THE PLANNINGHUB

by Hawes & Swan

APPENDIX D

PENRITH DEVELOPMENT CONTROL PLAN 2010 - COMPLIANCE TABLE

110–112 MOUNT VERNON ROAD MOUNT VERNON

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Penrith Development Control Plan 2010 – Compliance Table 110-112 Mount Vernon Road, Mount Vernon (Lot 4, DP 865818)			
Control	**Requirement**	**Comment**	**Complies**
SECTION C: CITY-WIDE PROVISIONS			
C1 – Site Planning and Design Principles			
1.1 **Site Planning**	Site analysis should include plan and section drawings of the existing features of the site at the same scale as the site and landscape plan.	Site Context and Analysis Plans have been provided by Project Works Design (**Appendix A**). The site has been previously cleared and subsequently does not contain many existing features.	✓
1.2.1 **Application of Certification System**	Non-residential developments, including mixed-use developments, with a construction cost of $1 million or more are to demonstrate a commitment to achieving no less than 4 stars under Green Star or 4.5 stars under the Australian Building Greenhouse Rating system, now part of the National Australian Built Environment Rating System	As detailed in the Section J report (**Appendix M**), the proposed development is committed to achieving compliance under the Australian Building Greenhouse Rating System.	✓
1.2.2 **Built Form – Energy Efficiency and Conservation**	The selection criteria for construction materials, including internal fit-out work, should include detailed documentation of their energy efficiency properties. Buildings should be designed on passive solar design principles which: • *Ensures there is adequate cross flow of air by utilising natural ventilation.* The future use and occupants of the building should be considered in the design and location of building services/equipment to ensure that: • *Lighting systems and fittings have reduced energy consumption*	A Section J Report has been provided which details how the proposed child care centre addresses energy efficiency and conservation through its built form. The building is designed to ensure adequate cross flow of air, with energy and water conservation methods proposed throughout common and service areas. Refer to **Appendix M**.	✓

	• *The equipment or service will be used and its future use will not affect other elements of sustainability.* Common and service areas in the building should incorporate energy and water efficiency/conservation measures in their design and location.		
1.2.3 **Building Form – Height, Bulk and Scale**	**Context** An applicant must demonstrate how all proposed buildings are consistent with the height, bulk and scale of adjacent buildings and buildings of a similar type and use. **Character** An applicant must demonstrate how any building's height, bulk and scale will avoid or minimise negative impacts on an area's landscape, scenic or rural character. **Articulation** Where the dimension of the building is 20m or more, an applicant must demonstrate how the building or surface has been articulated. **Overshadowing** Building locations, height and setbacks should seek to minimise any additional overshadowing of adjacent buildings. **Setbacks/Separations** Buildings should be sufficiently set back from property boundaries and other buildings to:	The proposed child care centre is single storey and designed in a way to reduce any unnecessary bulk and to ensure it is consistent with the height, bulk and scale of developments in the area. The design of the building has taken into consideration the surrounding area's landscape and character and has ensured that the built form of the child care centre will not create any adverse impacts on the overall character of the area. The building has been articulated through the design features and materials incorporated in the design, whilst proposing vast landscaping to decrease the bulk of the built form. No adverse impacts on adjacent buildings will result from overshadowing, as the proposed child care centre is single storey and located on a large site. The proposed child care centre meets the required front, rear and side boundary setbacks. Consistency with the surrounding streetscape has therefore been maintained,	✓ ✓ ✓ ✓ ✓

	• i) Maintain consistency with the street context and streetscape character, especially street/front setbacks; • ii) Maximise visual and acoustic privacy, especially for sensitive land uses; • iii) Maximise deep root planting areas that will support landscape and significant tree plantings integrated with the built form, enhancing the streetscape character and reducing a building's visual impact and scale; • iv) Maximise permeable surface areas for stormwater management; and • v) Minimise overshadowing. **Building Façade Treatment** • promote a high architectural quality commensurate with the type of building and land use; • adopt façade treatments which define, activate and enhance the public domain and street character; • ensure that building elements are integrated into the overall building form and façade design; • compose façades with an appropriate scale, rhythm and proportion that responds to the building's desired contextual character; • design façades to reflect the orientation of the site using elements such as sun shading, light shelves and appropriate glazing as environmental controls; • express important corners by giving visual prominence to parts of the façade, for example, a change in building articulation, material or colour, roof expression or building height; and • co-ordinate and integrate building services to improve the visual presentation.	leading to the ability to maximise visual and acoustic privacy as well as adequate landscaping to assist in softening the built form of the development. The building façade has been designed to reflect the surrounding character of the area, through the materials and colours incorporated in its design. The proposed built form will further enhance the amenity of the locality, whilst not contradicting the design of neighbouring dwellings and buildings. Furthermore, landscaping has been provided within the front setback, to assist in softening the built form of the development and enhance the amenity of the building façade.	✓

	Roof Design • *The shape and form of the roof should respond to its surrounding context and minimise visual impact from any key viewpoints; and* • *Should consider opportunities for incorporating 'green roofs'.*	The shape and design of the roof responds to the surrounding character of the area, not resulting in any adverse visual impacts on the streetscape.	✓
1.2.4 **Responding to the Site's Topography and Landform**	Applicants must demonstrate how the development responds to the natural topography and landform of the site based on analysis drawings.	The proposed child care centre responds to the natural topography and characteristics of the site to minimise the need for cut and fill. Refer to Architectural Plans in **Appendix A**.	✓
1.2.5 **Safety and Security**	**Lighting** All areas intended to be used at night should allow appropriate levels of visibility.	All proposed areas will be appropriately lit to ensure clear visibility.	✓
	Pedestrian pathways, lane ways and access routes in outdoor public spaces should be lit to the minimum Australian Standard of AS1158. Lighting should be consistent in order to reduce the contrast between shadows and illuminated areas. Lighting should be designed in accordance with AS4282 – Control of the obtrusive effects of outdoor lighting.	Pathways and access routes will be lit to comply with the Australian Standard of AS1158 and AS4282.	✓
	Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed. Lighting should clearly illuminate the faces of users of pathways.	In order to ensure inside and outside areas are appropriately lit, lighting will have a wide beam of illumination that results in clearly illuminated areas, ensuring safety and visibility.	✓
	Streetlights should shine on pedestrian pathways and possible entrapment spaces as well as on the road.	There are no existing streetlights in close proximity to the site. However, the site will be adequately lit to ensure a safe and secure development.	✓

	Lights should be directed towards access/egress routes to illuminate potential offenders, rather than towards buildings or resident observation points.	Lights will be shone towards the building to assist in enhancing safety for users of the site.	✓
	Fencing		
	a) Fence design should maximise natural surveillance from the street to the building and from the building to the street, and minimise the opportunities for intruders to hide.	The proposed boundary includes landscaping to act as a buffer and ensure that natural surveillance is maximised from the child care centre. The Fences proposed on site will be 2.4m high and timber lapped and capped as per the Architectural Drawings (**Appendix A**).	✓
	b) Front fences should preferably be no higher than 1.2m. Where a higher fence is proposed, it will only be considered if it is constructed of open materials e.g. spaced pickets, wrought iron etc. Fences greater than 1.2m will require the consent of Council.	The proposed front fencing will not be in excess of 1.2m. Most of the screening towards the front of the site will be through landscaping, as can be see in the Architectural Drawings in **Appendix A**.	✓
	c) If noise insulation is required, install double-glazing at the front of the building rather than a high solid fence (greater than 1m).	No high solid fence is proposed in front of the building.	✓
	Car Parking		
	a) Car parks, aisles and manoeuvring areas shall be: i) designed with safety and function in mind, and ii) have dimensions in conformity with Australian Standards 2890 - Parking Facilities.	The proposed car parking facilities have been designed to allow for safe vehicular movements when entering, exiting and parking at the site. The dimensions of the car park are in conformity with Australian Standards 2890 – Parking Facilities. See Traffic Report as part of **Appendix G**.	✓
	b) Where parking spaces are to be provided for people with disabilities, these spaces are to: i) be suitably located near entrances to the building and lifts/ access ramps, if required;	The child care centre proposes two disabled parking spaces that both provide ease of access to the entrance of the centre. These parking spaces have been designed in accordance with Australian Standards 1428.1 – Design for access and mobility and they are appropriately signed.	✓

	ii) be provided in accordance with Australian Standards 1428.1 - Design for access and mobility; and iii) have appropriate signage and tactile pavement treatments, where required.		
	c) The design of car parking areas should incorporate the following elements: i) provision of a safe and convenient vehicle entry and exit that avoids traffic/pedestrian conflict and impacts on the surrounding road; and ii) the internal (vehicular) circulation network is free of disruption to circulating traffic and ensures pedestrian safety.	The design of the car park ensures a clear distinction between vehicle entry and exit points. A clearly marked pedestrian crossing has been provided which provides safe access from parking spaces to the entry of the centre. As can be identified within the Traffic Report (**Appendix G**), no adverse impacts on the surrounding road network will be resulted due to the proposed development.	✓
	d) The movement of pedestrians throughout the car park should be clearly delineated by all users of the car park and minimises conflict with vehicles.	The pedestrian crossing that provides access from parking spaces to the centre is clearly marked and provides a safe route for parents to drop off and pick up their children.	✓
	Entrapment Spots and Blind Corners a) Pathways should be direct. All barriers along pathways should be permeable including landscaping, fencing etc.	The proposed pathways are clear and direct, with low-level landscaping provided as a safe buffer to ensure the pathways have a clear and open surrounding.	✓
	b) Consider the installation of mirrors to allow users to see ahead and around corners. The installation of glass or stainless-steel panels in stairwells can also assist in this regard.	Currently no mirrors are proposed, however can be included as a condition of consent should they be deemed essential to the site. No internal stairwells are proposed.	✓

	Landscaping		
	a) Avoid medium height vegetation with concentrated top to bottom foliage. Plants such as low hedges and shrubs, creepers, ground covers and high-canopied vegetation are good for natural surveillance.	Particularly in the front setback, low-level vegetation has been proposed to ensure natural surveillance measures have been met. Refer to the Landscape Plan in **Appendix K**.	✓
	b) Trees with dense low growth foliage should be spaced or crown raised to avoid a continuous barrier.	No trees with dense low growth foliage have been proposed in this development.	✓
	c) Use low ground cover or high-canopied trees with clean trunks.	The trees that have been proposed are high-canopied with clean trunks, ensuring that no dense foliage is proposed lower to the ground.	✓
	d) Avoid vegetation, which conceals the building entrance from the street.	No vegetation has been proposed that will conceal the building entrance from the street.	✓
	Entrances		
	a) Entrances should be at prominent positions and clearly visible and legible to the users.	The entrance to the centre is located at the front of the building, in line with the pedestrian crossing from the car park, to provide ease of access for users of the centre.	✓
	b) Design entrances to allow users to see into the building before entering.	No landscaping or other built form is proposed at the front entrance, with the entrance clearly viewed prior to entering.	✓
	c) Entrances should be easily recognisable through design features and directional signage.	Signage and pathways have been proposed to clearly highlight the location of the entrance to the centre.	✓
	Site Building and Layout		
	Buildings should be sited so that they address the street and promote surveillance of the street from the dwelling and of the dwelling.	The building is sited to address the street, ensuring that casual surveillance is possible when viewing the street from the centre.	✓

	Building Identification Adequate building identification is essential to ensure that people can easily find a destination and do not have to walk up and down the street searching for it.	Signage and internal pathways make the location of the centre clear for pedestrians walking along Mount Vernon Road.	✓
	Security A crucial part of a crime prevention strategy is the use of security hardware and/or personnel to reduce opportunities for unauthorised access.	Refer to Section 3.9 of the SEE for a detailed analysis of Safety and Security measures for the proposed child care centre.	✓
C2 – Vegetation Management			
2.1 **Preservation of Trees and Vegetation**	The siting and layout of a development should consider, at the initial concept stage, the location of trees and other vegetation and favour their retention.	No trees have been proposed to be removed as part of the development.	✓
C3 Water Management			
3.6 **Stormwater Management and Drainage**	Runoff must not be discharged into bushland areas, including threatened ecological communities. Depending on the scale of the proposed development, the applicant may be required to address the following matters in their application: • *Where capacity may be limited, appropriate drainage measures, including possible on-site detention.* On-Site Stormwater Detention (OSD)	Runoff from stormwater will be managed via an underground OSD tank, as well as an absorption pit. Furthermore, there will no discharge into bushland areas. Refer to the Stormwater Concept Plan (**Appendix I**).	✓
	a) Council's Stormwater Drainage Specification for Building Developments provides details on drainage requirements for on-site detention. b) Adequate stormwater systems shall be designed and constructed to ensure that, for all rainwater events up to and including the 1:100 Average Recurrence Interval (ARI) event, new developments	Refer to the Stormwater Concept Plan within **Appendix I**, which details the OSD and absorption pit proposed on site. The Plan has made reference to council's OSD controls.	✓

	and redevelopments do not increase stormwater peak flows in any downstream areas. c) On-site stormwater detention systems must release water after any rainfall event to maximise future capacity and, therefore, cannot include rainwater tanks, water retention basins or dams. d) Detention storage is to be located at a level that is above the 1:5 ARI flood level. e) On-site detention systems are to be designed using a catchment wide approach. Advice should be sought from Council's Development Engineering Unit in this regard. f) On-site stormwater detention mechanisms should have a maintenance program in place. g) Onsite stormwater detention mechanisms should be placed on the title of the relevant allotment/property to ensure their retention and maintenance.		
C4 – Land Management			
4.1 **Site Stability and Earthworks**	The LEP contains clauses that list the matters that must be considered before granting development consent for earthworks. These matters must be addressed in the supporting documentation submitted with the development application. Any development application that proposes earthworks and therefore changes to the levels of a site, is required to clearly address the following in the Statement of Environmental Effects or a Geotechnical Report: • The location and extent of the earthworks on the site; • Justification for the need to change the land levels in terms of the overall development; • Any other impacts from the changed land levels as a consequence of the earthworks.	A Geotech Report has been provided by Greywacke Geotechnics (**Appendix H**), which addresses the matters outlined within the LEP. The proposed earthworks are minor in nature and are only proposed to facilitate the on-site waste management facility and aforementioned stormwater management systems. A Geotech Report (**Appendix H**) as outlined above, has been prepared and details the minor earthworks that are proposed on site.	✓ ✓

	Earthworks to create a building platform shall not be undertaken where excavation and/or filling would exceed 1m from the existing natural ground level of the site. During any earthworks, any topsoil should be preserved on site for re-use and should be stockpiled and covered to avoid dust or loss of topsoil.	No earthworks are proposed to create a building platform where excavation would exceed 1m. Where possible, topsoil will be preserved and stockpiled for re-use.	✓ ✓
4.3 **Erosion and Sedimentation**	All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP).	Erosion and Sediment Control has been included as part of Stormwater Concept Plans within **Appendix I**.	✓
4.4 **Contamination of Lands**	**Stage 2 – Detailed Investigation** A detailed investigation is only necessary when a preliminary investigation indicates that the land is contaminated or is, or was, formally used for a potentially contaminating activity.	A detailed site investigation has been prepared by Envirotech. This Site Investigation can be found as part of **Appendix P**. The investigation details that Asbestos was detected in four samples taken from the site and recommends that a suitably trained professional is engaged to prepare a Remedial Action Plan to determine the remediation of the asbestos contamination within the contaminated areas and appropriate remedial action. Subject to the above, it is considered that the site can be remediated for the proposed works. Refer to the Remediation Action Plan attached within **Appendix Q**.	✓
4.5 **Salinity**	A detailed salinity analysis will be necessary if: i) The site of the proposed development has been identified as being subject to a	Refer to the Geotech Report found within **Appendix H**.	✓

	potential risk of salinity (refer to the map Salinity Potential in Western Sydney 2002), or ii) An initial investigation shows the site is saline or affected by salinity.		
C5 – Waste Management			
5.1 **Waste Management Plans**	Applicants are to submit a Waste Management Plan when lodging a development application.	A Waste Management Plan has been included and can be found with **Appendix R**.	✓
5.2.4 **Non-Residential Development Controls**	Waste storage and collection areas should be: a) Flexible in their design so as to allow for future changes in the operation, tenancies and uses; b) Located away from primary street frontages, where applicable; c) Suitably screened from public areas so as to reduce the impacts of noise, odour and visual amenity; and d) Designed and located to consider possible traffic hazards (pedestrian/vehicular) likely to be caused by the storage and collection of waste.	As can be seen in the Architectural Plans (**Appendix A**), the waste storage and collection areas are located away from the primary street frontage and are suitably screened. The waste storage area has been designed to consider traffic hazards by being located away from the parking areas, with collection to be undertaken outside of hours of operation to alleviate any possible traffic hazards.	✓
5.3 **General Controls**	**Site Management** Proposals involving demolition and/or construction (including earthworks) are to include a Waste Management Plan which addresses the following issues: a) Minimising site disturbance and eliminating unnecessary excavation; b) Where applicable, stripping topsoil from areas subject to excavation and storing it on site for re-use; c) Identifying all waste likely to result from the works on site and opportunities for the re- use or recycling of materials;	Refer to Waste Management Plan (**Appendix R**). Excavation and areas of potential waste generation from the proposed development have been identified.	✓

	Identifying the area(s) on site to be used for the storage of materials, separating the areas for recycling and disposal (giving consideration to access, slope, drainage, location of waterways, stormwater outlets and vegetation).	Storage areas have been considered and located to consider the characteristics of the site and proposed development.	✓
	The design of developments should incorporate principles on how waste can be minimised in the design.	The design of the proposed child care centre has taken into consideration principles on how to minimise waste.	✓
	Space must be provided to allow for the storage, access and manoeuvring of waste bins to facilitate ease of use and servicing.	The garbage storage facilities allow for ease of access and manoeuvring of the bins.	✓
	Waste and recycling containers must be stored at all times on the site unless Council has issued an approval under the Local Government Act 1993 to store waste in a public place.	Waste and recycling containers will be stored at all times on site.	✓
	The nominated collection area for the development on-site is to be clearly nominated on scaled site plans accompanying the development application.	The collection areas are clearly marked on the Site Plan within **Appendix A**.	✓
5.5 **On-Site Sewerage Management**	The need to provide on-site sewage management is set out in the 'Infrastructure and Services' Section of this Plan.	Refer to Section 13.3 below for details on on-site sewerage management.	✓
C6 – Landscape Design			
6.1 **Controls**	Landscape plans must be prepared by a suitably qualified consultant.	Landscape Plans have been prepared by Tessa Rose Playscape and Landscape Design and can be found within **Appendix K**. The landscaping incorporated includes native species to assist in softening the development, whilst	✓

		enhancing the neighbourhood and providing a form of shading in the play areas.	
	Avoidance of Excavation and Filling Landscaping works should minimise any earthworks by accommodating the natural landform and utilising designs that require minimal cut and fill, particularly around existing trees to be retained.	Minimal earthworks are required for the planting of vegetation. No existing trees are present on site.	✓
	Conserving Site Soil Where it is necessary to remove areas of topsoil as a result of cut and fill requirements, this should not be removed from the site but stockpiled in another part of the site for re- use in the landscaping process.	Minimal cut and fill are required for the proposed development. Where it is required, soil will be conserved and re-used.	✓
	Species Selection Plant selection for all landscaping works must consider and will be assessed for its suitability to existing site conditions such as soils, aspect, drainage and micro-climate.	Suitable plants have been proposed to compliment the existing site conditions. Refer to **Appendix K**.	✓
	Landscape Character Landscape design should enhance the amenity and visual quality of the site. Landscaping solutions are to be used to screen and enhance visually obtrusive land uses or building elements within their setting.	Landscaping has been proposed to enhance the visual quality and amenity of the site. Furthermore, within the front setback, landscaping assists in screening the site from Mount Vernon Road, whilst still allowing passive surveillance.	✓
	Streetscape All sites make a contribution to the streetscape by way of the design of any structures or vegetation.	The site will compliment the streetscape through the design and placement of vegetation.	✓
	Community Safety		

	All landscape designs should promote the safety of the community through the maximisation of natural surveillance and appropriate lighting. **Contextual Design** Landscape designs should seek to screen development, particularly from the sides and rear of an allotment. **Landscaping and Above Ground On-Site Stormwater Detention** Above ground detention structures should be suitably landscaped to improve the visual amenity of the development.	Particularly within the front setback, low-level landscaping has been provided which adequately screens the built form, whilst still allowing for passive surveillance. Landscaping has been proposed on the sides and rear of the site, to assist in screening the development. Refer to **Appendix K**. The proposed OSD is located beneath the proposed mini van parking space, with the absorption pit in the rear setback being suitably landscaped to enhance the visual amenity of the child care centre.	✓ ✓ ✓
C9 – Advertising and Signage			
9.1 **General Requirements for Signs**	General Controls Signs are to be designed and located to: i) relate to the use of the building; ii) be visually interesting and exhibit a high level of design quality; iii) be constructed of high quality, durable materials; iv) be wholly contained within the property; v) have only a minimal projection from the building; vi) be integrated and achieve a high degree of compatibility with the architectural design of the supporting building having regard to its composition, fenestration, materials, finishes and colours, and ensure that architectural features of the building are not obscured;	The Architectural Plans provided in **Appendix A** show indicative locations for future signage. These areas are indicative only and approval for the signage will be sought under separate applications. Future signage will ensure to relate to the use of the building, whilst also being constructed using materials that complement the surrounding character of the area.	✓

	vii) have regard to the view of the sign and any supporting structure, cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline; and viii) be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.		
C10 – Transport, Access and Parking			
10.2 **Traffic Management and Safety**	Any Traffic Report or Traffic Impact Statement is required to address the following issues: a) The objectives of this section relating to transport and land use; b) The objectives of this section relating to traffic management and safety; c) The objectives and controls of this section relating to traffic generating developments; and d) The issues set out in Appendix F3 – Submission Requirements of this DCP.	Refer to the Traffic Report attached within **Appendix G**. Specifically, no major traffic generating issues have created as a result of this proposal.	✓
10.5 **Parking, Access and Driveways**	**Child Care Centres** - 1 space per 10 children plus 1 per employee plus provision for any dwelling. All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn Driveways should be: • Provided from lanes and secondary streets rather than the primary street, wherever practical;	The proposal consists of a 96 place child care centre requiring 19 staff. The development therefore requires a total of 19 spaces for staff and 10 spaces for visitors. The proposed development provides a total of 32 spaces. Therefore, there is a surplus of 3 spaces. All vehicles are able to enter in a forward direction and exit in a forward direction without a three-point turn.	✓ ✓ ✓

	• Located taking into account any services located within the road reserve, such as power poles, drainage inlet pits and existing street trees; • Setback a minimum of 6m from the perpendicular of any intersection of any two roads; and • Located to minimise noise and amenity impacts on adjacent residential development.	Mount Vernon Road is not a busy road and will not cause any adverse traffic impacts through connecting the proposed driveway to the street. The proposed driveway has taken into consideration services located on the road reserve. The driveway is located over 6m from the nearest intersection. The location of the proposed carpark and driveway being within the front setback will minimise noise and amenity impacts on adjacent residential development.	✓ ✓ ✓
C12 – Noise and Vibration			
12.3 **Aircraft Noise**	Any development classified as 'conditionally acceptable' in Australian Standard 2021-2000 is to include a Noise Impact Statement which is to be prepared in accordance with the minimum requirements set out in Appendix F3 of this DCP.	An Acoustic Report has been prepared by Acoustic Logic in support of this application. This Report can be found as part of **Appendix F.**	✓
12.4 **Industrial and Commercial Development**	All development applications where the above controls are relevant are required to provide a Noise Impact Statement prepared by a qualified acoustic consultant.	An Acoustic Report has been prepared by Acoustic Logic in support of this application. This Report can be found as part of **Appendix F.**	✓
C13 – Infrastructure and Services			
13.2 **Utilities and Service Provision**	Satisfactory arrangements should be made with the servicing authorities for the provision of services to the property.	Satisfactory arrangements will be made with the servicing authorities to ensure the site is adequately serviced.	✓

13.3 **On Site Sewerage Management**	The installation and operation of OSSM systems are to be in accordance with Council's On-Site Sewage Management and Greywater Reuse Policy. A Wastewater Assessment Report is required to be submitted with an application for the installation of a new domestic OSSM system when the criteria of Council's On-Site Sewage Management and Greywater Reuse Policy have been met.	An OOSM system has been proposed in accordance with Council's On-Site Sewage Management and Greywater Reuse Policy. This is detailed as part of the Wastewater Assessment Report by Envirotech (**Appendix N**). The Wastewater Assessment Report details the proposed installation of a new domestic OOSM system and how the system will suitably facilitate the site.	✓ ✓
13.4 **Engineering Works and Construction Standards**	All engineering works shall be undertaken in accordance with the provisions of Council's: • *Stormwater Drainage Specifications for Building Developments* • *Council's Water Sensitive Urban Design (WSUD) Technical Guidelines;* • *Engineering Design Specifications for Civil Works; and* • *Engineering Construction Specifications for Civil Works.*	All Engineering works have been undertaken in accordance with the provisions of Council.	✓
D1 – Rural Land Uses			
1.1 Rural Character	To preserve the rural character of the City of Penrith, all major development should seek to retain and protect the scenic, landscape and rural character of the City	The proposed child care centre will look to retain and protect the scenic, landscape and rural character of the area. Additional landscaping has been proposed which will further enhance the amenity of the streetscape, particularly considering the site's existing conditions.	✓
1.2.1 Siting and Orientation of Dwellings and Outbuildings	Dwellings and associated buildings should be sited to maximise the natural advantages of the land in terms of: i) Protecting the privacy of proposed and existing buildings; ii) Providing flood-free access to the dwelling and a flood-free location for the dwelling itself;	The proposed child care centre has been sited to maximise the land and surrounding properties. Based on the siting and design of the building, protection of privacy will be maintained, whilst ensuring that maximum solar access is proposed. The site has been previously cleared; however suitable landscaping is proposed to ensure increased amenity of the	✓

	iii) Minimising risk from bush fire by considering slope, orientation and location of likely fire sources; iv) Maximising solar access; v) Retaining as much of the existing vegetation as possible; and vi) Minimising excavation, filling and high foundations by avoiding steep slopes (greater than 1 in 6).	site an integrate the development into the surrounding area.	
	The design of the development must consider all components including fencing, outbuildings, driveways and landscaping	The development has been sited so as to ensure that consideration of fences, driveways and landscaping has been addressed.	✓
	Rooflines and ridgelines should reflect the setting of the dwelling, incorporating simple shapes to step a building down with a sloping site or level change	The proposed building will be single storey, which is reflective of other buildings in the area. The roofline will be designed to provide aesthetic appeal to the child care centre, whilst also remaining consistent with more modern developments in the area.	✓
1.2.2 **Setbacks and Buildings Separations**	<u>Setbacks from Roads</u> A minimum setback of 15m from public roads is required for all dwellings and outbuildings. Formal parking areas are not permitted within the setback.	The proposed development is not a dwelling therefore this control does not apply.	NA
	A variety of setbacks will be encouraged to prevent rigidity in the streetscape.	The built form of the proposed child care centre is consistent in terms of its setting, with other buildings in the area.	✓
	<u>Setbacks from Watercourses</u> A minimum setback of 100m is required from the Nepean River, 75m from South Creek and 40m from any natural watercourse.	The site is located over 100m from any watercourse.	✓

	<u>Building Separations and Side Boundary Setbacks</u> Dwellings on adjacent properties should be considered when determining the location of a proposed dwelling to ensure that separation distances are maximised as far as is reasonably possible to maintain amenity for each dwelling and minimise noise and privacy intrusions	The proposed development is setback suitably from the side, rear and front boundaries. Furthermore, an acoustic fence is proposed to ensure that minimal noise impacts are resulted from the proposed development.	✓
	The minimum side setback for dwellings is 5m where the allotment is less than 2 hectares	The proposed development is not a dwelling therefore this control is not applicable, the building provides a varying setback consistent with surrounding properties.	NA
	Dwellings on one allotment should be separated as much as reasonably possible from any farm buildings or other buildings on adjacent allotments where there is potential for noise generation from those farm buildings/other buildings	The proposed child care centre is suitably separated from any surrounding buildings that may have potential for noise generation.	✓
1.2.3 **Site Coverage, Bulk and Massing**	A maximum ground floor footprint of 600m^2 will be permitted on any one allotment, including the dwelling and all associated structures, but excluding 'farm buildings' and any 'agricultural or non-agricultural development' referred to other parts of this chapter.	It is noted that A maximum ground floor footprint of 600m^2 applies to the subject site, however as detailed in the Pre-DA Meeting minutesfor the proposed development a previous approval on the site approved a building with a footprint of 891.6m^2. Council have advised that a building footprint of 891.6m^2 or less is deemed acceptable for the development. The proposed development has a building footprint of 751.5m^2 and therefore complies with Council's advice.	On Merit
1.2.4 **Height, Scale and Design**	Dwellings shall be no more than two storeys in height, including garage and storage areas	The proposed child care centre will be single storey.	✓
	The maximum height of the ceiling of the top floor of all buildings should not exceed 8m above natural ground level.	The maximum height of the child care centre is below the maximum 8m.	✓

	The design of dwellings and associated structures should be sympathetic to the rural character of the area. Fencing is to be of an open rural nature consistent in style with that normally found in rural areas. Internal courtyard fencing or entry fencing should be sensitive to the rural environment.	The design of the child care centre will compliment the rural character of the area. The style of the proposed fencing will be consistent with that of surrounding properties. The fencing will be designed to ensure noise generated from the child care centre will be suitably managed.	✓ ✓
1.2.7 **Materials and Colours**	Colours of external finishes should be in keeping with the natural surroundings, be non-reflective and utilise earthy tones, unless it can be demonstrated that the proposed colours and finishes will have no visual impact or will complement the rural character. Building materials with reflective surfaces such as large expanses of glass, unpainted corrugated iron, concrete blocks, sheet cladding or similar finishes should be avoided.	The colours and materials included in the design of the proposed child care centre include earthy tones that are reflective of the existing character of the area. Building materials with reflective surfaces have not been included in the proposed development.	✓ ✓
1.2.8 **Land in the Vicinity of Proposed Second Sydney Airport**	New dwellings (or significant alterations and/or additions to existing dwellings) within the 20-25 Australian Noise Exposure Forecast (ANEF) zone shall be designed to achieve the requirements discussed in the section on 'Aircraft Noise' in the 'Noise and Vibration' section of this Plan.	An Acoustic Report has been prepared and is provided in **Appendix F**.	✓
D5 – OTHER LAND USES			
5.2 – Child Care Centres			
2 **Location**	Must demonstrate that the service to be provided meets an unmet need in the community.	No child care centre is located within close proximity to the site, so the service is a need to the immediate locality of Mount Vernon. The only other child care centre within the vicinity of the site is Do-Re Mi Child Care Centre, located 2km away. Clause 26 of the Education SEPP states that a provision of a development control plan that require demonstrated need or demand for child care services does	✓

		not apply to development for the purpose of a centre-based child care facility. In the event of an inconsistency the SEPP prevails and therefore the need or demand of the service does not need to be demonstrated.	
	Child care centres shall be located in close proximity to other community activities and facilities.	The predominant purpose of the land surrounding the site is for residential purposes. However, community activities and facilities are located nearby to the site, within the Mount Vernon locality.	✓
	The site shall not rely on direct access from, nor be located on, a designated road.	The site is not located on a designated road.	✓
	Access to the site shall not be located in a cul-de-sac, at an intersection, or on a minor residential road unless it can be demonstrated that additional vehicles associated with the child care centre will not create traffic conflict or have an adverse impact on the amenity of the locality.	Accessing and exiting the site is via driveways, which have been marked to highlight where to enter and exit from. The Traffic Report (**Appendix G**), also details how minimal adverse impacts will be caused on the locality from this proposed child care centre.	✓
	A child care centre shall not be located on land within an 85m radius of an existing or approved service station, or on land in a specific radius of an existing/approved flammable storage area.	The site is not located within an 85m radius of an existing or approved service station.	✓
	A child care centre shall not be located on land that is directly opposite to or adjacent to (including behind) an existing and lawful sex services premises and/or restricted premises.	The site is not located on land that is directly opposite to or adjacent to an existing lawful sex service/restricted premise.	✓

	A child care centre shall not be permitted on land on which there is an electricity transmission easement, mobile phone tower or similar, or on land immediately adjacent to those structures.	The site is not located on land adjacent to an electricity transmission easement, mobile phone tower or similar.	✓
	A child care centre should not be located on land below the flood planning level and on land that cannot be safely and effectively evacuated during a 1:100 ARI flood event.	The child care centre is not located on land that is below the flood planning level.	✓
3) **Design, Scale and Site Frontage**	The scale and character of the development shall be compatible with surrounding development.	The scale and character of the development is compatible with the surrounding development.	✓
	Sites must be of sufficient area to accommodate the child care centre, all required associated parking and traffic manoeuvring areas.	The site is of a size that can accommodate a 96-place child care centre.	✓
	To ensure the safe operation of car parking areas and the amenity of neighbouring residents, sites shall have a minimum frontage of 22m.	The frontage of the lot is 61.7m.	✓
4) **Built Form**	In residential areas, the built form of the child care centre shall be sympathetic to adjoining development in terms of height, bulk and scale.	The proposed development has been designed to compliment adjoining residential dwellings in terms of height, bulk and overall scale. This has been considered through the materials and design, while ensuring that the building is single-storey to reduce any bulk on the streetscape.	✓
	The external façade of the centre shall incorporate building materials and colours that complement the surrounding development.	The external façade incorporates materials and colours to compliment the surrounding developments in the locality.	✓
5) **Vehicle Access, Circulation and Parking**	Vehicle circulation and car parking areas shall be designed to allow safe drop-off and collection of children as well as the safe movement and parking of staff, parents, visitor and service vehicles.	The car park has bee designed to ensure that vehicles enter and exit in a forward direction. A clearly marked pedestrian crossing has been proposed through the centre of the car park, to allow ease of access from the parking spaces to the building entrance.	✓

	Layout of the parking area must allow for safe access for service and emergency vehicles, such as ambulances, delivery and maintenance vehicles.	The layout of the parking area allows for safe access for service and emergency vehicles. A Traffic and Parking Report (**Appendix G**) has been provided detailing swept paths for service vehicles. The swept paths illustrate that service vehicles and ingress and egress the site safely.	✓
	A traffic impact assessment may be required for the development of a child care centre proposing to cater for 40 children or more.	A Traffic Report has been provided and found in **Appendix G**, detailing how the proposed child care centre will have a minimal impact on the surrounding road network.	✓
6) Noise	Where there may be noise impact on adjacent properties, fencing shall be of a height, design and material (e.g. masonry) suitable to contain noise generated by the children's activities.	The proposed fencing as referenced in the Architectural Drawings (**Appendix A**), is a 2.4m high timber lapped and capped acoustic fence. This will ensure that noise generated by the children's activities is to be contained within the site.	✓
	Where a site may be affected by traffic, rail or aircraft noise, the child care centre shall be designed to minimise any impact on the children and staff.	An Acoustic Report has been prepared and is provided in **Appendix F**. This report addresses the potential noise impacts of the surrounding area of the child care centre.	✓
	A noise impact assessment may be required for the development of a child care centre proposing to cater for 40 children or more.	An Acoustic Report has been prepared and is provided in **Appendix F**. This details how the noise produced from the child care centre will be managed.	✓
7) Shade	Outdoor play areas and transition areas (between indoor and outdoor areas) are to be provided with appropriate safe shade requirements.	Appropriate shade has been provided in the outdoor play areas and transition areas. Refer to Architectural Plans in **Appendix A**.	✓
	All active areas containing play equipment or areas where children play for extended periods of time (such as a sand pit) are to be shaded throughout the year.	Appropriate shading has been proposed for play equipment's.	✓

	Outdoor eating and teaching areas are to be provided with year-round protective shade.	Protective shading will be provided in outdoor teaching areas, as well as areas where children eat. The amount of shading proposed will more than supply the number of children outside at any given time.	✓
	Other open areas are to be partially shaded.	All open areas will have an element of shading to ensure that children are not sitting out in the sun for extensive periods of time. The gazebo and covered outdoor learning area also provide for areas of shade when outside.	✓
	Any transition zone, between indoor and outdoor areas, such as a verandah, should be permanently shaded and protected in wet weather.	Verandahs are permanently shaded and provide protection from wet weather.	✓
	The minimum width of a verandah should be 4m to allow for shaded play space underneath.	The proposed verandah is greater than 4m in width, whilst also being inclusive of shading to ensure for suitable a playscape.	✓
8) Landscaping	Landscape planting shall complement the building(s) and the streetscape and provide screening for car parking and outdoor playing areas.	All landscaping proposed will compliment the child care centre, with front landscaping proposed to screen the car park. Furthermore, low level planting is proposed around the front entrance to assist in reducing the bulk of the building, whilst also providing passive surveillance. Landscaping around the side and rear setbacks is also provided. Refer to Landscape Plan in **Appendix K**.	✓
	Childproof fencing and gates shall be provided around the outdoor play areas, and to the entrance of the child care centre.	Childproof fencing and gates have been proposed around outdoor play areas and to the entrance of the child care centre.	✓
			✓

	Landscape planting (a minimum width of 2m) shall be provided along the front boundary of the site. A landscape plan shall be prepared and submitted with the development application. Plant species shall be chosen to address the characteristics of the site.	As can be seen in the Landscape Plan (**Appendix K**), planting has been proposed with a minimum width of 2m along the front boundary. Refer to **Appendix K** for a Landscape Plan prepared by Tessa Rose Playscape and Landscape Design. The proposed landscaping has been chosen to reflect the characteristics of the site, whilst also complimenting the surrounding streetscape. This includes the planting of native species to maintain neighbour hood amenity.	✓ ✓