

**Attachment 5 – Appendix D - Cumberland Development Control Plan 2021 - Assessment**

The relevant provisions of the Cumberland Development Control Plan 2021 have been considered in the assessment of the development application within the following table:

Clause/Control & objectives	Proposed	Complies
<b><u>Part A2 – Subdivision</u></b>		
2.4 Residential flat building, multi-dwelling development and mixed-use development	The development will require consolidation of the existing 2 lots into 1 lot. Any consent can be conditioned to ensure compliance.	Yes, subject to condition.
<b><u>Part A3 Site Amalgamation and isolated sites</u></b>		
Various descriptive considerations	Site amalgamation of both lots is feasible through a condition of consent. The site does not create isolated sites to adjoining properties within the E3 Productivity Support land use zone.	Yes, subject to condition.
<b><u>Part C – Development in Business Zones</u></b>		
<p>This Part applies to commercial and mixed-use development types in the following zones under Cumberland Local Environmental Plan 2021:</p> <ul style="list-style-type: none"> <li>• B1 Neighbourhood Centre;</li> <li>• B2 Local Centre;</li> <li>• B4 Mixed Use;</li> <li>• B5 Business Development; and</li> <li>• B6 Enterprise Corridor.</li> </ul> <p>The site was previously zoned B6 Enterprise Corridor. An assessment of the ground floor business/office premises is under this section. Refer to site specific controls in Part F below.</p>		Noted.
3.1 Lot size and frontage The minimum lot frontage for shop top housing development within Zone B2 Local Centre and Zone B4 Mixed Use shall be: • up to 3 storeys: 20m; and • 4 storeys or greater: 30m	The site is located on a corner allotment. The ground level is activated for the proposed business/office premises. In addition, Council's Senior Development Engineer reviewed the proposal and recommended conditions ensuring adequate car parking area is provided in the basement levels.	Yes, subject to conditions.
3.2 Setbacks and separation	Refer to Part F4-2 in this table for the front setback, rear landscape setback and street wall heights.	Yes.
3.3 Landscaping and open space	The site is not in a location where street tree planting is encouraged. Adequate landscaping integrated with the building entries is proposed to break up large expanses of paving within the front setback areas.	Yes.
3.4 Public art	Public art is not proposed.	N/A.
3.5 Streetscapes	The site is located within a corner site and the design has incorporated the splay corner to facilitate improved traffic and pedestrian conditions. Signage is proposed and is suitable. There are no security bars or roller shutter proposed to the street-facing elevations. The proposed mixed-use development complies with the intent of the objectives of this section of the DCP. In particular, the mixed-use building presents itself with respect to the character and integrity of the existing and future streetscapes.	Yes.
3.6 Building use	Ground floor uses comprise of non-residential uses.	Yes.
3.7 Façade design, shopfront and materials	Street frontage windows located at ground floor level are clear glazing. Adequate building materials are provided. Separate and well-defined entries to the multiple uses are provided on the ground floor.	Yes.

3.8 Ceiling height	A minimum 3.5m floor-to-ceiling height is provided to the ground floor level.	Yes.
3.9 Roof design	There are limited opportunities through its flat roof design for sustainable roof functions such as solar panels and water features or a green landscaped roof.	Yes
3.10 Awnings	An awning is proposed along street corner.	Yes.
3.11 Visual and acoustic privacy	Conflicts between noise, outlook and views are resolved by using design measures, such as double glazing and continuous walls and by conditions of consent of the multiple users. An amended acoustic report was provided for the child care facility to ascertain appropriate locations for the mechanical plant equipment away from the public domain.	Yes, subject to conditions.
3.12 Hours of operation	A condition for general hours of operation for the business/office premises shall be imposed. Specific hours of operation for the business/office premises will be subject to a separate application.	Yes, subject to conditions.
3.13 Solar access	Optimal northern-facing aspect is provided for 2 of the business/office premises.	Yes
3.14 Natural ventilation	The proposed design incorporates window designs to maximise prevailing northerly and southerly breezes. The fixed glazing window to the street is for the child care facility indoor play rooms which is suitable. The building design provides direct access to natural ventilation to assist in promoting thermal comfort for occupants of the building.	Yes, subject to conditions.
3.15 Building maintenance	The proposal incorporates natural ventilation into the building design.	Yes.
3.20 Safety and security	The design of the building ensures Crime Prevention Through Environmental Design (CPTED) principles are satisfied through safety measures. For instance, separate lifts for the child care facility and the business/office premises are proposed within the basement levels. Clear sightlines are provided from the Great Western Highway building entrances, foyers and lobbies into the public domain.	Yes, subject to conditions.
3.21 Pedestrian access and building entry	Separate pedestrian and vehicular entries for multiple users are provided within the streetscape.	Yes.
3.22 Pedestrian links, arcades, laneways and new streets	The site does not form part of an existing or proposed through-site link.	Yes.
<b><i>Part E1 – Centre based Child Care Facilities</i></b>		
2.1 General Various descriptive objectives	The proposal ensure the amenity of adjoining neighbours is retained and is not detrimentally affected by noise emissions from the site.	Yes, subject to conditions.
2.2 Bulk and Scale Various descriptive objectives and controls	The mixed-use development is built to boundary as per the desired built form in the Wentworthville Town Centre. A side setback of 2m for the child care centre to allow for landscaping and separation of uses is not required as the intent and objectives of this control are met through landscaped outdoor play area and separation of uses within the built form. The proposed design ensures the visual and acoustic privacy of children, staff and surrounding properties is maintained and protected from any potential overlooking.	Yes, subject to conditions.
2.3 Traffic, parking and transport	Refer to the child care planning guidelines for the car parking for the centre based child care facility component of the proposed mixed-use development.	Yes, subject to conditions.
<b><i>Part F4-2 Mays Hill, Finlayson and Sherwood Transitway Precinct</i></b>		

2.3 Site Consolidation and Frontage	Amalgamation of the 2 lots is in accordance with Figure 2. The minimum 45m lot frontage for all development fronting the Great Western Highway cannot be achieved as the adjoining site, at 102-108 Great Western Highway, is under construction which essentially isolated and forced the subject site to be separately developed .	Yes.
2.4 Private accessway, laneways and vehicular access	Vehicular access to the site is located away from the intersection and along Joyner Street.	Yes.
2.5 Building height	The proposal complies with Clause 4.3 of the Cumberland LEP 2021. In addition, the proposed 6 storey building is in accordance with Figure 8.	Yes.
2.6 Building Setbacks	The proposed built-to-boundary side setbacks between buildings along Great Western Highway forms a continuous street edge and is in accordance with Figure 10. In addition, the 3m building setbacks is proposed and is in accordance with Figure 10.	Yes.
2.7 Site Design and Appearance	The proposal is orientated to the Great Western Highway	Yes.
2.8 Road Widening	The proposal provides a minimum width of 5.5m from the kerb to the new property boundary and is in accordance with Figure 12.	Yes.
<b><u>Part G1 Advertising and Signage</u></b>		
Various descriptive controls	The proposal seeks signage, in the form of business identification signage for the centre-based child care facility. The proposal provides 1 sign to each frontage and is acceptable. Refer to 'State Environmental Planning Policy (Industry and Employment) 2021 assessment in Appendix A.	Yes.
<b><u>Part G3 – Traffic, Parking, Transport and Access (Vehicle)</u></b>		
Parking Rates	<p>Under the requirements of Table 1:</p> <ul style="list-style-type: none"> <li>- General rate commercial (business and office) = 1 space/40sqm of GFA</li> <li>- Bicycle parking = 1 staff bicycle space/10 employees and nil visitor spaces (as the site is less than 1,000 square metres following road/footpath reserve widening and splay corner)</li> </ul> <p>The proposal provides 9 commercial (business and office) spaces which complies for 351 square metres of business/office premises floor space.</p> <p>Under the child care planning guideline the following applies:</p> <ul style="list-style-type: none"> <li>- 1 parking space per 4 children.</li> </ul> <p>The proposal provides 38 car spaces which complies for 152 children as per the child care planning guideline.</p>	<p>Yes.</p> <p>Yes.</p>
4.3 Basement parking	Suitable basement parking design is provided. Council's Senior Development Engineer reviewed the basement car parking levels and raised no objections subject to conditions of consent.	Yes, subject to conditions
4.4 Development in business zones	As noted, the site was previously zoned B6 Enterprise Corridor. Notwithstanding, Council's Senior Development Engineer reviewed the basement car parking level design for the commercial (business/office premises) and raised no objections subject to conditions of consent.	Yes, subject to conditions

4.6 Loading requirements for commercial and industrial development	One (1) loading bay is provided in the basement level.	Yes
4.7 Other land use	Council's Senior Development Engineer reviewed the basement car parking levels and raised no objections subject to conditions of consent.	Yes, subject to conditions
4.9 Electric vehicle charging points	A condition cannot be imposed ensuring the electric circuitry can accommodate the installation of a level 2 electric vehicle charging point as the basement levels are designed to its 47 car space capacity for the multiple land uses.	No, but acceptable on merit.
<b><u>Part G4 – Stormwater and Drainage</u></b>		
Various controls and objectives	Stormwater plans submitted with the application have been reviewed by Council's Senior Development Engineer and is considered satisfactory subject to conditions of consent.	Yes, subject to conditions
<b><u>Part G5 - Sustainability, Biodiversity and Environmental Management</u></b>		
Various controls and objectives	Council's Environmental Health team reviewed the proposal and recommended suitable contamination, groundwater and dewatering related conditions of the draft Notice of Determination.	Yes, subject to conditions.
<b><u>Part G7 Tree Management and Landscaping</u></b>		
Various controls and objectives	The revised landscape plan is suitable for the proposed mixed used development.	Yes, subject to conditions
<b><u>Part G8 Waste Management</u></b>		
Various controls and objectives	The development application was referred to Council's Resource Recovery Officer for comment who has advised that the waste collection is to be provided by a private waste contractor and the proposed waste management plan is satisfactory. The development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes, subject to conditions