

1. Using the DCP

Overview

The Inner West Development Control Plan 2026 (the DCP) supports the *Inner West Local Environmental Plan 2022* (the LEP) providing a consistent set of planning controls to apply throughout the Inner West. The DCP provides a Local Government Area (LGA) wide approach to matters as diverse as amenity and risk management, transport, and waste minimisation while recognising and accommodating the distinct character of Inner West *neighbourhoods*.

The DCP:

- Guides assessment of development applications under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act)
- Applies to land covered by the LEP and Callan Park
- Applies to all development applications and certain complying development where required by SEPPs

Compliance with the DCP does not guarantee consent.

1.1 Where it Applies

Council adopted the *Inner West Development Control Plan 2026* on [date], and it came into effect [date].

This DCP applies to the land to which the *Inner West Local Environmental Plan 2022* and the *Callan Park Act (Special Provisions) Act 2002 No. 139*, apply (see Figure 1.1).

This DCP excludes land covered by Balmain Leagues Club site and *SEPP (Precincts – Eastern Harbour City) 2021*. The Balmain Leagues Club site is subject to *Leichhardt DCP 2000*.

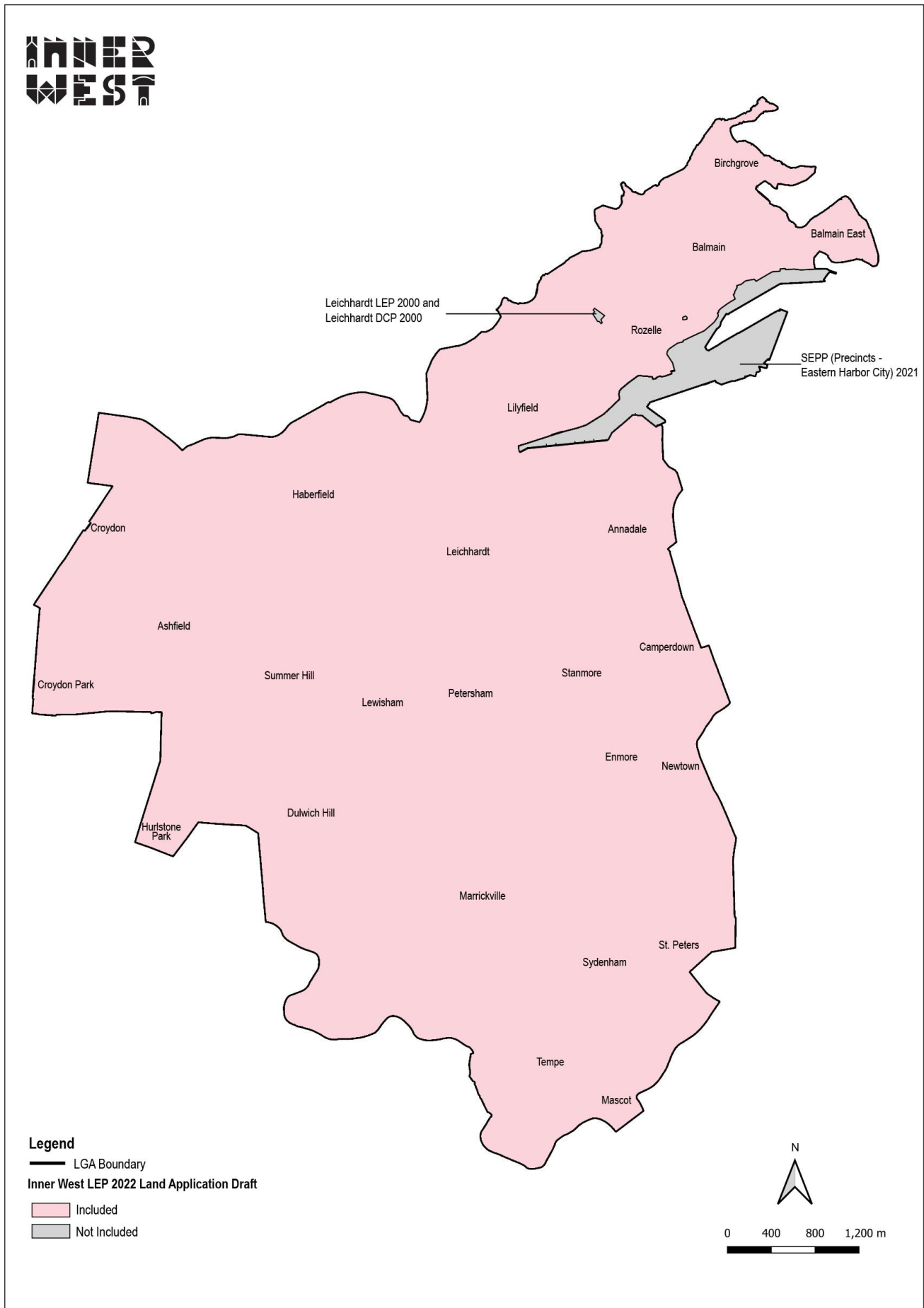


Figure 1.1. Land to which this DCP applies

1.2 Savings and transitional provisions

This DCP does not apply to an application under the EP&A Act which was lodged with Council, but not determined before, the commencement of this DCP. Any application lodged before the commencement of this DCP will be assessed in accordance with any relevant DCPs which applied at the time of application lodgement.

1.3 Purpose and Aims of this DCP

The purpose of this Development Control Plan is to provide more detailed requirements to facilitate development and to give effect to the aims and objectives, including the land use objectives, in the LEP and to guide the assessment of development applications in accordance with Section 4.15 of the EP&A Act.

The DCP aims to:

- To facilitate the achievement of the aims and objectives of the LEP
- To provide high quality, sustainable urban design outcomes.
- To enhance the unique, distinctive character of Inner West *neighbourhoods* and centres, while accommodating sustainable urban growth.
- To ensure development positively responds to the *desired future character* of the *neighbourhood*.
- To mitigate climate change and improve the resilience of the community and infrastructure of Inner West to future shocks and stresses.
- To ensure a reasonable level of amenity for residents, workers, and visitors.
- To maintain and enhance the significance of heritage places within Inner West.
- To ensure development responds to its context and to the needs of all people within the community.
- To protect endangered ecological communities, enhance habitat for *endemic species*, and increase tree canopy.
- To improve the safety, functionality, and diversity of the *public domain*.
- To support economic development and productivity, and a diversity of employment opportunities.

1.4 How To Use This DCP

Structure

The main body of this DCP is structured in five parts, each containing objectives and controls. Parts 1 to 4 work from the most general to the most specific, with Part 1 applying to all development applications, and Part 4 applying to specific areas.

In the event of an inconsistency between a control in a more general part of the DCP and a more specific part, the controls in the more specific part apply.

Parts and Sections

The five Parts of the DCP include:

Part 1 - Using the DCP - Explains what a DCP is and how it is used - (Step 1).

Part 2 - General Considerations for Development - Identifies and provides guidance for matters which will generally apply to all, or a large sub-set of, applications e.g. stormwater management, heritage, biodiversity, transport, amenity, waste management etc (Step 2).

Part 3 - Land Use Controls - Identifies and provides guidance for matters which apply to certain types of development e.g. residential, mixed use, commercial etc. The provisions in this Part override and similar provisions in Part 2 (Step 3).

Part 4: Place Specific Controls - (controls for *neighbourhoods, heritage conservation areas* and specific sites). Development is to be consistent with all other relevant provisions of the DCP. The provisions in this Part override similar provisions in Parts 2 and 3 where there is conflict (Step 4).

Part 5: Definitions and Abbreviations.

Each Part is subdivided into Sections. Each section of the DCP includes:

- **Overview** (plain English summary)
- **Objectives** (an objective is a statement of the *desired future character* or the outcome of a development)
- **Controls** (a control is a specific, measurable requirement or "rule" that a development is to meet to satisfy the objectives)

Alternative solutions or variations to controls may be considered if objectives of the DCP are met and Council is satisfied that the outcome will meet the Aims of the Plan.

1.5 Relationship to Other Documents

Introduction

This DCP is made in accordance with Division 3.6 of the Environmental Planning and Assessment Act 1979 and Part 3 of the Environmental Planning and Assessment Regulation 2021. This Part outlines the other planning related documents that you may need to consider in preparing a development application.

Plans repealed by this DCP

This DCP revokes:

- *Comprehensive Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill*
- *Leichhardt Development Control Plan 2013*
- *Marrickville Development Control Plan 2011*

which covered land for which this DCP now applies.

Inner West LEP 2022

The DCP is to be read alongside:

- Inner West Local Environmental Plan 2022 (the LEP) (which prevails if inconsistent)
- State Environmental Planning Policies (SEPPs) (which prevail if inconsistent)
- Environmental Planning & Assessment Act 1979 (EP&A Act)
- Environmental Planning and Assessment Regulation 2021
- National Construction Code (NCC)
- Relevant Australian Standards
- Council policies

A reference in this DCP to any Australian Standard or legislation includes a reference to any amendment or replacement as made.

The DCP replaces the former Ashfield, Leichhardt and Marrickville DCPs.

Infrastructure and Contributions

Population growth will increase demand for infrastructure and services.

Council uses a range of mechanisms to assess the increased demand, as follows:

- Sections 7.11 and 7.12 contributions under the EP&A Act
- The Inner West Local Infrastructure Contributions Plan 2023
- Infrastructure schedules identifying required facilities and priorities

Additional mechanisms include:

- Planning Agreements under the Inner West Council Voluntary Planning Agreements Policy

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- State Housing and Productivity Contributions

Some site-specific *public domain* works may also be required through development.

Complying Development Certificates (CDCs)

Where complying development is required to comply with a DCP (under *SEPP Exempt and Complying Codes 2008*) it is to strictly comply with the applicable controls. Variations require a development application.

Development Applications (DAs)

DA lodgement requirements are updated regularly and are available on Council's webpage:

- [DA Lodgement Requirements](#)
- [DA Checklist](#)

Community Notification

Notification and consultation procedures for development applications, modifications and reviews are undertaken for DAs, modifications to DAs and reviews of DAs in accordance with Council's *Community Engagement Strategy*.