

## 10.14 Controls for 400-404 Cabramatta Road and 2 Links Avenue, Cabramatta

### Proposed Amendment

#### 1.1 Overview

The site-specific provisions contained within this section of Fairfield City Wide DCP apply to land known as 400-404 Cabramatta Road West, 2-18 Orange Grove Road and 6 Links Avenue.

The land is legally known as:

Property Address	Title Description
400 Cabramatta Road West, Cabramatta	Lot 1 DP 29449
6 Links Avenue, Cabramatta	Lot 3 DP 30217
404 Cabramatta Road West, Cabramatta	Lot 7 DP 709126
2 Orange Grove Road, Cabramatta	Lot 6 DP 709126
402 Cabramatta Road West, Cabramatta	Lot 1 DP 29449
402A Cabramatta Road West, Cabramatta	Lot 2 DP 503339

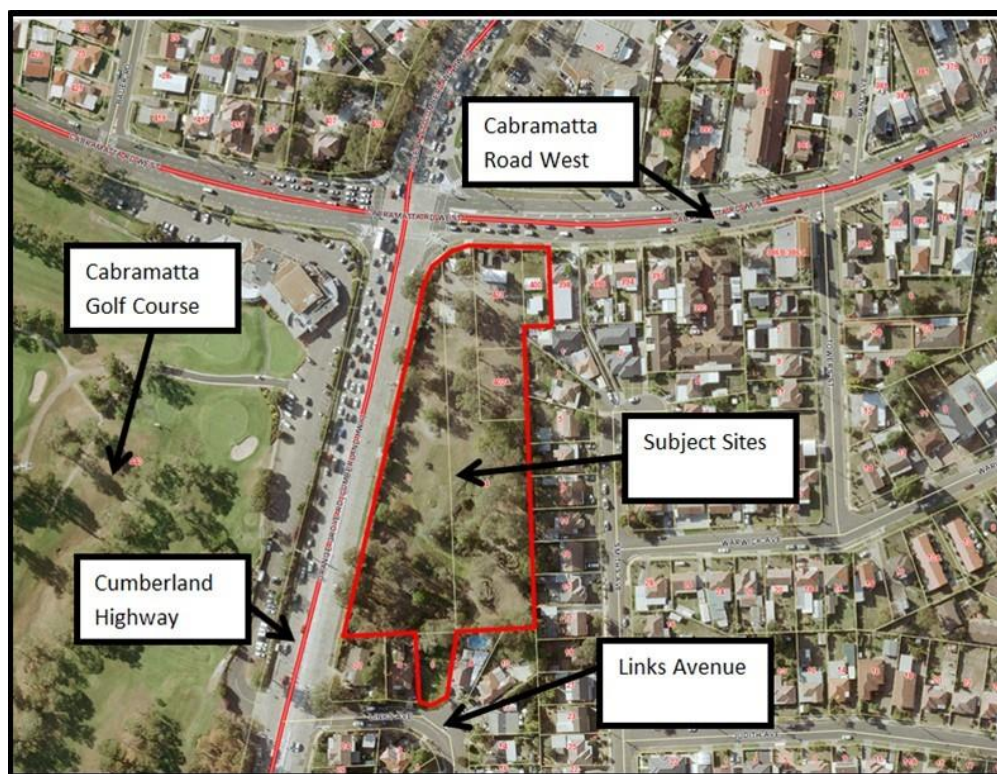


Figure 1 - Subject Site

Under the provisions of the *Fairfield Local Environmental Plan 2013* the site may be developed for a residential flat building and multi dwelling housing, subject to development approval and consistent with the relevant provisions of FLEP 2013 and this SSDCP. The following provisions have been prepared in relation to future development of the subject site for these uses.

## **1.2 Relationship to other sections of the City Wide DCP**

This section forms part of the Fairfield City Wide Development Control Plan 2013 (FCWDGP) (2013). Development within the land to which this plan applies, will need to have regard to this section of the DCP as well as other relevant controls in the broader City Wide DCP 2013. In the event of any inconsistency between this section and other sections of the DCP, this section will prevail to the extent of the inconsistency.

## **1.3 General Objectives**

The objectives of this site-specific development control plan are to:

- a. Provide a site responsive development control framework;
- b. To ensure the orderly use and development of the land (to which this Part applies) for residential purposes;
- c. Promote development that is compatible with surrounding development;
- d. Ensure the future redevelopment of the site is considerate of adjoining development, and;
- e. Ensure appropriate residential amenity of the future development can be achieved

## **1.4 Building and Site Design**

### **1.4.1 Site Design and Layout**

#### **Objectives**

- a. To ensure that the development site area will have sufficient area for the dwellings, vehicle access, landscaping, private and communal open space, parking, waste storage, collection, and amenity and are consistent with the desired future character of the area.

#### **Controls**

- i. The layout of the buildings on the subject site shall be generally in accordance with figure 2 of this SSDCP Site Layout and Building Design. Alternative layouts may be considered subject to final design in order to ensure that future development is designed and constructed in a manner that minimises adverse impacts upon the amenity of the nearby residences and the environment.
- ii. Any variation from Figure 2 initiated by the applicant must be justified by an urban design study and detail description included within the Statement of Environmental Effects.
- iii. There shall be sufficient space for bulky waste to be presented and collected at the kerbside of the internal road associated with the development site. There should be a dedicated space for other recycling systems beside normal kerbside collection, such as separate bins for clothes and e-waste including household batteries and mobile phones. Waste collection from Links Avenue will not be supported.
- iv. Any future development application for medium or high-density housing will need to be accompanied by an application for re-subdivision that delineates the boundaries between the R3 Medium Density Residential and R4 High density residential zones consistent with figure 2 of the SSDCP.

### **1.4.2 Building Height**

#### **Objectives**

- a. The building height is appropriate for the scale and character of the street and provides an acceptable impact on the amenity of adjoining properties.
- b. Ensure new development is consistent and compatible with established built form and hence results in a physically cohesive neighbourhood.
- c. Ensure appropriate separation between existing dwellings adjoining and dwellings proposed within the site.
- d. Ensure minimal overshadowing of neighbours properties.
- e. Ensure privacy and limited side and rear views of neighbours properties are maintained.
- f. Maintain sunlight in public and private open spaces

#### **Controls**

#### **Residential Flat Building Height**

- i. The maximum height of any residential flat building in R4 High Density Residential zone is 6 storeys (excluding basements) and 20 metres as outlined on the Fairfield LEP 2013 Height of Buildings Map.

#### **Multi Dwelling Housing Height**

- i. The maximum height of the multi dwelling housing for the R3 Medium Density Residential portion of the site is 2 storeys plus attic (excluding basements) and 9 metres as outlined on the Fairfield LEP 2013 Height of Building Maps.

### **1.4.3 Building Setbacks and Separation**

#### **Objectives**

- a. Maintain and enhance established streetscape and character of the neighbourhood. Components of streetscape and character of the neighbourhood include building setback, landscaping, fencing, lighting, pathways, and street trees.
- b. Protect the privacy and solar access of adjacent properties.
- c. Avoid blank/plain façades along publicly visible parts of the development.
- d. Achieve a staggered and articulated built form.
- e. Ensure vehicular and pedestrian safety.
- f. Ensure landscaping opportunities, (sufficient deep soil areas) are available along the boundaries in cases where basement car park is proposed.
- g. Ensure appropriate space between buildings and boundaries is provided to maintain privacy, allow reasonable solar access and opportunities for landscaping where appropriate.
- h. Ensure there is sufficient spatial separation between dwellings to accommodate access (i.e. both vehicular and pedestrian access) and landscaping needs.
- i. Ensure that setbacks to Orange Grove Road achieve deep soil planting in order to enhance privacy and mitigate acoustic impacts from the roadway.

#### **Controls**

#### **General**

- i. Building setbacks are to be provided generally in accordance with the setbacks dimensioned on Figure 2 - Site Layout and Building Design of this SSDCP.

#### **Residential Flat Building Setbacks**

- i. The minimum setback distance between the residential flat building and adjoining properties at the eastern boundary shall be 9 metres or in accordance with the Apartment Design Guide, whichever is greater.
- ii. The minimum building setback to Cabramatta Road West and Orange Grove Road on the land zoned R4 High Density Residential is 6 metres.
- iii. The minimum setback distance between the residential flat building component and the multi dwelling housing component shall comply with the Apartment Design Guide.

#### **Multi Dwelling Housing Setbacks**

- i. The minimum building setback to Orange Grove Road on the land zoned R3 Medium Density Residential is 5 metres.
- ii. The minimum rear-building setback to the adjoining Links Avenue property boundaries is 4.5 metres.
- iii. The minimum side-building setback to the adjoining property boundaries is 0.9 metres.
- iv. The minimum separation distance between dwellings sharing private open space to the rear is 7 metres. The private open space for these townhouses shall be designed in a manner that reduces overlooking and promotes privacy.
- v. The minimum separation distance between dwellings that face each other across the internal roadway is 8.85 metres for multi dwelling housing addressing the western access road and 8.4 metres for multi dwelling housing addressing the eastern access roads.

#### **1.4.4 Residential Flat Building Design**

##### **Objectives**

- a. Ensure that the residential flat building considers and is consistent with the nine design quality principles within *State Environmental Planning Policy 65 – Design Quality of Residential Flat Development*.

##### **Controls**

- I. The residential flat building design is subject to the requirements of State Environmental Planning Policy 65 – Design Quality of Residential Flat Development including Design Quality Principles and the Apartment Design Guide.

#### **1.4.5 Building Form Multi Dwelling Housing**

##### **Objectives**

- a. Ensure privacy is maximised for neighbours of the development and those who will occupy the townhouse/villas development.
- b. Reduce bulk and achieve a mix of two storey built elements that respond to the opportunities and constraints of the site.
- c. Encourage the massing of the dwellings to take into account overshadowing impacts on surrounding properties and private open space within the development.
- d. Ensure development is compatible with its surroundings
- e. Ensure building bulk, site coverage and open space provisions are compatible with neighbouring development.

- f. Ensure that there is sufficient spatial separation between dwellings to accommodate access and landscaping needs.

#### **Controls**

- i. Maximum permissible floor space ratio for any development must comply with the floor space ratio standards prescribed on the Fairfield LEP 2013 Floor Space Ratio Map. The requirements set out in the 6A.2.1 (FSR) of the Fairfield City Wide DCP 2013 must be complied with.
- ii. Maximum permissible building height for any development must comply with the building height standards prescribed on the Fairfield LEP building Heights Map. The requirement set out in 6A.2.2 Building Height of the Fairfield City Wide DCP 2013 must be complied with.
- iii. Ensure that the development complies with the controls set out in Section 6A.2.4 Balanced Building Form within the Fairfield City Wide DCP 2013.
- iv. The development must comply with the controls outlined within Section 6A.2.5 Building Separation.
- v. The development must comply with all other sections within Chapter 6A.2 Built Form and Urban Design of the Fairfield City Wide DCP 2013 including units per site area, size of rooms and storage, Access for all residents, Dwelling position/orientation and Development Façade.
- vi. The development must comply with the objectives and controls outlined in 6A.5.3 Privacy of the Fairfield City Wide DCP 2013.

#### **1.4.6 Mix of Units**

##### **Objectives**

- a. Ensure that housing supply responds to the needs of the local population.
- b. Ensure a mix of units is available which provides for different family sizes and people at different stages of their life cycle.

##### **Controls**

- i. There is no minimum requirement for 1, 2 or 3 + bedroom dwellings on the R3 Medium Density Residential land.

#### **1.4.7 Units per Site Area**

##### **Objectives**

- a. Encourage a guide as to the potential yield of a development site.
- b. Encourage amalgamation of lots.
- c. Provide adequate space for dwellings and their amenities.

##### **Controls**

- i. Any multi dwelling housing development must not exceed the maximum FSR limit for the site set out in the relevant Fairfield Local Environmental Plan that applies when any development application is determined. There is no limit on the number of multi dwelling houses or apartments on the site.

#### **1.4.8 Solar Access and Natural Ventilation**

##### **Objectives**

- a. Encourage the benefits of winter sun and minimise the intrusion of summer heat in design.
- b. Ensure internal living spaces and private open space has adequate access to sunlight.
- c. Maintain direct sunlight to adjacent dwellings.

## **Controls**

- i. All dwellings must be designed to ensure compliance with the controls in 6A.5.1 Solar Access of the Fairfield City Wide DCP 2013.
- ii. Each Dwelling is to be naturally ventilated.

### **1.5.1 Vehicular and Pedestrian Access**

#### **Objectives**

- a. Internal vehicle and pedestrian circulation should function like a street, minimise the dominance of the driveway, and minimise impact on habitable spaces.
- b. Ensure adequate off-street car parking spaces are available within the subject site.
- c. Ensure adequate off-street car parking is appropriately located on site, is accessible, and available at all time to residents and visitors.

#### **Controls**

- i. A two- way internal access road is to be provided in the general format shown on figure 2 and designed in accordance with the relevant Australian Standards.
- ii. The internal access road is to be designed to ensure Council's waste vehicles and emergency vehicles can access the site.
- iii. The two-way internal road is to serve as a shared pedestrian and vehicle environment. Appropriate traffic calming mechanisms are to be detailed as part of the relevant development application.
- iv. The carriageway width of the internal road network curb to curb is to be a minimum of 6 metres.
- v. The carriageway width including the curb is to be 8.850 metres.
- vi. The carriageway width between properties situated adjacent to each other across the internal road network is to be 12.150 metres measured from the building line of the garage.
- vii. Pedestrian access is to be provided in the general format shown in Figure 2 Site Layout and building setbacks.
- viii. Traffic control measures are to be considered at the sites entrance to mitigate potential impacts of existing traffic movements along Links Avenue.
- ix. A pedestrian access and mobility plan is to be developed and prepared by a suitably qualified traffic consultant, including identification of key desire lines. The plan must show the developments impact to the frontage along Cumberland Highway including the impact on the Transport NSW requirements of a strategic cycling corridor and walking corridor in Transport NSW Sydney Cycling Future 2013.
- x. Vehicle ingress and egress shall be provided solely from 6 Links Avenue.
- xi. Stop signs are to be installed at the exit of the development to provide Links Avenue traffic priority.

### **1.5.2 Parking**

#### **Objectives**

- a. Ensure adequate off-street car parking spaces are available on site for residents and visitors.
- b. Ensure off-street car parking is accessible and available at all times to residents and visitors.
- c. Encourage the use of public transport.
- d. Minimise the portion of the site dedicated to vehicle parking.

#### **Controls**

- i. Car parking spaces must comply with minimum dimension requirements set out within the relevant Australian Standard.
- ii. Disabled and emergency vehicle parking must be provided at the rate specified in the relevant Australian Standard.
- iii. Car parking rates must be provided at the rate specified in Chapter 12 Table 1 Parking rates of the Fairfield City Wide DCP 2013.

### **1.5.3 Traffic Noise Attenuation**

#### **Objectives**

- a. Ensure outside noise levels are controlled to acceptable levels in living and bedrooms of dwellings.
- b. Ensure appropriate acoustic treatments are incorporated within the development.
- c. Ensure varieties of acoustic treatments are used to protect existing neighbouring residents.

#### **Controls**

- i. Future development applications must demonstrate that dwellings can achieve the relevant internal noise criteria.
- ii. Any future Development Application located near a major road must address the noise, vibration and air quality impacts of the major road on the development. The requirements of State Environmental Planning Policy Infrastructure (2007) apply.
- iii. Council may require the applicant prepare an acoustic report prepared by a suitably qualified professional in relation to noise emission issues.

## **1.6 Open Space, Landscaping and Environment**

### **1.6.1 Communal and Private Open Space**

#### **Objectives**

- a. Adequate area for communal open space is provided that enhances residential amenity.
- b. Ensure adequate private open space for town house developments.
- c. Ensure private open space includes landscaping and soft areas.
- d. Ensure direct access and a relationship between indoor and outdoor living areas.
- e. Ensure that private open space is useable, functional and easily accessible for residents.
- f. Ensure passive surveillance of communal open space.

#### **Controls**

- i. The area of principal private open space provided for each dwelling is at least 25m<sup>2</sup> with a minimum dimension of 2.5m.
- ii. The total area of communal open space must be a minimum of 8% of the R3 Medium Density Residential component of the site area illustrated on figure 2.
- iii. The minimum area of the primary communal open space must not be less than 1020m<sup>2</sup>.
- iv. Common Open Space must include features such as seating, shade structures, child play equipment and barbeques to satisfy the recreation needs of residents
- v. The three communal open space parcels onsite, including the communal open space for the residential apartments and the terraces must be embellished to a standard to allow for passive recreation and landscaping.
- vi. The main parcel of communal open space adjoining the eastern boundary (approximately 1020 square metres) shall be stepped or terraced to allow appropriate passive recreation while maintaining reasonable accessibility to people with prams, wheelchairs or a disability.
- vii. The stepping or terracing of the main parcel of communal open space must be undertaken in such a manner to ensure the long term retention of significant vegetation.

### **1.6.2 Landscaping**

#### **Objectives**

- a. Ensure appropriate amenity for the development
- b. Ensure appropriate amenity for the adjoining existing dwellings.

#### **Controls**

- i. Landscaping should form part of the overall development, providing separation (visual and acoustic) to adjoining residential dwellings.
- ii. The access handle to Links Avenue should be appropriately landscaped with mature plants to ensure visual and acoustic separation between the road, car parking and existing dwellings.
- iii. Units addressing the large communal open space shall have fencing at a scale and design that provides appropriate passive surveillance.
- iv. Landscaping between the proposed residential flat building and the adjoining existing low-density residential area are to be of mature plantings approved by Council's relevant Natural Resources Officer, or similar.

### **1.6.3 Tree Protection**

#### **Objectives**

- a. To provide adequate opportunities for the retention of existing mature trees.
- b. To provide a tree canopy that will form part of the broader tree canopy for the suburb.
- c. Provision of new vegetation that contributes to biodiversity, enhances tree canopy, minimises urban runoff and provides separation between the development and existing residential dwellings adjoining the site.

#### **Controls**

- i. The existing trees identified green on figure 2 of this SSDCP must be retained unless agreed by Council.



- ii. Any development application to remove trees must provide an arborist report prepared by a suitably qualified professional.
- iii. Any development application proposing removal of vegetation of significance must provide an ecological report prepared by a suitably qualified professional.
- iv. Any works pertaining to the removal or preservation of trees onsite must comply with the requirements set out in Chapter 3 Environmental Management constraints of the Fairfield City Wide DCP 2013.
- v. Any future development must comply with relevant provisions of the Biodiversity Conservation Act 2016 (BCA), including biodiversity offset requirements. Relevant technical reports under the BCA including a Biodiversity Assessment Method (BAM). A Biodiversity Assessment Report (BDAR) would be required to be prepared by an accredited assessor.

## **1.7 Drainage**

### **1.7.1 On Site Detention**

#### **Objectives**

- a. To ensure that by using OSD, storm water discharge is controlled thereby ensuring development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.

#### **Controls**

- i. Relevant controls, performance criteria and where the policy applies can be found in Chapter 4 of the Stormwater Management Policy – September 2017.
- ii. OSD is to be provided generally in accordance with the location shown on Figure 2 of this SSDCP. The OSD should be designed to accommodate a volume of approximately 340m<sup>3</sup>.

### **1.7.2 Cut and Fill**

#### **Objectives**

- a. The development responds to the natural landform of the site, reducing the visual impact and avoiding large amounts of cut and fill and minimise the impacts of retaining walls.

#### **Controls**

- i. Unless the dwelling is over a basement or identified on Figure 3 of this SSDCP as an area requiring fill, the height of ground floor level above the natural ground level shall be limited to 600mm except where it is required to be raised to achieve a suitable freeboard above the flood level or the 100 year ARI water level of an on-site detention basin. This 600mm height includes the fill, bedding and the slab thickness. Any variation from this floor height shall not cause adverse amenity impacts to the adjoining properties and shall be justified to the Council.

#### **Objectives**

- a. Provide easy access for all, including people with prams, wheelchairs, walking difficulties, and sight, hearing or intellectual impairments.
- b. Ensure the development accounts for the needs of individuals with disabilities and the elderly.

#### **Controls**

- i. A minimum of 10% of the multi dwelling houses must have a bedroom, bathroom and kitchen on the ground floor.

## **1.9 Boundary Articulation to Orange Grove Road**

### **Objectives**

- a. To ensure the boundary fencing to Orange Grove Road is articulated to allow for additional landscaping along the street edge to reduce the visual impact of the boundary fence.

### **Controls**

- i. The boundary fence along Orange Grove Road is to be articulated generally in accordance with Figure 2 of this SSDCP.
- ii. Appropriate landscaping is to be provided in the articulation zones along the street frontage.

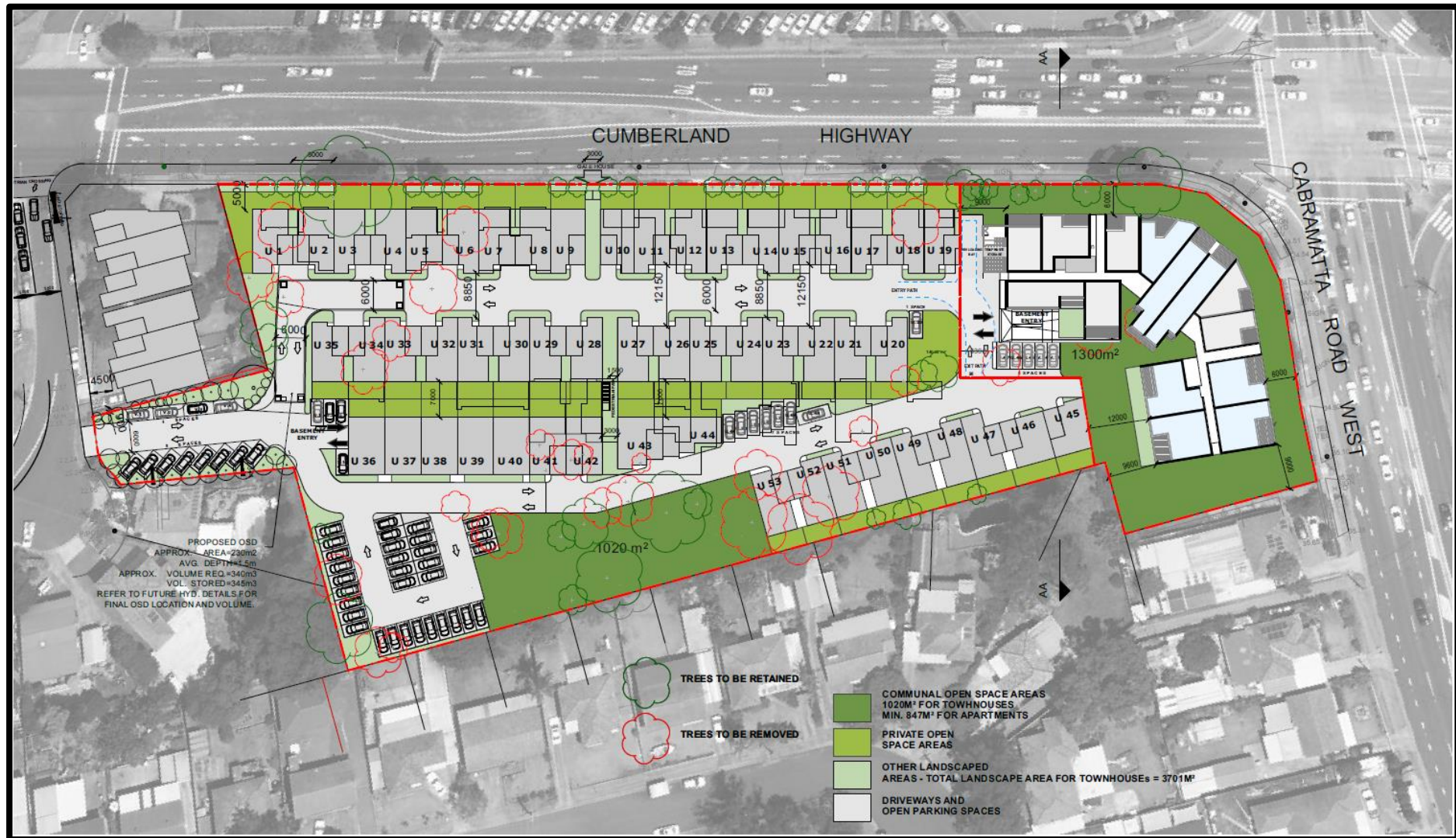


Figure 2 Site layout and building setbacks and Common Open Space



### Figure 3 - Basement and Fill Areas

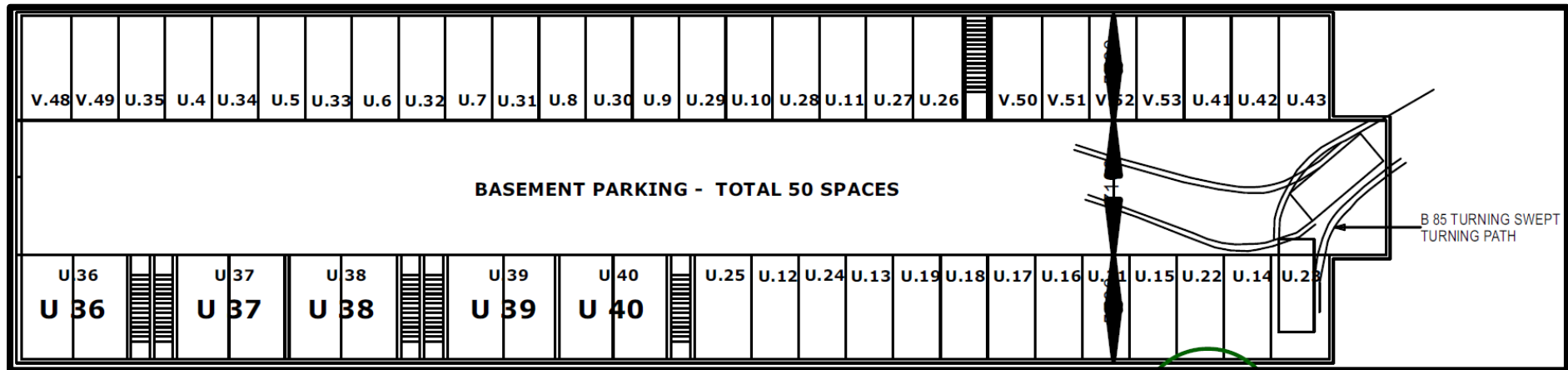


Figure 4 Basement Parking Plan on R3 Land