragraph one. Insert instead: ‘generation rates’. • Delete the current parking generation rate table for the residential component of a mixed development. Insert instead: <table border="1" data-bbox="644 1361 1398 1682"> <thead> <tr> <th>Dwelling size</th> <th>Maximum number of spaces provided per dwelling¹</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>0.5</td> </tr> <tr> <td>2 bedroom</td> <td>1</td> </tr> <tr> <td>3+ bedroom</td> <td>1.5</td> </tr> <tr> <td colspan="2">Visitor parking shall be provided at a maximum rate of 0.2 spaces per dwelling.</td> </tr> </tbody> </table> <p>¹ Average for entire development. Round up to nearest whole number, with halves (i.e. 0.5) to be rounded up.</p> <p>Applications that seek to vary the number of parking spaces must address all parking related controls in this DCP and the relevant matters listed in clause 2.2.1 of the Parking Development Control Plan.</p> | Dwelling size | Maximum number of spaces provided per dwelling ¹ | 1 bedroom | 0.5 | 2 bedroom | 1 | 3+ bedroom | 1.5 | Visitor parking shall be provided at a maximum rate of 0.2 spaces per dwelling. | |
| Dwelling size | Maximum number of spaces provided per dwelling ¹ | | | | | | | | | | |
| 1 bedroom | 0.5 | | | | | | | | | | |
| 2 bedroom | 1 | | | | | | | | | | |
| 3+ bedroom | 1.5 | | | | | | | | | | |
| Visitor parking shall be provided at a maximum rate of 0.2 spaces per dwelling. | | | | | | | | | | | |

| | <p>Part 9. Table of amendments</p> <p>Insert the following at the bottom of the table:</p> <ul style="list-style-type: none"> • In the Amendment column: No.4 • In the Description column: <ul style="list-style-type: none"> • Part 1 is amended by: <ul style="list-style-type: none"> ▪ amending clause 1.9 • Part 6 is amended by: <ul style="list-style-type: none"> ▪ changing the residential component of mixed use parking generation rates from minimums to maximums in clause 6.7.2 ▪ clarifying how to round parking generation rates in clause 6.7.2. ▪ specifying the matters applications should address when seeking to vary the number of parking spaces provided by this DCP. | | | | | | | | |
|--|---|---------------|---|-----------|---|-----------|---|------------|---|
| <p>Part A Section 6 Development control plan</p> | <p>Part B Section 6 Amendment</p> | | | | | | | | |
| <p>Neighbourhood Centres Development Control Plan</p> | <p><u>Clause 1.8 Savings and transitional arrangements</u></p> <ul style="list-style-type: none"> • <u>Insert the following new paragraph after the last paragraph:</u> <u>The NC DCP (as commenced 4 February 2009) continues to apply (in respect of land to which this DCP applies) to development applications, applications to modify consents under section 96 of the <i>Environmental Planning and Assessment Act 1979</i> and applications for review of determinations under section 82A of the <i>Environmental Planning and Assessment Act 1979</i> that were made prior to but not determined before the commencement of Amendment 1 to the NC DCP.</u> <p>Clause 5.9 Car parking vehicle access and servicing</p> <p>In control C 5.9.2:</p> <ul style="list-style-type: none"> • Delete paragraph one and insert instead: ‘The residential component of mixed-use development may only provide the maximum number of on-site car parking spaces as set out in the following table, where this can be achieved within the provisions of the NC DCP.’ • Delete the parking generation rate table and insert instead: <table border="1" data-bbox="643 1727 1398 1966"> <thead> <tr> <th>Dwelling size</th> <th>Maximum number of spaces provided per dwelling¹</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>1</td> </tr> <tr> <td>2 bedroom</td> <td>1</td> </tr> <tr> <td>3+ bedroom</td> <td>2</td> </tr> </tbody> </table> <p>Visitor parking shall be provided at a maximum rate of 0.25</p> | Dwelling size | Maximum number of spaces provided per dwelling ¹ | 1 bedroom | 1 | 2 bedroom | 1 | 3+ bedroom | 2 |
| Dwelling size | Maximum number of spaces provided per dwelling ¹ | | | | | | | | |
| 1 bedroom | 1 | | | | | | | | |
| 2 bedroom | 1 | | | | | | | | |
| 3+ bedroom | 2 | | | | | | | | |

| | <p>spaces per dwelling.</p> <p>¹ Average for entire development. Round up to nearest whole number, with halves (i.e. 0.5) to be rounded up.</p> <p>Note: Applications that seek to vary the number of parking spaces must address the precinct provisions in Part 3, clause 5.9 of the NC DCP and the relevant matters listed in clause 2.2.1 of the Parking Development Control Plan.</p> <p>Insert a new part:</p> <p style="text-align: center;">Part 7 – Table of amendments</p> <table border="1" data-bbox="643 584 1390 1039"> <thead> <tr> <th>Amendment</th> <th>Date of commencement</th> <th>Description of amendment</th> </tr> </thead> <tbody> <tr> <td>No.1</td> <td>day month 2012</td> <td>Amend parking generation rates for the residential component of mixed use development to be maximum rates. Clarify how parking generation rate calculations should be rounded.</td> </tr> </tbody> </table> | Amendment | Date of commencement | Description of amendment | No.1 | day month 2012 | Amend parking generation rates for the residential component of mixed use development to be maximum rates. Clarify how parking generation rate calculations should be rounded. | | |
|--|---|---|---|--------------------------|------|----------------|---|------------|---|
| Amendment | Date of commencement | Description of amendment | | | | | | | |
| No.1 | day month 2012 | Amend parking generation rates for the residential component of mixed use development to be maximum rates. Clarify how parking generation rate calculations should be rounded. | | | | | | | |
| Part A Section 7 Development control plan | Part B Section 7 Amendment | | | | | | | | |
| Rose Bay Centre Development Control Plan | <p>Clause 6.6 Access, Parking and servicing</p> <p>In clause 6.6.2:</p> <ul style="list-style-type: none"> Delete the current parking generation rate table for the residential component of mixed development. Insert instead: <table border="1" data-bbox="643 1323 1398 1644"> <thead> <tr> <th>Dwelling size</th> <th>Maximum number of spaces provided per dwelling¹</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>0.5</td> </tr> <tr> <td>2 bedroom</td> <td>1</td> </tr> <tr> <td>3+ bedroom</td> <td>2</td> </tr> </tbody> </table> <p>Visitor parking shall be provided at a maximum rate of 0.2 spaces per dwelling.</p> <p>¹ Average for entire development. Round up to nearest whole number with halves (i.e. 0.5) to be rounded up.</p> | Dwelling size | Maximum number of spaces provided per dwelling ¹ | 1 bedroom | 0.5 | 2 bedroom | 1 | 3+ bedroom | 2 |
| Dwelling size | Maximum number of spaces provided per dwelling ¹ | | | | | | | | |
| 1 bedroom | 0.5 | | | | | | | | |
| 2 bedroom | 1 | | | | | | | | |
| 3+ bedroom | 2 | | | | | | | | |

| Part A Section 8 Development control plan | Part B Section 8 Amendment | | | | | | | | |
|---|--|---------------|---|-----------|---|-----------|-----|------------|---|
| <p>Woollahra Heritage Conservation Area Development Control Plan</p> | <p>Clause 3.4.9 Parking and garages</p> <p>In control C15:</p> <ul style="list-style-type: none"> Delete the Table 3.27 Parking calculations for residential flat buildings and its footnote. Insert instead: <table border="1" data-bbox="644 584 1398 904"> <thead> <tr> <th>Dwelling size</th> <th>Maximum number of spaces provided per dwelling¹</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>1</td> </tr> <tr> <td>2 bedroom</td> <td>1.5</td> </tr> <tr> <td>3+ bedroom</td> <td>2</td> </tr> </tbody> </table> <p>Visitor parking shall be provided at a maximum rate of 0.25 spaces per dwelling.</p> <p>¹ Average for entire development. Round up to nearest whole number with halves (i.e. 0.5) to be rounded up.</p> <p>In control C16:</p> <ul style="list-style-type: none"> In Table 3.28, in the heading of column 2: insert a footnote reference ‘²’ at the end of the word ‘dwelling’. Under Table 3.28 insert the following footnote: <ul style="list-style-type: none"> ² Average for the residential component of development. Round up to nearest whole number with halves (i.e. 0.5) to be rounded up. | Dwelling size | Maximum number of spaces provided per dwelling ¹ | 1 bedroom | 1 | 2 bedroom | 1.5 | 3+ bedroom | 2 |
| Dwelling size | Maximum number of spaces provided per dwelling ¹ | | | | | | | | |
| 1 bedroom | 1 | | | | | | | | |
| 2 bedroom | 1.5 | | | | | | | | |
| 3+ bedroom | 2 | | | | | | | | |
| Part A Section 9 Development control plan | Part B Section 9 Amendment | | | | | | | | |
| <p>Paddington Heritage Conservation Area Development Control Plan</p> | <p>Clause 4.2.6 On-site vehicle parking, garages, carports, driveway access and servicing facilities</p> <p>In control C 16:</p> <ul style="list-style-type: none"> delete Table 1 and its note and insert instead: <table border="1" data-bbox="644 1563 1398 1883"> <thead> <tr> <th>Dwelling size</th> <th>Maximum number of spaces provided per dwelling</th> </tr> </thead> <tbody> <tr> <td>1 bedroom</td> <td>1</td> </tr> <tr> <td>2 bedroom</td> <td>1.5</td> </tr> <tr> <td>3+ bedroom</td> <td>2</td> </tr> </tbody> </table> <p>Visitor parking shall be provided at a maximum rate of 0.25 spaces per dwelling.</p> <p>Note: Round to the nearest whole number, with halves (i.e. 0.5) to be rounded up.</p> | Dwelling size | Maximum number of spaces provided per dwelling | 1 bedroom | 1 | 2 bedroom | 1.5 | 3+ bedroom | 2 |
| Dwelling size | Maximum number of spaces provided per dwelling | | | | | | | | |
| 1 bedroom | 1 | | | | | | | | |
| 2 bedroom | 1.5 | | | | | | | | |
| 3+ bedroom | 2 | | | | | | | | |

| | | | | | | | | | | | |
|--|---|---------------|--|-----------|------|-----------|---|------------|------|--|--|
| | <p>In control C 17:</p> <ul style="list-style-type: none"> Delete Table 2 and its note and insert instead: <table border="1"> <tr> <td>Dwelling size</td> <td>Maximum number of spaces provided per dwelling</td> </tr> <tr> <td>1 bedroom</td> <td>0.75</td> </tr> <tr> <td>2 bedroom</td> <td>1</td> </tr> <tr> <td>3+ bedroom</td> <td>1.25</td> </tr> <tr> <td colspan="2">Visitor parking shall be provided at a maximum rate of 0.25 spaces per dwelling.</td> </tr> </table> <p>Note: Round to the nearest whole number, with halves (i.e. 0.5) to be rounded up.</p> | Dwelling size | Maximum number of spaces provided per dwelling | 1 bedroom | 0.75 | 2 bedroom | 1 | 3+ bedroom | 1.25 | Visitor parking shall be provided at a maximum rate of 0.25 spaces per dwelling. | |
| Dwelling size | Maximum number of spaces provided per dwelling | | | | | | | | | | |
| 1 bedroom | 0.75 | | | | | | | | | | |
| 2 bedroom | 1 | | | | | | | | | | |
| 3+ bedroom | 1.25 | | | | | | | | | | |
| Visitor parking shall be provided at a maximum rate of 0.25 spaces per dwelling. | | | | | | | | | | | |

2.6 Insert table of amendments to the Parking DCP

After Annexure 1 insert the following:

Annexure 2 –

Table of amendments to this plan

| Amendment | Date of commencement | Description of amendment |
|-----------|----------------------|--|
| No.1 | Day month 2012 | <ul style="list-style-type: none"> Amend residential parking generation rates to be maximum rates. Clarify how parking generation rate calculations should be rounded. Amend the parking generation rate for dual occupancies to two spaces per dwelling. Amend residential parking generation rates in other DCPs to maximums to provide consistency across Councils plans. |