

DA2023/0164 / PPSSCC - 444 - 7 Hyland Road, GREYSTANES NSW 2145
Attachment 7 - Cumberland Development Control Plan 2021 Compliance Table

Relevant Control		Compliance with Requirements	Consistency Objectives
PART E2 – COMMUNITY FACILITIES			
Part E – Other Land Use Based Development Controls			
Part E2 – Community facilities			
2.1 Bulk and scale	C1. Community facilities are to be designed and landscaped in a manner that enhances the quality and visual amenity of the streetscape and are sensitive to the streetscape character, adjacent uses and buildings as well as views.	Yes The proposed development has been designed to be compatible with the recreational land character of the site by proposing low scale buildings that utilise natural materials to blend into the natural surrounding environment. The proposed buildings would not be readily visible from the street to pose any streetscape concerns and are sufficiently setback to ensure streetscape impacts are minimised or avoided.	Yes
	C2. The front entrance of all community facilities shall be in clear view of the street.	Yes The proposed development includes a single access and entry/exit point from Hyland Road that will be visible and legible from the street.	Yes
	C3. Where a community facility has a dual frontage, the development shall be designed to address both streets, by way of windows, architectural features and to provide opportunities for passive surveillance.	N/A The site has a single frontage.	N/A
2.2 Traffic, parking and transport	C1. Development for the purposes of a community facilities will comply with the specific traffic, parking and transport requirements set out in Part G3 of this DCP.	Refer to Part G3 Assessment.	Yes
2.3 Landscaping and open space	C1. Where community facilities are proposed in residential zones, a minimum of: • 25% of the site area shall be landscaped area. • 50% of the front setback shall be landscaped area.	N/A The site is not in a residential zone.	N/A
	C2. In residential areas, a minimum 1m landscaping strip between side setbacks and the driveway is required.	N/A The site is not in a residential zone.	N/A
	C3. Landscaped areas in industrial zones shall comply with the requirements of Part D and G7 of this DCP.	N/A The site is not in an industrial zone.	N/A

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2.4 Operational Plan of Management	C1. A development application for the purposes of establishing a new community facility or intensification of an existing community facility or conversion/adaptation of existing buildings to a community facility must include an Operational Plan of Management. This will be used both for the assessment of the application as well as a means to manage the ongoing operation of the proposed premises through the conditions of development consent.	Yes The development application is accompanied by an Operational Management Plan, prepared by Urbis and is considered to be appropriate for the operational management of the community facility. A condition is included in the draft notice of determination referencing the plan as an approved document.	Yes
	C2. This Operational Plan of Management must include, but is not limited to, the following information for each proposed use: <ul style="list-style-type: none"> • a list of the types of community purposes (e.g. community colleges, senior citizens groups, youth groups and the like) the building may be used for outside the regular services, including how often and how many people it will attract; • a list of the type of organisations that may let or use the building and for what purposes, including how often and how many people it will attract; • an explanation of the measures that will be utilised to manage parking and local traffic when a special event is scheduled and measures to minimise potential for coinciding traffic peaks between scheduled events; • an explanation of the measures that will be utilised to mitigate noise impacts during main 	Yes The Operational Management Plan includes measures to deal with the following matters: <ul style="list-style-type: none"> • Site Operations • Scope of Uses • Cultural Specific Uses • Hours of Operation • Staffing • Access • Pedestrian Access • Vehicle Access • Parking and Traffic • Site Management • Amenity and Neighbours • Operational Noise • Access • Parking • Signage • Waste Management • Security • Complaints The plans is considered to sufficiently address the matters listed and will be an appropriate mechanism to manage the ongoing operations of the facility.	Yes

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	<p>events and crowd control; and</p> <ul style="list-style-type: none"> • contact persons who will be responsible for managing and responding to community feedback and complaints. This is to be updated periodically. 		
Part G – General Controls			
Part G3 – Traffic, Parking, Transport & Access (Vehicle)			
3. Parking rate	<p>Development is to provide on-site parking in accordance with the following minimum rates in Table 1. Where a parking rate has not been specified in the table, the Guide to Traffic Generating Developments shall be used to calculate the parking requirements for the proposed development.</p> <p>Alternatively, a parking study may be used to determine the parking, subject to prior approval by Council. Additional parking objectives and controls are provided in Section 4 of this DCP.</p>	<p>Yes</p> <p>No car parking rates are specified, refer to Section 4.7 of Part G3 of the DCP for car parking calculations.</p>	Yes
4.3 Basement parking	Controls C1 to C7	<p>N/A</p> <p>The application does not propose a basement.</p>	N/A
4.7 Other land use - Community facilities	<p>C1. Car parking shall be provided in accordance with the recommended rates following the completion of the traffic and transport impact statement. If Council is not satisfied with the car parking rate proposed in a development application, the car parking rate for places of public worship shall apply.</p>	<p>Yes</p> <p>A Transport Impact Statement prepared by Stantec was submitted in support of the development. The report adopts car parking rates from the now superseded Holroyd Development Control Plan (DCP) 2013 that applied prior to consolidation of the Council DCP's and the closest land use rates for the various components of the development including entertainment facility rates for the Meeting Room (Whare Nui); information and education facility rates for the High Learning Centre (Whare Kura); and function centre rates for the Dining Room (Whare Kai). Car parking rates for these uses are not provided within the Cumberland DCP and so this approach is supported given that no specific rate applies for community facilities in the current DCP and the rates were applied prior to consolidation of the DCP.</p> <p>Based on the rates for each component specified within the former Holroyd DCP, the</p>	Yes

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		amended development application would require the following car parking spaces:			
		Component	DCP Use & Rates		Required
		Meeting Room (Whare Nui) 234m ² 234 people	Entertainment Facility 1 space per 6 seats		39 spaces
		High Learning Centre (Whare Kura) 193m ² 152 people	Information and education facility 1 space per 10m ²		19.3 spaces
		Dining Room (Whare Kai) 290m ² 222 people 7 staff	Function centre 1 space per 4 seats + 1 space per 2 employees		222 seats/4 = 55.5 spaces + 7/2 = 3.5 spaces 55.5+3.5 = 59 spaces
		Total Required			117 spaces
		Total Proposed			118 spaces
		Based on the above calculations, the proposed development is considered to provide a sufficient number of car parking spaces for the facility. The application and Transport Impact Statement were referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.			
C2. All vehicles shall be able to enter and leave the site in a forward direction.	Yes The design of the car park and internal roads will allow vehicles to enter and exit the site in a forward direction.	Yes			
C3. Car parking shall be provided in addition to the minimum landscape area required.	Yes The proposed car parking is provided in addition to the minimum landscape area required.	Yes			
C4. A traffic and transport impact statement will be required for developments with any capacity. The statement shall: • assess the impact upon the surrounding streets and the measures proposed to mitigate such impacts:	Yes A Transport Impact Statement prepared by Stantec was submitted in support of the development. The application and report were referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes			

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<ul style="list-style-type: none"> • identify the number of parking spaces required on the basis of the general use of the site. Reference should be made to similar existing and operating premises in similar neighbourhoods as far as possible; • identify the activities (e.g. carnivals, celebrations, festivals) and other gatherings which are likely to attract larger than normal attendances at the premises, the attendance numbers associated with such events and measures to mitigate and manage their impacts associated with traffic movements. This is to be addressed in ongoing traffic and car parking plan of management; • adequately consider future parking needs that may result from anticipated growth; and • consider alternative modes of transport in addition to car parking to support access to the site, such as public transport, walking and cycling. 		
C5. Car parking design shall comply with AS 2890.	<p>Yes</p> <p>The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.</p>	Yes
C6. Basement or at-grade parking must be provided for all new developments.	<p>Yes</p> <p>At grade car parking is proposed.</p>	Yes
C7. At grade parking shall be considered where it does not adversely impact streetscape character. Where at grade parking is provided, it shall be landscaped to a high quality and incorporate shade trees.	<p>Yes</p> <p>The car park is proposed in a location that is not considered to pose any adverse impact to the existing streetscape character and includes landscaping to a high quality including shade trees within and surrounding.</p>	Yes
Part G4 – Stormwater & Drainage		

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2.2 Method of stormwater disposal from the site	C1. All stormwater collecting as a result of the carrying out of development under this DCP must be directed by a gravity fed or charged system to: (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
	C1. The proposed development does not result in any increased risk to human life and does not increase the potential flood affectation on other development or properties.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
2.6 Flood Risk Management	C7. The filling of flood prone land, where acceptable and permitted by this Part, must involve the extraction of the practical maximum quantity of fill material from that part of the site adjoining the waterway.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
	C8. The proposed development shall comply with Council's Flood Risk Management Policy.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
2.7 Water Sensitive Urban Design, water quality and water re-use	Water Sensitive Urban Design (WSUD) C1. All development applications for sites of 2,500m ² , or more in area must be supported by a Water Sensitive Urban Design Strategy, prepared by a qualified civil engineer with suitable experience.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
	C2. Development for the subdivision of sites of 2,500m ² or more in area must achieve the stormwater flow targets in the Water Sensitive Urban Design Strategy, unless public water quality and flow structures downstream of the site allow these	N/A The development application does not propose subdivision.	N/A

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	targets to be met. Details of compliance must be included in the Water Sensitive Urban Design Strategy supporting the development application.		
	C3. All other developments shall provide appropriate water sensitive treatments.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
	Water quality C4. Water quality devices are required to prevent pollutants from commercial, industrial developments and car parking areas entering the waterways in order to improve waterway health and to develop and maintain ecologically sustainable waterways.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
	Water reuse C5. For all developments (excluding single dwellings and dual occupancies), rainwater tanks or a water reuse device shall be incorporated into the stormwater drainage system with a minimum storage size of 5,000 litres (for site area less than 1500m ²) and 10,000 litres (for site area greater than 1500m ²).	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
	C10. The ESCP shall be in accordance with the standards outlined in Managing Urban Stormwater: Soils and Construction by the NSW Department of Housing.	Yes The application was referred to Council's Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
Part G5 – Sustainability, Biodiversity & Environmental Management			
2.1 Groundwater	C1. Operating practices and technology, including dewatering, shall not contaminate groundwater or adversely impact on	N/A The application does not propose any dewatering.	N/A

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	adjoining properties and infrastructure. Any dewatering activities may require concurrence from the NSW Government. Any application to discharge ground and surface water to Council's stormwater system must be accompanied by a Dewatering Management Plan.		
	C2. Groundwater is to be recharged, where possible, while still protecting and/or enhancing groundwater quality, using water sensitive urban design.	N/A The application proposes minimal disturbance of ground surfaces and is unlikely to impact groundwater.	N/A
	C3. Protection measures for groundwater are to be proportional to the risk the development poses. Where the potential risk to groundwater is high, a separate Groundwater Impact and Management Report will be required.	N/A The application proposes minimal disturbance of ground surfaces and is unlikely to impact groundwater.	N/A
	C4. The applicant must demonstrate that there will be no adverse impacts on surrounding or adjacent properties, infrastructure or groundwater dependant ecosystems as a result of: <ul style="list-style-type: none"> • changes in the behaviour of groundwater created by the method of construction chosen; and/or • changes to the behaviour of groundwater of the surrounding area, created by the nature of the constructed form and groundwater management system used. 	N/A The application proposes minimal disturbance of ground surfaces and is unlikely to impact groundwater.	N/A
2.3 Land contamination	C1. Prior to the submission of a development application, an assessment is to be made by the applicant	Yes Refer to main assessment report and assessment against Chapter 4 of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> .	Yes

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	under Clause 7 of SEPP No. 55 as to whether the subject land is contaminated prepared in accordance with the relevant Department of Planning, Industry and Environment Guidelines and the Guideline to Asbestos Management in Cumberland Council 2018.		
	C2. In accordance with Clause 7 (1) of SEPP No. 55 Council will not consent to development unless it has considered whether land is contaminated, and if the land is contaminated is suitable for the proposed purpose or is satisfied that the land will be appropriately remediated. Where land is proposed to be subject to remediation, adequate documentation is to be submitted to Council supporting the categorisation.	Yes Refer to main assessment report and assessment against Chapter 4 of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> .	Yes
2.5 Biodiversity	C1. Development is to be sited and designed to minimise the impact on indigenous flora and fauna, including canopy trees and understorey vegetation, and on remnant native ground cover species.	Yes A Flora and Fauna Assessment prepared by Fraser Ecological Consulting accompanied the development application and concludes that the proposal is unlikely to have a significant impact on species, populations and communities listed under the New South Wales <i>Biodiversity Conservation Act 2016</i> and Commonwealth <i>Environment Protection Biodiversity Conservation Act 1999</i> . Refer to detailed assessment provided within the main assessment report against Chapter 2 – Vegetation in non-rural Areas of <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .	Yes
2.6 Energy efficiency and renewables	C1. New development shall implement energy efficient design and promote renewable energy sources through the inclusion of solar panels, skylights, cross ventilation and other such measures.	Yes The proposed development includes the use of glazed walls surrounding the proposed Whare Kura (training/meeting room) and Whare Kai (dining room) and skylights on the roof over the Whare Nui (function room) that will provide ample natural light and allow for cross ventilation.	Yes
Part G7 – Tree Management & Landscaping			
2.1 Preservation of trees	C1. The following are not considered to be substantive criteria for tree removal:	Yes The development application was referred to Council's Tree Management Officer for comment who has advised that the	Yes

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	<ul style="list-style-type: none"> • flower, leaf or fruit fall causing nuisance; • to increase general natural light; • to enhance views; • to reduce shade created by a tree; • tree not suiting existing or proposed landscape; • unsubstantiated fear of tree failure; • a tree being too large or high; and • to increase direct sunlight onto solar panels or pool heating apparatus. 	development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.
	C2. SEPP (Vegetation in Non-Rural Areas) 2017 applies to all trees and vegetation defined as any woody perennial plant that is 4m or greater in height, measured from the base of the tree at ground level to the highest point of live foliage.	Yes Refer to detailed assessment provided within the main assessment report against Chapter 2 –Vegetation in non-rural Areas of <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
2.2 Tree management and proposed development	C1. Development shall be designed to incorporate existing trees that are identified as being suitable for retention, with adequate setbacks to any works and protection measures stipulated in accordance with AS 4970-2009 to ensure their long-term survival.	Yes The development application was referred to Council's Tree Management Officer and Landscape Architect/Officer for comment who advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.
	C2. Development proposals must consider existing trees situated on adjacent properties with adequate setbacks to any works and protection measures stipulated in accordance with AS4970-2009 to ensure their long-term survival.	Yes The development application was referred to Council's Tree Management Officer and Landscape Architect/Officer for comment who advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.
	C7. Council may require an Arborist Report and/or Tree Protection Plan, to be prepared in accordance with Council's Submission Requirements for Consulting Arborists' Impact Assessment	Yes The development application was referred to Council's Tree Management Officer and Landscape Architect/Officer for comment who advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.

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	Report document, and submitted with development applications when any existing trees are to be retained.		
2.3 Landscaping	C1. Where a landscape plan is required, it shall be prepared by an appropriately qualified person such as an experienced Landscape Architect/Landscape Designer. The landscape plan shall be prepared at a minimum scale of 1:100, be fully documented with the inclusion of a plant schedule and show sufficient detail to enable construction.	Yes Landscape Plans prepared by TaylorBrammer were submitted with the development application. The development application was referred to Council's Tree Management Officer and Landscape Architect/Officer for comment who advised that the development proposal is satisfactory and therefore can be supported subject to recommended conditions of consent.	Yes
Part G8 – Waste Management			
3.2 Commercial development	C1. The number of bins required and size of storage area will be calculated against the current standard NSW commercial waste generation rates are those established by the Combined Sydney Region of Councils set out in Table 1.	Yes The development application was referred to Council's Waste Management Officer for comment who has advised that the development proposal is satisfactory as the Waste Management Plan meets the conditions of Council's DCP and addresses the development stage and final ongoing waste management generation stage and therefore can be supported subject to recommended conditions of consent.	Yes
3.5 Bin transfer requirements	C1. Waste and recycling bins shall be positioned in locations that permit easy, direct and convenient access for users of the facility and permit easy transfer of bins to the collection point.	Yes The development application was referred to Council's Waste Management Officer for comment who has advised that the development proposal is satisfactory as the Waste Management Plan meets the conditions of Council's DCP and addresses the development stage and final ongoing waste management generation stage and therefore can be supported subject to recommended conditions of consent.	Yes
	C6. An electric portable bin tug device must be used for bin movement where the grade exceeds 1:14. Specifications for a typical portable bin tug device are provided as a guide in Table 3.	N/A The grade for bin movement does not exceed 1:14.	N/A
3.6 Collection area requirements	C1. All developments must allocate a suitable collection point for collection of waste and recycling bins from either inside the	Yes The development application was referred to Council's Waste Management Officer for comment who has advised that the development proposal is satisfactory as the Waste Management Plan meets the	Yes

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	development (on-site) or from kerbside (off-site).	conditions of Council's DCP and addresses the development stage and final ongoing waste management generation stage and therefore can be supported subject to recommended conditions of consent.	
3.7 Collection vehicle requirements	C1. All proposed developments will need to accommodate a Heavy Rigid Vehicle (HRV) for all waste collection.	Yes The development application was referred to Council's Waste Management Officer for comment who has advised that the development proposal is satisfactory as the Waste Management Plan meets the conditions of Council's DCP and addresses the development stage and final ongoing waste management generation stage and therefore can be supported subject to recommended conditions of consent.	Yes
	C2. Proposed developments that require a waste collection vehicle to enter the site for the collection of waste, a swept path analysis for a 10.5m HRV with a height clearance of 4.5m must be clearly demonstrated in the Architectural Plans, Waste Management Plan, and Traffic and Transport Management Plan. If a hook lift bin is to be used, the height clearance will increase and greater height clearance will be required.	Yes The development application was referred to Council's Waste Management Officer for comment who has advised that the development proposal is satisfactory as the Waste Management Plan meets the conditions of Council's DCP and addresses the development stage and final ongoing waste management generation stage and therefore can be supported subject to recommended conditions of consent.	Yes
	C9. Should there be a case for a smaller rigid garbage collection vehicle to be used consideration will be given to alternative building design requirements. In these circumstances, supporting documentation is to be provided with the development application.	Yes The development application was referred to Council's Waste Management Officer for comment who has advised that the development proposal is satisfactory as the Waste Management Plan meets the conditions of Council's DCP and addresses the development stage and final ongoing waste management generation stage and therefore can be supported subject to recommended conditions of consent.	Yes