



## STATEMENT OF ENVIRONMENTAL EFFECTS

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Alterations and additions to an existing Residential Aged Care Facility.

57 Mulgoa Road  
PENRITH, NSW

Prepared for: Hardi Aged Care

REF 0309/19  
25 June 2020



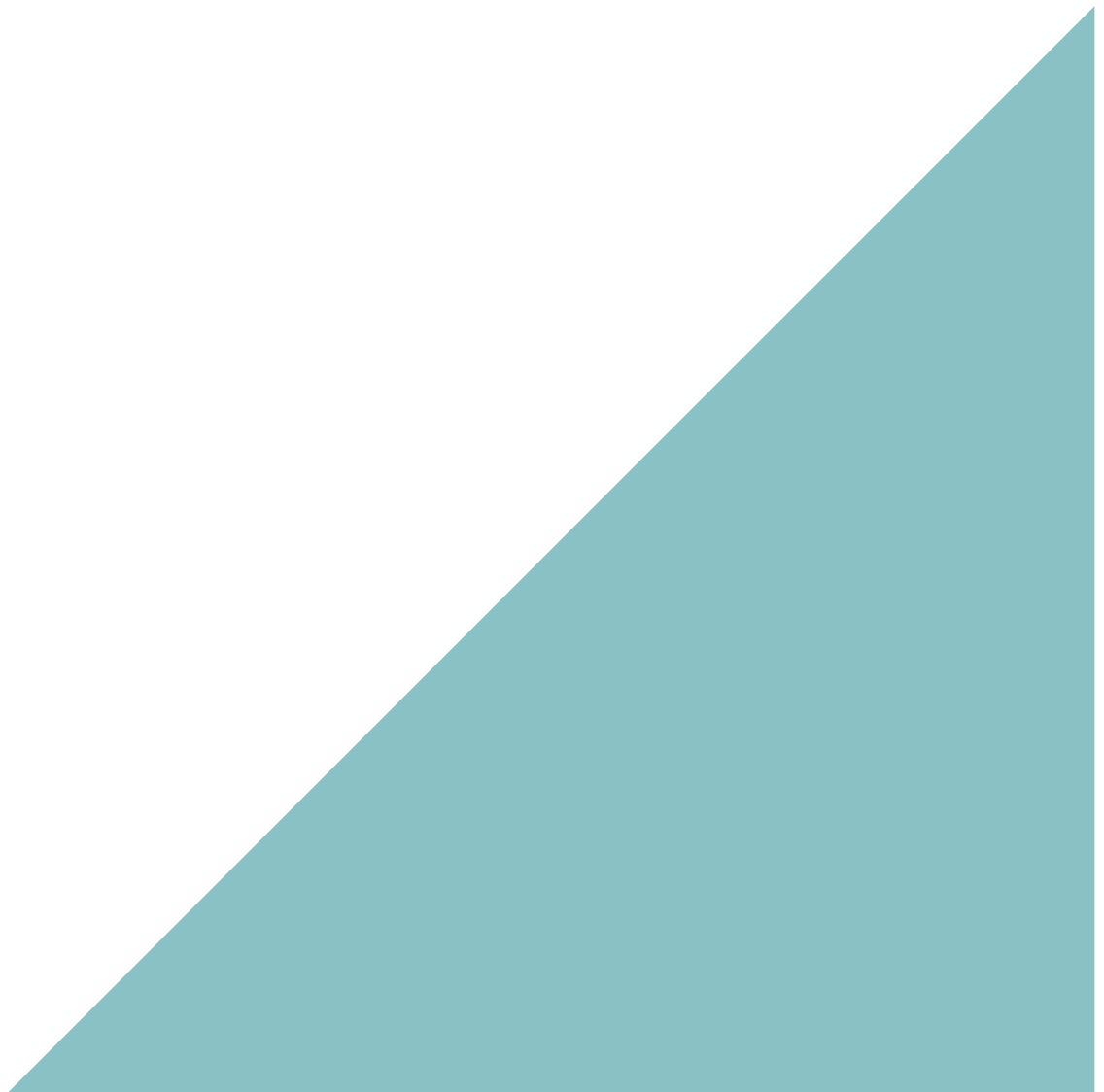
## SENIORS HOUSING DEVELOPMENT

**Statement of Environmental Effects**

Prepared for: Hardi Aged Care

REF. NO. 0309/19

25.06.2020





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# 1. Introduction

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This Statement of Environmental Effects has been prepared on behalf of the applicant for the proposed development. The report is to accompany a development application to Penrith City Council seeking consent for the alterations and additions to an existing Residential Aged Care Facility at No. 57 Mulgoa Road, Penrith.

More specifically, the proposal involves the alterations and additions to the existing building to create an additional level and substantial internal alterations to internally upgrade and improve facilities. The proposal will result in an increase of beds from 99 to 100 and is a permissible development in the R4 zone. The development relies on existing car parking arrangements.

The purpose of this Statement is to address the planning issues associated with the development proposal and specifically to assess the likely impact of the development on the environment in accordance with the requirements of S.79C of the *Environmental Planning & Assessment Act, 1979* (EP&A Act).

This Statement has been divided into six sections. The remaining sections include a description of relevant background information; an analysis of the site and locality; a description of the proposal; an environmental planning assessment pursuant to s.79C of the EP&A Act; and a conclusion.



## 2. Background

### 2.1 PRE-DEVELOPMENT APPLICATION MEETING

A pre-development application meeting was held on 5 February 2020, and subsequent written advice was provided by Penrith City Council. The advice included a preliminary assessment of the proposal against the relevant provisions of the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors Housing SEPP) and provided commentary around potential issues and areas of concern, and detailed relevant development application submission requirements.

Comments on the proposal from the pre-DA meeting can be summarised as covering the following main areas:

Table 1 Pre-DA Comments		
Issue	Council's Comments	Response
<i>Planning</i>	<i>The subject land is identified as being bush fire prone and is required to be assessed accordingly under 'Planning for Bushfire Protection (PBP) – 2006' prepared by the RFS. Any DA received requires an approval in accordance with Section 100B of the Rural Fire Act 1997 and is therefore considered to be 'Integrated Development' as provided by Clause 4.46 of the EP&amp;A Act 1979.</i>	Noted. A supportive Bushfire Report prepared by ABPP Pty dated 18 March 2020 is provided with the development application.
	<i>A marked watercourse is located adjoining the subject site and within 40m of the subject parcel of land on No. 37 Mulgoa Rd. In this regard, any DA received is required to be referred under the requirements of the Water Management Act 2000 to the Natural Resource Access Regulator for the provision of a Controlled Activity Approval and is therefore considered to be 'Integrated Development' as provided by Clause 4.46 of the EP&amp;A Act 1979.</i>	Noted.
	<i>The DA will be assessed in relation to the requirements of SEPP (Housing for Seniors or People with a Disability) 2004 (Seniors SEPP).</i>	In the case of the subject site and its R4 – High Density Residential zoning, Seniors Housing is a permitted land use (as it falls under 'Residential Accommodation' as defined by the Penrith LEP and permitted within the zone). As such, the SEPP does not need to be relied upon for approval, it is not a mandatory consideration for Council and no part of it may be used to refuse the development application. An on-merit assessment of the development must therefore be carried out by the determining authority, supported by any applicable LEP and DCP standards and controls.
	<i>Council records indicate that the subject site directly adjoins an identified Heritage Item 'The Willows' at No. 65 Mulgoa Road a provided by Schedule 5 'Environmental Heritage' of the Penrith LEP 2010.</i>	The application acknowledges existing heritage item adjacent to the site.

Table 1 Pre-DA Comments

Issue	Council's Comments	Response
	<i>While so, it is noted that this heritage item was demolished as part of DA17/0766. In this regard, any supporting documentation received should provide only for an acknowledgement of the previously identified heritage item.</i>	
	<i>Any DA received will be referred to the Roads and Maritime Services for comment noting that Mulgoa Road is identified as a Classified Road.</i>	Noted. Refer to Section 5.2.3 of this Statement for discussion.
	<i>Any DA received will require consideration of the current Road and Maritime Services project in relation to the Mulgoa Road/Castlereagh Road corridor upgrade. You are encouraged to contact RMS prior to lodgement of any application as upgrading to Mulgoa Road may impact upon the subject site. Details of the current upgrading project may be viewed upon the RMS website.</i>	Noted.
	<i>It is noted that the subject site is provided with two frontages, being Retreat Drive and Mulgoa Road with the latter providing for the formal street address and the former providing for the main entry to the existing aged care facility. While so, a review of the Pre DA plans has identified that overall compliance with Clause 40 under the Seniors SEPP is not provided for as, 'A building located in the rear 25% area of the site must not exceed 1 storey in height'. In addition, any non-compliance as indicated by this discussion point must be accompanied by a '4.6 – Exceptions to Development Standard' request for consideration.</i>	This is an incorrect statement from Council. Clause 40(c) of the Seniors Housing SEPP does not apply to the subject site or proposal as the land is zoned to permit Residential Flat Buildings.
	<i>Please note that in accordance with the 'local Planning Panels Direction – Development Applications' provided by the Minister of Planning dated 23 February, 2018, development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards, or if an application is subject of 10 or more unique submissions by way of objection then any DA received is to be determined by the Penrith Local Planning Panel.</i>	Not applicable.
	<i>Clarification is required in regard to the nature and amount of parking to be provided associated with the proposed alterations. In this regard, any application received must show compliance with the relevant parking rate, movement of any service vehicles as well as the provision of an ambulance bay.</i>	Refer to the Traffic & Parking Impact Assessment submitted with this application.
	<i>The proposal provides for the reconfiguration of the existing ground floor layout. In this regard, it is</i>	The reconfiguration of the exiting floor layout is a significant improvement to the current amenity

**Table 1 Pre-DA Comments**

Issue	Council's Comments	Response
	<p><i>considered appropriate that further consideration be given to the revised layout and its operational benefits. A number of areas (for instance the location of a café on the ground floor) appear to be compromised via the desire to work within the existing building constraints creating a tight and potentially compromised floor plan, the identified cafes, located adjoining a corridor and lift lobby is considered to be small in nature with concern that its position would not allow for appropriate use.</i></p>	<p>afforded to residents with the large number of multi-occupant rooms reduced majority single occupant rooms with ensuite bathrooms. With respect to the specific comments provided from Council, it is noted that the current proposal does not include a café and that the layout is regular and open to maximise occupant amenity, noting that the majority of residents suffer from dementia and the building has been designed with the operator's and architect's extensive experience in designing for such occupants.</p>
	<p><i>You are encouraged to review the provide conceptual plans in light of trying to maintain and appropriate ground and first floor layout in relation to desired future operations. This may include reconsideration of the location or treatment of specific areas within the proposed built form including in part but not restricted to the size of courtyard areas, lounge and dining areas, service rooms and external stairs. The functionality of the future use will be necessary consideration in the assessment of any DA received.</i></p>	<p>Noted. Refer to comments above.</p>
	<p><i>Location of a large outdoor northern facing terrace area to first floor is considered may create overlooking concerns for the adjoining northern neighbour. Any application received should discuss and identify privacy mitigation measures to avoid a loss of amenity for the neighbouring property.</i></p>	<p>Refer to Section 5.3.7 of this Statement for discussion. It is noted the residents to the north are located some 20m from the edge of the proposed terrace and that the behaviour of the residents is such that the space is not occupied outside of daylight hours and whilst in use, residents are seated and generally quiet. There will be no amplified music on the terrace.</p>
	<p><i>Consideration should be given to the provision of breakout or sitting areas to both the ground floor and first floor layouts. This is considered appropriate for comer elements of the two storey building rather than a dependency on centralised courtyard areas or first floor terrace. It is noted that proposed lounge and sitting areas on Level 2 are internalised rather than located on the exterior of the built form. The redesign is also considered appropriate to encourage a feeling of community and improved amenity for future occupants.</i></p>	<p>The internal courtyards provide the best access for all residents and are considered to result in the best outcome based on the known behaviour of dementia residents.</p>
	<p><i>Consideration should be given to a centralised location for services associated with the aged care use for instance in the positioning of the café and hair salon. This may assist in having an appropriate meeting or destination area should visitors arrive.</i></p>	<p>Services are collocated where possible and practical given the building layout.</p>
	<p><i>Any application received will be accompanied by a landscape plan clearly identifying trees to be retained/protected during construction or identified</i></p>	<p>A Landscape Plan has been prepared and is submitted with this application.</p>



Table 1 Pre-DA Comments		
Issue	Council's Comments	Response
	<i>for removal. Any significant trees identified for removal will need to be accompanied by an Arborist Report.</i>	
	<i>Consideration should be given to an appropriate colour schedule in relation to the overall presentation of the seniors building. An over-reliance on a single colour schedule is not encouraged and consideration should be given to a mixture of lighter and darker contrasting features to assist in distinguishing the lower floor from the upper floor. The use of materials which may cause reflection or glaring issues for adjoining properties or passing motorists is not supported and should be avoided.</i>	Refer to the schedule of colours and materials provided. There is no issue with creating a distraction for passing motorists.
	<i>Any application received will clearly identify the number and nature of signage to be provided in association with the future use.</i>	Any new signage will be subject to a separate DA.
	<i>Should the proposal maintain operations while construction is occurring, any DA received will also require the inclusion of a Staging Plan clearly identifying how the existing building as well as car parking facilities and any other necessary services are to be maintained and not create unnecessary disturbances during the construction phase.</i>	Operations will not be maintained during construction.
	<i>Any DA received should clearly identify the proposed lift over run as well as the position of any air conditioning units on architectural plans.</i>	The lift overruns are integrated into the roof form as shown on the plans. Similarly, air-conditioning condensers are integrated and concealed within the roof space.
	<i>Any DA received should provide for consideration of the existing and future redevelopment of the adjoining Panthers site noting that the main entry to the existing Seniors housing is provided and is expected to be maintained from Retreat Drive.</i>	The proposed development will have no impact on the future redevelopment of the Panthers site.
<i>Environmental Management: Noise Impacts</i>	<i>Acoustic report is required to be submitted and must consider NSW Industrial Noise Policy, potential impact from road traffic noise, NSW 'Road Noise Policy' and Interim Construction Noise Guidelines'.</i>	An Acoustic Report has been prepared and is submitted with this application.
<i>Waste Management</i>	<i>Waste management plan is to be provided.</i>	A Waste Management Plan is submitted with this application.
<i>Contamination (SEPP 55)</i>	<i>Application must address all relevant requirements under SEPP 55.</i>	The site has a long history of residential use and the existing building is being maintained such that no disturbance of existing will occur.
<i>Regulated Systems</i>	<i>Should development include a regulated systems as defined under the Public Health Act, details should be submitted to Council including, but not limited to,</i>	Noted.

Table 1 Pre-DA Comments		
Issue	Council's Comments	Response
	<i>number of systems, type of systems, system details and location of system.</i>	
<i>Fit Out Details</i>	<i>Council requests a copy of the fit out plans for each different new use referring the Construction/Australian Standards/Guidelines that each use has been designed in accordance with.</i>	Suitable detail is provided on the plans to enable Council to undertake an assessment of the proposal.
<i>General Environmental Health Impacts</i>	<i>Information should be submitted to Council in relation to management of the deceased, demonstrating compliance with the Public Health Act 2010 and Public Health Regulation 2012.</i>	The deceased would usually be held within their room pending arrival of an ambulance at a suitable time to organise discrete removal of the deceased. Council may impose a suitable consent condition requirement compliance with the relevant legislation.
	<i>Details of laundry operation including cleaning and sanitising of laundry and processes used for sanitising and control of lice, mites and bedbugs should also be submitted.</i>	All details regarding laundry operations have been provided.
	<i>Details regarding a loading dock for the deliveries of the ancillary uses on the ground floor and collection of waste are required.</i>	Loading details have been provided.
<i>Tree Preservation Officer</i>	<i>Applicant should discuss with Council's Tree Preservation Officer the trees at the front property.</i>	The trees located near to the Mulgoa Road frontage of the property will be unaffected by the proposed development.
<i>Engineering General</i>	<i>All engineering works must be designed and constructed in accordance with Council's Design Guidelines for Engineering Works for Subdivisions and Developments and Council's Engineering Construction Specification for Civil Works.</i>	Refer to the Civil Plans provided with the DA.
<i>Stormwater</i>	<i>Stormwater concept plan must be submitted.</i>	A Stormwater Concept plan is submitted with this application.
	<i>WSUD strategy is recommended.</i>	Noted
	<i>Rainwater tanks shall be provided in accordance with Council's DCP and BASIX.</i>	The areas outside of the building footprint are remaining largely unaffected. BASIX does not apply to the proposed development.
<i>Local Overland Flows</i>	<i>The eastern boundary of the site is affected by local overland flow flooding bases on the Penrith CBD Catchment Overland Flow Flood Study, Cardno 2015.</i>	This is reflected on the civil plans. Refer also to the accompanying written submission.
	<i>All plans for the site shall have levels and details of AHD.</i>	Plans indicate levels and details relative to the AHD.
	<i>Application must demonstrate the development proposal is consistent with Council's DCP for Flood Liable Land.</i>	Refer to civil plans. Refer also to the accompanying written submission.



Table 1 Pre-DA Comments		
Issue	Council's Comments	Response
Roadworks	<i>Development will require replacement of the road pavement and layback along the western frontage of the site.</i>	These areas remain unaffected by the proposed development.
Traffic	<i>A traffic and parking assessment of the carpark layout, access driveway design and other issues detailed in this memo shall be reviewed and endorsed by a suitably qualified traffic practitioner.</i>	A Traffic and Parking Assessment has been prepared and is submitted with this application.
	<i>Details of loading (deliveries and garbage collection) shall be provided.</i>	Details of loading are provided.
	<i>Adequate facilities shall be provided on-site for servicing of the proposed development.</i>	Adequate facilities are proposed.
	<i>Provision of off-street parking spaces shall be in accordance with the Seniors SEPP. Minimum requirement for proposed development are as per the below rates:</i> <ul style="list-style-type: none"> <li>- 1 space for each 10 beds in RACF</li> <li>- 1 space for each 2 persons employed in connection with development and on duty at any one time</li> <li>- 1 space suitable for ambulance</li> </ul>	The development proposes 21 parking spaces, consistent with the SEPP requirements. (See Annexure A)
	<i>Design of driveway, internal roadways &amp; ramps, parking spaces, sight distance and loading areas shall comply with Penrith DCP 2014 and Australian Standards.</i>	The driveway and parking proposed comply with the Penrith DCP 2017 (See Annexure C) and the Australian Standards.
	<i>Swept path analysis shall be provided.</i>	Swept path analysis is provided with the Traffic Report.
Building	<i>It is recommended the relocation of the hydrant booster be investigated in consultation with FRNSW to ascertain the best location for the booster assembly.</i>	The existing fire hydrants are being retained, of which there are 3 on total.
	<i>Ensure cladding used complies with fire resisting requirements of Volume 1 of Building Code of Australia.</i>	The proposal will be constructed to comply with the BCA.
	<i>Provide BCA report and access report if available.</i>	A Section J report is provided with the application.
Waste	<i>Waste collection vehicles proposed to service commercial and industrial developments are to be designed in accordance with the vehicle specification outlines in section 3.5 of the 'Industrial, commercial and mixed-use waste management guideline' document.</i>	Refer to the Operational Waste Management Plan lodged with the application.





## 3. Site Analysis and Context

### 3.1 THE SITE

The subject site is known as No. 57 Mulgoa Road, Penrith (Figure 1) and has a legal description of Lot 2 in DP 827455. Mulgoa Road is an RMS Classified Road. The subject site is an irregular shaped property with an eastern frontage to Mulgoa Road of 45.175m, a northern (side) boundary of 114.70m, a staggered southern boundary comprising sections measuring 52.8m, 22.3m and 32.5m. The rear part of the site contains part of the road named Retreat Drive which has an western boundary of 77.8m and 43.320m and an eastern boundary (which runs south of the main development site) of 18.6m and 48.605m. The site has a total area of 7,209m<sup>2</sup> and is relatively flat.



**Figure 1** Aerial image of the subject site (source: SixMaps)

The site is currently occupied by a single storey Residential Aged Care Facility (RACF) containing 99 beds spread throughout various sized rooms (ranging from single rooms to 4 bed rooms), the building also contains associated lounge, dining, kitchen and back of house facilities. The accommodation is outdated in terms of residential amenity and functional requirements from an operational perspective.

Vehicular and main pedestrian access to the site is via Retreat Drive, which is a semi-public road connecting from the public road network to the RACF and Mountain View Retreat Village (an area designed as a small community comprising internal roads, multiple Independent Living Units and associated facilities).

The site contains a porte-cochere at the main entrance and on-site parking generally along the southern boundary. The site contains medium sized trees and other shrubs and vegetation at the Retreat Drive frontage, the southern boundary







and the frontage with Mulgoa Road. Private open space is located at the rear of the site (adjacent to Mulgoa Road) and within two central courtyard areas.

Photographs of the subject site depicting the existing facilities are provided at **Figures 2 to 5**.



**Figure 2** No. 57 Mulgoa Road, Penrith.



**Figure 3** The subject site with entrance driveway to the left.







Figure 4 Southern side of the dwelling on the subject site.



Figure 5 Northern side of the subject site viewed from the walkway over the canal.





### 3.2 SURROUNDING DEVELOPMENT

The subject site is situated in a small pocket of residential development surrounded by land zoned for tourism and recreation. Adjoining the site to the north at No. 37 Mulgoa Road is the Mountain View Retirement Village. The retirement village comprises of one and two storey buildings containing multiple dwellings. To the south of the site at No. 61 Mulgoa Road lies a multi dwelling unit complex with one and two storey buildings. To the rear of the site is a public car park. Opposite the subject site, on the eastern side of Mulgoa Road is a recreation district with land uses including Penrith Paceway, Penrith Panthers Stadium and the public swimming pool. The aerial image provided at **Figure 5** identifies the subject site and demonstrates the land use composition of the immediate locality.

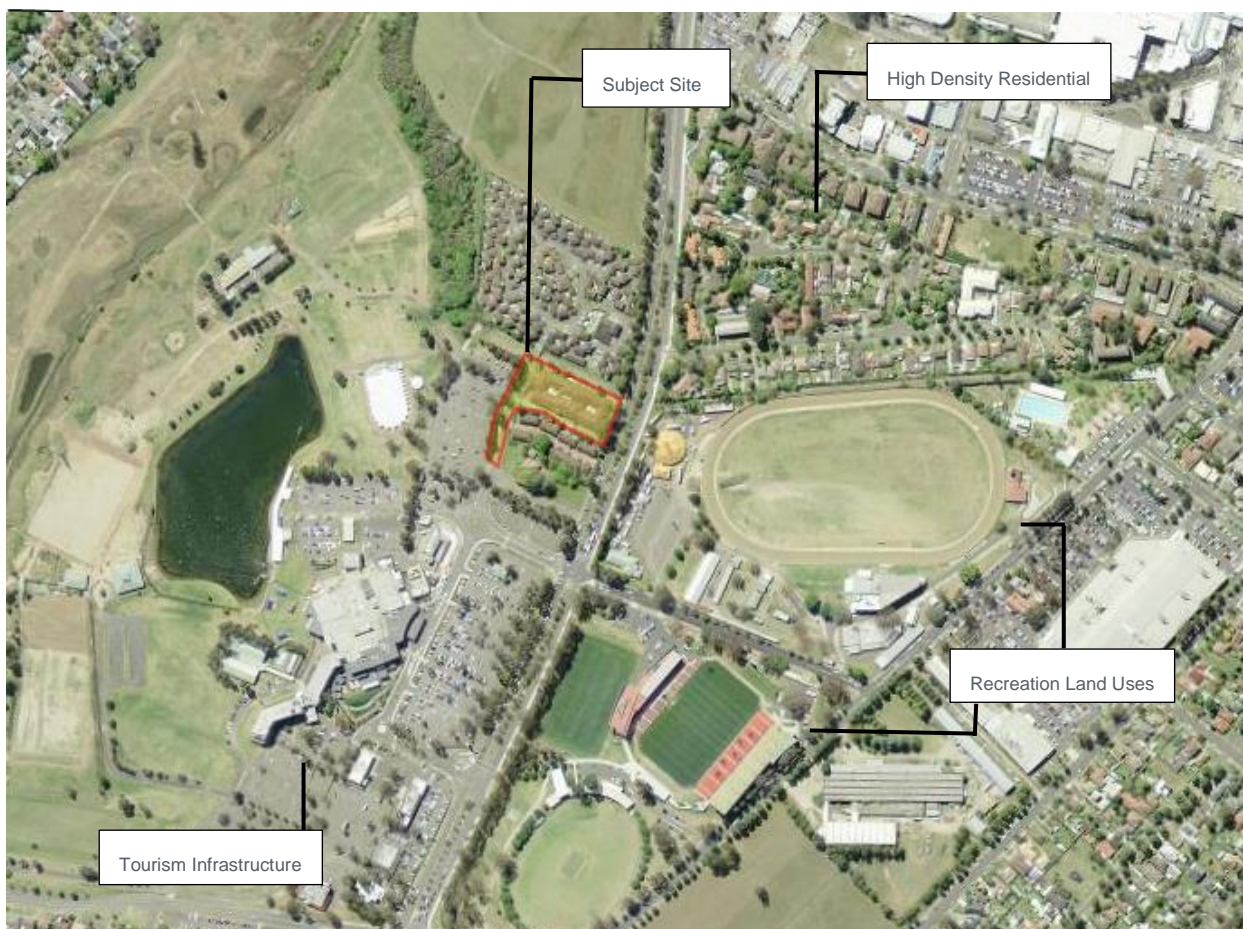


Figure 6 Land use composition and nearby key sites / features





## 4. Description of the proposal

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The development application proposes the alterations and additions to the existing building to create an additional level and substantial internal alterations to internally upgrade and improve the facility. The proposal will see all shared bedrooms replaced with single rooms with bathroom ensuite facilities. The existing location of kitchen, dining, entry lobby and back of house will generally stay unchanged with 52 single rooms created at ground level. At first floor level 48 rooms will be provided with additional lounge, dining, back of house and rooftop courtyard area. A total of 100 rooms are proposed, in place of the existing 99 rooms.

### 4.1 DEMOLITION

The existing Seniors Housing development contains one level of residential housing in the form of a Residential Aged Care Facility (RACF). Demolition works are predominantly internal with a number of internal walls and doors proposed for removal to allow for the reconfiguration of rooms and common spaces. The demolition of some external walls, windows and doors is also proposed to enable the new layout of the ground floor.

Demolition detail is illustrated on the demolition plan provided with the architectural plan set.

### 4.2 BUILDING ARRANGEMENT AND CONFIGURATION

The proposal includes alterations and additions to the existing building to create an additional level and substantial internal alterations to internally upgrade and improve the facility. The proposal will see all shared bedrooms replaced with single rooms with ensuite facilities.

The building form at Ground Level remains unchanged, with all alterations occurring internally. The existing location of kitchen, dining, entry lobby and back of house will generally stay unchanged with 52 single rooms created at ground floor. Adjacent to the primary entry, via Retreat Road, is a rectangular courtyard with a covered way leading to the proposed lift, lift lobby, stairs and café towards the middle of the building. An additional courtyard is provided in the centre of the eastern wing at ground level. External stairs have been provided at each quadrant of the building for Level 1 access.

At the first floor level 48 rooms will be provided with additional lounge, dining, back of house and rooftop courtyard area. All rooms on this level are 1 bedroom units with bathroom ensuite. The space above the ground floor courtyards will become void and a courtyard is provided in the centre of the building adjacent to the lounge and dining areas. A terrace is located on the northern side of the building, which will generally be used only during daylight hours and for passive purposes only.

### 4.3 ACCESS AND PARKING

Existing vehicular access to the site is via Retreat Drive and will remain unchanged. Similarly, existing waste management of the site will remain unchanged following completion of the development.

Existing at-grade parking is situated adjacent to the southern property boundary. Parking will be retained in this location and the site will continue to provide for a total of 21 spaces. The configuration of the car park, including space dimensions, satisfies the requirements of the relevant Australian Standards.

A bay for emergency vehicles is proposed to the North West corner of the site.







#### 4.4 DEEP SOIL AND LANDSCAPING

The existing hard surface areas on site and remaining largely unchanged and as such, site landscaping is not being altered in any significant way. All existing mature native vegetation will be retained with additional feature planting provided to improve site amenity and local biodiversity. The landscape design comprises a series of trees, hedge plantings, ground covers and feature planter beds, and will be provided within external and internal common areas and at the site's western frontage.

The landscape design concept is detailed in the Landscape Design Package prepared by SILK Landscape Architects and submitted with the development application.





# 5. Environmental Planning Assessment

## 5.1 PREAMBLE

This section of the Statement provides a planning assessment of the proposed development covering all relevant heads of consideration under Section 79C of the EP&A Act, 1979.

## 5.2 STATUTORY AND POLICY COMPLIANCE

The relevant matters for consideration under Section 79C(1)(a) of the EP&A Act, 1979, are identified in **Table 2**.

Table 2 Section 79C Matters for Consideration				
EP & A Act, 1979.	Matters for Consideration	OK	See Comments	N/A
S.79C(1)(a)(i)	SEPP No.55 – Remediation of Land	✓	✓	
"	SEPP (Housing for Seniors or People with a Disability) 2004		✓	✓
"	SEPP (Infrastructure) 2007	✓	✓	
"	Penrith LEP 2010	✓	✓	
S.79C(1)(a)(iii)	Penrith DCP 2014	✓	✓	
S.79C(1)(a)(iv)	Any other prescribed matter: - AS 2601-1991: Demolition of structures.	✓		

The matters identified in the above Table as requiring specific comment are discussed below. The primary statutory document that relates to the subject site and the proposed development is the *Penrith Local Environmental Plan 2010 (PLEP 2010)*. The primary non-statutory plan relating to the subject site and proposed development is *Penrith Development Control Plan 2014 (PDCP 2014)*. An assessment of the applicable provisions of these documents and other relevant planning instruments is provided below.

### 5.2.1 SEPP No.55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 65) was gazetted on 28 August 1989 and applies to the whole State. It introduces planning controls for the remediation of contaminated land and requires an investigation to be made if land contamination is suspected.

Based on an investigation of application history, perusal of historic aerial imagery and a site inspection, it is considered that there is no reason to suspect that this property is contaminated. The site has evidently been used for the purposes of residential use for an extended period of time. In addition, the existing building is being retained on the land to an extent where no disturbance of the ground will occur. No further action is required in relation to contamination.

### 5.2.2 SEPP (Housing for Seniors or People with a Disability) 2004

*State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* commenced on 31 March 2004, and repealed the former State Policy relating to seniors living entitled *SEPP No.5 - Housing for Older People or People with a Disability*, which commenced on the 14 February, 1998.





It is noted that the proposed development is permissible in the zone under Penrith LEP 2010 and therefore assessment under SEPP Seniors Housing is not required. In this regard, Clause 15 of the SEPP outlines how Chapter 3 of the SEPP is to be applied.

Clause 15 states:

*15 What Chapter does*

*This Chapter allows the following development despite the provisions of any other environmental planning instrument if the development is carried out in accordance with this Policy –*

- (a) development on land zoned primarily for urban purposes for the purpose of any form of seniors housing, and*
- (b) development on land that adjoins land zoned primarily for urban purposes for the purpose of any form of seniors housing consisting of a hostel, a residential care facility or serviced self-care housing.*

The proposed development is not being “carried out in accordance with the Policy” (as it is permissible in the zone) and as such, the SEPP does not apply. This approach is consistent with decisions of the Court of Appeal in the Land and Environment Court.

On this basis, there are no provisions of the SEPP that can be used to refuse the proposed development.

Council is of the opinion that, as the proposal will provide alterations and additions to an existing aged care facility, any Development Application received will be assessed in relation to the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004. As outlined above, it is the applicant’s view that the SEPP does not apply, however, full compliance with the SEPP is achieved as indicated at Annexure A of this report.

### **5.2.3 SEPP (Infrastructure) 2007**

State Environmental Planning Policy (Infrastructure) 2007 commenced 1 January 2008 and applies to the State. The SEPP aims to facilitate infrastructure delivery across the State by improving regulatory certainty and efficiency through a consistent planning regime for infrastructure.

Division 17 of Part 3 of the SEPP contains provisions that apply to roads and traffic. Subdivision 2 contains clauses relating to the development in or adjacent to road corridors and road reservations. The site is adjacent to a classified road and therefore the development proposal is affected by Clause 101 ‘Development with frontage to classified road’ and Clause 104 ‘Traffic-generating development’. As such the proposal is assessed against the relevant objectives and provisions of each clause below. Clause 45 states that the consent authority is to give notice to the electricity supply authority for the area in respect of a development application involving development adjacent to an electricity substation.

*“Clause 101 Development with frontage to classified road*

- (1) The objectives of this clause are-*
  - (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
  - (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.”*

The proposal satisfies the above mentioned objectives as the proposed driveway entry access is unchanged from what is existing on the site. The proposal does not rely on the operation of the classified road, being Mulgoa Road, for direct access to the site and instead utilises Retreat Drive as the sole access road. This arrangement is existing and thus, the proposal ensures the operation and functionality of Mulgoa Road remains the same.





Furthermore, the proposed development does not substantially increase the amount of residents in the facility and therefore in no way increases the intensity of development or the number of vehicles visiting the site.

An Acoustic Report prepared by Wilkinson Murray dated April 2020 is provided with the development application. It concludes as follows:

*Wilkinson Murray Pty Limited has conducted an assessment to review the requirements of a proposed residential aged care accommodation at 57 Mulgoa Road, Penrith in regard to noise intrusion from road traffic, operational noise emissions and the sound insulation of the future residential accommodation. The assessment involved a survey of the existing noise environment, derivation and establishment of assessment criteria for noise emissions in accordance with Penrith Council, EPA and DPI&E guidelines, a noise impact assessment relative to appropriate criteria, and, where required, recommendations for noise control measures. This assessment has been carried out in accordance with NSW regulatory requirements and this report is to form part of a Development Application in support of the proposed development.*

*The findings are as follows:*

#### **Façade Sound Isolation**

*Recommendations of glazing have been provided for the eastern end of the development adjacent to the road. Other areas of the development do not require any additional measures for acoustics.*

#### **Sound Insulation**

*Provided the sound insulation performance recommendations and the statutory BCA requirements, as documented in this report are implemented satisfactorily, the proposed development will satisfy all statutory requirements in relation to acoustical amenity and design.*

#### **Mechanical Noise Sources**

*The preliminary issue mechanical services design has been reviewed. Preliminary review indicates that project-specific criteria for continuous operational noise can be achieved with the design as documented.*

*Mechanical services design will require review by an appropriately qualified acoustic consultant at the Construction Certificate/Detailed Design stage, when final plant selections have been made and final layout and operation confirmed. The noise goals documented within this report are to be achieved for day, evening and night-time operations.*

### **5.2.4 Penrith Local Environmental Plan 2010**

The *Penrith Local Environmental Plan 2010* (PLEP 2010) applies to the subject site. Under the LEP the subject site is within Zone R4 – *High Density Residential*, as indicated on the *Land Zoning Map*. The proposed development is characterised as a *residential care facility* which is permissible with consent in Zone R4.

The objectives of Zone R4 are as follows:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents*
- *To ensure that a high level of residential amenity is achieved and maintained*
- *To encourage the provision of affordable housing*
- *To ensure that development reflects the desired future character and dwelling densities of the area*

The proposed redevelopment will provide for the housing needs of the community, particularly the elderly. The scale of development will complement the high density character of the locality. The proposal does not limit other land uses





to provide facilities or services to residents. For these reasons, the proposal demonstrably aligns with the zone objectives of Zone R4.

A Compliance Table which considers the proposal against the provisions of PLEP 2010 is provided at Annexure B. The proposed redevelopment works satisfy all relevant provisions of PLEP 2010.

#### **5.2.5 Penrith Development Control Plan 2014**

The *Penrith Development Control Plan 2014* (PDCP 2014) applies to all land to which the Penrith Local Environmental Plan 2010 applies, although the DCP does not have any planning controls that are specific to Seniors Housing. A Compliance Table is provided at Annexure C and considers the proposal against the relevant controls of the DCP, whilst also providing an assessment against the residential flat building provisions to assist Council's assessment of the application. The compliance table demonstrates that the proposal is largely consistent with relevant DCP controls.

### **5.3 IMPACTS ON NATURAL & BUILT ENVIRONMENT**

#### **5.3.1 Topography & Scenic Impacts**

Works will generally be contained within the existing building footprint, and will not result in any adverse impacts to the amenity of neighbouring sites or the structural integrity of adjoining buildings. There is no excavation proposed. The proposal will not generate any adverse topographical or scenic impacts.

#### **5.3.2 Micro-climate Impacts**

The proposed development requires no substantive tree removal and will have no significant adverse impact on surface or ground water regimes. Therefore no significant impact on local micro-climate is anticipated.

#### **5.3.3 Water & Air Quality Impacts**

During construction, appropriate sediment and erosion controls will be installed and maintained to prevent migration of sediment from the site. Once constructed, roof and surface water from the development will continue to be piped by gravity as currently exists to the west where it connects to the system with Retreat Drive.

A Stormwater Management Plan prepared by ACOR Consultants has been submitted with the development application. The SMP details proposed stormwater management concept and proposed integration with existing stormwater infrastructure.

In terms of air quality, the site will be managed during construction to mitigate potential for top soil and the like becoming airborne. During operation, the proposed use is not anticipated to generate any unusual odour or fumes. The proposal is unlikely to have any notable impact on air quality.

#### **5.3.4 External Appearance & Design**

The proposed development will present as a two building. The bulk and scale of the development is consistent with that of existing development within the subject site, as well as development on adjoining properties and is considered to be compatible with desired built form and character. A second storey is proposed, however due to the length of the building and extent of the site, the additional storey does not visually increase the bulk of the building to a great extent. In terms of built form, both the existing and proposed facilities are compatible with high density residential development on the western side of Mulgoa Road, even more so with the second storey proposed.

The development displays a high degree of articulation along each elevation to ameliorate visual bulk and break the structure into modules. In particular, the building form is recessed in sections to create prominent visual features







including the main entrance and balcony which protrude past the bulk of the building form thus creating visual interest and aesthetical appeal. Indeed, vertical 'breaks' are created at intervals by the recessed aspects to achieve a suitable degree of modulation and break up the building continuation. Window openings vary to further create visual interest. In addition to physical articulation and openings, material combinations serve to create visual interest and ameliorate perceived visual bulk.

External materials and finishes have been selected to reflect the use of the building, complement building form and articulation and provide a high quality and visually pleasing aesthetic. Materials comprise three types of light-weight wall cladding, substantial areas of appropriately positioned glazing, glass balustrading and non-reflective metal roof sheeting. In addition, vertical and horizontal louvres will be installed external to the building and will serve multiple functions including sun protection, privacy and visual interest.

Perspectives of the proposed development are provided at Figures 7, 8 and 9.



Figure 7 Perspective of the development viewed from North East



Figure 8 Northern Elevation of the development





**Figure 9** Perspective of the development viewed from North West

### 5.3.5 Solar Access

Shadow diagrams demonstrating the extent of overshadowing associated with the proposed development have been prepared and are submitted with the development application. These diagrams indicate shadow cast at 9am, 12 noon and 3pm on the winter solstice (21st June).

Shadow diagrams confirm that the development will have no significant overshadowing impacts. Shadows cast by new development generally fall within or marginally beyond the boundaries of the site. Shadows extend further into the neighbouring property to the south in the morning and will impact the dwellings within this facility to a small degree, however sufficient direct solar access is maintained throughout the day.

### 5.3.6 Views

There are no significant views obtained from or through the site and therefore the proposal will have no adverse impact in regards to loss of views or outlook from adjoining properties.

### 5.3.7 Aural & Visual Privacy

Rooms within the proposed residential care facility are, for the most part, oriented outward, towards open spaces and circulation areas within the site. Siting and orientation of buildings ensures there is limited potential for overlooking of neighbouring premises. In any case, proposed building setbacks are generous and ensure that separation distances between the new building and buildings on adjoining properties are such that cross views between habitable spaces are limited and will not compromise visual privacy.

Spaces that have potential to generate noise such as activity rooms and common open space areas are suitably located to ensure noise transmission from the site to noise sensitive uses on adjoining properties will not adversely impact



acoustic amenity. Plant and equipment will primarily be located within the basement level which can be acoustically treated to prevent noise transmission.

An Acoustic Report has been prepared and is submitted with this application and demonstrates that the acoustic performance of the development satisfies the DCP requirements.

## 5.4 ECONOMIC & SOCIAL IMPACTS

The proposal will have no adverse economic impacts. Undertaking the construction works will have some short-term positive economic impacts through employment generation, both direct employment and multiplier effects.

The proposal is considered to have strong positive social impacts. Detached dwellings are the predominant housing form within the area which are generally unsuitable aging in place where more direct and regular care is often needed by residents as they age. The proposal provides high quality accommodation for seniors, whilst maintaining the predominant scale and character of development in the locality.

The proposed expanded facility will provide an appropriate style of aged care housing that will provide a high standard of care.

## 5.5 THE SUITABILITY OF THE SITE

### 5.5.1 Access to Services

The site is located within an established area with good access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

### 5.5.2 Car parking

Parking requirements for seniors housing developments are prescribed within the Penrith DCP 2014, and have been identified within the Compliance Table at Annexure C. The existing parking arrangements on the site will be maintained. The development provides for a total of 23 car parking spaces, consistent with the SEPP and DCP requirements.

### 5.5.3 Hazards

The subject site is bush fire prone land- vegetation buffer. A Bushfire Protection Assessment Report has not been requested by Council considering the proposed development is an existing land use and the proposal does not significantly alter the existing development nor increase the number of residents on the site.

The site is not in an area recognised by Council as being subject to landslip and complies with the floor height requirements to cater for localised flooding – refer to the civil plans and supporting submission.

## 5.6 THE PUBLIC INTEREST

The proposed development will increase the supply of seniors housing in a form that meets the housing needs of the community, particularly elderly cohorts. The proposed development will provide high quality housing compatible with the scale and character of development in the locality, and is suitable in terms of being an expansion to an existing facility, thereby utilising existing infrastructure.

The proposed building has also been designed to protect the amenity of adjoining development, as well as to provide a high degree of amenity for residents within the proposed facility.







The site is located in close proximity to public transport services which allow convenient access to services and facilities and although not required to, satisfies the site requirements of the Seniors Housing SEPP. The proposed development will generally have positive environmental impacts and acceptable impacts on the amenity of neighbouring properties. The proposed development is therefore considered to be in the public interest.





## 6. Conclusion

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This Statement accompanies a development application for the construction of a residential care facility at 57 Mulgoa Road, Penrith. The proposed development has been assessed in light of Section 79C of the Environmental Planning & Assessment Act, 1979 and Council's planning Guidelines and Policies.

The proposal is permissible with consent pursuant to *Penrith Local Environmental Plan 2010* and satisfies the relevant requirements of the instrument. The development application is also fully compliant with the *Penrith Development Control Plan 2014*.

Although not required, the proposal is also fully compliant with the *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004*.

The siting, design and external appearance of the proposed residential care facility is compatible with the character of the locality and will not result in any unreasonable amenity impacts to adjoining or nearby properties. Importantly, the redevelopment of the existing seniors housing development will allow for the provision of additional high-care rooms to support the needs to the elderly population.

The site is suitable for the proposed development and satisfies the intent of Zone R4. The development will positively contribute to the quality and service levels of the existing seniors housing development and will have manageable impacts on both the environment and the amenity of the locality. Accordingly the proposal is considered to be in the public interest and worthy of Council's support.



## ANNEXURE A

### SEPP (Seniors Housing) – Compliance Table



**SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE**

Clause / Control	Requirement	Proposal	Complies?
Part 2 Site related requirements			
25 Application for site compatibility certificate	<p>5. The relevant panel must not issue a site compatibility certificate unless the relevant panel—</p> <p>(b) is of the opinion that the proposed development is compatible with the surrounding land uses having regard to (at least) the following criteria -</p> <ul style="list-style-type: none"> <li>i. the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development,</li> <li>ii. the impact that the proposed development is likely to have on the uses that, in the opinion of the relevant panel, are likely to be the future uses of that land,</li> <li>iii. the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,</li> <li>iv. in the case of applications in relation to land that is zoned open space or special uses—the impact that the proposed development is likely to have on the provision of land for open space and special uses in the vicinity of the development,</li> <li>v. without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,</li> <li>vi. if the development may involve the clearing of native vegetation that is subject to the requirements of section 12 of the Native Vegetation Act 2003—the impact that the</li> </ul>	<p>The proposal is compatible with the existing uses on the site, being an aged care facility, and is compatible with the natural environment, as described throughout this Statement.</p> <p>The land is zoned R4 and therefore the expansion of the existing aged care facility is consistent with the zone.</p> <p>The services and infrastructure available within and in proximity to the site are sufficient to meet the demands of the development, having regard to the location and access to facilities requirements of clause 26 (discussed below).</p> <p>The land use is existing and has no impact on the provision of land for open space or special uses. Further development on the land will in no way increase the impact upon such land use within the vicinity.</p> <p>The proposed redevelopment has a modest two storey form, its bulk and scale is considered to be compatible with that of existing buildings and future anticipated development in the locality.</p> <p>The removal of vegetation is not proposed.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>

SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

	<p>proposed development is likely to have on the conservation and management of native vegetation,</p> <p>vii. the impacts identified in any cumulative impact study provided in connection with the application for the certificate,</p>		
26 Location and access to facilities	<p>1. A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:</p> <p>a. shops, bank service providers and other retail and commercial services that residents may reasonably require, and</p> <p>b. community services and recreation facilities, and</p> <p>c. the practice of a general medical practitioner.</p>	Residents will have access to each of the facilities and services identified in subclause (1), as described below.	✓
	<p>2. Access complies with this clause if:</p> <p>b. in the case of a proposed development on land in a local government area within the Greater Sydney (Greater Capital City Statistical Area)—there is a public transport service available to the residents who will occupy the proposed development—</p> <p>i. that is located at a distance of not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and</p> <p>ii. that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to in subclause (1), and</p> <p>iii. that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive),</p>	Multiple bus stops are located within 400m of the site via footpaths which provide a number of services throughout the day, all of which stop at bus stops at or close to shopping centres.	✓

## SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

	and the gradient along the pathway from the site to the public transport services (and from the public transport services to the facilities and services referred to in subclause (1)) complies with subclause (3), or		
	<p>3. For the purposes of subclause (2) (b) and (c), the overall average gradient along a pathway from the site of the proposed development to the public transport services (and from the transport services to the facilities and services referred to in subclause (1)) is to be no more than 1:14, although the following gradients along the pathway are also acceptable—</p> <ul style="list-style-type: none"> <li>i. a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,</li> <li>ii. a gradient of no more than 1:10 for a maximum length of 5 metres at a time,</li> <li>iii. a gradient of no more than 1:8 for distances of no more than 1.5 metres at a time</li> </ul>	The existing pathways from the site to the nominated public transport services are in accordance with Council's requirements.	✓
27 Bushfire prone land	<p>4. A consent authority must not consent to a development application made pursuant to this Chapter to carry out development on land identified on a bush fire prone land map certified under section 146 of the Act as "Bush fire prone land—vegetation category 1", "Bush fire prone land—vegetation category 2" or "Bush fire prone land—vegetation buffer" unless the consent authority is satisfied that the development complies with the requirements of the document titled Planning for Bush Fire Protection, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006.</p>	<p>A portion of the subject site is nominated as Vegetation Buffer.</p> <p>As the development is an existing use on the site Council have not expressed any issues with the application in regards to Planning for Bushfire Protection.</p>	✓
28 Water and sewer	<p>1. A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewage.</p>	The development will be connected to the existing reticulated water and sewage disposal systems which are capable of servicing the proposed development.	✓

## SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

29 Consent authority to consider certain site compatibility criteria for development applications to which clause 24 does not apply	2. A consent authority, in determining a development application to which this clause applies, must take into consideration the criteria referred to in clause 25 (5) (b) (i), (iii) and (v).	Refer to discussion against clause 25, provided earlier in this Compliance Table.	✓
Part 3 Design requirements			
30 Site analysis	1. A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the applicant has taken into account a site analysis prepared by the applicant in accordance with this clause.	A site analysis plan is included with the architectural plan set submitted with this development application. Section 3 of this Statement describes the site and its characteristics and the characteristics of the locality.	✓
32 Design of residential development	A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied that the proposed development demonstrates that adequate regard has been given to the principles set out in Division 2.	The design principles set out in Division 2 are addressed within this Compliance Table. Assessment demonstrates that the development satisfies relevant design principles.	✓
33 Neighbourhood amenity and streetscape	The proposed development should: a. recognize the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and	The proposed development recognises the desirable elements of the site and locality and contributes to the quality and identity of the area by enhancing the appearance of development on the site. The visual appearance and aesthetic qualities of the development are discussed in more detail at Section 5.3.4 of this Statement.  It should be noted that no new buildings are proposed and that the application is for alterations and additions to the existing building on the site.	✓
	b. retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and	The site is adjacent to land identified as Local Heritage Item No. 815, 'The Willows House'. The item shares a site boundary with the subject site being the boundary that runs along Retreat Drive.	✓

SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

		<p>As no works are proposed to the road access as part of this application and all works are to be completed on the bulk of the site which does not adjoin the heritage item, the works proposed will not compromise the significance of the heritage item.</p> <p>Consequently, a heritage management document should be not be required.</p>	
	<p>c. maintain reasonable neighborhood amenity and appropriate residential character by:</p> <ul style="list-style-type: none"> <li>i. providing building setbacks to reduce bulk and overshadowing, and</li> <li>ii. using building form and siting that relates to the site's land form, and</li> <li>iii. adopting building heights at the street frontage that are compatible in scale with adjacent development, and</li> <li>iv. considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and</li> </ul>	<p>The development maintains a high degree of neighbourhood amenity and appropriate residential character through thoughtful contemporary design which seeks to integrate seamlessly with existing structures.</p> <p>The proposed building envelope generally mirrors that of the existing building proposed for alterations and additions. The development will generally utilise the 'platform' of the existing building with an additional level proposed.</p> <p>The building height is not significantly greater than the existing building and remains modest to suit the character and built form of the locality. At the street frontage the building will present as a 2 part storey structure, suited to the R4 high density residential zone and compatible with development in the locality.</p> <p>The proposed alterations and additions do not alter the buildings setbacks and therefore the building is suitably setback from the boundary to neighbouring property to the south.</p>	✓
	<p>d. be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and</p>	<p>The existing setbacks are being maintained.</p>	✓
	<p>e. embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and</p>	<p>Plant species have been chosen to harmonise with existing planting on the site and within the locality. Plant species and landscape concept is detailed in the Landscape Design Package prepared by SILK Landscape Architects and submitted with this development application.</p>	✓



## SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

	f. retain, wherever reasonable, major existing trees, and	There are no trees nominated for removal.	✓
	g. be designed so that no building is constructed in a riparian zone.	No riparian zone is located in the vicinity of proposed works.	✓
34 Visual and acoustic privacy	The proposed development should consider the visual and acoustic privacy of neighbours in the vicinity and residents by: a. appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and	Building orientation, window position and screening devices will ensure the visual privacy of residents of the aged care facility and neighbours is adequately protected.	✓
	b. ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.	Bedrooms are situated an appropriate distance from driveways and parking areas to ensure the acoustic privacy of residents is not compromised.	✓
35 Solar access and design for climate	The proposed development should: a. ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and	The maximum number of dwellings has been oriented to allow for penetration of direct sunlight. Shadow diagrams submitted with the development application demonstrate that neighbouring development will not be significantly overshadowed, and also demonstrate that common open space areas will receive substantial direct sunlight.	✓
	b. involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.	Building orientation and design ensures adequate solar access to reduce reliance on artificial light while awnings and external window louvres are installed where necessary to protect against summer sun. Operable windows will allow for natural ventilation and reduce the need for artificial cooling.	✓
36 Stormwater	The proposed development should: a. control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and	Substantial landscaped area is provided to allow for infiltration of rainwater. Paving, driveways and other hardstand surfaces are minimised as far as possible. Stormwater will be connected to the existing piped system.	✓
	b. include, where practical, on-site stormwater detention or re-use for second quality water uses.	The proposal incorporates on-site stormwater detention to ensure that the post-development flows are consistent with pre-development flows, however no re-use is proposed.	-

## SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

37 Crime prevention	The proposed development should provide personal property security for residents and visitors and encourage crime prevention by: a. site planning that allows observation of the approaches to a dwelling entry from inside each dwelling and general observation of public areas, driveways and streets from a dwelling that adjoins any such area, driveway or street, and	Dwellings are orientated outwards and allow for passive surveillance of the site surrounds.	✓
	b. where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and	A common entry to the facility is proposed and access to various locations within the facility is via security doors.	✓
	c. providing dwellings designed to allow residents to see who approaches their dwellings without the need to open the front door.	Visitors must be granted access to the residential components of the facility, and will enter through security doors. This particular SEPP provision is not directly relevant to RACF developments given their layout and high-care needs of residents.	✓
38 Accessibility	The proposed development should: a. have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities, and	The subject site has accessible pedestrian links to the bus stops within the adjacent RACF to the north, via concrete footpaths, as referred to previously within this Compliance Table.	✓
	b. provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.	Existing parking facilities at the southern end of the site will be retained and will continue to be utilised. A Traffic Report is submitted with the development application.	✓
39 Waste management	The proposed development should be provided with waste facilities that maximise recycling by the provision of appropriate facilities.	A waste storage facility is provided at the ground floor of the development and will accommodate the necessary garbage and recycling receptacles. A Waste Management Plan has been submitted with the development application and details operational waste management processes including waste storage and collection.	✓
Part 4 Development standards to be complied with			
40 Development standards - minimum	1. General A consent authority must not consent to a development	The proposed development complies with each of the standards specified in this clause, as described below.	✓

## SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

sizes and building height	application made pursuant to this Chapter unless the proposed development complies with the standards specified in this clause.		
	2. Site size The size of the site must be at least 1,000 square metres.	The site is 7,209m <sup>2</sup> .	✓
	3. Site frontage The site frontage must be at least 20 metres wide measured at the building line.	The site frontage is greater than 20 metres wide measured at the building line.	✓
	4. Height in zones where residential flat buildings are not permitted If the development is proposed in a residential zone where residential flat buildings are not permitted: a. the height of all buildings in the proposed development must be 8 metres or less, and	The site is zoned as R4 High Density Residential in which residential flat buildings are permitted. The Height of Buildings prescribed under the PLEP 2010 applies to the site.	See PLEP 2010 Compliance Table.
	b. a building that is adjacent to a boundary of the site (being the site, not only of that particular development, but also of any other associated development to which this Policy applies) must be not more than 2 storeys in height, and	N/A	-
	c. a building located in the rear 25% area of the site must not exceed 1 storey in height.	N/A	-
Part 7 Development standards that cannot be used as grounds to refuse consent			
48 Standards that cannot be used to refuse development consent for residential care facilities	A consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a residential care facility on any of the following grounds: a. building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by	7m	✓

SEPP (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004 – COMPLIANCE TABLE

	another environmental planning instrument limiting development to 2 storeys), or		
	b. density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,	0.71:1	✓
	c. landscaped area: if a minimum of 25 square metres of landscaped area per residential care facility bed is provided,	The proposal residential care facility contains 100 beds which equates to a landscaped area requirement of 2,500m <sup>2</sup> . However, the existing facility accommodates 99 beds and the proposal therefore only seeks to increase the number of beds on site by 1. This increase is <i>de minimis</i> and greater focus should be given to the significant improvement to occupant amenity resulting from the proposal, with this amenity improvement easily offsetting the minor required increase in landscaped area. It is noted that this SEPP provision is not a development standard and that Council is able to support any landscaped area provision on the site as confirmed by the note at the bottom of Clause 48, which states <i>the provisions of this clause do not impose any limitations on the grounds on which a consent authority may grant development consent.</i>	✓
	d. parking for residents and visitors: if at least the following is provided: <ul style="list-style-type: none"> <li>i. 1 parking space for each 10 beds in the residential care facility (or 1 parking space for each 15 beds if the facility provides care only for persons with dementia), and</li> <li>ii. 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and</li> <li>iii. 1 parking space suitable for an ambulance.</li> </ul>	Based on the parking requirements prescribed in the Seniors Housing SEPP, the proposed development requires parking as follows: <ul style="list-style-type: none"> <li>- 100 beds associated with residential care facility = 10 spaces</li> <li>- Maximum 25 employees on duty at any given time = 13 spaces</li> </ul> The total parking requirement for the facility is 23 spaces and these are provided thus satisfying the parking requirements prescribed by the Seniors Housing SEPP. <p>In addition, a space for ambulance parking is provided adjacent to the lower entry to the facility.</p>	✓

## ANNEXURE B

### Penrith LEP 2010 - Compliance Table



**PENRITH LEP 2010 – COMPLIANCE TABLE**

Clause / Control	Requirement	Proposal	Complies?
Part 2 Permitted or prohibited development			
2.3 Zone objectives and Land Use Table	<p>Zone R4 High Density Residential</p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a high density residential environment.</li> <li>• To provide a variety of housing types within a high density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To ensure that a high level of residential amenity is achieved and maintained.</li> <li>• To encourage the provision of affordable housing.</li> <li>• To ensure that development reflects the desired future character and dwelling densities of the area</li> </ul>	<p>The development is an existing form of seniors housing, which is a permissible use within the zone by virtue of falling under the definition of residential accommodation as below</p> <p><i>“residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following—</i></p> <p><i>(l) seniors housing, but does not include tourist and visitor accommodation or caravan parks”</i></p> <p>The development provides improved residential housing within the high density residential area.</p> <p>The proposal assists in providing housing variety in providing a RACF for aged persons.</p> <p>The proposal enables an existing land use to continue to provide facilities and services which meet the needs of residents.</p> <p>The development improves the amenity of the RACF in providing high quality single quality single rooms with ensuite bathroom facilities.</p> <p>As the development is for seniors housing, affordable housing is not proposed.</p> <p>The development increases the density of the building and reflects a building form that is more consistent with the high density residential character of the area.</p>	✓
Part 4 Principal development standards			
4.3 Height of buildings	<p>2. The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map. 12m</p> <p>Note- a small portion of the site which relates only to Retreat Drive is marked with a 24m height limit. This is not relevant to the application and does not provide any benefit to the subject site as it is a road.</p>	Approximately 8m (maximum).	✓

## PENRITH LEP 2010 – COMPLIANCE TABLE

4.4 Floor Space Ratio	2. The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	None applicable to the site.	NA
Part 5 Miscellaneous provisions			
5.10 Heritage conservation	<p>5. Heritage assessment</p> <p>The consent authority may, before granting consent to any development:</p> <ol style="list-style-type: none"> <li>on land on which a heritage item is located, or</li> <li>on land that is within a heritage conservation area, or</li> <li>on land that is within the vicinity of land referred to in paragraph (a) or (b),</li> </ol> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>The site is adjacent to land identified as Local Heritage Item No. 815, 'The Willows House'. The item shares a site boundary with the subject site being the boundary that runs along Retreat Drive.</p> <p>While so, it is noted that this heritage item was demolished as part of DA17/0766. In this regard, a heritage management document should be not be required.</p>	✓
5,11 Bush fire hazard reduction	Bush fire hazard reduction work authorised by the Rural Fires Act 1997 may be carried out on any land without development consent.	The site is partially zoned as Vegetation Buffer, however given the land use is existing it is not expected that any bush fire hazard reduction work is required.	✓
Part 7 Local Provisions			
7.1 Earthworks	<p>2. Development consent is required for earthworks unless—</p> <ol style="list-style-type: none"> <li>the work is exempt development under this Plan or another applicable environmental planning instrument, or</li> <li>the work is ancillary to other development for which development consent has been given.</li> </ol>	The development is for alterations and additions to the existing RACF and does not require any earthworks. The existing building footprint will generally stay unchanged.	✓
	<p>3. Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <ol style="list-style-type: none"> <li>the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</li> <li>the effect of the proposed development on the likely future use or redevelopment of the land,</li> </ol>	No earthworks are proposed.	NA



## PENRITH LEP 2010 – COMPLIANCE TABLE

	<ul style="list-style-type: none"><li>c. the quality of the fill or the soil to be excavated, or both,</li><li>d. the effect of the proposed development on the existing and likely amenity of adjoining properties,</li><li>e. the source of any fill material and the destination of any excavated material,</li><li>f. the likelihood of disturbing relics,</li><li>g. the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area,</li><li>h. any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,</li><li>i. the proximity to and potential for adverse impacts on any heritage item, archaeological site, or heritage conservation area.</li></ul>		
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## ANNEXURE C

### Penrith DCP 2014 - Compliance Table



## PENRITH DCP 2014 – COMPLIANCE TABLE

Clause / Control	Requirement	Proposal	Complies?
Part C – City-wide Controls			
C2 Vegetation Management			
	1. In accordance with Clause 5.9 of Penrith LEP 2010, a person must not ringbark, cut down, top, lop, remove, injure or willfully destroy any tree or other vegetation which is prescribed by this Plan without development consent, or a permit granted by Council. The terms 'ringbark', 'top' and 'lop' are defined in Appendix F1 - Definitions.	Tree removal is not proposed.	✓
C3 Water Management			
3.2 Catchment Management and Water Quality	3. Council's Water Sensitive Urban Design (WSUD) Policy (2013) has been prepared to improve water conservation, quality and quantity in both new development and some redevelopments. The policy seeks to clarify which developments need to achieve the targets for water conservation, quality and quantity. Where any development could result in water quality impacts in nearby surface water systems, the water quality at that system is to be monitored for pollutants prior to the commencement of works, and at regular intervals during construction and/or operation. Water quality entering natural areas shall either maintain or improve on pre-development levels.	It is unlikely that the development will result in any water quality impacts.	✓
3.5. Flood Planning	4. Residential – Minor Extensions a. This section does not apply to minor extensions for the purpose of dual occupancy development, an existing single storey home which retains essentially the outer walls of the existing dwelling and proposes an upper floor addition, a knockdown rebuild that retains exactly the same building footprint, or a building burnt down and replaced with the same building footprint. These shall be treated as new development.	The development is for the alterations and additions to the existing RACF.	✓

**PENRITH DCP 2014 – COMPLIANCE TABLE**

	<p>b. Once only extensions with a floor area up to 30m<sup>2</sup> may be approved with floor levels below the 1% AEP (100 year ARI) flood, if the applicant can demonstrate that no practical alternatives exists for constructing the extension above the 1% AEP (100 year ARI) flood.</p>	<p>No floors levels will be below 1% AEP flood level.</p>	<p>✓</p>
<p>C5 Waste Management</p>			
<p>5.1 Waste Management Plans</p>	<p>1. Applicants are to submit a Waste Management Plan when lodging a development application for</p> <ul style="list-style-type: none"> <li>a. Demolition or construction of buildings;</li> <li>b. Change of use of buildings for rural, residential, commercial and industrial developments;</li> <li>c. Subdivision of land and/or buildings; or</li> </ul> <p>Alterations to 50% or more of the existing gross floor area of buildings, or additions to buildings resulting in a 50% increase (or more) to the existing gross floor area.</p>	<p>A Waste Management Plan has been prepared and is submitted with this application.</p>	<p>✓</p>
<p>5.2.1 Siting and Design of Waste Bin Storage Areas for Residential Development</p>	<p>2. Waste Bin Storage Area Size:</p> <ul style="list-style-type: none"> <li>a. The development must provide a waste bin storage area that is of sufficient size to accommodate all required waste bins associated with the development. This is to be achieved through the provision of a communal waste storage area. For larger developments, multiple waste bin storage areas may be required.</li> <li>b. All waste streams must be catered for, including general waste, bulky waste and recyclable waste.</li> <li>c. Sufficient space must be provided onsite to ensure that adequate room is provided to manoeuvre, clean and maintain all waste and recycling bins for the development.</li> <li>d. Sufficient space must be provided onsite for any required equipment to manage waste, waste bins (including washing and cleaning) and the waste bin storage area.</li> </ul>	<p>The development is an existing use and the number of residents on the site is only increasing by 1. Therefore, the existing waste bin storage arrangements will remain the same. When collected all waste will be stored in the existing waste bin storage area along the southern boundary of the site.</p> <p>The waste storage area will cater for all waste streams.</p> <p>The waste storage area is outside and provides adequate space for the movement and cleaning of bins.</p> <p>Space will be provided for the storage of waste management equipment.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>



## PENRITH DCP 2014 – COMPLIANCE TABLE

	<p>3. Waste Bin Storage Area Location:</p> <ul style="list-style-type: none"> <li>• The waste bin storage area is to be located within the basement footprint of the residential flat building developments.</li> <li>• The waste bin storage area is to be located on the ground level for multi-unit housing developments.</li> <li>• The waste bin storage area is to be located where its use and operation will not adversely impact the amenity of development occupants in terms of noise and odour.</li> <li>• If the waste bin storage area is to be used as the collection point (for multi-unit housing), it must be located and designed to meet the applicable requirements for servicing.</li> </ul> <p>4. Waste Bin Area Layout</p> <ul style="list-style-type: none"> <li>• The layout of the waste bin storage area is to be designed so that the area is free from obstructions so not to restrict the movement and servicing of the bins.</li> <li>• An aisle space of 1.2m is required to access and manoeuvre the bins.</li> <li>• In determining the layout and size of the waste bin storage area, consideration should be given to whether waste bins are required to be rotated. If waste bins are to be rotated, additional room size to aisle width will be required to manoeuvre bins.</li> </ul> <p>5. Waste Bin Storage Area Construction</p> <p>a. Waste Bin Storage Rooms are to be designed so that they can be constructed to the following:</p> <ol style="list-style-type: none"> <li>i. Floors must be constructed of concrete at least 75mm thick and graded and drained to a Sydney Water approved drainage fitting.</li> <li>ii. The floors must be finished to a smooth even surface.</li> <li>iii. The walls must be constructed of solid impervious material.</li> </ol>	<p>The development is an existing RACF and does not contain a basement. The waste bin storage area is within the parking area along the southern site boundary.</p> <p>The waste bin storage area is located on the ground level.</p> <p>The waste bin storage area is located in the parking area away from residential space.</p> <p>The existing collection procedure will be utilised.</p> <p>The waste bin storage area does not restrict the movement or servicing of the bins. The layout of the storage area will remain as existing.</p> <p>The waste bin storage area is located outside. The area will remain unchanged from what is currently existing.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
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**PENRITH DCP 2014 – COMPLIANCE TABLE**

	<ul style="list-style-type: none"> <li>iv. The ceilings must be finished with a smooth faced non-absorbent material capable of being cleaned.</li> <li>v. Walls, ceilings and floors must be finished in a light colour.</li> <li>vi. It is to be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock.</li> <li>vii. A close fitting and self-closing door openable from within the room.</li> <li>viii. Must be constructed to prevent the entry of vermin.</li> <li>ix. Be provided with adequate light and ventilation. The light source must be through controlled light switches located both outside and inside the room.</li> </ul>		
<p>5.2.2.2 Residential Flat Buildings</p>	<ul style="list-style-type: none"> <li>1. The development must provide a waste bin storage area that is of sufficient size to accommodate all required waste bins associated with the development. This is to be achieved through the provision of a waste storage bin area located within the basement footprint of the development. For larger developments, multiple waste bins storage areas may be required. <ul style="list-style-type: none"> <li>a. The waste bin area is to be designed in accordance with Section 5.2.1 Siting and Design of Waste Bin Storage Areas for Residential Development.</li> <li>b. Additional storage space for bulky items is to be provided for the development.</li> <li>c. Swept paths demonstrating adequate manoeuvring area are to be provided with the application.</li> </ul> </li> <li>2. For developments comprising three or more storeys, the development is to incorporate a waste chute system that: <ul style="list-style-type: none"> <li>a. The waste chute system will provide a separate chute for both residual and recyclable material.</li> <li>b. Waste Disposal points are to be provided on each residential level of the development located within a high trafficked area for residential use.</li> </ul> </li> </ul>	<p>See Section 5.2.1 of this table for discussion.</p> <p>As a RACF bulky items are not likely but adequate space will be provided if needed.</p> <p>Swept paths have been submitted with this application.</p> <p>The development is two storeys.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>NA</p>







**PENRITH DCP 2014 – COMPLIANCE TABLE**

	<ul style="list-style-type: none"> <li>b. The maximum travel distance from any dwelling to the waste services room is not to exceed 75m.</li> <li>c. The waste service room must be of adequate size to accommodate the required access to chutes or waste infrastructure assigned to the development</li> <li>d. The room is to be designed to accommodate waste generation rates projected for the development</li> </ul> <p>5. On-site collection is required to service the development. Adequate and safe access must be provided for Council's Standard Waste Collection Vehicles and waste collection staff as follows:</p> <ul style="list-style-type: none"> <li>a. The route must be designed to allow collection vehicles to enter and exit the site in a forward direction with limited manoeuvring and reversing on-site;</li> <li>b. The route of travel (including vehicle manoeuvring areas) for the waste collection point is to satisfy the typical dimensions of heavy rigid vehicle. This also includes adequate vehicle clearance for the vehicle. Australian Standard AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities provides typical dimensions and turning circles.</li> <li>c. The route of travel for the waste vehicle is to be adequately paved and of sufficient strength to support the waste collection vehicle.</li> <li>d. The grades of entry and exit ramps must not exceed the capabilities of the waste collection vehicle and are to comply with AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities.</li> <li>e. The waste collection point and parking area for the waste vehicle is to be clearly nominated with dimensions on the site plan. The collection point is to be of sufficient space to accommodate and safely manoeuvre all required waste bins.</li> <li>f. Access to the nominated waste collection point for the development is to be designed to ensure that Council's standard waste vehicle can safely access and manoeuvre within the site. Typical dimensions (and turning circles) for a</li> </ul>	<p>Existing collection practices will remain. Refer to Waste Management Plan for details.</p>	<p>✓</p>
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PENRITH DCP 2014 – COMPLIANCE TABLE

	<p>heavy rigid vehicle are provided within AS 2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities.</p> <p>6. The on-site collection point is to be clearly nominated on the site plan which accompanies the development application. The collection point is to only temporarily store waste bins so that they can be serviced. The waste bin holding area is to be located fully within the development site. Consideration will be given to multiple waste bin holding areas for larger developments. The collection point is to be designed so that:</p> <ol style="list-style-type: none"> <li>a. It is of sufficient size to accommodate all required waste bins for the development;</li> <li>b. It is located at ground level away from pedestrian entrances of the development and habitable windows (including both the development and adjoining dwellings);</li> <li>c. It is to be clearly separated from car parking bays (on or off street), footpaths and landscaped areas.</li> <li>d. The bin-carting route is to ensure that bin transfer complies with the requirements of Work Health and Safety legislation.</li> <li>e. The bin-carting route:             <ul style="list-style-type: none"> <li>• is to be direct and as short as possible;</li> <li>• is to be solid, concrete and non-slip;</li> <li>• is to be paved and be a minimum of 2m wide;</li> <li>• is to be free from obstructions and is not required to be carried over any steps;</li> <li>• is to be a maximum of 75m in length and a maximum grade of 7%; and</li> <li>• For larger bins (660L &amp; 1100L), the maximum length of the route of travel is 10m.</li> </ul> </li> </ol>	<p>The waste bin holding area remains unchanged and collection will continue as existing. Refer to the Waste Management Plan submitted with this application for details.</p>	<p>✓</p>
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## PENRITH DCP 2014 – COMPLIANCE TABLE

### C10 Transport, Access and Parking

#### 10.1 Transport and Land Use

	1. A Transport Management and Accessibility Plan (TMAP) is to be prepared for all significant developments (see Appendix F3 – Submission Requirements for further details). The TMAP is to address the objectives and controls in this section.	The development is not characterised as significant.	N/A
	2. New development that will have potential significant public transport patronage (especially residential, commercial and employment generating uses) is to be located close to existing or proposed transport nodes or networks.	The development is an existing land use for the site and only increases the number of residents by 1. As such there will be no significant public transport patronage as a result.	✓
	3. A range of uses are to be provided or integrated in mixed-use areas to provide a range of services in a single location and minimise the need for additional travel.	The land use is an existing land use for the site.	✓
	4. Public transport use is to be enhanced by providing good pedestrian connections from places of residence or employment to transport networks or nodes.	As a RACF public transport will not be utilised by residents.	✓
10.2 Traffic Management and Safety			
1. Traffic Studies	Traffic studies may be required for some developments. Check with Council about whether a traffic report is required to support your proposal.	A traffic and parking assessment has been prepared and is submitted with this application.	✓
2. Road Safety	<p>a. Each development should demonstrate how it will:</p> <p>i. Provide safe entry and exit for vehicles and pedestrians which reflect the proposed land use, and the operating speed and character of the road;</p> <p>ii. Minimise the potential for vehicular/pedestrian conflicts, providing protection for pedestrians where necessary;</p>	Refer to traffic and parking assessment submitted with this application.	✓

## PENRITH DCP 2014 – COMPLIANCE TABLE

	<ul style="list-style-type: none"> <li>iii. Not restrict traffic flow or create a hazard to traffic on roads in the vicinity of the development;</li> <li>iv. Provide suitable off-street parking facilities to accommodate vehicles generated by the development; and</li> <li>v. Identify the need, where apparent, for any additional on-street traffic facilities or road works which may be required to maintain the safe and efficient movement of vehicles and pedestrians.</li> </ul> <ul style="list-style-type: none"> <li>b. Where feasible, vehicle access for developments should be from service roads/lanes.</li> <li>c. The design of direct vehicular access to developments should consider the traffic impacts on the surrounding road network. This may require the provision of deceleration, acceleration, right turn lanes and road widening, as necessary.</li> <li>d. Provision must be made for all vehicles to enter and leave properties in a forward direction other than for single dwellings.</li> <li>e. The layout and design of parking areas must minimise vehicle to pedestrian impacts, especially where heavy vehicle access to loading docks is proposed.</li> </ul>	<p>Vehicle access is from the lesser order road adjacent to the site.</p> <p>There are no traffic impacts as a result of the proposed development.</p> <p>As per the existing development, the proposal allows for all vehicles to enter and leave the site in a forward direction.</p> <p>Noted.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>-</p>
3. Traffic Generating Development	<ul style="list-style-type: none"> <li>a. New access points off arterial, sub arterial or other major roads is to be avoided where alternate access opportunities exist.</li> <li>b. Any development identified in Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 is either referred to RMS (Column 2 developments) or Council's Local Traffic Development Committee (Column 3 developments) for assessment and conditions as required.</li> </ul>	<p>No new access to the site is proposed.</p> <p>A traffic and parking assessment has been prepared and is submitted with this application.</p>	<p>✓</p> <p>✓</p>
10.5 Parking, Access and Driveways			
1. Provision of Parking Spaces	<ul style="list-style-type: none"> <li>a. Parking provided on site is to meet AS 2890 and where appropriate, AS 1428.</li> </ul>	<p>Parking is provided in accordance with Australian Standards.</p> <p>Table C10.2 refers to 'Other uses' and defers to RMS Guidelines.</p>	<p>✓</p> <p>✓</p>

**PENRITH DCP 2014 – COMPLIANCE TABLE**

	<p>b. For any proposed development, Council will require the provision of on-site car parking to a standard appropriate to the intensity of the proposed development as set out in Table C10.2 .</p> <p>c. Within rural zones, the range of possible uses of land is very broad. Car parking is to be provided in accordance with Table C10.2: Car Parking Rates. If parking rates for the use is not listed, it will be the applicant's responsibility to demonstrate that adequate parking is provided.</p> <p>d. For commercial developments providing employment for 20 people or more, bicycle parking is to be in secure and accessible locations, and provided with weather protection. The following associated facilities are to be provided:</p> <ul style="list-style-type: none"> <li>i. Change and shower for cyclists and are to be conveniently located close to the bicycle storage areas.</li> <li>ii. Where the building is to be strata-titled, the bicycle storage facilities and shower/ change facilities are to be made available to all occupants of the building.</li> </ul> <p>e. For existing developments, a new use must not commence or the floor area increased until the required car park spaces have been provided on the site, corresponding to the land use outlined in Table C10.2.</p> <p>f. In the absence of specific requirements relevant to particular developments, the parking requirements in the RTA's "Guide to Traffic Generating Developments" (as updated) and Australian Standard AS 2890.1 and 2 - 2004 should be referred to as a guide.</p>	<p>In accordance with the RMS requirements, 1 space per 10 beds (visitors) is required, plus 1 space per 2 employees plus, 1 space per ambulance.</p> <p>Required: 23</p> <p>RACF = 10</p> <p>Employees = 13</p> <p>Ambulance = 1</p> <p>Provided: 24</p> <p>N/A</p> <p>N/A</p> <p>As discussed above.</p> <p>As discussed above.</p>	<p>-</p> <p>-</p> <p>✓</p> <p>✓</p>
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**PENRITH DCP 2014 – COMPLIANCE TABLE**

	<p>In the absence of all data, the applicant should revert to the use of first principles.</p> <p>g. Where relevant, development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site.</p> <p>h. Stacked parking will not be permitted for visitor spaces for any development.</p> <p>i. Stacked parking in commercial or industrial development may be permitted for employee spaces only, provided the number of stacked spaces does not account for more than 10% of the total required parking spaces.</p> <p>j. Car parking above ground level is to have a minimum floor to ceiling height of 2.8m so it may be adapted to another use in the future.</p> <p>k. Car parking and associated internal manoeuvring areas provided over and beyond the requirements of this DCP shall be calculated as part of the development's gross floor area.</p> <p>l. Where possible, natural ventilation is to be provided to underground parking areas with ventilation grilles and structures that are:</p> <ul style="list-style-type: none"> <li>i. integrated into the overall façade and landscape design of the development;</li> <li>ii. located away from the primary street façade; and</li> <li>iii. oriented away from windows of habitable rooms and private open space areas.</li> </ul> <p>m. Proposals for basement parking areas are to be accompanied with a geotechnical report prepared by an appropriately qualified professional and any other supporting information to the Development Application.</p> <p>n. For all residential development at least one car parking space for each dwelling shall be covered the second space may be "stacked" or "tandem" or located on a driveway.</p>	<p>N/A</p> <p>Stacked parking is not proposed.</p> <p>N/A</p> <p>All car parking provided is at ground level.</p> <p>Noted.</p> <p>No underground parking areas are proposed.</p> <p>Basement parking is not proposed.</p> <p>The parking provided is in accordance with the relevant RMS requirements.</p>	<p>N/A</p> <p>-</p> <p>N/A</p> <p>-</p> <p>N/A</p> <p>N/A</p> <p>✓</p>
<p>3. Additional Controls for Residential Developments</p>	<p>a. On-site parking for residential developments, including the residential component in a mixed use development, is to be accommodated wholly in a basement parking area unless the applicant can demonstrate to Council's satisfaction that the site's</p>	<p>The existing development provides on-site parking along the southern side boundary of the site. Parking arrangements will remain unchanged.</p>	<p>On merit</p>



## PENRITH DCP 2014 – COMPLIANCE TABLE

	<p>unique conditions prevent the parking from being located in a basement structure.</p> <p>b. If on-grade car parking is proposed, the location and adequacy of the parking area must not adversely impact on the amenity of the adjoining neighbourhood. The parking area is to:</p> <ul style="list-style-type: none"> <li>i. be located on the side or rear of the site, and is not visible from the street and street frontage;</li> <li>ii. be landscaped or screened so that cars parked in the parking area are not visible from adjoining buildings or the street/ street frontage; and</li> <li>iii. allow safe and direct access to the building entry points.</li> </ul>	<p>The existing on-grade parking is maintained along the southern side boundary. Landscaping is retained.</p> <p>The existing parking area allows for safe and direct access to the buildings entry points.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
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