

THE PLANNINGHUB

*by Hawes & Swan*

# PENRITH DEVELOPMENT CONTROL PLAN 2010 KEY NUMERICAL CONTROLS - COMPLIANCE TABLE

110-112 MOUNT VERNON ROAD  
MOUNT VERNON

📍 Suite 4, Level 4  
35 Buckingham Street  
Surry Hills NSW 2010

☎ 02 9690 0279  
🌐 [www.theplanninghub.com.au](http://www.theplanninghub.com.au)  
✉ [info@theplanninghub.com.au](mailto:info@theplanninghub.com.au)



**Penrith Development Control Plan 2010 Key Numerical Controls – Compliance Table**  
**110-112 Mount Vernon Road, Mount Vernon (Lot 4, DP 865818)**

Control	Requirement	Comment	Complies
<b>SECTION C: CITY-WIDE PROVISIONS</b>			
<b>C1 – Site Planning and Design Principles</b>			
<p><b>1.2.3</b></p> <p><b>Building Form – Height, Bulk and Scale</b></p>	<p><b>Setbacks/Separations</b></p> <p>Buildings should be sufficiently set back from property boundaries and other buildings to:</p> <ul style="list-style-type: none"> <li>• i) Maintain consistency with the street context and streetscape character, especially street/front setbacks;</li> <li>• ii) Maximise visual and acoustic privacy, especially for sensitive land uses;</li> <li>• iii) Maximise deep root planting areas that will support landscape and significant tree plantings integrated with the built form, enhancing the streetscape character and reducing a building's visual impact and scale;</li> <li>• iv) Maximise permeable surface areas for stormwater management; and</li> <li>• v) Minimise overshadowing.</li> </ul>	<p>As demonstrated in the Site Plan, the proposed childcare centre is setback 35m from Mount Vernon Road. This setback ensures that the entire building line is located behind the neighbouring dwellings and ensures that the childcare centre is consistent with rural character of the area. The increased front setback has an enhanced amenity outcome as it positions the outdoor play areas of the childcare completely behind the building line and further distanced from the neighbouring dwellings. Moreover, the increased setbacks allow for additional landscaping to the front of the property, which allows for the planting of trees to enhance the streetscape character and further reduces the building's visual impact and scale.</p>	<p>✓</p>
<p><b>1.2.5</b></p> <p><b>Safety and Security</b></p>	<p>a) Fence design should maximise natural surveillance from the street to the building and from the building to the street, and minimise the opportunities for intruders to hide.</p>	<p>The proposed boundary includes landscaping to act as a buffer and ensure that natural surveillance is maximised</p>	

	<p>b) Front fences should preferably be no higher than 1.2m. Where a higher fence is proposed, it will only be considered if it is constructed of open materials e.g. spaced pickets, wrought iron etc. Fences greater than 1.2m will require the consent of Council.</p> <p><b>Car Parking</b></p> <p>a) Car parks, aisles and manoeuvring areas shall be:</p> <ul style="list-style-type: none"> <li>i) designed with safety and function in mind, and</li> <li>ii) have dimensions in conformity with Australian Standards 2890 - Parking Facilities.</li> </ul> <p>b) Where parking spaces are to be provided for people with disabilities, these spaces are to:</p> <ul style="list-style-type: none"> <li>i) be suitably located near entrances to the building and lifts/ access ramps, if required;</li> </ul>	<p>from the child care centre. The fences proposed on site will be:</p> <ul style="list-style-type: none"> <li>• 1.8m forward of the outdoor play areas; and</li> <li>• 2.4m high acoustic fence wrapping around the rear of the building, the outdoor play area and the babies outdoor play area.</li> </ul> <p>The proposed development includes the provision of an open style rural fence that is not more than 1.2m high. Most of the screening towards the front of the site will be through landscaping, as is demonstrated in in the updated Landscape Plans. As demonstrated in the response to additional information request, the acoustic fencing will be barely visible from the neighbouring properties.</p> <p>The proposed car parking facilities have been designed to allow for safe vehicular movements when entering, exiting and parking at the site. The dimensions of the car park are in conformity with Australian Standards 2890 – Parking Facilities. Parking spaces have been increased to 2.6m in response to Council’s request. Moreover, an additional space has been included in the design of the carpark meaning that there are now 30 spaces on site, which one more space than is required by the DCP.</p> <p>The child care centre proposes two disabled parking spaces that both provide ease of access to the entrance of the</p>	<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p>
--	--	--	---

	<p>ii) be provided in accordance with Australian Standards 1428.1 - Design for access and mobility; and</p> <p>iii) have appropriate signage and tactile pavement treatments, where required.</p>	<p>centre. These parking spaces have been designed in accordance with Australian Standards 1428.1 – Design for access and mobility and they are appropriately signed.</p>	
<b>C10 – Transport, Access and Parking</b>			
<b>10.5 Parking, Access and Driveways</b>	<b>Child Care Centres</b> - 1 space per 10 children plus 1 per employee plus provision for any dwelling.	The proposal consists of a 96 place child care centre requiring 19 staff. The development therefore requires a total of 19 spaces for staff and 10 spaces for visitors. The proposed development provides a total of 30 spaces. Therefore, there is a surplus of 1 parking space.	✓
<b>D1 – Rural Land Uses</b>			
<b>1.2.2 Setbacks Buildings Separations</b>	<p><u>Setbacks from Roads</u></p> <p>A minimum setback of 15m from public roads is required for all dwellings and outbuildings. Formal parking areas are not permitted within the setback.</p> <p>A variety of setbacks will be encouraged to prevent rigidity in the streetscape.</p> <p><u>Setbacks from Watercourses</u></p> <p>A minimum setback of 100m is required from the Nepean River, 75m from South Creek and 40m from any natural watercourse.</p> <p><u>Building Separations and Side Boundary Setbacks</u></p>	<p>The proposed childcare centre is setback 35m from Mount Vernon Road. Furthermore, the proposed parking area is setback 15m from Mount Vernon Road.</p> <p>The built form of the proposed child care centre is consistent in terms of its setting, with other buildings in the area.</p> <p>The site is located over 100m from any watercourse.</p>	<p>✓</p> <p>✓</p> <p>✓</p>

	<p>Dwellings on adjacent properties should be considered when determining the location of a proposed dwelling to ensure that separation distances are maximised as far as is reasonably possible to maintain amenity for each dwelling and minimise noise and privacy intrusions</p> <p>The minimum side setback for dwellings is 5m where the allotment is less than 2 hectares</p> <p>Dwellings on one allotment should be separated as much as reasonably possible from any farm buildings or other buildings on adjacent allotments where there is potential for noise generation from those farm buildings/other buildings</p>	<p>As demonstrated in the Site Plan, the proposed childcare centre is setback 35m from Mount Vernon Road. This setback ensures that the entire building line is located behind the neighbouring dwellings and ensures that the childcare centre is consistent with rural character of the area. As discussed above, by positioning the majority of children’s play area behind the building line this allows for an enhances amenity outcome for the neighbouring dwellings.</p> <p>The minimum proposed side setback for the childcare centre is 7.56m. This setback is compliant with this clause and ensures that the proposed development is consistent with the rural character of the area.</p> <p>The proposed child care centre is suitably separated from any surrounding buildings that may have potential for noise generation.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<p><b>1.2.3</b> <b>Site Coverage, Bulk and Massing</b></p>	<p>A maximum ground floor footprint of 600m<sup>2</sup> will be permitted on any one allotment, including the dwelling and all associated structures, but excluding 'farm buildings' and any 'agricultural or non-agricultural development' referred to other parts of this chapter.</p>	<p>It is noted that a maximum ground floor footprint of 600m<sup>2</sup> applies to the subject site, however as detailed in the Pre-DA Meeting minutes of or the proposed development a previous approval on the site approved a building with a footprint of 891.6m<sup>2</sup>. Council have advised that a building footprint of 891.6m<sup>2</sup> or less is deemed acceptable for the development. The proposed development has a building footprint of 751.5m<sup>2</sup> and therefore complies with Council’s advice.</p>	<p><b>On Merit</b></p>
<p><b>1.2.4</b> <b>Height, Scale and Design</b></p>	<p>Dwellings shall be no more than two storeys in height, including garage and storage areas</p>	<p>The proposed child care centre will be single storey.</p>	<p>✓</p>

	<p>The maximum height of the ceiling of the top floor of all buildings should not exceed 8m above natural ground level.</p> <p>The design of dwellings and associated structures should be sympathetic to the rural character of the area.</p> <p>Fencing is to be of an open rural nature consistent in style with that normally found in rural areas. Internal courtyard fencing or entry fencing should be sensitive to the rural environment.</p>	<p>The maximum height of the child care centre is below the maximum 8m.</p> <p>The design of the child care centre will compliment the rural character of the area.</p> <p>Whilst acoustic fencing is required, the amended setbacks and positioning of the childcare centre means that 2.4m high acoustic fencing is limited only to the areas which surround the outdoor play area. The reduced acoustic fence heights now measure:</p> <ul style="list-style-type: none"> <li>• 1.8m forward of the outdoor play areas and the building line; and</li> <li>• 2.4m high wrapping around the rear of the building, the outdoor play area and the babies outdoor play area</li> </ul> <p>Furthermore, the acoustic fence will be surrounded by landscape buffering and an open style rural fence, consistent with that of surrounding properties. Therefore, the proposed fencing is in consistent with the rural character of the area.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<b>D5 – OTHER LAND USES</b>			
<b>5.2 – Child Care Centres</b>			
<p><b>3)</b> <b>Design, Scale and Site Frontage</b></p>	<p>The scale and character of the development shall be compatible with surrounding development.</p>	<p>As demonstrated above, the scale and character of the development is proportioned to present as regular rural dwelling, this making it is compatible with the surrounding development. Moreover, rural landscaping and fencing features have been provided to ensure that the proposed development is complimentary of the rural character of the area and surrounding development.</p>	<p>✓</p>

	<p>Sites must be of sufficient area to accommodate the child care centre, all required associated parking and traffic manoeuvring areas.</p> <p>To ensure the safe operation of car parking areas and the amenity of neighbouring residents, sites shall have a minimum frontage of 22m.</p>	<p>The site is of a size that can accommodate a 96-place child care centre.</p> <p>The frontage of the lot is 61.7m.</p>	<p>✓</p> <p>✓</p>
<b>6) Noise</b>	<p>Where there may be noise impact on adjacent properties, fencing shall be of a height, design and material (e.g. masonry) suitable to contain noise generated by the children’s activities.</p>	<p>As discussed above, the increased setback of the childcare centre and that the plans have been amended position the child play areas further back in the property. This results in an improved outcome in terms of noise impacts. Of note, the child play areas are further distanced from the neighbouring dwellings. The building itself will act as a sound barrier for the outdoor play areas. As a result the following acoustic fencing heights have been referenced in the updated plans:</p> <ul style="list-style-type: none"> <li>• 1.8m forward of the outdoor play areas and the building line; and</li> <li>• 2.4m wrapping around the rear of the building, the outdoor play area and the babies outdoor play area</li> </ul> <p>An amended Acoustic Report has been prepared in support of these changes. This report addresses the potential noise impacts of the surrounding area of the child care centre.</p>	<p>✓</p>
<b>8) Landscaping</b>	<p>Landscape planting shall complement the building(s) and the streetscape and provide screening for car parking and outdoor playing areas.</p>	<p>All landscaping proposed will compliment the child care centre, with front landscaping proposed to screen the car park. Furthermore, low level planting is proposed around the front entrance to assist in reducing the bulk of the building, whilst also providing passive surveillance. 3m wide</p>	<p>✓</p>

Penrith DCP Compliance Table – 110-112 Mount Vernon Road, Mount Vernon

	<p>Landscape planting (a minimum width of 2m) shall be provided along the front boundary of the site.</p>	<p>landscape strip around the side and rear setbacks is also provided. Refer to updated landscape plans.</p> <p>As demonstrated in the updated landscape plans, planting has been proposed with a minimum width of 5.03m along the front boundary and 3m along the side boundaries which extends adjacent to the proposed carpark.</p>	<p>✓</p>
--	---	--	----------