|  |  |  |
| --- | --- | --- |
| **Control** | **Assessment** | **Compliance?** |
| 2.2  Indicative Layout Plan (ILP).  Development to be undertaken generally in accordance with the ILP. | The ILP identifies this site as being suitable for medium density residential development and public roads. The proposed development is generally consistent with the ILP and will provide a medium density residential development. Public roads as required by the plan will be constructed under a separate development consent (DA/2016/1468/1). | Yes |
| 2.3.2  Water Cycle Management.  Consistency with Council’s engineering specifications.  Compliance with the Precinct’s Water Cycle Management and Ecology Strategy.  Compliance with the Growth DCP’s water quality and environmental flow targets.  - Gross Pollutants 90%  - Total suspended solids 85%  - Total phosphorous 65%  - Total nitrogen 45% | A standard condition is recommended to address this matter.  The proposed development is consistent with the Precinct’s Water Cycle Management and Ecology Strategy.  The Growth DCP’s water quality and environmental flow targets have been demonstrated as being achieved.  - Gross pollutants 100%  - Total suspended solids 85%  - Total phosphorous 76.8%  - Total nitrogen 49.8% | Yes  Yes  Yes |
| 2.3.3  Salinity and Soil Management.  A salinity assessment and compliance with the Growth DCP’s Appendix B is required.  Sediment and erosion control measures must be implemented. | A salinity assessment of the site has been made and concludes that the site is predominately “moderately saline”. To address this finding, a structural design recommendation has been made within the report. Construction works will be required to be undertaken in accordance with the structural design recommendation as per the submitted report. This will form part of conditions of consent.  Sediment and erosion controls are proposed throughout the construction works. A standard condition is recommended to address this matter. | Yes  Yes |
| 2.3.4  Aboriginal and European Heritage.  DAs must consider the requirements of the National Parks and Wildlife Act 1974. An Aboriginal Heritage Impact Permit may be required were Aboriginal heritage will be impacted.  Applications for subdivision and building on the properties identified on the European cultural heritage sites figure, are to be accompanied by a heritage management document. | In respect to Aboriginal heritage, a due diligence assessment report has been submitted, which concludes that the site is not an Aboriginal place of heritage significance and does not contain Aboriginal objects. Accordingly, an AHIP is not required in this instance.  No items of European heritage exist on the site or are located within immediate proximity to the development site. | N/A |
| 2.3.5  Native Vegetation and Ecology.  Council is to consider a number of matters when assessing proposed tree removal.  The eradication and minimisation weed dispersal is to be considered.  A suitable landscaping plan must be submitted. | Tree removal on the site has been granted under DA/2016/1468/1. The proposed development works will not require further tree removal.  A standard condition is recommended to address this matter.  A suitable landscaping plan has been submitted in support of this DA | N/A  Yes  Yes |
| 2.3.6  Bushfire hazard management  Reference is to be made to Planning for Bushfire Protection 2006 in subdivision planning and design and development is to be consistent with Planning for Bushfire Protection 2006. | A bushfire safety authority has been issued by the New South Wales Rural Fire Service in consideration of the subdivision application (DA/2016/1468/1), for which this development application is reliant upon. The terms of the bushfire safety authority require that the entire site is managed as an inner protection area.  Construction of the residential flat buildings will require a BAL level of 12.5 to be achieved for all development on site. | Yes |
| 2.3.7  Site Contamination.  A contamination assessment (and remediation action plan if required) must be submitted. | See comments made under State Environmental Planning Policy No. 55 – Remediation of Land. | Yes |
| 2.3.9  Noise.  An acoustic report, demonstrating that the Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008) and Council’s Environmental Noise Policy have been considered, must be submitted. | An acoustic report was submitted with the application and has been reviewed by Council’s Environmental Health Officers. Due to the proximity of the development to Camden Valley Way and its siting adjacent to Ingleburn Road, which are significant noise sources, several units are impacted and will require noise attenuation to achieve internal and external amenity criteria. Such measures include glazing requirements (glass thickness and seals); mechanical ventilation; and winter gardens to satisfy Council’s external amenity criteria.  The proposed attenuation measures will allow the proposed development to achieve the required internal and external amenity criteria contained within Council’s Environmental Noise Policy. | Yes |
| 2.3.10  Odour Assessment and Control.  Odour impacts, and the need for an odour assessment, must be considered. | The site sits below the 4.5 OU (250 hours) contour. Accordingly, the development is not significantly impacted by nearby odour sources. | Yes |
| 2.5  Crime prevention through environmental design  The design of all development is to enhance public surveillance of public streets.  Pedestrian and communal areas are to have sufficient lighting to secure a high level of safety  All developments are to incorporate CPTED principles. | The proposed development will enable the ability to overlook the streets and the public domain.  Lighting will be provided. A condition is recommended to address this matter.  The proposed development is consistent with CPTED principles. | Yes  Yes  Yes |
| 2.6  Earthworks.  Subdivision and building work is to be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill both during subdivision and when buildings are constructed. Finished levels must be integrated with nearby land and facilitate appropriate drainage.  A validation report must be submitted prior to the placement of any imported fill on the site.  Earth moved containing noxious weed material must be disposed of at an approved waste management facility and be transported in compliance with the Noxious Weeds Act 1993. | Bulk earthworks are approved under DA/2016/1468/1 to establish suitable lot levels and future road levels to allow stormwater to be directed to a future downstream regional basin. The proposed levels will still generally maintain the site’s existing north west to south east fall pattern but adjusted to facilitate its urban redevelopment. The proposed levels will reasonably integrate with those of the adjoining properties.  A condition is recommended to address this matter.  A standard condition is recommended to address this matter. | Yes  Yes  Yes |
| 3.3.6  Access to arterial roads, sub-arterial roads and transit boulevards.  Access to arterial roads, sub-arterial roads and transit boulevards may only be via another public road. | Access to the development is obtained from future Road No. 1 via Ingleburn Road and Road No. 2. | Yes |
| 4.3.5  Controls for Residential Flat Buildings, Manor Homes and Shop Top Housing  Residential flat buildings are to be located on sites with a minimum street frontage of 30m, have direct frontage to an area of the public domain and not adversely impact upon the existing or future amenity of any adjoining land upon which residential development is permitted.  Residential flat buildings are to be consistent with SEPP 65 and the DCP. Note that Table 4-10 takes precedence over SEPP 65 where there is an inconsistency.  A minimum of 10% of all apartments are to be designed as adaptable apartments in accordance with AS 4299. (93 units overall)  Where possible, adaptable dwellings are to be located on the ground floor. Adaptable dwellings located above the ground level of a building are only permitted where lift access is available within the building. The lifts access must provide access from the basement to allow access for people with disabilities.  DAs must be accompanied by certification from an accredited access consultant that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with AS 4299.  Car parking allocated to adaptable dwellings must comply with the Australian Standards for disabled parking spaces.  A landscape plan is to be submitted with DAs for residential flat buildings.  **Table 4-10**  Site coverage of less than 50%  (Max – 2786m2)  Landscaped area of at least 30%  (Min – 1,671.6m2)  Communal open space area of at least 15% (Min – 835.8m2)  Principal private open space of 10m² per dwelling with a minimum dimension of 2.5m  Front setback of at least 6m with 1.5m balcony/articulation encroachments permitted for the first three storeys for 50% of the façade length  Corner lots require a secondary street setback of at least 6m  For buildings 3 storeys and above, at least 12m separation distance is required for habitable rooms and balconies | All street frontages are significantly greater than 30m. The site has direct frontage to Ingleburn Road and new public domain streets (Road No. 1 and Road No. 2). Assessment of the application reveals that the development will not adversely impact existing or future amenity of adjoining land. The application is consistent with the design principles and is generally consistent with the Apartment Design Guidelines.  The residential flat building is consistent with the design principles of SEPP 65 and is generally consistent with the DCP.  A minimum of 11 (11.8%) units to comply with this requirement have been provided.  Adaptable apartments are located on the ground floor and upper levels. Lift access to/from all floor levels to/from the proposed basements is provided.  An accessibility report has been submitted in support of the DA. The report demonstrates that the adaptable apartments can comply with AS 4299.  Ten (10) disabled car parking spaces have been provided within basement level 1. As 11 adaptable units are provided, one additional disabled car parking space will be required. This matter can be resolved by conditions of consent.  A suitable landscaping plan has been submitted in support of this DA.  2,351m2 / 42.1%  1,755m2 / 31.4%  1,468.67m2 / 26.3%  This DCP control is overridden by Clause 6A of SEPP 65. Clause 6A provides that where there is an inconsistency between a DCP and the ADG regarding certain design matters, the DCP is of no effect. The proposed private open spaces for each apartment are generally consistent with the ADG.  Ingleburn Road (Buildings B and C)  Ground – 6m  Level 2 – 4.5m – 6m  Level 3 & 4 – 4.5m - 6m  Level 5 – 7.5m  Level 6 – 7.5m  Balcony encroachments are less than 50% of the façade length.  Road No. 2 (Buildings D and E)  Ground – 6m  Level 2 – 4.5m – 6m  Level 3 & 4 – 4.5m - 6m  Level 5 – 7.5m  Level 6 – 7.5m  Balcony encroachments are less than 50% of the façade length.  Road No. 1 (Buildings A, B & E)  Ground – 6m  Level 2 – 4.5m – 6m  Level 3 & 4 – 4.5m - 6m  Level 5 – 7.5m  Level 6 – 7.5m  This DCP control is overridden by Clause 6A of SEPP 65. Clause 6A provides that where there is an inconsistency between a DCP and the ADG regarding certain design matters, the DCP is of no effect. Details of the developments building separation distances are contained in the ADG compliance table attached with the assessment report. | Yes  Yes  Yes  Yes  Yes  Yes  Yes  Yes  Yes  Yes  Yes  No, minor encroachments  No, minor encroachments  No, minor encroachments  N/A |
| Residential flat buildings in the R3 zone require;  Carparking spaces  Residents required – 93 x 1 = 93  28 x 0.5 = 14  Overall 107    Visitors required – 93/5 - 19  Total required – 126  Bicycle spaces required – 93/3 - 31  Car parking spaces are to have minimum dimensions of 2.5m x 5.2m and aisle widths must comply with AS 2890.1. | Car parking spaces  Residents  107  Visitors – 19  Total 126  Bicycle spaces – 30  The proposed car parking spaces have dimensions of 2.4m x 5.4m. These dimensions are acceptable as they comply with AS 2890 for longer stay residential development. The dimensions sought by the control are more consistent with AS 2890’s criteria for medium stay commercial developments with more frequent vehicle turn overs.  The proposed aisle widths comply with AS 2890.1. | Yes, subject to conditions of consent. |

**Schedule 2 Leppington Major Centres**

|  |  |  |
| --- | --- | --- |
| 3.1  Indicative Layout Plan  Development within the Leppington Major Centre is to be generally in accordance with the Indicative Layout Plan. | Please see comments made in Control 2.2 of the above table. | Yes |
| 3.2  Public Domain  Public domain elements are to be located as shown on the Indicative Layout Plan.    Elements of the public domain that are zoned RE1 Public Recreation or SP2 Infrastructure can be delivered by Council, or may be constructed in accordance with the DCP by another party and dedicated to Council, subject to the agreement of Council. | Required streets as per the ILP will be constructed under DA/2016/1468/1.  A portion of the site is zoned SP2 Infrastructure and is required for road widening of Ingleburn. This public domain element has been addressed under a separate application (DA/2016/1468/1). | Yes |
| 3.3  Road Hierarchy and circulation  The locations of streets are to be shown on the Indicative Layout Plan.  The hierarchy of streets within the centre is shown on Figure 3-2. Streets are to be designed and constructed in accordance with this hierarchy and with clause 4.1 of this schedule. | Required streets as per the ILP and the road hierarchy plan will be constructed subject to DA/2016/1468/1. | Yes |
| 5.1.1  Building orientation   1. Buildings are to be orientated towards and provide active frontages at street level, to Rickard Road, the Main Streets and preferably to Town Centre Streets, as shown on Figure 5-1. 2. The main pedestrian entries to buildings, including ground floor retail and commercial premises that face the street, are to be from the streets listed in the controls above with active frontages. 3. Buildings are to be orientated towards major roads in the Leppington Major Centre, including Eastwood road, Dickson Road, **Ingleburn Road**, Bringelly Road, Byron Road**,** Edmondson Avenue, Camden Valley Way and Cowpasture Road. Blank walls are not to face these roads, and glazing is to occupy at least 50% of the building façade width facing these roads. | 1. Building C, including the building entry is orientated towards Ingleburn Road. In addition, Buildings A, B and E, including building entries are orientated towards Road No. 1. 2. Main pedestrian entries are provided to active frontages of Ingleburn Road and Road No.1. 3. Buildings B and C are orientated to Ingleburn Road. The south western façade of Buildings B and C to Ingleburn Road contains glazing, which is greater than 50% of the building’s façade width. | Yes  Yes  Yes |