

APPENDIX C
CUMBERLAND DEVELOPMENT CONTROL PLAN 2021 COMPLIANCE TABLE

Relevant Control	Compliance with Requirements		Consistency Objectives
Part E – Other Land Use Based Development Controls			
Part E3 – Educational Establishments			
2.1 Acoustics	C1. The design of the proposed educational establishment shall minimise the projection of noise from the various activities anticipated to occur within the site. Adjoining and nearby residents should not be exposed to unreasonable levels of noise arising from the proposed use.	The proposed building is primarily to be used for administration purposes. The proposal provides appropriate setbacks from the side boundaries and is not considered to unduly disturb the amenity of the adjoining residential properties. An acoustic assessment in support of the proposal accompanies the subject application which has been assessed by Council's EHU and is considered satisfactory subject to conditions.	Yes
	C2. A noise impact assessment statement, prepared by a suitably qualified acoustic engineer, is to be submitted with all applications for development within residential zones or development located in close proximity to residential development. This should describe hours of operation and predicted noise levels for regular lunch and tea breaks and for special events. Where possible, reference should be made to similar operating uses within the Cumberland City.	A noise impact statement prepared by JHA Services accompanies this development application and concludes that the building and activities within will not have an unacceptable impact on adjoining low density residential properties. The report has been assessed by Council's EHU and is considered satisfactory subject to conditions	Yes
2.2 Traffic, parking and transport	C1. Development for the purposes of an education establishment will comply with the specific traffic, parking and transport requirements set out in Part G3 of this DCP.	The number of students and staff is not proposed to be increased under the subject proposal. Although there is no increase in demand, the area in front of the proposed development will be utilised for an additional 11 car parking spaces to improve the functionality and ongoing operation of the subject use.	N/A
2.3 Operational Plan of Management	C1. An Operational Plan of Management must be provided for a new education establishment. 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 Operational Plan of Management (including amendments, if any) will be incorporated as a condition of development consent. This plan must include, but is not limited to the following information: • operation hours, including a schedule of the regular classes held, lunch and	The school is existing and further there is no increase in capacity as result of this application. Given this and in accordance with this control, an operational management plan is not required.	N/A

	tea breaks, recurring events (such as sport afternoons) and special events throughout the year and location of these events; • the maximum number of full-time equivalent staff; • the number of enrolled students to be in attendance at regular classes. details of outdoor space provision (covered and uncovered); • details of available public transport links, hub and frequency; • a safety audit and its recommendations; • consideration and details of CPTED principles to be implemented; • a list of the types of community purposes (i.e. community colleges, senior citizens groups, youth groups etc) any building may be used for outside the regular classes, breaks and other events. how often and how many people it will attract; • a list of the type of organisations that may lease or use any building and for what purposes. how often and how many people it will attract; • an explanation of the measures that will be in place to manage parking, local traffic and pick up and drop off arrangements both in regular operations and when a special event is scheduled; • contact persons who will be responsible for complaints handling. This is to be updated periodically; • anticipated growth of the educational establishment and how these long-term projections will be factored into the development and managed in the future; and • for senior level educational establishments, details of the number of student drivers, the number and location of allocated parking spaces and the measures to monitor the safety of student drivers (e.g. guardian permission slips).		
Part G – General Controls			
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. Additional parking objectives	The number of students and staff is not proposed to be increased under the subject proposal. The proposal predominantly involves the relocation of staff from dispersed offices to a central administration building. In this regard, the proposed development does not result in	N/A

	and controls are provided in Section 4 of this DCP.	an increase in parking demand on the site. Notwithstanding, the area in front of the proposed development will be utilised for an additional 11 car parking spaces to improve the functionality and ongoing operation of the subject use.	
4.3 Basement parking	Controls C1 to C7	The application does not propose a basement.	N/A
4.7 Other land use	Controls C1 to C3	Not relevant- Refer to discussion under Section 3.	N/A
	C3. New developments must provide dedicated on-site pick up and drop off areas for students by both car, public transport services and school transport services. Details on the ongoing management of these areas must be included in the operational plan of management.	The school is existing and further there is no increase in capacity as result of this application. Given this and in accordance, with this control, an operational management plan is not required.	
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 is accompanied with Stormwater Plans. The amended Stormwater plans 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
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 site is not identified as being subject to flooding.	N/A
2.7 Water Sensitive Urban Design, water quality and water re-use	Water Sensitive Urban Design (WSUD) C1. All development applications for sites of 2,500m2, or more in area must be supported by a Water Sensitive Urban Design Strategy, prepared by a qualified civil engineer with suitable experience.	The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.	Yes
	C2. Development for the subdivision of sites of 2,500m2 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 targets to be met. Details of compliance must be included in the Water Sensitive Urban Design Strategy supporting the development application.	The development application does not propose subdivision.	N/A
	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.	
	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.	As above.	
	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 1500m2) and 10,000 litres (for site area greater than 1500m2).	Considered satisfactory by Council's Engineers subject to conditions.	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.	Considered satisfactory by Council's Engineers subject to conditions.	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.	Satisfactory, subject to conditions.	Yes
	C2. Groundwater is to be recharged, where possible, while still protecting and/or enhancing groundwater quality, using water sensitive urban design.		
	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.		
	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: • 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.		

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 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.	Refer to main assessment report and assessment against Chapter 4 of <i>State Environmental 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. 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.	
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 is designed to maximise natural light and cross ventilation. The application is accompanied by NCC Section J Assessment Report prepared by Formiga1 which indicates compliance 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: • 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.	Thirteen (13) 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
	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	Refer to detailed assessment provided within the main assessment report against Chapter 2 –Vegetation in non-	Yes

	height, measured from the base of the tree at ground level to the highest point of live foliage.	rural Areas of State <i>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.	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 Concept Landscape Architects 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.	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	Yes

		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
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 proposed WMP is considered subject to conditions.	Yes
3.7 Collection vehicle requirements	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.	The waste plan satisfactorily addresses the demolition, construction, and the final ongoing waste management operational stage	Yes