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| **Camden Development Control Plan 2019 (Camden DCP)** | | |
| **Section** | **Assessment** | **Compliant** |
| **Introduction**  **1.2 Notification and Advertising Requirements**  *Notification and advertising requirements are now listed in Part 3.0 of the CPP.* | The DA was notified and advertised in accordance with the Camden Community Participation Plan 2021. | Yes |
| **2.0 General Land Use Controls**  **2.1 Earthworks**  *Subdivision and building work should be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill (e.g. for steep land houses will need to be of a ‘split level’ design or an appropriate alternative and economical solution).* | Proposed Buildings A and C are split level designs to respond to the natural topography of the site, whilst also attempting to minimise the adverse view impacts to and from the heritage item, which have been identified as significant. | Yes |
| *Subdivision and building work must be designed to ensure minimal cut and fill is required for its construction phase*. | The DA was accompanied by a cut and fill plan demonstrating the extent of earthworks required to accommodate the subject development. No concerns are raised with the level of cut and fill proposed. | Yes |
| *All retaining walls are to be of masonry construction (or the like).* | Retaining walls are proposed across the development site which are clearly denoted on the relevant engineering plans. Standard conditions are recommended requiring ongoing compliance with Council’s Engineering Design Specification. | Yes |
| *All retaining walls proposed are to be identified in the development application.* | As noted above, the proposed location of retaining walls across the development site is shown on the relevant engineering plans. | Yes |
| *The maximum height of a single retaining wall is 1 metre.* | The retaining walls are appropriately designed and of reasonable heights. | Yes |
| Where retaining walls are not on the boundary the retaining wall and associated infrastructure are to be wholly contained within the allotment. | All retaining walls are proposed to be built wholly within Lot 1, which is privately owned. | Yes |
| *Retaining walls that front a public place are to be finished with anti-graffiti coating.* | A standard condition is recommended requiring an anti-graffiti finish to be applied to all external facing and public building elements within Lot 1. | Yes |
| *Development on land having a natural gradient of 1:6.7 (15%) or greater must not be approved unless a geotechnical study, including guidelines for structural and engineering works on the land, has been considered by Council.* | The development application was accompanied by a desktop Geotechnical Study, which recommended that a detailed design stage of intrusive investigation be undertaken. | Yes |
| *All land forming operations should involve the use of clean fill (also known as Virgin Excavated Natural Material or ‘VENM’).* | A standard condition can be included in the consent to ensure ongoing compliance with this planning control. | Yes |
| **2.2 Salinity Management**  *Groundwater recharge is to be minimised.* | The development was accompanied by a Site Investigation and Salinity Assessment which determined in the samples taken, groundwater was not detected. The development proposes to drain water through an existing stormwater easement, that will run to an existing dam on the northern end of the site (within Lot 5). In addition, the development sites largely consist of permeable surfaces, therefore capturing run off. | Yes |
| *For road works within areas identified as a salinity hazard a number of matters must be taken into consideration.* | The DA was accompanied with a Salinity Assessment which concluded that non to slightly saline soils were present on site. Further, fill and natural soils within the development site were mildly aggressive to both buried concrete and steel while the weathered siltstone bedrock was mildly aggressive to both buried concrete and steel. The report indicates the following requirements must be implemented during water collection, containment and disposal:   * Measures are to be implemented to avoid the filtration of stormwater. * Subsoil drainage is to be installed on both sides of the roads. * Infrastructure must be designed to allow for drainage and minimise water logging. * Drainage pipes must be properly connected and maintained. * Underground water carrying pipes and any on-site sewerage systems must be properly installed.   Council’s Environmental Health Specialist commented on the Salinity Management Plan and raised no concerns. Standard conditions will apply to ensure all stages of the development is carried out in accordance with the approved Salinity Management Plan. | Yes |
| *All development, where saline and sodic soils are identified, must incorporate soil conservation measures to minimise soil erosion and siltation during construction and following completion of development.* | Standard conditions will apply, requiring the preparation of a site management plan, which includes an erosion and sediment control measures plan. | Yes |
| *All sediment and erosion controls are to be installed prior to the commencement of any works and maintained throughout the course of construction until disturbed areas have been revegetated/ established.* | The DA was accompanied by a Sediment and Erosion Control Plan, prepared in accordance with the NSW Department of Housing manual ‘Managing Urban Stormwater: Soils and Construction Certificate’. A condition is recommended to ensure ongoing compliance with Council’s Engineering Design Specification. | Yes |
| *Where salinity is identified on the site and a salinity report is prepared the report must also contain a Salinity Management Plan having regard to the following issues and construction requirements from Australian Standards.* | As noted, a Salinity Management Plan was submitted with the DA, noting that the development is capable of complying with relevant Australian Standards. As noted, the DA was referred to Council’s Environmental Health Specialist, where no concerns were raised, subject to the imposition of recommended conditions of consent. | Yes |
| *For public / private infrastructure, including but not limited to parks, roads, stormwater systems and utility installations, in the absence of a salinity report, all works proposed must be designed to achieve the requirements of Council’s current Engineering Design Specification.* | Standard conditions are recommended requiring ongoing compliance with Council’s Engineering Design Specification. | Yes |
| **2.3 Water Management**  *All development must demonstrate compliance with the relevant provisions of Council’s Engineering Specifications including requirements for detention, drainage and water sensitive urban design.* | The DA was accompanied with a Stormwater Management Plan which proposes the following stormwater measures:   * The proposed OSD basin on the northern end of the site will connect to the existing stormwater easement, that drains to the dam further north. This will capture the majority of the site’s stormwater flows. * A perimeter swale (approximately 375m long) and internal stormwater system will direct water run off through the bioretention OSD Basin from the tennis court and most of the internal landscape areas.   The proposed system is in accordance with Council’s Engineering Design Specification. | Yes |
| **2.4 Trees and Vegetation**  *A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy a tree or vegetation without approval from Council authorising such works.* | The development proposes the removal of 19 trees. Of these trees, one has been identified with high significance, six have been identified with medium significance and the remaining trees have been identified with low significance. None have any heritage and/or ecological significance. Replacement planting (with suitable indigenous species) is sought at a ratio of 1:4 (76 trees). The application was reviewed by Council’s Tree and Landscaping Officer, where no concerns were raised, subject to the imposition of recommended conditions of consent. | Yes |
| *If the Council receives an application to remove a tree, it must notify adjoining land owners in accordance with Part 1 of this DCP if, in Council’s opinion, it may significantly impact on local amenity.* | The application was notified and advertised in accordance with the Camden Community Participation Plan 2021 (as detailed above). | Yes |
| *Council must not grant an approval unless it has taken into consideration the relevant matters contained under this section.* | Council staff are satisfied that:   * Proposed trees sought for removal can be supported, subject to replacement planting of appropriate species as they do not have any ecological and/or heritage significance. * The proposed stormwater lines are unlikely to impact the health of existing trees sought to be retained and/or proposed new trees. * Proposed tree removal is capable of complying with relevant Australian Standards. Standard conditions can be imposed in the consent to ensure ongoing compliance. | Yes |
| *If an approval is granted for the removal of a tree or vegetation, up to four (4) replacement trees are required to be planted for every tree removed.* | The DA was accompanied by a detailed landscaping plan, clearly denoting sufficient replacement planting across the development site to reflect the proposed removal of 19 trees. The DA was reviewed by Council’s Tree and Landscaping Officer, where no concerns were raised, subject to the imposition of recommended conditions of consent. | Yes |
| *Approval cannot be issued under this DCP for the removal of a tree or other vegetation that is, or forms part of a heritage item or that is within a heritage conservation area.* | As noted above, trees to be removed do not contribute to the heritage significance of the site. | Yes |
| **2.5 Environmentally Sensitive Land**  *A development application lodged for land shown on the Environmentally Sensitive Land Map as being affected by any of the categories identified in the legend must be accompanied by information that adequately addresses all relevant matters.* | The development site is mapped as containing environmentally sensitive land, in that it contains nine threatened fauna species, one threatened flora species and one critically endangered ecological community as considered under the *Biodiversity Conservation Act, 2016*. With regards to the matters considered under the EPBC Act, one threatened fauna and flora species has also recorded within the development site. To address the potential impacts, the DA was accompanied by a BDAR to address proposed species to be removed and the likely impacts to the wider area. | Yes |
| *If the proposed development is likely to significantly affect threatened species, populations or ecological communities, a Biodiversity Development Assessment Report per the requirements of the*[*Biodiversity Conservation Act 2016*](https://www.legislation.nsw.gov.au/#/view/act/2016/63)*is required.*  *If the proposed development is unlikely to significantly affect threatened species, populations or ecological communities, documentation which provides justification for that conclusion is required for assessment.*  *A description of any proposed measures to avoid and / or ameliorate any such potential adverse impact is to be provided.*  *Development consent may not be granted to development on land shown on the Environmentally Sensitive Land Map affected by any of the categories identified in the legend, unless Council is satisfied that the development meets the objectives of this clause and ensures that:*   1. *The development is designed, sited, constructed, managed and operated to avoid potential adverse environmental impact, or* 2. *Where a potential adverse impact cannot be avoided and/or better conservation outcomes achieved, the development:*  * *Is designed and sited so as to have minimum adverse impact, and     Incorporates effective measures so as to have minimal adverse impact, and* * *Incorporates restoration of any existing disturbed or modified area on the site and where appropriate,* * *Creates corridor linkages (where possible), expands the size of strategic remnants in accordance with equivalent vegetation / habitat replacement.* | The development proposes the removal of 21 Pimelea spicata plants and 0.68 hectares of Cumberland Plain Woodlands. In addition, 78 Pimelea spicata plants are located within the Asset Protection Zone (APZ), which may be impacted/removed during the upkeep of the APZ in accordance with the GTAs issued by RFS and the recommendations in the Bushfire Assessment Report.  In summary, the BDAR has concluded that:   * The 78 plants within the APZ have been assumed in the Biodiversity Assessment Method Calculator (BAMC) to be impacted but will retain as many clumps as possible as a mitigation measure. The total loss of 99 clumps is estimated at 8.13% of the total population across the development site. * Propagation and replanting of Pimelea spicata plants at a ratio of 3:1. This will result in the replanting of 297 Pimelea spicata plants. * The BAM calculations have been undertaken and are outlined in the BDAR, which included the requirement to retire:  1. 12 ecosystem credits relating to Cumberland Plain Woodlands, 2. 10 species credits *Meridolum Corneovirens,* 3. Seven species credits relating to Southern Myotis, and 4. 10 species credits relating to Pimelea spicatas.   Notwithstanding the above, the following avoidance measures were imposed:   * Amendments to the design and layout of the development footprint has significantly reduced the number of plants impacted. Further, the revised development layout is now proposing to utilise areas of cleared land and/or that contains exotic vegetation. * Selected clumps from the Managed Ecological Zone (MEZ) will be transplanted under nursery hot house conditions by the appointed nursery. * As many Pimelea spicata plants will be retained within the APZ and protected as part of the MEZ, subject to the APZ management requirements. * The conservation area is to be managed and conserve the Pimelea spicata plants in clumps to promote regeneration. * The size of the APZ has been reduced. * Prior to the commencement of demolition works, a fauna ecologist is to undertake a search for living Cumberland Plain Land snails and relocate them into the adjacent woodland area following a rainfall event.   Council’s Natural Resources Officer has reviewed the subject DA and is supportive of the BDAR subject to recommended conditions, which include:   * Retirement of species and ecosystem credits. * Monitoring to be undertaken for a 10 year period to give greater understanding on the conservation and recovery of the species, and monitoring reports to be prepared and forwarded to relevant agencies. * Preparation of a Biodiversity Management Plan for in perpetuity management. * Mitigation measures set out in the managed ecological area to be incorporated in a Biodiversity Management Plan. | Yes |
| **2.7 Bushfire Risk Management**  *Development on land identified as bushfire prone on Council’s Bush Fire Prone Land Map must address the bush fire protection measures in the NSW RFS publication*[*Planning for Bush Fire Protection*](https://www.rfs.nsw.gov.au/plan-and-prepare/building-in-a-bush-fire-area/planning-for-bush-fire-protection)*(or equivalent).* | The development site is bushfire prone and therefore was referred to NSW Rural Fire Service for General Terms of Approval (GTAs). The application was accompanied by a Bushfire assessment, which concluded that bushfire can potentially affect the proposal from the bushfire vegetation surrounding the development site, resulting in potential exposure to radiant heat and ember attack. In recognition of this, the following measures are recommended:   * Provision of an APZ at the rear of Buildings A, C and D, in accordance with the minimum setbacks outlined in Planning for Bushfires 2019 (PBP). * The APZ is to be maintained in accordance with the Planning for Bushfires as an IPA. * Building construction standards of BAL 12.5 for the proposed future buildings located within 100m of forest and woodland vegetation or within 50m of grassland is applicable in accordance with the minimum requirements. * A bushfire management emergency plan is to be prepared and complied with the minimum standards. * Access is to comply with the minimum standards. * Building construction standards within 100m of bushfire prone land are to be complied with in accordance with the minimum requirements. * Water, electricity and gas is to be supplied in accordance with the minimum requirements. * Fencing is to comply with the minimum standards.   Standard conditions can be recommended in the consent to ensure ongoing compliance. | Yes |
| *Asset protection zones must be contained wholly within the subdivision they are designed to protect.* | The APZ is wholly contained within the property boundaries of Lot 1. |  |
| *Asset protection zones, fire trails and perimeter roads are not permitted on land that is considered or zoned environmentally sensitive*. | As noted in this assessment, the APZ is located at the rear of Buildings A, C and D and contains Pimelea spicata plants which have been identified with biodiversity significance. The DA was accompanied by a BDAR, which included sufficient mitigation measures to ensure the adverse impacts to significant species will be kept to a minimum.  The 78 plants within the APZ that are potentially impacted will be retained as many clumps as possible as a mitigation measure in conjunction as managing this area as a Managed Ecological Zone. | Yes |
| *For new subdivisions, compliance with Planning for Bush Fire Protection may require road design alterations (i.e. wider carriageways).* | GTAs have been issued by NSW RFS. Conditions are recommended in the consent to ensure ongoing compliance with the GTAs issued by NSW RFS. | Yes |
| **2.8 Flood Management Hazard**  *Development on flood prone land must comply with Council’s*[*Engineering Design Specifications*](https://www.camden.nsw.gov.au/development/preparing-a-da/development-guidelines-and-policies/)*and*[*Flood Risk Management Policy*](https://www.camden.nsw.gov.au/assets/pdfs/Environment/Flood-Information/General/Flood-Risk-Management-Policy-2006-Superseded-Maps.pdf)*.* | Due to the topography of the site, the development site is not impacted by flooding. However, the access road (Lodges Road) to the site will be cut off during a flood event such as the 5% AEP and 1% AEP event. A flood evacuation plan is recommended to be imposed to enable residents the ability to vacate the site during a 5% and 1% AEP flooding event. | Yes |
| **2.9 Contaminated and Potentially Contaminated Land**  *An assessment is to be made by the applicant under*[*State Environmental Planning Policy (Resilience and Hazards) 2021*](https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0730)*(or equivalent) as to whether the subject land is contaminated prior to the submission of a development application.* | The application was accompanied by a Preliminary Site Investigation which recommended that additional investigations are undertaken as there were several areas of environmental concern identified within the development site. A detailed site investigation was undertaken by JK Environments which identified a number of areas of concern. In response to the above, a remediation action plan was prepared which recommended further management strategies to be implemented prior to the commencement of works.  The DA was also accompanied by a Ground Gas Risk Assessment which covered over six rounds of sampling between May and July 2024. The report concluded that the current data obtained is considered to be sufficient for assessing the risk posed by migration of hazardous ground gases within the site. It is therefore unlikely that any additional monitoring or seasonal fluctuation will alter the determined characteristics situation. Consequently, no further monitoring is required.  In response to the above, the DA is supported by Council’s Environmental Health Specialist, subject to the imposition of recommended conditions of consent. | Yes |
| **2.12 Acoustic Amenity** |  |  |
| *Acoustic reports (where required), must be prepared by a suitably qualified consultant.* | The DA was accompanied by an Acoustic Report which provided an assessment on the potential noise impacts from the construction and operation of the hotel and four residential flat buildings. The hotel assessment includes patron, music, mechanical plant and vehicle noise. In summary, it was noted that the development is generally satisfactory with the exception of a +4dB non-compliance for the southern facing balconies at Apartment B when patrons are at the hotel. The exceedance is offset by the larger northern facing balconies for each unit that are compliant. These balconies meet the minimum PPOS requirements required for this land use. Overall, a number of mitigation measures are recommended including:   * 1.8m high boundary fence between the golf club and Apartment B. * A 10.38mm glazing for ground floor apartments. * Mechanical plant noise from the hotel (on the roof level) to be enclosed by a 1.8m high barrier.     The application was reviewed by Council’s Environmental Health Specialist, where no concerns were raised, subject to the imposition of recommended conditions of consent. | Yes |
| *Bedrooms, main living areas and principal private open spaces must be located away from noise sources (Refer to Figure 2-1).* | The assessment determined the following:   * Noise from the function room will comply at apartment “B” with windows closed. * Noise from the hotel function room terrace and dining room terrace impacting on future residential apartment “B” will exceed criteria by +8 dB(A) during the day. * Noise from patrons (not amplified music) will impact outdoor southern facing balconies for apartment “B” by +4 dB(A). The report suggests additional glazing to address the noise exceedance. Noise exceedance that impacts the southern balconies for apartment “B”, are shown on the plan to be small balconies with access only from bedrooms. For these same units, there is a second (larger) balcony located on the northern side of the apartment that is noise compliant and meet the minimum PPOS requirements. * A 1.8m high fence separating the club from apartment “B” was modelled and it was recommended. In addition, 10.38mm glazing for the ground floor of apartments. For the southern facing apartments, balconies can be enclosed “winter gardens” of 6mm glass with acoustic seals for outer glazing and fixed glass to bedrooms.   Council’s Environmental Health Specialist has reviewed the Acoustic Report and noted that the exceedance is offset by the larger north facing balconies. These balconies would achieve the minimum PPOS requirements specified for this land use. Standard conditions are recommended to ensure ongoing compliance. | Yes |
| *Residential plant and equipment must not generate a noise level greater than 5dBA above background noise level as measured at the boundary of a noise sensitive property during the hours of 7.00am to 10.00pm.* | As noted above, mechanical plant noise from the hotel (on the roof level) will be enclosed by a 1.8m high barrier. Standard conditions are recommended to ensure ongoing compliance. | Yes |
| *Physical noise barriers such as noise walls or solid fencing (other than earth mounds) are not generally supported along sub-arterial, transit boulevards or collector roads.* | Not applicable as the development does not have a direct frontage to Lodges Road and/or Camden Valley Way. | Not applicable. |
| *The principle private open space or an equivalent area of useable open space of a dwelling within a new release area is not to exceed 57dBA LAeq (15hr) from 7am to 10pm.* | As noted above, the development is generally compliant with the exception of the south facing balconies for some units associated with Building B. Notwithstanding, it is noted that these units are cross-through apartments and have a balcony on either side. As the north facing balconies achieve compliance with the minimum acoustic amenity requirements, the minor non-compliance to the southern balconies can be supported. | Yes |
| *Development applications for residential flat buildings are to document the noise mitigation measures that have been incorporated into the design.* | As noted above, suitable attenuation has been recommended in the Acoustic Report and is generally supported by Council’s Environmental Health Specialist. | Yes |
| *An area of communal open space is to be attenuated to 57dBA LAeq (15hr) from 7am to 10pm.* | Proposed communal open space areas are appropriately setback from key noise sources including the hotel development, golf club and PPOS areas ancillary to the residential buildings, therefore not requiring additional attenuation to mitigate noise. | Yes |
| *The LA10,15min\* noise level emitted from the licensed premises must not exceed the background noise level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) between 12:00 midnight and 7:00am at the boundary of any affected residence.* | With regards to operation of the hotel development, the following restrictions and measures will apply:   * The use of the outdoor terrace is restricted to a maximum of five persons at one time for smoking purposes only. * Farewells to the wedding party (outdoors) is prohibited after 11pm on any day. * Operation of any function will be restricted from 7am to 12pm, Mondays to Saturdays and 8am to 10pm Sundays and public holidays. * Hotel dining and bar has restricted operation between 6am to 11pm, 7 days a week.   The above will be monitored by security personnel and hotel staff. Standard conditions can be included in the consent to ensure ongoing compliance. | Yes |
| *The LA10,15min\* noise level emitted from the licensed premises when measured inside a habitable room of a residential premises between 12pm and 7am should not give rise to a measurable increase above the ambient level in any Octave Band Centre Frequency (31.5Hz – 8kHz inclusive) in the absence of the music.*  *\* For the purposes of this condition, LA10 can be taken as the average maximum deflection of the noise emission from the licensed premises.* | As noted above, attenuation is recommended for balconies on the southern end of units within Building B to achieve compliance. Subject to the imposition of recommended glazing (as noted in the acoustic report), compliance has been achieved. Standard conditions are recommended in the consent to ensure ongoing compliance. | Yes |
| *A noise management plan must be submitted with the DA that addresses noise associated with patron departure in on site car parks or local streets, particularly after 10.00pm. Alternatively, noise reduction and mitigation measures (where required) must be addressed in a general plan of management for the premises.* | As noted, a number of recommended measures were made in the acoustic report for the operational phase of the hotel development. Standard conditions are recommended in the consent, requiring ongoing compliance with the approved acoustic report. | Yes |
| ***2.14 Waste Management***  *A Waste Management Plan (WMP) must be submitted for all new development, including demolitions, construction and the ongoing (or change of) use.* | The DA was accompanied with a WMP detailing proposed waste management processes sought across the development site.  For the residential component:     * Waste will be stored within the basement level. Specifically, bulky waste and bin rooms will be separated. * Residents will be required to store any waste within the proposed bin rooms. * Maintenance staff will be responsible for transferring full bins to the main storage area located adjacent to the hotel building, twice a week, returning empty bins to the bin rooms. A mechanical tug and trailer will be used to transfer and return of bins by maintenance staff only.   For the hotel development:   * Hotel staff will place general waste and mixed recycling materials into separate bins situated within the kitchen, function and office spaces. * Mixed recycling will be collected by housekeeping staff from each of the hotel units. * Bulky goods will be stored within a 1100L bin, stored in the Hotels Lower ground level. * The collection of bulky goods will be via a waste contractor on an ‘as need’ basis. | Yes |
| *The WMP must show the location of the designated waste and recycling storage room(s) or areas, sized to meet the waste and recycling needs of all tenants (refer to Council’s Waste Management Guideline).* | The Architectural Plans and Waste Management Plan has provided sufficient sizing details for all waste rooms. | Yes |
| *The WMP must show the location of temporary waste and recycling storage areas within each tenancy. These are to be of sufficient size to store a minimum of one day’s worth of waste.* | As noted above, sufficient waste storage rooms have been provided within each building, demonstrating compliance with Council’s Waste Management Guidelines. Standard conditions are recommended to ensure ongoing compliance. | Yes |
| *The WMP must show the on-site path of travel for collection vehicles (if collection is to occur on-site).* | With the use of a mechanical tug and trailer, the proposed path of travel is supported. | Yes |
| **2.16 Environmental Heritage**  **2.16.2 Heritage Concepts**  *Council requires a HIS to be provided with a development application where, in the opinion of Council, the heritage significance of the following could be affected.* | The DA was accompanied by a Heritage Impact Statement (HIS) as Studley Park House is a state heritage item. | Yes |
| *A CMP is generally required for items listed in the State Heritage Register.* | A CMP has been prepared and adopted by Heritage NSW for Studley Park House. It is recommended that the Panel approve the CMP as a recommendation of this report. | Yes |
| **2.16.3 General Heritage Provisions**  *New buildings must be of a simple, contemporary design that avoids “heritage style” replication of architectural or decorative detail.* | The proposed hotel development and residential flat buildings all seek a distinct and contemporary roof form, which allows Studley Park House to remain prominent when viewed from all directions. These built forms do not seek to replicate significant key features of Studley Park House. | Yes |
| *New work must be easily identified as such and is required to be sympathetic to the heritage place.* | Proposed finishes, colours and architectural design elements of the hotel and residential flat buildings are sympathetic, whilst still being significantly different to key features of Studley Park House and the Dining Hall. It is recommended that an amended colour scheme and palette of materials in consideration of using more neutral and earthy colour tones that lessen the use of white or light coloured materials and finishes to ensure the new residential and the hotel buildings blend in within the landscape and do not compete with the prominent white colour of Studley Park House. Consequently, when viewing the development from all directions, the heritage building remains clearly identifiable. | Yes |
| *When alterations or additions are proposed, the removal of any existing unsympathetic elements is encouraged.* | No external alterations and additions are proposed to Studley Park House. Minor internal works are proposed to accommodate the hotel development, and therefore achieve compliance with the BCA and relevant Australian Standards. | Yes |
| *Where significance permits modification, alterations to the original room layout of a heritage item is permissible provided the original details such as joinery, plasterwork and wall nibs and can still be interpreted.* | Proposed internal works are relatively minor and will not result in alterations to the original room layout of the heritage item. | Yes |
| *New development must be designed to interpret and complement the general form, bulk, scale, height, architectural detail and other significant elements of the surrounding heritage place.* | As noted, the development is appropriately setback from the heritage item to ensure it does not compromise the overall significance. As shown on the elevation plans, the proposed development will not compromise significant views to and from Studley Park House and other surrounding key areas, therefore ensuring the proposed form, bulk, scale, height and architectural details of the development complement the item, rather than detract from the overall significance. | Yes |
| *Where an addition is not visible from a street or public place, greater flexibility in design may be considered.* | As noted above, the proposed design, layout, architectural design and scale of the development is appropriate for the subject site. | Yes |
| *The significant internal and external fabric and building elements of the principal building are to be retained and conserved.* | Significant internal and external fabric of the heritage item is being retained where possible. As noted in this assessment report, proposed works to the heritage item are required to accommodate the restoration works (as noted in the draft CMP) and relevant upgrades to accommodate the proposed development. | Yes |
| *Alterations and additions to a heritage item or within a conservation area will be sited and designed to retain the intactness and consistency of the streetscape and the significance of the conservation area*. | As noted in the assessment report, the proposed development will not compromise significant views from Camden Valley Way and/or Lodges Road. As such, the development is unlikely to compromise the significance of the wider streetscape. | Yes |
| *Additions to the side of existing buildings will be considered where it is substantially set back from the front building alignment and the style and character of the building or conservation area will not be compromised.* | No major external attached rear additions are sought with this development proposal. The proposed hotel development and residential flat buildings are appropriately setback from the front of the heritage buildings, which ensures the overall significance will not be compromised. | Yes |
| *Original verandas and balconies are not to be removed, altered or enclosed.* | The grand stairs on the western elevation are not proposed to be removed. | Yes |
| *Verandas and balconies on new buildings should generally be of a contemporary design and materials that respond to the character, scale and from setting of the heritage place.* | Balconies proposed with the hotel development will consist of glass balustrade, whereas balconies proposed outside residential units will consist of metal balustrade (bronze). The finishes are appropriately setback from the heritage buildings and will be further screened with landscaping. As such, the adverse amenity impacts on the heritage buildings will be kept to a minimum. | Yes |
| *Surviving original materials, finishes, textures and details must be retained and conserved where appropriate.*  *Contemporary materials are permitted where their proportions, detailing and quantities are compatible with the character of the area. Large expanses of glass and reflective wall and roof cladding are not appropriate.* | Proposed restoration works are generally consistent with the minimum requirements set out in the draft CMP.  As noted in this assessment, proposed finishes are generally consistent with the existing character of the site, subject to minor changes as recommended by Council’s Heritage Advisor. | Yes  Yes |
| *Materials, finishes, and textures must be sympathetic to the historic context of the original significant buildings within the streetscape.* | It is recommended that an amended colour scheme and palette of materials in consideration of using more neutral and earthy colour tones that lessen the use of white or light coloured materials and finishes to ensure the new residential and the hotel buildings blend in within the landscape and do not compete with the prominent white colour of Studley Park House. | Yes |
| *The significant original internal elements of a building, such as distinctive joinery, fireplaces, decorative plasterwork are generally to be retained and conserved in heritage places.* | As noted, minimal internal changes are required to accommodate the required upgrades to support the hotel development and restoration works as detailed in the draft CMP. | Yes  Yes |
| *Colour schemes on heritage items must be appropriate and sympathetic to the building type period and architectural style.* | It is recommended that an amended colour scheme and palette of materials in consideration of using more neutral and earthy colour tones that lessen the use of white or light coloured materials and finishes to ensure the new residential and the hotel buildings blend in within the landscape and do not compete with the prominent white colour of Studley Park House. |  |
| *New buildings need not employ traditional colour schemes, but should use colours sympathetic to surrounding development and contribute to the cohesiveness of the Heritage Place. A material and colour palette sheet must be provided to Council for assessment.* |  |  |
| *Original significant masonry that is unpainted or unfinished must not be rendered, bagged, painted or otherwise refinished in a manner inappropriate to the architectural style of the building.* | As noted, stage 1 of the proposed development will consist of the required restoration works as specified in the draft CMP. | Yes |
| *Existing fences that have been identified as being significant or that contribute to the overall setting or character of a heritage place are to be retained, rather than replaced.* | Existing boundary fencing is not deemed to be significant. Notwithstanding, no changes to boundary fencing is proposed. | Not applicable. |
| *New fences should be sympathetic to the original fencing in terms of design, materials, colour and height. If the original fence type is not known, it should be representative of the architectural period of the heritage building. Old photographs or inspection of remaining fabric can often reveal the original fence type.* | New fencing / walls are sympathetic to the heritage character of the site. | Yes |
| *Front gardens should predominately be landscaped in a style appropriate to the building type and to embellish the street front elevation.* | The development is subject to general terms of approval issued from the Heritage Council of NSW, which require revised landscape drawings and details of the landscape design, with the proposed layout of garden beds and paths around Studley Park House to be based on early plans, photos and aerials of the site. | Yes, subject to conditions. |
| *Landscaping in a heritage place should, retain the original design elements, paths, significant trees and established gardens.* | Vegetation in the immediate vicinity of Studley Park House is largely retained. The perimeter paths and driveway to Studley Park House is subject to general terms of approval. | Yes, subject to conditions. |
| *Parking structures are not to be located in the front setback area, unless documentary evidence of their location in the front setback exists.* | Proposed car parking is predominately located within basement levels and therefore are not visible via surrounding public areas. Notwithstanding, some at grade car parking spaces are proposed around village green and outside the dining hall. These spaces are largely screened with landscaping to ensure the adverse amenity impacts will be kept to a minimum. | Yes |
| *Vehicle access must not impact adversely upon the architectural character and significance of buildings or the streetscape.* | The perimeter paths and driveway to Studley Park House is subject to general terms of approval. | Yes, subject to conditions. |
| *Driveways should be constructed of gravel, crushed sandstone, bricks or plain concrete or be designed as separated wheel strips. Stencilled concrete is generally not appropriate.* | The development is subject to general terms of approval issued from the Heritage Council of NSW, which require the layout and materiality of the road and path network to have more sensitivity to the heritage values of the wider landscape, which includes a requirement for the asphalt road in the vicinity of Studley Park House to not have kerb and gutter. | Yes, subject to conditions. |
| *Hard stand areas should be kept to a minimum.* | Proposed extent of hard stand areas are sufficient. | Yes |
| *The demolition of a heritage place is contrary to the intent of heritage listing. It will only be considered as a last resort, where a Heritage Impact Statement is submitted covering the following:*   * *Documentation that all alternatives for retention have been investigated and ruled out.* * *It can be satisfactorily demonstrated that the building does not satisfy the criteria for listing established by the NSW Heritage Branch.* * *It has been sufficiently documented and justified that the structure is considered incapable of repair.* | The DA was accompanied with a Heritage Impact Statement, which has concluded the following:   * The proposed removal of ancillary heritage listed buildingsare identified with low to moderate significance. * The army buildings (including Barracks Buildings, Army Mess Building, Army Mess and Kitchen, Army Student Quarters, Army Ablution Building and Army RAP Building) are all considered to be a secondary layer of the overall significance of the site. These buildings are considered to be in poor condition, requiring complete reconstruction and replacement of fabric. Retaining these buildings will minimise the adaptive reuse potential of this site, therefore compromising the potential of the wider lot.   For the above reasons, it has been concluded that:   * The retention of these buildings is not viable, nor will it contribute to the existing heritage significance of the site. * The retention will compromise the adaptive reuse potential for the site.   As such, the development is generally compliant with this control. | Yes |
| *Where consent is issued for demolition, or part demolition, of a heritage place a comprehensive diagrammatic and photographic archival record is to be made of the structure to be demolished. This must be submitted to Council’s satisfaction prior to commencement of any demolition works.* | It is a requirement of the general terms of approval issued by the Heritage Council of NSW that photographic archival recording of works is prepared prior to the commencement of works. | Yes |
| *The culturally significant landscapes were identified in the*Camden Scenic and Cultural Landscapes Study February 1998 are to be retained.  *Views between:*   * *Studley Park House and Kirkham, Camelot and St John’s Church, Camden* * *views to St John’s Church from Rheinburger’s Hill and Lodges Road.* * *Views from the Camden By-pass to Camden and beyond to the Blue Mountains* * *Views to and from Studley Park House from Camden Valley Way, Hilder Street, Kirkham Recreational Park and from within the Elderslie Release Area.* | The referenced view lines are located on the western, north-western, northern and southern ends of Lot 1. The development will not compromise significant views lines identified in the Camden DCP and inventory sheet for Studley Park House. | Yes |
| **2.18.2 Off Street Car Parking Rates / Requirements**  **Residential Flat Building**  *1 car parking space per unit, plus*  *0.2 car parking spaces per 2 bedroom unit, plus*  *0.5 car parking spaces per 3 or more bedroom unit.*  *1 visitor car parking space per 5 units.*  *1 bicycle space per 3 units.*  **Hotel or Motel Accommodation**  *1 car parking space for each unit, and*  *1 car parking space per 2 employees, and*  *15 car parking spaces per 100m2 GFA of restaurant / public entertainment / function / reception room / bar, or*  *1 car parking space per 3 seats (whichever is the greater)*  *1 bicycle space per 25 car parking spaces in excess of the first 25 car parking spaces; and*  *1 motorcycle space per 50 car parking spaces in excess of the first 50 car parking spaces.*  *Provision for coaches to pick up and set down may be required.* | **Building A**  13 One Bedroom Units  15 Two Bedroom Units  6 Three Bedroom  34 Units in total  **Parking Calculations Required**  34 units = 34 car parking spaces  Two bedroom units = 3 spaces  Three Bedroom Units = 3 spaces  Total = 40 Car Parking Spaces  Visitor car parking spaces = 6.8 spaces (7)  Total = 11.3 (11) Bicycle Spaces  **Provided:**  Total Car Parking Spaces: 45 spaces (inclusive of 5 accessible spaces)  Visitor Car Parking Spaces: 7 spaces  Bicycle Spaces: 24 spaces  **Building B**  9 One Bedroom Units  16 Two Bedroom Units  3 Three Bedroom  28 Units in total  **Parking Calculations Required**  28 units = 28 car parking spaces  Two bedroom units = 3.2 (3) spaces  Three Bedroom Units = 1.5 (2) spaces  Total = 33 Car Parking Spaces  Visitor Car Parking Spaces = 5.6 (6) spaces  Total = 9.3 (9) Bicycle Spaces  **Provided:**  Total Car Parking Spaces: 32 spaces (inclusive of 4 accessible spaces)  Visitor Car parking Spaces: 6 visitor spaces).  Bicycle Spaces: 16 spaces.  **Building C and D**  18 One Bedroom Units  62 Two Bedroom Units  6 Three Bedroom  86 Units in total  **Parking Calculations Required**  86 units = 86 car parking spaces  Two bedroom units = 12.4 (12) spaces  Three Bedroom Units = 3 spaces  Visitor Car Parking Spaces = 17.2 (17) spaces  Total = 103 Car Parking Spaces  Total = 28.6 (29) Bicycle Spaces  **Provided:**  Car Parking Spaces: 102 spaces (inclusive of 8 accessible spaces)  Visitor Car Parking Spaces: 17 spaces  Bicycle Spaces: 58 spaces  **Total Car Parking Calculations**  **148 Apartments – 148 Spaces**  **93 Two bedroom Units – 18.6 (19)**  **15 Three bedroom Units – 7.5 (8)**  **30 Visitor Spaces & Bicycle spaces 49.3 (49)**  **Total - 205**  **Total Car Parking Provided**  **179**  **30 Visitor space & 98 Bicycle spaces**  **Total - 209 Spaces**  **Hotel Development**  The operation of the hotel proposes the following:   * The hotel has a total of 49 Units (inclusive of Studley Park House). * The function room will be able to accommodate a maximum of 100 persons. This room is located on the Lower Ground Floor. * The bar and dining room will be able to accommodate a total of 40 persons (maximum) at one time. * The hotel courtyard and dining will be able to accommodate a maximum of 28 persons at one time.   **Car Parking Calculation**  49 units = 49 car parking spaces.  50 staff members = 25 spaces  Function Room (100 Persons Maximum)   * 1 seat / 3 persons = 33.33 (**33** spaces) or whichever is greater: * 15 spaces / 100m2 = 197.8m2 = 29.67 (30 spaces)   **Required**  Combined required car parking spaces = 107 spaces  **Provided**  105 Spaces.  The hotel basement car parking provides a minimum of 90 spaces. An additional six at- grade parking spaces are provided adjacent to the front entrance of Studley Park House, with a further nine spaces located on the northern side of village green which are to be preserved for the guests / patrons of the hotel development.  The hotel also provides for a bar/dining area (182.7m2). However, given the isolated location of the site, the dining and bar areas are likely to be utilised by the guests of the hotel attending a function as there is limited alternative viable options within walking distance from the Hotel. The hotel can accommodate 98 people in 49 rooms, with the total capacity of the bar/dining and functions, being 208 people. Accordingly, this space of the hotel has not been separately calculated, which in effect would be a double count of the function room.  In consideration of the minor deficit of two spaces, the variation is considered acceptable on the following basis:   * A significant proportion of function attendees are likely to be staying at the hotel and as such the parking demand for the function centre is likely to be less than the DCP requirement. * The deficiency of two spaces is relatively minor and is unlikely to significantly increase demand for on-street parking in the vicinity of the site.   The ultimate configuration of the hotel is yet to be determined and subject to a separate DA for fit-out works and car parking assessment. | Yes  No, minor shortfall. |
| **2.19 Landscape Design**  *A landscape plan is to be submitted for all development that, in Council’s opinion, will significantly alter the existing and intended landscape character of the land.* | A detailed landscape plan has been submitted with the DA, noting all areas intending to contain permeable and impermeable surfaces. The plan has been reviewed by Council’s Landscaping Officer, where no concerns were raised, subject to the imposition of recommended conditions of consent. | Yes |
| **4.8 Residential Flat Buildings**  *All residential flat buildings and shop top housing are to be consistent with the design quality principles outlined in*[*SEPP No. 65*](https://www.legislation.nsw.gov.au/#/view/EPI/2002/530)*and the objectives, design criteria and design guidance outlined in the Apartment Design Guide (or equivalent).* | A detailed assessment against SEPP 65 is provided as a separate attachment to this report. In summary, the proposal is generally compliant. | Yes |
| *In addition to the controls in this section, the controls within Part 2 General Land Use Controls of this DCP must also be taken into consideration when preparing a development application for residential flat buildings.* | A detailed assessment is provided in the table above. | Yes |
| *Residential flat buildings are to be located on sites with a minimum street frontage of 30m and have direct frontage to an area of the public domain (including streets and public parks).* | The development site set to contain the residential flat buildings does not have direct street frontage. | Yes |
| *Residential flat buildings are not to adversely impact upon the existing or future amenity of any adjoining land upon which residential development is permitted with respect to overshadowing impact, privacy impact or visual impact.* | As noted in this report, it has been noted that this development will not greatly impact on existing and/or future land uses on site and on adjoining land uses. | Yes |
| *A minimum of 10% of all residential flat building developments containing 10 dwellings or more, are to be designed to be capable of adaptation for access by people with all levels of mobility.* | Of the units proposed, a total of 15 units are required to be adaptable.  Building A – 5 units (5 accessible spaces).  Building B – 2 units (3 accessible spaces).  Building C and D – 9 units (11 accessible spaces). | Yes |
| *Where adaptable dwellings are proposed above the ground level, lift access must be provided.* | Lifts will provide direct access to all units within the development site from the ground and the basement levels. | Yes |
| *The development application must be accompanied by certification from a suitably qualified (and experienced) Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard (AS 4299-1995).* | The DA was accompanied by an Access Report. The application was reviewed by Council’s Building Certification team who raised no objection to the development subject to the imposition of recommended conditions | Yes |
| *Car parking and garages allocated to adaptable dwellings must comply with the requirements of Australian Standards for disabled parking spaces.* | The development is compliant. Standard conditions are recommended in the consent to ensure ongoing compliance with Council’s Engineering Design Specifications. | Yes |
| *The proposed development should be designed to comply with ‘Safer By Design’ Guidelines.* | The development was referred to the Camden Police Area Command for an assessment against the Safer By Design Principles. A number of recommendations were made and can be assured via a condition of consent. | Yes |
| *Each dwelling must be provided with a separate secure storage space of 8m3. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.* | Each unit provides a minimum of 8m3 of storage. Proposed storage allocated to a unit is either provided within the units themselves and/or within storage cages of the basement level. | Yes |
| *The proposed development should:*   * *minimise vehicular entry and exit points to the site.* * *provide a defined and well-lit pedestrian ‘safe route’ which can be clearly viewed by residents for passive surveillance.* * *consider site accessibility to people in wheelchairs and with lesser mobility.* | The development proposes the following:   * One new vehicular entrance and exit point into the development site via Lodges Road. Access via Camden Valley Way is restricted to wedding vehicles only. * Provision of outdoor lighting (where appropriate) to maximise safety and security. * Wide access points into the hotel development and residential flat buildings to enable safe and easy access for people with disabilities and/or those with lesser mobility, as justified in the Access Report. | Yes |
| *The maximum height of buildings is established by Clauses 4.3A, 4.3B and 4.3C of CLEP 2010 and the associated Height of Buildings Map.* | The development site is not subject to a building height control under the listed clauses. | Not applicable. |
| *Residential flat buildings may be designed with flat roof forms in order to maximise the number of storeys within a building.* | Proposed residential flat buildings seek flat roof forms to minimise the adverse view impacts on Studley Park House and surrounding key areas identified with significance. Sufficient architectural design features have been included in the design of the development to minimise the overall bulk and scale of these buildings including:     * Various colours and finishes. * Use of aluminium louvers. * Recessing features on all elevations to make building entrances more obvious via surrounding public areas. * Use of soft landscaping around the perimeter of the buildings. | Yes |
| *Landscaping must take into account probable day and night use by residents, seating, shade and allows surveillance by residents i.e. the plants are either high (canopy trees) or low (ground covers).* | Sufficient landscaping with sufficient embellishment is provided across the development site that will encourage regular usage by residents. | Yes |
| *If the area is fenced, the fence must be dark in colour and permeable to maximise passive surveillance of the area.* | No boundary fencing is proposed with this DA. | Yes |
| *Communal open space should be provided in locations which help to retain existing trees wherever possible.* | The layout of the development minimises the extent of impacts to existing landscaping including endangered species. A detailed assessment is provided above and in the main assessment report. | Yes |
| *A detailed Waste Management Plan (WMP) must be submitted for the ongoing use of the site.* | A detailed waste management plan has been provided for the demolition, construction and operational phases for the development. | Yes |
| *All development must provide onsite collection via a dedicated waste collection point (See*[*Councils Waste Guideline*](https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/guide-to-preparing-a-DA/Waste-Management-Guideline.pdf)*for design requirements).* | Proposed waste management will be undertaken on site, via a private contractor. Standard conditions are recommended in the consent to ensure waste is collected generally in accordance with Councils Waste Management Guidelines. | Yes |
| *Bin storage area/s must be provided within each development.* | Bin storage areas are proposed within the basement levels of all buildings. | Yes |
| *Bulky waste storage area/s must be provided within each development (refer to*[*Councils Waste Guideline*](https://www.camden.nsw.gov.au/assets/pdfs/Development/Preparing-a-DA/guide-to-preparing-a-DA/Waste-Management-Guideline.pdf)*for design requirements).*  *-6m2 for every 20 units.* | Building A – 34 Units = 7.2m2 required (minimum) = 24.9m2 proposed.  Building B – 28 Units = 8.4m2 required (minimum) = 14m2 proposed.  Building C and D (combined) – 86 Units = 25.80m2 required (minimum) = 25.6m2 proposed. | Yes |
| *Council will consider the provision of 240L recycling bins as an alternative to recycling chutes. 240L bins must be mechanically decanted into 660L or 1100L bins in all developments with more than 90 residential dwellings.* | Comments from Council’s Waste Management Guidelines have confirmed the development is compliant with this control. Standard conditions are recommended in the consent to ensure ongoing compliance. | Yes |
| *Residential waste and non-residential waste must be stored and managed separately and must be able to operate concurrently without conflict.* | Residential and commercial waste will be kept separate except on collection days within the allocated storage area. | Yes |

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| **Site Requirements** | **Residential Flat Building** | **Proposed** | **Compliance** |
| **Lot Size** | 1,000m2 | Lot 1 has a total area of 5.53 hectares. | Yes |
| **Lot Width** | 30m | Whilst Lot 1 is an irregular shaped allotment, the site has an approximate width of 280m. | Yes |
| **Front setback (minimum)** | 4m | The site does not have a front setback. | Not applicable. |
| **Side Setback (min)** | 3m | 40m (minimum) | Yes |
| **Rear Setback (min)** | 6m | 70m (minimum) | Yes |
| **Site coverage (max)** | 50% | 26,891m2 / 55,200m2 = 48.72% | Yes |
| **Landscaped Area (min)** | 30% | The development site provides more than 30% of the total landscaped area. | Yes |
| **Communal open space** | Refer to the ADG | Assessment provided as a separate attachment. | Yes |
| **Principal private open space (PPOS) (min)** | Refer to the ADG | Assessment provided as a separate attachment. | Yes |