

DA2024/0330 / PPSSCC-591 - 1 Tamplin Road, GUILDFORD NSW 2161
Attachment 10 - Cumberland Development Control Plan 2021 Compliance Table

Control	Requirement	Comments	Compliance
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.	The proposed development has been designed to be compatible with the recreational land character of the site by proposing low scale buildings with a similar footprint to the former structures on the site with materials that will blend into the natural surrounding environment. The proposed buildings would not dominate the streetscape 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.	The proposed development includes a single access and entry/exit point from the northern elevation directly from the existing car park which is 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.	The site has a dual frontage to Tamplin Road to the east and Guildford Road to the north. The development primarily addresses the Guildford Road northern frontage as the main entry to the facility. As much as reasonably practical and achievable, some limited openings are proposed to the Tamplin Road frontage to the east given the need to secure the site and ensure visitor safety and security. The proposal includes some windows and architectural features that will provide opportunities for passive surveillance from both street frontages.	Yes
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: <ul style="list-style-type: none"> • 25% of the site area shall be landscaped area. • 50% of the front setback shall be landscaped area. 	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.	The site is not in a residential zone.	N/A

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	C3. Landscaped areas in industrial zones shall comply with the requirements of Part D and G7 of this DCP.	The site is not in an industrial zone.	N/A
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.	The development application is accompanied by an Operational Management Plan, prepared by Cumberland City Council who will operate the facility and is considered to be appropriate for the operational management of the 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 events and crowd control; and • contact persons who will be responsible for managing and responding to community feedback and complaints. This is to be updated periodically. 	The Operational Management Plan includes measures to deal with the following matters: <ul style="list-style-type: none"> • Facility Overview; • Staffing Expectations & Requirements; • Training, Performance And Development; • Programs & Services; • Customer Service; • Supervision & Scanning Requirements; • Maintenance & Operational Requirements; • Water Testing & Quality Control; • Emergency Management; • Risk Management; • Waste Management; 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
Part G – General Controls			
Part G1 – Advertising and Signage			
2.1 General	C1. Signs must not: <ul style="list-style-type: none"> • be attached to a vehicle, where the vehicle remains stationary primarily for the purpose of advertising. “Vehicle” means a registered or unregistered vehicle and includes a trailer; 	The signage is not any of those listed.	Yes

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	<ul style="list-style-type: none"> be a temporary poster and sticker affixed to the exterior of the building, power poles, fences, tree, construction hoardings or the like; be of a portable nature, such as a sandwich board (A-frame signs), placed in, on or over a public place, except in special circumstances specified in the Plan; include flashing lights, regardless of whether these are for illumination of a fixed sign, to attract attention to an otherwise illuminated sign or as part of an illuminated sign; be painted on or applied on the roof; or include inflatable signs or structures, other than temporary signs. 		
	C2. Advertising signs which do not relate to a use, business or activity carried out on the site or building on which the sign is to be placed are discouraged.	The proposed signs relate to the use, business and activity proposed on the site and the building on which the signs are to be placed.	Yes
2.2 Language of signs	C3. Advertising and signage shall be displayed in English but may include a translation in another language	All signage is in English text.	Yes
	C4. Content of signage shall not be offensive in nature.	The signs do not contain content that is offensive in nature.	Yes
2.3 Number of signs	<u>Residential zones</u> C1. Signage is restricted to one business identification per street frontage. <u>Business zones</u> C2. Total signage per street frontage must not exceed one (1) top-hamper sign, one (1) under-awning sign and one (1) wall sign.	The land is not zoned residential or business.	N/A
2.4 Signs on heritage buildings and conservation areas	C1 to C8.	Not relevant to the site as the site is not identified as a heritage listed item and is not located within a heritage conservation area.	N/A
Part G3 – Traffic, Parking, Transport & Access (Vehicle)			
3. Parking rate	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. Alternatively, a parking study may be used to determine the parking, subject to prior approval by Council.	No car parking rates are specified, refer to Section 4.7 of Part G3 of the DCP for car parking calculations.	Yes

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	Additional parking objectives and controls are provided in Section 4 of this DCP.		
4.3 Basement parking	Controls C1 to C7	The application does not propose a basement.	N/A
4.7 Other land use	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>A car parking rate of 4.5-7.5 spaces per 100m² GFA is specified for '<i>recreational facility (indoors)</i>' outside the town centre under Part G3 Section 3 Table 1 of the DCP. There is not a specified parking rate for the outdoor portion of the development.</p> <p>Based on the size of the proposed indoor facility, 85.5 to 142.5 spaces would be required.</p> <p>A Traffic and Parking Impact Assessment Report prepared by Barker Ryan Stewart was submitted in support of the development and suggests that the lower of these rates should be used considering a swimming pool is on the lower end of density for an indoor recreational facility (as opposed to gymnasiums or basketball courts). Therefore, 86 spaces should be provided for the indoor portion of the development.</p> <p>The report adopts a car parking rate for the <i>recreation facility (outdoor)</i> component based on a survey of the nearby Wentworthville Memorial Swimming Centre which is an equivalent similar and operational development within the Cumberland City Council LGA. Based on the survey results, the report concludes that 25% of the overall number of car parking spaces should be allocated to the outdoor component and the proposal would therefore require:</p> <ul style="list-style-type: none"> • 86 spaces are required for the indoor section, and • 31 spaces are required for the outdoor section, totalling • 117 spaces are required for the total development. <p>The reports accompanying the DA indicate that the existing car</p>	Yes, on merit

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		<p>park contains a total of 111 spaces. Conflicting information was presented on the plans accompanying the application with the existing Site Survey plan indicating 108 existing car parking spaces while the Architectural and Landscape Plans indicate 104 car parking spaces within the existing car park. Notwithstanding this, an amended Traffic and Parking Impact Assessment was received in response to a request for information that clarifies that the site contains 111 car parking spaces within the existing car park.</p> <p>It is noted that no works are proposed to the existing car park including reconfiguration or changes to the layout or spaces and therefore a total of 111 existing car parking spaces are available as observed on visual inspection of the site which is a shortfall of 6 spaces from the DCP requirement.</p> <p>Based on the above and the surveyed data, the proposed development would require:</p> <ul style="list-style-type: none"> • 86 spaces for the indoor section (as per DCP); and • 29 spaces for the outdoor section (as per 25% of total supply from Survey results); totalling • 115 spaces for the total development. <p>Based on 111 existing car parking spaces being available as observed on visual inspection of the site and given that no works are proposed to the existing car park, the development is considered to provide a sufficient number of car parking spaces for the facility. This is particularly given that the Traffic and Parking Impact Assessment includes parking surveys of similar, comparable swimming pool sites within the LGA, including the Wentworthville Swimming Centre, which indicate that a</p>	

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		25% occupancy rate is typical of these facilities. Based on the expected 25% occupancy rate, it is likely that the existing car park at the subject site would experience a demand for 28 spaces out of 111 total and therefore a surplus of 83 parking spaces are likely to be available during peak demand.	
	C2. All vehicles shall be able to enter and leave the site in a forward direction.	The existing car park and internal roads and separate truck access to the loading space 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.	The 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: <ul style="list-style-type: none"> • assess the impact upon the surrounding streets and the measures proposed to mitigate such impacts; • 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. 	A Traffic and Parking Impact Assessment Report prepared by Barker Ryan Stewart was submitted in support of the development. The application and report were referred to Council's Senior 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
	C5. Car parking design shall comply with AS 2890.	The application was referred to Council's Senior Development Engineer for comment who has advised that the development proposal is satisfactory and therefore can be supported	Yes

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		subject to recommended conditions of consent.	
	C6. Basement or at-grade parking must be provided for all new developments.	At grade car parking is proposed.	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.	The existing car park is in an existing location that is not proposed to change. The existing car park is not considered to pose any adverse impact to the existing streetscape character and includes existing landscaping that will provide shade within and surrounding.	Yes
Part G4 – Stormwater & Drainage			
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.	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	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.	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
	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.	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.	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.	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	The development application does not propose subdivision.	N/A

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	targets in the Water Sensitive Urban Design Strategy, unless public water quality and flow structures downstream of the site allow these 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.	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.	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).	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.	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 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.	The application does not propose any dewatering. The Geotechnical and Salinity Investigation prepared by Douglas Partners provides the following comments in relation to potential groundwater encounter: <i>"Groundwater was generally not encountered following the limited observation period of the open boreholes with the exception of BH1. The</i>	N/A

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		<p>groundwater in BH1 is considered more likely to be associated with leaking / cracked subsurface structures such as pools, pipes or similar, rather than with the regional groundwater table. Therefore, the proposed excavations of up to about 1.6 m below existing surface levels are not expected to encounter significant groundwater seepage."</p> <p>Accordingly, the application is considered acceptable.</p>	
	C2. Groundwater is to be recharged, where possible, while still protecting and/or enhancing groundwater quality, using water sensitive urban design.	The proposed development is unlikely to impact groundwater as detailed above and within the Geotechnical and Salinity Investigation prepared by Douglas Partners.	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.	The proposed development is unlikely to impact groundwater as detailed above and within the Geotechnical and Salinity Investigation prepared by Douglas Partners.	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. 	The proposed development is unlikely to impact groundwater as detailed above and within the Geotechnical and Salinity Investigation prepared by Douglas Partners.	N/A
2.3 Land contamination	C1. Prior to the submission of a development application, an assessment is to be made by the applicant 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.	Refer to main assessment report and assessment against Chapter 4 of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> .	Yes
	C2. In accordance with Clause 7 (1) of SEPP No. 55 Council will not consent to development unless it	Refer to main assessment report and assessment against Chapter 4 of <i>State Environmental</i>	Yes

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	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.	<i>Planning Policy (Resilience and Hazards) 2021.</i>	
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.	The subject site is not identified as containing indigenous flora and fauna. Thirty-seven (37) trees are proposed to be removed to facilitate the works and replaced with new plantings. The development application was referred to Council's Tree Management Officer 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 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.	The proposed development includes the use of glazed walls surrounding the proposed indoor pool building that will provide ample natural light and allow for cross ventilation. The application is accompanied by a BCA Capability Statement prepared by Concise Certification, Sustainable Design Assessment with Embodied Emissions Materials Form prepared by Building Services Engineers and NCC Section J Assessment Report prepared by Building Services Engineers accompany the DA and indicate a compliant with energy efficient design and promotion of renewable energy sources.	Yes
Part G7 – Tree Management & Landscaping			
2.1 Preservation of trees	C1. The following are not considered to be substantive criteria for tree removal: <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 	Thirty-seven (37) trees are proposed to be removed to facilitate the works and replaced with new plantings. The development application was referred to Council's Tree Management Officer 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"> to increase direct sunlight onto solar panels or pool heating apparatus. 		
	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.	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
2.2 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.	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
	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.	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
	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 Report document, and submitted with development applications when any existing trees are to be retained.	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
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.	Landscape Plans prepared by Mode Design 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	The development application was referred to Council's Waste Management Officer for comment who has advised that	Yes

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	generation rates are those established by the Combined Sydney Region of Councils set out in Table 1.	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.	
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.	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.	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 development (on-site) or from kerbside (off-site).	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
3.7 Collection vehicle requirements	C1. All proposed developments will need to accommodate a Heavy Rigid Vehicle (HRV) for all waste collection.	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	The development application was referred to Council's Waste	Yes

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	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.	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.	
	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.	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