

Camden Growth Centre Precincts Development Control Plan (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

<b>Control</b>	<b>Requirement</b>	<b>Provided</b>	<b>Compliance</b>
2.2 Indicative Layout Plan (ILP)	Development to be undertaken generally in accordance with the ILP	<p>The ILP identifies this site as being for medium density residential development and public roads. The proposed development is considered to be of an excessive density and is inconsistent with the ILP as it is not representative of medium density development.</p> <p>In respect to road locations, the development is generally in accordance with the ILP.</p>	No
2.3.1 Flooding	<p>The subdivision layout is to ensure that the ability to develop land, including adjoining properties, is not adversely impacted, with regard to the 1% Annual Exceedance Probability (AEP).</p> <p>Pedestrian and vehicle access to basement car parking is to be located above the 1% AEP level plus 500mm freeboard.</p>	Additional information has been requested of the applicant to determine whether surrounding roads are inundated during the 1% AEP event. However, this has not been received.	Insufficient information submitted for assessment.
2.3.2 Water Cycle Management	Consistency with Council's engineering specifications	Outstanding engineering issues raised with the applicant have not been resolved.	Insufficient information submitted for assessment.
	Compliance with the Precinct's Water Cycle Management and Ecology Strategy	Outstanding engineering issues raised with the applicant have not been resolved.	Insufficient information submitted for assessment.
	Compliance with the DCP's water quality and environmental	The development demonstrates that the water quality targets and	Yes

Control	Requirement	Provided	Compliance
	<p>flow targets - % reduction</p> <p>Gross Pollutants - 90%</p> <p>Total suspended solids – 85%</p> <p>Total phosphorous – 65%</p> <p>Total nitrogen – 45%</p>	<p>environmental flow targets as per the DCP can be achieved.</p> <p>Gross Pollutants – 100%</p> <p>Total suspended solids – 85.8%</p> <p>Total phosphorous – 74.8%</p> <p>Total nitrogen – 52.9%</p>	
2.3.3 Salinity and Soil Management	A salinity assessment and compliance with the DCP's Appendix B is required	9 testpits identified that soil samples were mildly aggressive to concrete. In addition, the report concluded the presence of highly sodic soils at test locations. The report states that highly sodic soils are typically unstable with propensity to slake and disperse and soils across the site are highly susceptible to erosion and tunneling.	No. A salinity management plan which incorporates management strategies for any aggressivity to concrete has not been submitted.
	Sediment and erosion control measures must be implemented	A satisfactory sediment and erosion control plan has been submitted with the application.	Yes
2.3.4 Aboriginal and European Heritage	DAs must consider the requirements of the <i>National Parks and Wildlife Act 1974</i> . An Aboriginal Heritage Impact Permit may be required were Aboriginal heritage will be impacted.	<p>The applicant has submitted a due diligence report in accordance with the generic due diligence process and has demonstrated that an AHIP is not required in this instance.</p> <p>The due diligence assessment advises that:</p> <ul style="list-style-type: none"> <li>- No aboriginal sites, objects or isolated finds have been identified on the property, and no areas of PAD exist on the land.</li> <li>- There are no expectations that the property would have attracted intensive or repeated use by people in the past that would have created</li> </ul>	Yes

Control	Requirement	Provided	Compliance
		substantial archaeological deposits. - The site is extensively disturbed.	
2.3.5 Native Vegetation and Ecology	Council is to consider a number of matters when assessing proposed tree removal	With the exception of trees located in areas of the site mapped as existing native vegetation and native vegetation retention, the site is biocertified and tree removal can be granted with consent. Further details have been requested of the applicant to address the requirements of Clauses 6.2 and 6.3 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006. However, such details have not been submitted for further assessment.	Insufficient information submitted for assessment.
	All existing indigenous trees are to be replaced where retention is not possible	This matter could be satisfied with a condition requiring replacement planting.	Yes
	The eradication and minimisation weed dispersal is to be considered	This matter could be satisfied with a condition.	Yes
	A suitable landscaping plan must be submitted	Amendments to the submitted landscape plan have been requested such as extending tree pits within deep soil areas to enable larger species to be planted i.e. 10m to 25m. In addition, the section plans do not demonstrate that suitable soil depth can be achieved on roof top areas to allow for landscaping.	No
2.3.6 Bush Fire Hazard Management	Asset Protection zones are to be identified and comply with the NSW Rural Fire Service (NSW	The NSW RFS do not support the consultant's classification of adjoining vegetation, which has implications upon the	No. The applicant has not responded to this request

Control	Requirement	Provided	Compliance
	RFS) Publication 'Bush Fire Protection 2006'	extent of the asset protection zone (APZ) and bushfire attack level. Alternatively, the NSW RFS have advised that an alternative performance based solution addressing specific fuel loads within the south and west corridor of the site and subsequent reduced APZ.	for information. At the present time, a bushfire safety authority has not been granted.
2.3.7 Site Contamination	A contamination assessment (and remediation action plan if required) must be submitted	Please see comments made within State Environmental Planning Policy – No. 55 Remediation of Land.	No
2.3.9 Noise	An acoustic report, demonstrating that the Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008) and Council's Environmental Noise Policy have been considered, must be submitted	An acoustic report was submitted with the application, however the acoustic assessment provided did not demonstrate by way of modelling that internal and external principal private open space noise goals satisfied Councils Noise Policy.	Insufficient information submitted for assessment.
2.3.10 Odour Assessment and Control	Odour impacts, and the need for an odour assessment, must be considered	Please see comments made within likely impacts of development within the report.	No
2.4 Demolition	A number of demolition controls are to be implemented	The demolition of all existing structures will be undertaken. Relevant conditions of consent could be imposed if development consent were to be granted,	Yes
2.5 Crime Prevention Through Environmental Design (CPTED)	Buildings should be designed to overlook streets and other habitable areas	The proposed development will overlook Bringelly Road, proposed Road No. 1 and No. 2 and communal open space areas.	Yes
	The design of all development is to enhance public surveillance of public streets	The western façade entry points into each building are significantly recessed and narrow, generating tunnels of concealment,	No

Control	Requirement	Provided	Compliance
		which are unsatisfactory and unsafe.	
	Developments are to avoid creating areas for concealment and blank walls facing the street	No blank walls are proposed within the development. However, as discussed above, the western building entries create areas of concealment.	No
	Pedestrian and communal areas are to have sufficient lighting to secure a high level of safety	This matter could be satisfied with a condition.	Yes
	All developments are to incorporate CPTED principles	The proposed development is consistent with CPTED principles.	Yes
2.6 Earthworks	Subdivision and building work is to be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill both during subdivision and when buildings are constructed. Finished levels must be integrated with nearby land and facilitate appropriate drainage	The proposed development seeks to cut the site in order to facilitate drainage and reasonable building platforms. The proposed levels will still generally maintain the site's existing north east to south west fall pattern but adjusted to facilitate its urban redevelopment. The proposed levels will reasonably integrate with those of the adjoining properties.	Yes
	All retaining walls must be identified, be designed by a practicing structural engineer and be of masonry construction	Retaining walls have been indicated upon the development plans. The requirement for the design to be by a practicing engineer and be of masonry construction could be satisfied with a condition.	Yes
	Retaining walls that front a public place are to be finished with an anti-graffiti coating	This matter could be satisfied with a condition.	Yes
	A validation report must be submitted prior to the placement of any	This matter could be satisfied with a condition.	Yes

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	imported fill on the site		
	Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the <i>Noxious Weeds Act 1993</i>	This matter could be satisfied with a condition.	Yes
3.1.1 Residential Density	All residential subdivision and building applications are to meet the minimum residential density requirements of the Precinct Plan and contribute to the Precinct's overall dwelling target. The Precinct Plan's minimum residential density requirement for this site is 25 dw/ha	Approximately 187 dwellings per hectare.	Yes
	Residential development is to be generally consistent with the residential density structure as set out in the Residential Structure Figure in the relevant Precinct Schedule and the typical characteristics of the corresponding density band in Table 3-1	<p>The schedule for the Austral and Leppington North Precincts and the Leppington Major Centres identifies this site for medium density residential development.</p> <p>The proposed development is consistent with the typical characteristics for development with a density greater than 40 dwellings/ha in that the site is located within the Leppington Major Centre, and predominately consists of multi-storey residential flat buildings and presents an urban streetscape.</p> <p>Notwithstanding, the proposed development is</p>	Yes

Control	Requirement	Provided	Compliance
		considered to be of an excessive density resulting in compromised / unacceptable levels of residential amenity for future occupants.	
3.3 Movement network	The design and construction of streets is to be consistent with the Growth DCP, Council's Engineering Specifications and Austroads.	Roads No.1 and Road No.2 are consistent with the Growth DCP, Council's Engineering Specifications and Austroads. However, the temporary access lane is of insufficient width (4.5m) and would need to be a minimum width of 6m to meet Council's Engineering Specifications.	No
3.3.1 Layout and Design	Primary local street dimensions: 16m road reserve (3.5m/9m/3.5m) with 1.2m footpath both sides.	Primary local streets are proposed with 2 x 3.5m verges / 9m width carriageway and 2 x 1.2m shared pathways for Roads No 1 and 2.	Yes
	The location, alignment and construction of all roads in the Precinct are to be generally in accordance with the Precinct's road hierarchy figure.	The location, alignment and construction of all proposed roads will be generally in accordance with the Precinct's road hierarchy figure. The internal roads consist of primary local streets (16m width).	Yes
3.3.4 Pedestrian and Cycle Network	The design of footpaths and cycleways located within the road reserve are to be consistent with the Growth DCP.	Figure 2-13 (Schedule 1) identifies the location of pedestrian and cycle networks throughout Leppington. The subject site is not identified as having to locate cycleways through the planned subdivision.  1.2m footpaths are proposed within both road verges for primary local streets (Roads No.1 and No.2)	NA  Yes
3.3.6	Vehicular access to arterial roads, sub-	Vehicular access to the development is proposed	No

Control	Requirement	Provided	Compliance
Access to Arterial Roads, Sub-Arterial Roads and Transit Boulevard	arterial roads and transit boulevards shown on the Precinct Road Hierarchy Figure may only be via another road	to be obtained from Bringelly Road, however concurrence from the RMS has been denied for these proposed road works. It should be noted that Bringelly Road upgrade works along the frontage of the site have recently been completed, with this section of Bringelly Road now in its ultimate configuration.	
3.4 Construction Environmental Management	A construction environmental management plan, consistent with the DCP, is to be submitted to Council or the accredited certifier prior to the issue of a construction certificate for subdivision	This matter could be satisfied with a condition.	Yes
	Applicants are to ensure that the management of construction activities is undertaken in accordance with the Camden DCP	This matter could be satisfied with a condition.	Yes
	Trees are to be protected with fencing installed to conform to a tree protection zone that is consistent with current arboricultural industry standards	This matter could be satisfied with a condition.	Yes
4.1.1 Site Analysis	A site analysis plan, consistent with the DCP, is required	Insufficient site analysis information as per the requirements of the DCP has been submitted in support of the DA.	Yes
4.1.2 Cut and Fill	DAs are to illustrate and justify any proposed cut and fill	The development provides adequate details of proposed cut and fill works.	Yes
	All retaining walls are to be identified in the DA and be a	Proposed retaining walls have been indicated. The location of retaining walls	Yes



Control	Requirement	Provided	Compliance
	minimum of 0.3m from property boundaries	from property boundaries could be addressed with a condition.	
4.1.3 Sustainable Building Design	The majority of plant species are to be selected from Appendix C of the DCP	Council staff have assessed the proposed landscaping species and consider it to be acceptable.	Yes
	BASIX compliance must be achieved	The applicant has submitted a valid BASIX Certificate in support of the DA that demonstrates that water, thermal comfort and energy requirements have been achieved.	Yes
	The design of dwellings is to maximise cross flow ventilation	This DCP control is overridden by Clause 6A of SEPP 65. Clause 6A provides that where there is an inconsistency between a DCP and the ADG regarding certain design matters, the DCP is of no effect.	NA
	The orientation, location and position of dwellings, living rooms and windows is to maximise natural light penetration and minimize the need for mechanical heating and cooling	The proposed building layout does not take advantage of the site's northern orientation. Furthermore, the communal open space areas will be significantly overshadowed throughout the day.	No
	Outdoor clothes lines and drying areas are required for all dwellings and can be incorporated into communal areas for multi-dwelling and residential flat building development	This matter could be satisfied with a condition.	Yes
	The design and construction of dwellings is, where possible, to make use of locally sourced and recycled and renewable materials	This matter could be satisfied with a condition.	Yes

Control	Requirement	Provided	Compliance
	Roof and paving materials and colours are to minimise the retention of heat from the sun	This matter could be satisfied with a condition.	Yes
	The design of dwellings that require acoustic attenuation shall use, where possible, alternatives to air conditioning	The proposed development necessitates the use of a range of acoustic attenuation measures including acoustic sealed frames and specific glazing requirements. Air conditioning and mechanical ventilation may however be required for apartments, that require windows to be kept closed in order to achieve acoustic attenuation.	Yes
4.1.4 Salinity, Sodicty and Aggressivity	Salinity shall be considered during the siting, design and construction of dwellings. Compliance with a salinity management plan and Appendix B of the DCP must be achieved and certified upon completion of the development	9 testpits identified that soil samples were mildly aggressive to concrete. In addition, the report concluded the presence of highly sodic soils at test locations. The report states that highly sodic soils are typically unstable with propensity to slake and disperse and soils across the site are highly susceptible to erosion and tunneling.	No. A salinity management plan which incorporates management strategies for any aggressivity to concrete has not been submitted.
4.3.5 Controls for Residential Flat Buildings, Manor Homes and Shop Top Housing	Residential flat buildings are to be located on sites with a minimum street frontage of 30m, have direct frontage to an area of the public domain and not adversely impact upon the existing or future amenity of any adjoining land upon which residential development is permitted	55.395m  The development has direct frontage to the public domain of Bringelly Road.  The development is considered to have a significant visual impact upon adjoining land, proposing a street wall height of six and part seven storey's to the north, east and western property boundaries, which is not an	Yes  Yes  No

Control	Requirement	Provided	Compliance
		acceptable built form for the street and the desired future streetscape as it does not provide a 'human scale' to the development.	
	Residential flat buildings are to be consistent with SEPP 65 and the DCP. Note that Table 4-10 takes precedence over SEPP 65 where there is an inconsistency	<p>The proposed development is inconsistent with several of the design quality principles as discussed within earlier sections of this report.</p> <p>The development does not comply with the numerical requirements of front setbacks and corner lot secondary setbacks as specified within Table 4 – 10.</p>	No
	A minimum of 10% of all apartments are to be designed as adaptable apartments in accordance with AS 4299	A minimum of 28 units to comply with this requirement have been provided.	Yes
	Where possible, adaptable dwellings are to be located on the ground floor. Adaptable dwellings located above the ground level of a building are only permitted where lift access is available within the building. The lifts access must provide access from the basement to allow access for people with disabilities	Adaptable apartments are located upon the ground floor and upon upper levels. Lift access to/from all floor levels from/to the proposed basements is provided.	Yes
	DAs must be accompanied by certification from an accredited access consultant that the adaptable dwellings are capable of being modified, when	An accessibility report has been submitted in support of the DA. The report demonstrates that the adaptable apartments can comply with AS 4299.	Yes

Control	Requirement	Provided	Compliance
	required by the occupant, to comply with AS 4299		
	Car parking allocated to adaptable dwellings must comply with the Australian Standards for disabled parking spaces	This matter could be satisfied with a condition.	Yes
	A landscape plan is to be submitted with DAs for residential flat buildings	A landscaping plan has been submitted in support of this DA.	Yes
	Site coverage of less than 50% (Max – 4768.6m <sup>2</sup> )	Building A – 986.585m <sup>2</sup> Building B – 1002.468m <sup>2</sup> Building C – 988.641m <sup>2</sup> Building D – 1470.416m <sup>2</sup> Total – 4448.11/9537.2m=46.6%	Yes
	Landscaped area of at least 30% (Min – 2861.16m <sup>2</sup> )	1985.462m <sup>2</sup> /9537.2m <sup>2</sup> = 20.8%	No
	Communal open space area of at least 15% (Min – 1430.58m <sup>2</sup> )	Ground – 2584.305m <sup>2</sup> Rooftop courtyard A – 899.561m <sup>2</sup> B – 872.73m <sup>2</sup> C – 908.725m <sup>2</sup> D – 1037.763m <sup>2</sup> Total Roof – 3718.419m <sup>2</sup> Total – 6302.724m <sup>2</sup> / 9537.2m <sup>2</sup> = 66%	Yes
	Principal private open space of 10m <sup>2</sup> per dwelling with a minimum dimension of 2.5m	This DCP control is overridden by Clause 6A of SEPP 65. Clause 6A provides that where there is an inconsistency between a DCP and the ADG regarding certain design matters, the DCP is of no effect. The proposed private open spaces for each apartment are generally consistent with the ADG.	N/A
	Front setback of at least 6m with 1.5m balcony/articulation encroachments permitted for the first three storeys for 50% of the façade length	Road 1  Ground – 4.5m 1 – To Balconies 4.5m. Balconies span approx. 31.6/44.895 (70%)	Yes  No

Control	Requirement	Provided	Compliance
		2 – To Balconies 4.5m. Balconies span approx. 31.6/44.895 (70%)	No
		3 – To Balconies 4.5m	No
		4 – To Balconies 4.5m	No
		5 – To Balconies 4.5m	No
	Corner lots require a secondary street setback of at least 6m	Development proposed to address temporary access road	
		Ground – 7.25m	Yes
		1 – 4.5m	No
		2 – 4.5m	No
		3 – 4.5m	No
		4 – 4.5m	No
		5 – 4.5m	No
		Development proposed to address future adjoining western road	
		Ground - 6m	Yes
		1 – 4.5m	No
		2 – 4.5m	No
		3 – 4.5m	No
		4 – 4.5m	No
		5 – 4.5m	No
		Development proposed to address Road No. 2	
		Ground – 4.8m at the closet point	Yes
		1 – < 4.5m	No
		2 – Predominately 4.5m, but also less than 4.5m	No
		3 – Predominately 4.5m, but also less than 4.5m	No
		4 – Predominately 4.5m, but also less than 4.5m	No
		5 – Predominately 4.5m, but also less than 4.5m	No
		It is noted that the DCP does not permit building articulation encroachments for secondary street setbacks.	
	For buildings 3 storeys and above, at least 12m separation distance	This DCP control is overridden by Clause 6A of SEPP 65. Clause 6A provides that where there	N/A

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	is required for habitable rooms and balconies	is an inconsistency between a DCP and the ADG regarding certain design matters, the DCP is of no effect. Details of the developments building separation distances are contained in the ADG compliance table attached with this report.	
	Residential flat buildings in the R3 zone require;  Carparking spaces  Residents required - 267  Visitors required - 51  Total required – 85  Bicycle spaces required – 59	Carparking spaces  Residents  281  Visitors – 51  Total 332  Bicycle spaces - 90	Yes
	Car parking spaces are to have minimum dimensions of 2.5m x 5.2m and aisle widths must comply with AS 2890.1	The dimensions of the carparking spaces are not specified upon the development plans.  Aisle widths of 6.1m are proposed.	This matter could be satisfied with a condition.

Schedule 2 Leppington Major Centres

Control	Requirement	Provided	Compliance
3.1 Indicative Layout Plan	Development within the Leppington Major Centre is to be generally in accordance with the Indicative Layout Plan	Please see comments made in Control 2.2 of the above table.	No
3.2 Public Domain	Public domain elements are to be located as shown on the Indicative Layout Plan.  Elements of the public domain that are zoned RE1 Public Recreation or SP2 Infrastructure	Portions of the site are zoned SP2 Infrastructure and RE1 Public Recreation. The application does not seek to construct works within these zones.	NA

	can be delivered by Council, or may be constructed in accordance with the DCP by another party and dedicated to Council, subject to the agreement of Council.		
5.1.1 Building orientation	<p>1) Buildings are to be orientated towards and provide active frontages at street level, to Rickard Road, the Main Streets and preferably to Town Centre Streets, as shown on Figure 5-1.</p> <p>3) The main pedestrian entries to buildings, including ground floor retail and commercial premises that face the street, are to be from the streets listed in the controls above with active frontages.</p> <p>4) Buildings are to be orientated towards major roads in the Leppington Major Centre, including Eastwood road, Dickson Road, Ingleburn Road, Bringelly Road, Byron Road, Edmondson Avenue, Camden Valley Way and Cowpasture Road. Blank walls are not to face these roads, and glazing is to occupy at least 50% of the building façade width facing these roads.</p>	<p>Building A is orientated towards Bringelly Road as per figure 5-1, however an active frontage is not provided on the western façade of Building A as required by Figure 5-1.</p> <p>The main pedestrian entry to Building A is orientated towards Bringelly Road.</p> <p>No blank walls are proposed to Bringelly Road.</p> <p>Bringelly Road - Total glazing width of 28.3m per approx. 44.895 metres of building width (63%).</p>	<p>No</p> <p>Yes</p> <p>Yes</p>

