



APPENDIX C  
CUMBERLAND DEVELOPMENT CONTROL PLAN 2021 ASSESSMENT

Relevant Control	Compliance with Requirements	Consistency Objectives
<b>Part B – Development in Residential Zones</b>		
<b>Part B4 – Boarding houses</b>		
<b>2.2 Character and amenity</b>	<p>C1. The design of a boarding house is to be compatible with the character of the local area.</p> <p>The proposal seeks a 2 storey boarding house with associated basement parking. The design is considered consistent with the local area and future character of the precinct which is predominantly zoned R3 – Medium Density Residential.</p> <p>The surrounding developments vary from single and two storey developments. The development is consistent with the building envelope controls applicable to multi-dwelling development which is considered the future characteristic of the local area.</p>	Yes
	<p>C2. New boarding houses (including alterations and additions) shall comply with the building setback controls comparable to the predominant building type in the relevant zones as set out below in Table 8:</p> <p>R3 Medium Density Residential – Multi dwelling housing Front setback: 3.5m Side setback: 1.5m Rear setback: 6m</p> <p>The proposal achieves the following setbacks: Front setback: 3.5m Northern side setback: 1.5m Southern side setback: 1.5m Rear setback: 10.55m</p> <p>The subject site is within the R3 zone and is consistent with the setback controls for multi-dwelling housing.</p>	Yes
<b>2.3 Operational management</b>	<p>C1. All boarding houses are to have a managing agent, contactable 24 hours per day, 7 days per week. If a boarding house has capacity to accommodate 20 or more lodgers, it is required that there be an on-site resident manager. The on-site resident manager must be 18 years of age or over.</p> <p>No - The boarding house will be managed by an appointed off-site manager through a Property who will be contactable 24 hours a day and 7 days per week.</p>	No but acceptable on merit.
	<p>C2. The name and contact details of the on-site manager or managing agent is to be provided externally at the front entrance of the boarding house and internally within the communal living area.</p> <p>Can be conditioned in any consent.</p>	Yes, subject to conditions.
	<p>C3. A Plan of Management must accompany a development application for any new boarding house or</p> <p>The submitted Plan of Management is unsatisfactory. A condition of consent is</p>	Yes, subject to conditions.



	alterations/and or additions to an existing boarding house.	imposed to require a Plan of Management to be submitted prior to issue of the Construction Certificate that is consistent with the terms of the draft development consent.	
	C4. 'House Rules' must be prepared as part of the Plan of Management. The approved House Rules must be clearly displayed within each bedroom and within the communal living area of the boarding house.	Can be conditioned in any consent.	Yes, subject to conditions.
	C5. An Emergency Evacuation Plan must be prepared as part of the Plan of Management detailing the evacuation procedures in the event of the emergency, provision of resident log book, identifying the assembly point and detailing how residents will be made aware of the procedures contained within the Plan.	The Plan of Management condition will be worded to require compliance to be demonstrated with this control.	Yes, subject to conditions.
	C6. A list of contact details must be clearly displayed within the common area including the contact details for: the managing agent; emergency services including fire, ambulance and police; utilities such as gas, electricity and water, and any approved emergency repair persons, such as a plumber and electrician.	Can be conditioned in any consent.	Yes, subject to conditions.
	C9. Secure storage facilities must be provided with a minimum capacity of 1m <sup>2</sup> per person. This space must be lockable.	Sufficient storage is provided in basement level for each room.	Yes
	<i>Internal communal living area</i> C10. Living areas are to have a minimum dimension of 4m.	The communal living space on the ground floor has a minimum dimension of 5.121m.	Yes
	C11. Communal living area/s must be located on the ground floor and are to be located near commonly used spaces or adjacent to the communal outdoor open space.	The communal living area is located on the ground floor of the development and is adjacent to the communal open space at the rear of the premises.	Yes
	C12. Communal living area/s should have a northerly aspect, where possible, and should be located where they will have a minimal impact on adjoining properties in terms of noise generation and visual privacy.	The communal living area is located at the rear of the premises and has an eastern orientation and has an interface with the rear communal open space at the rear of the property. It does not face neighbouring properties and will therefore pose minimal noise and visual impacts.	Yes



	C13. Consideration should be given to ensure that bedrooms adjoining the living area/s are protected from excessive noise.	Consideration has been given to the design of the bedroom adjoining the communal living area, such as locating the kitchen, study and bathroom along the party wall between the bedroom and communal living area. The bed is situated away from the party wall between the communal living area which will minimise excessive noise.	Yes
	<i>Laundry facility requirements</i> C14. 1 automatic washing machine for the first 12 residents plus 1 automatic washing machine for every additional 12 residents thereafter or part thereof.	Each boarding room is provided with adequate laundry facilities, including a washing machine.	Yes
	C15. 1 domestic dryer for first 12 residents plus 1 domestic dryer for every additional 12 residents thereafter or part thereof.	As above.	Yes
	C16. 1 large laundry tub with running hot and cold water for up to 12 residents and 1 additional tub for premises that contain more than 12 residents.	As above.	Yes
	<i>Location of clothes drying facilities</i> C17. Drying areas must not be visible from the street, or any public place.	A communal clothesline is provided at the rear of the premises within the communal open space area.	Yes
	C18. Drying areas shall be located to maximise solar access.	The proposed clothesline has a north facing aspect which will have sufficient solar access throughout the day.	Yes
	C19. Clothes drying and laundry facilities shall be wheelchair accessible.	Laundry facilities are provided within each boarding room. The clothesline is located in the rear yard and accessible by wheelchair.	Yes
<b>2.4 Visual privacy</b>	C1. Placement of windows and other openings should not result in direct overlooking of adjoining residential uses. Where overlooking may occur, use of highlight windows, window screening or other privacy measures should be provided.	An open communal corridor is extends the length of building on both levels, is elevated significantly above natural ground level and is setback 2.7m to 4.1m from the shared side boundary with the neighbouring property (8 Milner Road). While the elevations show numerous privacy screens along the southern side of the corridors, the coverage is insufficient to provide an acceptable level of privacy. As such, Council recommends the imposition of	Yes, subject to conditions.

		<p>a condition to require four (4) privacy screens to be installed along the length of each corridor as detailed in 'red' on the amended ground floor and first floor plans to ensure greater coverage is provided. Secondly, the design of the screens shall comprise angled louvres to ensure view lines are adequately obscured.</p> <p>Subject to compliance with the above, the development will not pose direct overlooking into the neighbouring property.</p>	
	C2. Landscape screening should be provided within outdoor communal areas to minimise overlooking of adjoining properties.	Provided.	Yes
	C3. The main entrance of the boarding house should be provided within the front (street) elevation to address the street and to minimise potential privacy impacts upon neighbouring properties.	Achieved.	Yes
<b>2.5 General design</b>	<p>C1. Boarding houses must provide the following facilities within each building: bedrooms;</p> <ul style="list-style-type: none"> <li>• laundry facilities;</li> <li>• adequate communal kitchen facilities and dining area (one per floor for multi storey boarding houses) where individual kitchenettes are not provided within the boarding rooms;</li> <li>• individual ensuite and/or adequate communal bathroom facilities;</li> <li>• communal living area (one per floor for boarding houses more than three storeys in height);</li> <li>• communal garbage storage and recycling facilities;</li> <li>• communal outdoor open space area; and</li> <li>• on-site boarding house manager (where 20 or more lodgers).</li> </ul>	<p>No onsite boarding manager is proposed. An off site manager that is contactable 24 hours 7 days a week is proposed which is considered acceptable.</p> <p>The boarding house is otherwise compliant with this control.</p>	Yes
	C2. Flyscreens are to be provided to all openable windows and doors.	Can be conditioned in any consent.	Yes, subject to conditions.
	C3. At least one phone must be provided within each communal area to allow residents to contact emergency services.	Can be conditioned in any consent.	Yes, subject to conditions.
	C4. A safety switch must be fitted to all electrical meter box/es.	Can be conditioned in any consent.	Yes, subject to conditions.



	C5. A maximum of one television antenna is to be provided per boarding house.	Can be conditioned in any consent.	Yes, subject to conditions.
<b>2.6 Acoustics</b>	C1. Boarding house design should attempt to locate bedrooms away from significant internal and external noise sources.	The boarding rooms are considered appropriately designed to minimise acoustic impacts.	Yes
	<p>C2. During the design of a boarding house consideration must be given to the potential acoustic impact upon adjoining neighbours. The following noise minimisation measures should be considered at the design stage:</p> <ul style="list-style-type: none"> <li>• offsetting the location of windows in respect to the location of windows on neighbouring properties;</li> <li>• appropriate building separation and setbacks to neighbouring properties;</li> <li>• sensitive location of communal outdoor areas away from main living areas or bedroom windows of any adjoining dwelling;</li> <li>• the use of screen fencing or acoustic barriers as a noise buffer to external noise sources;</li> <li>• incorporation of double glazing for windows; and</li> <li>• locate similar building uses (such as bedrooms or bathrooms) back to back internally within the building, to minimise internal noise transmission.</li> </ul>	<p>Council's Environmental Health Officer has assessed the submitted "DA Acoustic Assessment" submitted for the development and considers the proposal to be satisfactory with regard to the acoustic amenity of surrounding properties.</p> <p>The recommendations outlined in the acoustic assessment is recommended to be included as part of the approved documents in any approval of the development.</p>	Yes
<b>2.7 Car parking</b>	C1. Car parking will comply with the provisions set out in Part G3 of this DCP.	Refer to Part G assessment below.	
<b>Part F2 – Business Site Specific</b>			
<b>Part F2-3 – Guildford Town Centre (East)</b>			
Whilst the development site is located within the boundaries of the Guildford Town Centre (East), there are no requirements of relevance to the proposed development.			
<b>Part G – Miscellaneous Development Controls</b>			
<b>Part G3 – Traffic, parking, transport and access (vehicle)</b>			
<b>3 Parking rates</b>	<p>Boarding house 0.5 space / room</p> <p>Bicycle parking: As per State Environmental Planning Policy (Affordable Rental Housing) 2009</p>	<p><u>Car parking</u> 18 boarding rooms requires 9 parking spaces.</p> <p>9 onsite parking spaces are provided in a basement level.</p> <p>It is noted however the parking requirements of SEPP Housing takes precedence and require a compliance with a lesser rate being 0.2 parking spaces for each boarding room (4 parking</p>	Yes



		spaces). The provision of 9 spaces more than satisfies this requirement.  <u>Bicycle parking</u> SEPP Housing requires the provision of bicycle parking to be "adequate".  Bicycle racks accommodating 18 bicycles is proposed on the basement level. This is considered adequate to serve the development.	
<b>4.1 Development in residential zones</b>	<i>Parking and site access</i>	Achieved.	Yes
	C1. Parking rates shall comply with the minimum parking rates in Section 3 of this Part of the DCP.		
	<i>Driveways</i>	One driveway proposed.	Yes
	C1. Only one driveway crossover shall be permitted per residential property where the property frontage is less than 15m.		
	C2. A maximum of 2 driveway crossovers shall be permitted for residential properties with a residential frontage of 15m or more.	One driveway is provided.	Yes
	C3. Single vehicle driveways shall be a maximum width of 3.5 metres along the front property boundary.	The driveway has a maximum width of 3.5m.	Yes
	C5. All new driveways shall be located a minimum of 1 metre from the side property boundaries.	Nil setback provided to the southern side boundary.	No – Refer to justification in the body of the report.
	C6. Where rear access is available, driveway access shall be located at the rear of the site.	The site does not have a rear access.	N/A
	C7. Driveways servicing car parking including manoeuvring areas to the parking bays shall comply with AS 2890 – Parking Facilities unless otherwise specified by Council.	The aisle width within the basement at 6m is insufficient. Council's Senior Engineer has imposed a condition to require a minimum width of 6.1 to be provided.  It is noted that compliance with the above will require a minor change to the extent of the basement footprint which is feasible noting the generous setback of the basement footprint to the southern side boundary.	Yes



	C8. The maximum gradient for a driveway shall be 20% or 1:5 (with appropriate transitions). However, in extreme circumstances, gradients up to 25% or 1:4 (with appropriate transitions) may be considered by Council, subject to individual merit.	The driveway gradient is considered satisfactory by Council's Development Engineering department.	Yes
	C9. Minimum clearance of 1.2 metres shall be provided to structures, such as power poles, service pits and drainage pits.	No existing services within 1.2m of the proposed driveway.	Yes
	C10. Vehicular access points and parking areas are to be: <ul style="list-style-type: none"> <li>easily accessible and recognisable to motorists;</li> <li>located to minimise traffic hazards; and</li> <li>located to minimise the loss of on-street car parking.</li> </ul>	Council's Senior Development Engineer considers the development to be compliant regarding this control.	Yes
	C11. The area between the driveway and the property boundary shall be suitably landscaped to minimise the visual impacts of vehicular access points and to maximise the visual quality of the streetscape.	<p>The southern side setback of the driveway has a nil setback and therefore landscaping of this area cannot be undertaken.</p> <p>The visual impact of the development will be adequately minimised by the proposed landscaping within the front setback area and along the northern side of the proposed driveway.</p>	Yes
	C12. Driveways shall be designed and constructed in materials to avoid glare and large expanses of plain concrete, whilst ensuring the driveway colour does not detract from the development and character of the street.	Can be conditioned in any consent.	Yes, subject to conditions.
<b>4.3 Basement parking</b>	C1. Basement garages and driveways shall be permitted in accordance with the relevant Australian Standards. Where slope conditions require a basement, the area of the basement shall not significantly exceed the area required to meet the car parking and access requirements for the development.	Council's Senior Development Engineer has raised no objection to the proposed development.	Yes
	C2. Basement parking shall be located within the building footprint.	Achieved.	Yes
	C3. Basement parking shall not unreasonably increase the bulk and scale of development.	The basement level does not increase unreasonably increase the bulk and scale of the development noting it is compliant with the maximum height of building control. It is	Yes



		further noted that extent of overshadowing and visual impact to the neighbouring property (to the south) is not unreasonable especially noting the shared northern boundary.	
	C4. Basement parking shall provide, where required, a pumpout drainage system according to Council's engineering requirements.	Council's Senior Development Engineer has raised no objection to the development in this regard.	Yes
	C5. Basement parking shall not affect the privacy of adjacent residential development.	Achieved.	Yes
	C6. Basement parking manoeuvring shall ensure that vehicles can enter and exit in a forward direction.	Achieved, subject to a condition to extend the aisle width from 6m to 6.1m.	Yes, subject to conditions.
	C7. Basement access/ramp design shall comply with ramp requirements specified in AS2890.	Council's Senior Development Engineer has raised no objection to the development in this regard.	Yes
<b>Part G4 – Stormwater and Drainage</b>			
<b>2.2 Method of stormwater disposal from the site</b>	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 stormwater plan submitted with the application has been assessed by Council's Development Engineering department and considered satisfactory, subject to conditions.	Yes, subject to conditions.
<b>2.6 Flood risk management</b>	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 subject site is identified as being a flood affected lot. The flood study and stormwater plans were reviewed by Council's Development Engineer and considered satisfactory, subject to conditions.	Yes, subject to conditions.
<b>2.7 Water Sensitive Urban Design, water quality and water re-use</b>	<i>Water reuse</i>  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 <sup>2</sup> ) and 10,000 litres (for site area greater than 1500m <sup>2</sup> ).	No rainwater tank is provided for the development. An Ecological Sustainable Design report was submitted as part of the application. The report concludes that the proposed development achieves the sustainability requirements contained within CDCP 2021.	Yes
	<i>Erosion and sediment control</i>  C7. All runoff from surrounding land is diverted away from the area disturbed and polluted runoff is retained on-site.	An erosion and sediment control plan has been provided and endorsed as part of the Development Consent. Standard conditions are also recommended to be imposed to ensure adequate erosion	Yes, subject to conditions.





		and sediment control measures are taken during the demolition and construction phase of the development.	
<b>Part G7 – Tree Management and Landscaping</b>			
<b>2.1 Preservation of trees</b>	<p>C1. The following are not considered to be substantive criteria for tree removal:</p> <ul style="list-style-type: none"> <li>• flower, leaf or fruit fall causing nuisance;</li> <li>• to increase general natural light;</li> <li>• to enhance views;</li> <li>• to reduce shade created by a tree;</li> <li>• tree not suiting existing or proposed landscape;</li> <li>• unsubstantiated fear of tree failure;</li> <li>• a tree being too large or high; and</li> <li>• to increase direct sunlight onto solar panels or pool heating apparatus.</li> </ul>	The proposal includes the removal of one (1) tree on the site. The tree removal has been assessed by Council's Landscape officer and considered satisfactory.	Yes
<b>2.2 Tree management and proposed development</b>	C1. All proposals and development works shall comply with Australian Standard 4970-2009 'Protection of Trees on Development Sites'.	A condition is imposed to ensure compliance with this control.	Yes
	C2. 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 existing street trees along Milner Road are to be retained as part of the development. Suitable conditions have been imposed to ensure these trees are protected.	Yes
	C3. 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 proposal will not impact on existing trees on adjacent properties.	Yes
	C4. The location of vehicular driveways in relation to existing trees is to consider impact on, and distance from, that tree.	The existing street trees will not be impacted by the proposed driveway. Suitable conditions are imposed to ensure they are adequately protected.	Yes
	C5. Development shall not impact trees on public land.	The street trees are to be retained as part of the development.	Yes
	C6. Trees assessed as having medium or high landscape significance retention value should be retained, with adequate setbacks to any development works to ensure their long-term survival.	No significant trees proposed to be removed.	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	An arborist report was submitted.	Yes



	submitted with development applications when any existing trees are to be retained.		
<b>2.3 Landscaping</b>	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.	The landscape plan submitted with the application has been assessed by Council's Tree Management officer and considered satisfactory.	Yes
	C2. For existing trees that are approved to be removed by Council as part of a proposed development, the following tree replacement offset planting is required: <ul style="list-style-type: none"> <li>for existing trees removed that are a height of between 4m-9m, a 1:1 replacement offset applies; and</li> <li>for existing trees removed that are a height greater than 10m, a 2:1 replacement offset applies. The preference is for offset planting to be undertaken on the property related to the development application. Any alternate locations are to be considered on merit by Council, with reference to applicable strategies and plans.</li> </ul>	Suitable tree planting is proposed as part of the subject application.	Yes
<b>Part G8 – Waste Management</b>			
<b>3.1 Demolition and construction</b>	C1. All materials that arise from demolition and construction shall comply with a Waste Management Plan (WMP) before recycling or disposal.  Note: The WMP shall provide details of on-site storage, volume or area estimates and information about reuse, recycling and disposal options for all waste produced on-site, including excavation materials.	A waste management plan was submitted as part of the application and is considered satisfactory.	Yes
<b>3.2 Commercial development</b>	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 below.  <i>Boarding house/guesthouse:</i>  Waste generation: 60L/occupant/week	Can be conditioned in any consent.	Yes, subject to conditions.

	Recycling generation: 20L/occupant/week		
<b>3.5 Bin transfer requirements</b>	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.	A garbage room is provided on the ground floor which is of sufficient size. The garbage room facility is located at the front of the building and is in close proximity to the street front.	Yes