



## **SECTION 8.3 REVIEW 159 JAMISON ROAD, PENRITH**

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DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF  
18 ROOM BOARDING HOUSE OVER BASEMENT PARKING

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## Introduction

This report has been prepared in support of a Section 8.2 Review of Development Application DA19/0241 relating to 159 Jamison Road, Penrith ("the Site"). Development Application DA19/0241 sought the 'the demolition of existing structures, clearance of vegetation and the subsequent erection of a 2-storey Boarding House development comprising 21 rooms over basement parking and associated landscaping pursuant to the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 ('SEPP ARH')'. The application has been modified so as to address the 'Determination and Statement of Reasons' outlined by the Penrith Local Planning Panel on the 10 July 2019.

The Site is located within an established residential area which is currently undergoing transition from traditional low-rise single storey residential dwellings to medium density residential uses which have manifested in the form of multi dwelling housing and boarding houses. The Site is an irregular shaped lot of which fronts Jamison Road with a secondary frontage to Doonmore Street. The Site is zoned R3 Medium Density Residential under the provisions of the Penrith Local Environmental Plan 2010 ('PLEP 2010'). There are no heritage restrictions on the Site or within its immediate vicinity. Figures 1, 2, 3 and 4 and 5 demonstrate the site zoning and context of the site.

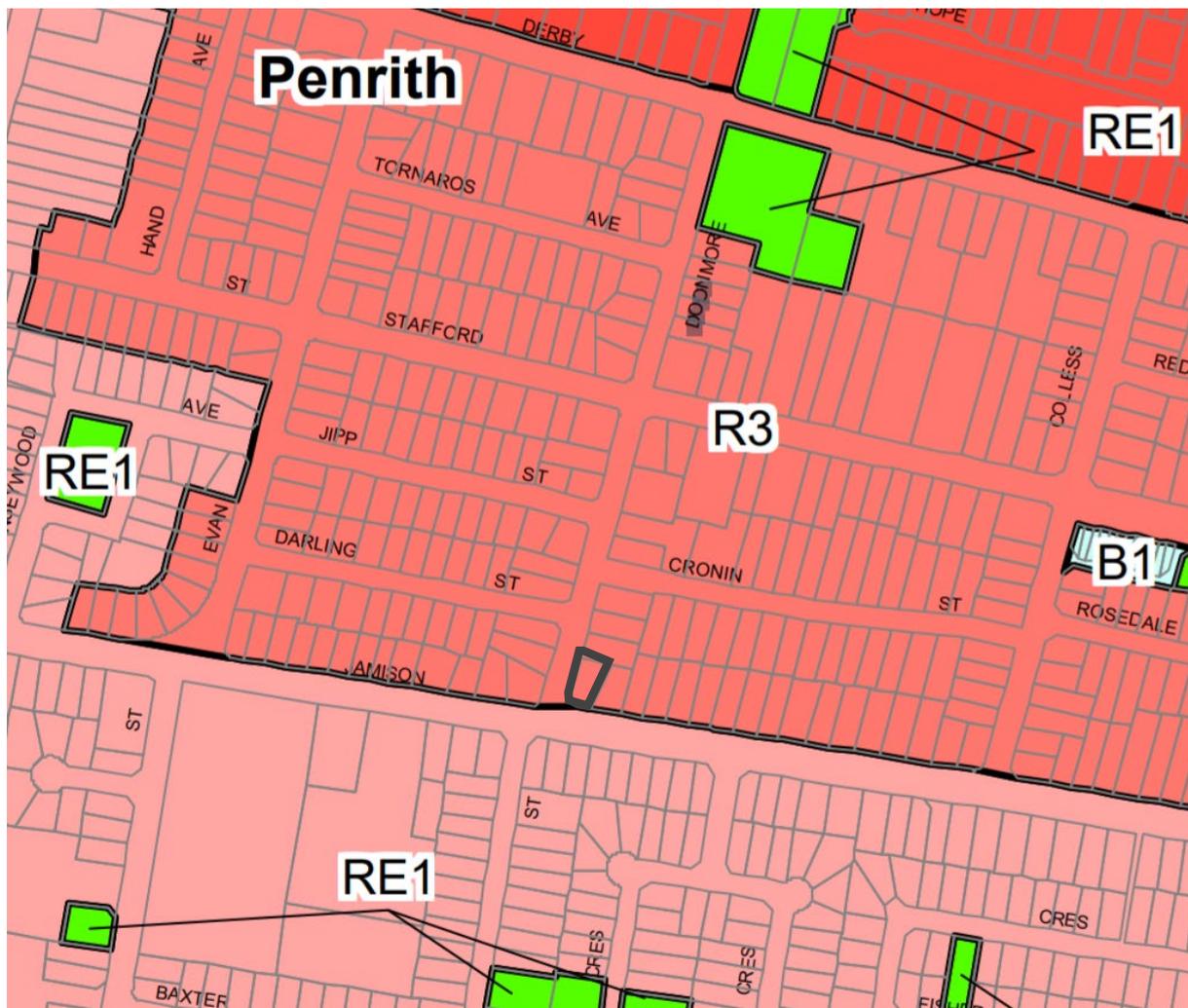


Figure 1. Zoning Map Extract –R3 Medium Density Residential - Penrith Local Environmental Plan 2010 (LZN\_013)



Figure 2. Ariel Map of the Site (GoogleEarth)

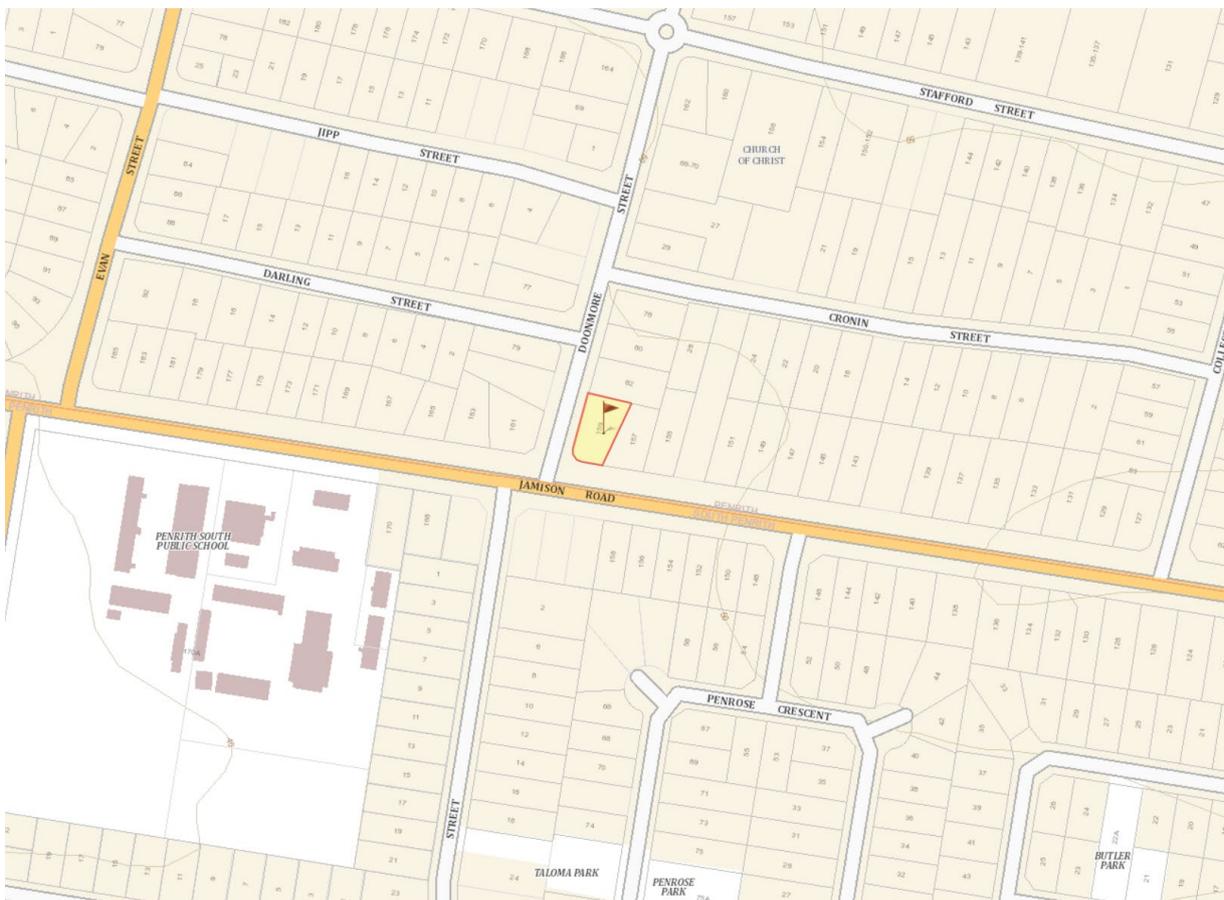


Figure 3. Road Map of Site (Six Maps)



Figure 4. View of the Site and Doonmore Street (Viewing North)



Figure 5. View of the Site and Jamison Road (Viewing West)

## Site Context

The subject site is known as 159 Jamison Road, Penrith (Lot B in DP 413314). The subject site primarily fronts Jamison Road with a secondary frontage to Doonmore Street. The lot is an irregular shape with a site area of 702.5m<sup>2</sup>. The Site has a 11.6m frontage (which excludes the length of the splay) at boundary to Jamison Road and 30.175m to Doonmore Street. A single

storey dwelling currently resides on the Site which is located in such a way that the primary private open space area is located within the front street setback (to Jamison Road). The Site is strategically located being located in proximity to the below listed amenities and transport facilities:

- Penrith Town Centre, 900m
- Nepean Hospital, 800m
- Jamison Park, 800m
- Penrith Railway Station, 1.5km
- Six (6) bus stops for the 770, 791 and 794 services being within 400m walking distance



Figure 6. 157 Jamison Road (Viewing North)



**Figure 7. 82 Doonmore Street (Viewing West) [Image from Google Street View]**

No. 82 Doonmore Street and 157 Jamison Road each adjoin the Site and have a typical 'fibro' style home residing on the properties with a pitched tile roof (refer to Figures 6 and 7).

The greater locality is currently characterised by single storey dwellings but there is a relatively recent trend toward higher density uses toward dual occupancy and multi dwelling housing developments within the area zoned R2 Low Density Residential and R3 Medium Density Residential which is exemplified by the below:

*175-179 Jamison Road, Penrith*

Located within 170m of the Site containing 7 townhouses presenting to the street as single storey with attics that have pronounced dormers oriented toward the streetscape. The dwellings that are oriented toward the streetscape provide a 4m setback.



Figure 8. View 175-179 Jamison Road (Viewing North-East) [Image from Google Street View]

*153 Jamison Road 26 Cronin Street Penrith*

Located within 40m of the Site containing 8 dwellings presenting to the street as double storey dwellings with pitched tile roof. The dwelling that is oriented toward the streetscape provides a 5.6m setback to Jamison Road.



Figure 9. View of 153 Jamison Road (Viewing North)

### *166 Jamison Road, South Penrith*

Located adjacent the Site, a double storey face brick dual occupancy with pitched tile roof. The dwelling oriented toward Jamison Road is setback 4m from Jamison Road. The dwelling does not provide any canopy trees within the front setback but does contain low lying vegetation within the front setback. The front boundary does not benefit from a front fence.



Figure 10. View of 166 Jamison Road (Viewing South)

## Proposal

This proposes the demolition of the existing dwelling and structures as well as the removal of all trees and vegetation with the exception of Trees T1, T8, T9 and T10 on Site in order to erect a 2 (two) storey Boarding House, comprising 18 (eighteen) rooms over basement. The refused application proposed 21 boarding rooms. The design of the modified Proposed Development incorporates traditional architectural aesthetics that are considered to appropriately relate to existing adjoining properties with respect to the character of the area and streetscape as it transitions into medium density residential uses.

**Table 1. Level by level breakdown of Proposed Boarding House**

Level	Contents
<b>Basement</b>	<ul style="list-style-type: none"> <li>▪ 9 x car spaces               <ul style="list-style-type: none"> <li>○ 1 x accessible car space</li> </ul> </li> <li>▪ 4 x Motorcycle spaces</li> <li>▪ 5 x Vertical bicycle spaces</li> </ul>
<b>Ground</b>	<ul style="list-style-type: none"> <li>▪ 8 x Boarding Rooms               <ul style="list-style-type: none"> <li>○ 4 x single rooms</li> <li>○ 3 x double rooms</li> <li>○ 1 x Managers room with 11.25m<sup>2</sup> terrace</li> </ul> </li> <li>▪ Waste Storage Room – 19m<sup>2</sup></li> </ul>

	<ul style="list-style-type: none"> <li>▪ Bulky Storage Area – 5m<sup>2</sup></li> <li>▪ Communal Room – 22m<sup>2</sup></li> <li>▪ 281m<sup>2</sup> of Landscape Area</li> <li>▪ 32m<sup>2</sup> Private Open Space Area</li> </ul>
<b>Level 1</b>	<ul style="list-style-type: none"> <li>▪ 10 x Boarding Rooms <ul style="list-style-type: none"> <li>○ 6 x single rooms <ul style="list-style-type: none"> <li>▪ 2 x accessible rooms</li> </ul> </li> <li>○ 4 x double rooms</li> </ul> </li> </ul>

This report should be read in conjunction with the below listed documents prepared by suitably qualified consultants:

- Architectural Plans prepared by Platform 5
- Acoustic Report prepared by Acoustics works
- Access Compliance Report prepared by Vista Access Architects
- Flood Study prepared by Alpha Engineering and Development
- Landscape Plans prepared by Vision Dynamics Pty Ltd
- Stormwater and Drainage Plans prepared by Alpha Engineering and Development
- Plan of Management (Appendix A)
- NATHERS
- Traffic and Parking Assessment Report prepared by ONE Traffic
- Waste Management Plan

## Response to Points of Refusal

This section details how the Proposed Development has been modified to address the reasons for refusal of Development Application DA2019/0241 made by the Penrith Local Planning Panel made on Wednesday 10 July 2019. The 'determination and Statement of Reasons' prepared by the Penrith Local Planning Panel referenced that the Panel has had regard to (Councils)' Assessment Report, submissions received, Site observations and the relevant Environmental Planning Instruments.

The Panels reasons for refusal and actions taken to address these those reason are addressed below:

1. *Carparking provision is deficient by one space and two spaces are very difficult to access*

**Comment:** The Proposal has been amended so as to ensure that nine car spaces are provided consistent with the below provision of the SEPP ARH:

### **29 Standards that cannot be used to refuse consent**

(e) parking if:

(iia) *in the case of development not carried out by or on behalf of a social housing provider—at least 0.5 parking spaces are provided for each boarding room, and*

The amended plans ensure that each of the car spaces are compliant with AS/NZS 2890.1:2004). This Proposal includes a Traffic Assessment undertaken by One Traffic Consulting which provides conclusions relating to compliance with the Australian

Standards, swept path analysis and impact on the road network. The traffic assessment states that the traffic and parking impacts will result in a 'negligible change to the traffic and parking environments'.

2. The report title "Overland Flood Study" submitted by the applicant has been reviewed by Councils engineers. They note that floor levels of the proposed development have not been set 0.5m above Councils adopted 1% AEP flood levels and the proposal cannot meet the requirements of Councils Policy.

**Comment:** The Proposal ensures that the ground floor levels are in accordance with the below extracted from the accompanying Flood Study:

Proposed development	River Station	Flood Level (AHD)	Freeboard (metres)	Min – Finish Floor Level (AHD)	Proposed Floor Level (AHD)
Driveway Crest	45.00	45.06	0.30	45.36	45.36
Driveway Wall	45.00	45.06	0.50	45.56	45.56
Internal (Upstream)	40.00	44.98	0.50	45.48	45.50
Internal (Downstream)	30.00	44.81	0.50	45.31	45.50

3. The trees on the site are intrinsic to the neighbourhood character and the panel is not convinced that they all need removal.

**Comment:** The proposal has been amended so as to ensure the retention and protection of Trees T1, T8 and T9 which are considered to be intrinsic to the local character with T1 being the most significant and mature Tree on the Site. The proposal has provided an updated Arborist report which includes Tree Root Mapping so as to demonstrate the viability of T1.

4. Amenity within the building in particular the unit on level 1 adjacent to the lift has no window to the bedroom. Amenity of the common room could be greatly increased if it were associated with the private open space.

**Comment:** The proposal has been amended to ensure the referenced room (1.02) now benefits from orientation towards Doonmore Street.

5. The area nominated as private open space does not have adequate privacy for its intended purpose.

**Comment:** The Private Open Space has been relocated to the rear of the Site to ensure greater privacy as well as placing it within greater proximity to the common room.

6. The setback to the eastern boundary is not consistent with the anticipated medium density character of the area and the DCP requirements for such development.

**Comment:** The Plan has been altered so to ensure a minimum 2m setback to the Eastern Boundary, the setback is which assists in permitting landscaping outside of the drainage swale and will maintain the amenity of the locality while ensuring consistency with the future medium density character of the area.

7. The driveway access to the carpark has inadequate allowance for planting adjoining the northern boundary.

**Comment:** The driveway has been altered to as to provide a minimum 1m verge to the

northern property boundary, this will work to soften the presentation of the Proposed Development.

8. Based upon the above inadequacies the proposal is an overdevelopment of the site.

**Comment:** It is considered that given the proposed modifications to the Development have in combination addressed the cited inadequacies that resulted in the previous application being considered an 'overdevelopment'. The below listed modifications:

- Increase minimum side setback from 1.5m to 2m
- Increased minimum rear boundary setback from 6m to 7m
- Increased front boundary setback 5.5m to 6m (excluding setback)
- Addition of rear boundary landscaped verge to 1m
- Reduction in overall building footprint
- Reduction in the number of boarding rooms from 21 to 18

has resulted in a development that is of a scale consistent with the future desired character while being compatible with the existing local area and parallels the approved development for a 16 room boarding house at 1 Edna Street, Kingswood (DA 18/0818) with respect to bulk, scale and yield.

## Environmental Planning and Assessment Act 1979

Pursuant to Section 8.2(1)(c) of the EP&A Act review is for the refusal of Development Application DA2019/0241 made by the Penrith Local Planning Panel made on Wednesday 10 July 2019. This application request is made within the six-month timeframe and provides Council adequate time to assess and determine the application.

Division 8.3 of the EP&A Act contains provisions relating to the amendment of development applications in the event of a review of determination stating:

*8.3 Application for and conduct of review (cf previous ss 82A (2)–(4) (6), 82B (2)–(4))*

*(1) An applicant for development consent may request a consent authority to review a determination or decision made by the consent authority. The consent authority is to review the determination or decision if duly requested to do so under this Division.*

*(2) A determination or decision cannot be reviewed under this Division:*

*(a) after the period within which any appeal may be made to the Court has expired if no appeal was made, or*

*(b) after the Court has disposed of an appeal against the determination or decision.*

*(3) In requesting a review, the applicant may amend the proposed development the subject of the original application for development consent or for modification of development consent. The consent authority may review the matter having regard to the amended development, but only if it is satisfied that it is substantially the same development.*

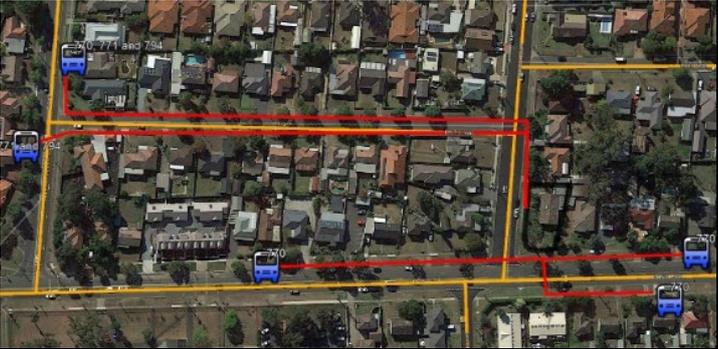
The proposed amendments reduce the overall bulk and scale of the proposal so as to ensure greater compatibility with character of the local area. The internal floor area and building footprint has been reduced, the height and setbacks will remain consistent with the provisions of the SEPP ARH and PLEP, PDCP controls and objectives. The modifications are

considered to result in a Development that is substantially the same as the application this review relates to and as such this application made pursuant to Section 8.3 of the EP&A Act does not require a new development application.

### State Environmental Planning Policy (Affordable Rental Housing) 2009

The Site is zoned R3 Medium Density Residential under the BLEP 2012 and is located within an accessible area, as such the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) applies to the proposal. The relevant SEPP ARH provisions have been considered in the compliance table below.

**Table 2. SEPP ARH Compliance Table**

<b>State Environmental Planning Policy (Affordable Rental Housing) 200</b>		
<b>Requirement</b>	<b>Proposal</b>	<b>Comply</b>
<b>Clause 26: Land to which Division applies</b>		
<b>This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones: (b) Zone R3 Medium Density Residential,</b>	The Site is zoned R3 Medium Density residential under the provisions of PLEP 2010.	<b>YES</b>
<b>Clause 27: Development to which Division applies</b>		
<b>(2) Despite subclause (1), this Division does not apply to development on land within Zone R3 Medium Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.</b>	<p>The Site is located within an accessible area as it is located within 400m walking distance of the 770, 791 and 794 bus services which ensure the Site is appropriately serviced between 06.00 and 21.00 Monday to Friday and between 08.00 and 18.00 on each Saturday and Sunday.</p> <p>The below image illustrates the bus stop locations in relation to the Site:</p> 	<b>YES</b>
<b>Clause 29: Standards that cannot be used to refuse consent</b>		
<b>(1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the</b>	The Site is not prescribed an FSR under the PLEP 2010.	<b>YES</b>

<b>buildings when expressed as a floor space ratio are not more than:</b>		
<b>(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:</b>		<b>YES</b>
<b>(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or</b>		<b>YES</b>
<b>(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:</b>	-	-
<b>(a) Building Height If the building height of all proposed buildings is not more than the maximum building height permitted under another EPI for any building on the land.</b>	The Proposal seeks a height of well within the 8.5m maximum height limit.	<b>YES</b>
<b>(b) Landscaped Area If the landscape treatment of the front setback area is compatible with the streetscape in which the building is located.</b>	It is considered that the proposed front setback provides substantial landscaping which enhances the existing streetscape by providing additional canopy trees (and now retaining existing trees on the Site) with deep soil and soft landscaping. The front setback consists of a pedestrian accessway and deep soil landscaping.  The streetscape does not have a single landscape character; however, the proposal is considered to enhance the locality and be generally compatible with the adjoining property.	<b>YES</b>
<b>(c) Solar Access Where the development provides for one or more</b>	The common living room and private open space area have been located on the ground floor and will each benefit from more than three hours direct sunlight between 9.00am and 3.00pm during the mid-winter solstice.	<b>YES</b>

<p><b>communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter.</b></p>		
<p><b>(d) Private Open Space</b></p> <p><b>If at least the following private open space areas are provided (other than the front setback area):</b></p> <p><b>i) One area of at least 20sqm with a minimum dimension of 3 metres is provided for the use of the lodgers,</b></p> <p><b>ii) If accommodation is provided on site for a boarding house manager – one area of at least 8sqm with a minimum dimension of 2.5 metres is provided adjacent to that accommodation</b></p>	<p>The common living room on the ground floor is proposed to be 22m<sup>2</sup> with a width of 4.8m.</p> <p>It is proposed that the boarding manager's room will be on ground floor (G.08) and will benefit from direct access to a court yard of 11.25m<sup>2</sup>. The length of the court yard space is 2.5m and has a width of 4.6m.</p>	<p><b>YES</b></p>
<p><b>(e) Parking</b></p> <p><b>(i) in the case of development in an accessible area—at least 0.5 parking spaces are provided for each boarding room, and</b></p>	<p>The Site is located within an accessible area and provides 9 car spaces, one of which will be dedicated to the boarding house manager strictly compliant with the provisions of this Clause. An updated Traffic Assessment accompanies this submission.</p>	<p><b>YES</b></p>

<b>(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,</b>		
<b>(f) Accommodation Size</b>  <b>i) If each boarding room has a gross floor area of at least: 12sqm in the case of a boarding room intended to be used by a single lodger, or ii) 16sqm in any other case</b>	Each boarding room is to be appropriately sized with respect to the number of potential lodgers. The amended plans clearly demonstrate the gross floor area.	<b>YES</b>
<b>(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.</b>	Each of the boarding rooms will benefit from kitchen and bathroom facilities.	<b>YES</b>
<b>30 Standards for boarding houses</b>		
<b>(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:</b>	Note.	-
<b>(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,</b>	The Proposal includes a common living room on the ground floor which is proposed to be 22m <sup>2</sup> embellished with a cooking area.	<b>YES</b>
<b>(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres,</b>	The Proposed Development does not include any rooms which exceed 25m <sup>2</sup> in size when excluding the area of the private kitchen or bathroom facilities.	<b>YES</b>

<b>(c) no boarding room will be occupied by more than 2 adult lodgers,</b>	No room is proposed to be utilised by more than two adult lodgers.	<b>YES</b>
<b>(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,</b>	The proposal includes kitchen facilities in every room. Each of the rooms will benefit from access to a private bathroom	<b>YES</b>
<b>(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,</b>	It is proposed that the boarding manager will have a dedicated boarding room on ground floor, with an appropriate courtyard area.	<b>YES</b>
<b>(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.</b>	The proposal includes provision for four (4) bicycles and four (4) motor cycles storage spaces within the basement.	<b>YES</b>

### 30A Character of local area

*A consent authority must not consent to development to which this Division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.*

This clause requires that a Proposed Development that seeks to utilise the provisions of the SEPP ARH consider whether the design is compatible with the character of the local area. Project Venture Developments Pty Ltd v Pittwater Council [2005] NSWLEC 191 establishes the Land and Environment Court planning principle with respect to '*compatibility of proposal with surrounding development*'. This principle establishes that sameness and compatibility are different and that being compatible is to be '*capable of existing together in harmony*'. The planning principle establishes a test to establish compatibility by asking the below questions:

1. *Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.*
2. *Is the proposal's appearance in harmony with the buildings around it and the character of the street?*

In regard to the first question, the proposal is not considered to result in any unreasonable or undue impacts on the surrounding sites with respect to noise, parking, overlooking, overshadowing or constraining development potential as the proposal provides sufficient building separation to the existing dwelling houses that adjoin the Site. Each of the adjoining properties will maintain sufficient solar access to their living and private open space areas.

The form of the Proposal will not constrain the development potential of the surrounding allotments as such it is considered that the first part of the compatibility test is satisfied.

In order to evaluate compatibility with the local area with the character of the street and 'local area' (as described in Clause 30A), the built form is tested against the urban character of the locality and the relationship that is created by building height, setbacks and landscaping. In this regard, the visual catchment highlighted in Figure 11 is the perspective that this test will be undertaken having regard to the residential uses present in the wider area and lesser weight to the one-off educational uses present.



Figure 11. Visual Catchment with Zoning Map Overlay (NSW Planning Portal)

The below table provides an assessment of the Proposal with respect to the environmental character of the locality utilising the principles and examination sources guided by the Local Character and Place Guideline:

Table 3. Character and Built Form Assessment of Local Area

Built Form Elements	Street Character	Response	Compatible
<b>Building Form</b>	<p>The most common building form is 'fibro' single storey dwellings with pitched roofs generally.</p> <p>The locality is also characterised by the recent double storey contemporary dwellings (townhouses and dual occupancies) developments which also utilise pitched roof tile roofs with large areas of the</p>	<p>The Proposal has been designed so as to present as a two-storey residential use, utilising contemporary aesthetics and a pitched roof to ensure compatibility with the recent residential developments in the visual catchment, namely:</p> <ul style="list-style-type: none"> <li>▪ 166 Jamison Road</li> <li>▪ 153 Jamison Road</li> <li>▪ 131 Jamison Road</li> </ul> <p>Moreover, Figure 12. illustrates medium-density residential building forms approved and constructed in the local area to which the proposal is consistent with.</p>	YES

	frontage dedicated to vehicular access.		
<b>Building Height</b>	Single and Double Storey	<p>The Proposal is double storey with a pitched roof form, consistent with the recent developments in the locality namely:</p> <ul style="list-style-type: none"> <li>▪ 166 Jamison Road</li> <li>▪ 153 Jamison Road</li> </ul> <p>The Proposal is also within the 8.5m height limit.</p>	YES
<b>Front Setback</b>	The local area does not have an established front setback, particularly to Jamison Road varying from 11.5m to 4m.	<p>The proposed front setback varies from 6m to 6.5m and is compliant with the minimum front setback established in the PDCP 2014. The adjoining property to Jamison Road provides an approximate 8m front setback to Jamison Road, however, this is not consistent with more recent medium density development in the locality which provide setbacks as little as 4m to Jamison Road (175-179 Jamison Road).</p> <p>In this instance the setback of 153 Jamison Road is the most appropriate to consider as it is located with close proximity to the Site while also representing a form of medium density development. 153 Jamison Road is setback 6m to the outer face of the closest external wall.</p> <p>The proposed setback does not result in adverse impacts with respect to rhythm in the locality as there is no established front setback nor does it result in adverse environmental impacts (solar, acoustic and privacy). However the setback is consistent with the most recent developments of the same density within the locality.</p> <p>Moreover, the front setback maintains and embellishes the landscaping within the front garden area retaining and adding canopy trees so as to reinforce the garden character of the suburb.</p>	YES
<b>Side and Rear Setback</b>	Existing dwelling houses in the local area typically have a driveway and carport on one side	The proposal is setback approximately 3m setback to it's western Side Boundary, 7m to its Northern rear boundary and 3m to its Eastern secondary street frontage. The	YES

	<p>of their allotment. There is great variation with respect to side and rear setbacks because of the irregular shaped allotments and transition to medium density uses.</p>	<p>proposal is considered to maintain adequate building separation while ensuring it does not result in any adverse physical impacts on the adjoining properties.</p> <p>The local area does not have an established rhythm with respect to the side setback or rear building alignment and as such it is considered that the proposed setbacks provided are generally in line with the overarching intentions of the statutory and non-statutory controls and objective as they do not result in undue solar, acoustic or visual impacts and do not impede on any future redevelopment of those sites.</p>	
<b>Materials and Finishes</b>	<p>Existing dwelling houses in the visual catchment are typical of the 'fibro style' with lined white panels and pitched roofs. The recent residential developments within the area utilise brick finishes with rendered features and earth tones.</p>	<p>The proposal will be utilising an earthy brick finish and rendered architectural features so as to create a contrast.</p> <p>The main and secondary pedestrian entries include a wood feature to contribute to the earthy tone of the Proposal.</p> <p>The proposal also utilises Black anodized framed windows and fencing slits as well as a black roof also assist in creating visual interest complementing the existing earthy tones.</p>	YES
<b>Landscaping</b>	<p>The front gardens of the locality vary greatly, with many allotments only having bare grass and paved driveway within their front setback.</p> <p>Other allotments provide large native canopy trees with well-kept low shrub planting.</p>	<p>The proposal complies with the PDCP 2014 landscaped area (40%) greatly improving the presentation to the streetscape by providing additional trees within the front setback area.</p> <p>The proposal seeks to provide planter boxes along the northern and western elevations at the ground floor and level one so as to soften the presentation of the building to the streetscape and enhance the overall landscaping of the locality.</p>	YES
<b>Safety and Security</b>	-	<p>The proposal is generally consistent with the four common CPTED Principles.</p> <p><u>Surveillance</u> The proposal ensures effective surveillance of the public domain and</p>	YES

		<p>communal open space areas through the careful location of windows and openings so as to ensure there is passive surveillance to each of the street frontages.</p> <p>The proposal been designed so as to maintain adequate levels of passive surveillance on the ground floor within and out of the Site. The proposal provides two clearly identifiable pedestrian entries for the Site are oriented towards the streetscape and will include suitable lighting in accordance with the relevant Australian standards so to ensure a high degree of visibility throughout the publicly accessible areas.</p> <p><u>Access Control</u> The Proposal clearly defines areas accessible to the public and occupants through the siting of doors, fences and electronic access control systems for basement access. The vehicle and pedestrian entries to the Site will be clearly identifiable and controlled from both Jamison Road and Doonmore.</p> <p><u>Territorial Reinforcement</u> The development is considered to clearly define what is public and private territory so as to manage the function of a space and the appropriate behaviour within a space.</p> <p>Territorial reinforcement is achieved through the careful location of landscaping, pedestrian/vehicle access ways and presentation that will enable occupants and the public to have an understanding of the area and proprietorship over it. It is considered that the casual observer will be able to easily differentiate between the public domain and private property along the Doonmore Street and Jamison Road.</p> <p><u>Space Management</u> It is considered that the eventual building manager will ultimately be responsible for the maintenance of the Site with respect to the public</p>	
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		domain and private spaces of the development.	
<p><b>Social dimensions and housing affordability</b></p>	-	<p>The proposal seeks to utilise the provisions of SEPP ARH which were introduced by the NSW State Government so as to encourage affordable forms of residential accommodation within accessible locations.</p> <p>The Proposed Development will contribute to the supply of housing accommodation in order to address the ongoing shortfall of housing currently experienced in Penrith and the Greater Sydney Region by providing a form of residential accommodation not readily accessible in the locality. The type of development assists in providing a low-cost accommodation option particularly suited to the Penrith where between 2011 and 2016 the largest increase in housing tenure was for rental options:</p> <p>Change in housing tenure, 2011 to 2016 Penrith City</p> <p><b>Source: Australian Bureau of Statistics, Census of Population and Housing, 2011 and 2016 (Enumerated data). Compiled and presented in profile.id by .id, the population experts.</b></p> <p>The Plan of Management associated with the proposal ensures any anti-social issues that could arise can be appropriately managed and regulated through its implementation.</p>	YES

### State Environmental Planning Policy No 55—Remediation of Land

Given that the current use of the Site and adjoining properties have been developed for residential purposes it is considered unlikely that that the Site was previously used for potential contaminating purposes as listed in Table 1 of the contaminated land planning guidelines.

In this circumstance it would not appear that a preliminary contamination investigation is necessary for the assessment of the development application. If any contaminated or

suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline documents will be undertaken.

### Penrith Local Environmental Plan 2010

The subject site is zoned R3 Medium Density Residential under the provisions of the Penrith Local Environmental Plan 2010. The proposed development is defined as Boarding House' and is permissible with Council's development consent. Please see below definition of Boarding House under the PLEP 2010:

**boarding house** means a building that:

- (a) is wholly or partly let in lodgings, and*
  - (b) provides lodgers with a principal place of residence for 3 months or more, and*
  - (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and*
  - (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,*
- but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.*

*Note.*

*Boarding houses are a type of residential accommodation—see the definition of that term in this Dictionary.*

The objectives of the zone are listed below:

- To provide for the housing needs of the community within a medium density residential environment.*
- To provide a variety of housing types within a medium density residential environment.*
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- To provide for a concentration of housing with access to services and facilities.*
- To enhance the essential character and identity of established residential areas.*
- To ensure that a high level of residential amenity is achieved and maintained.*
- To ensure that development reflects the desired future character and dwelling densities of the area.*

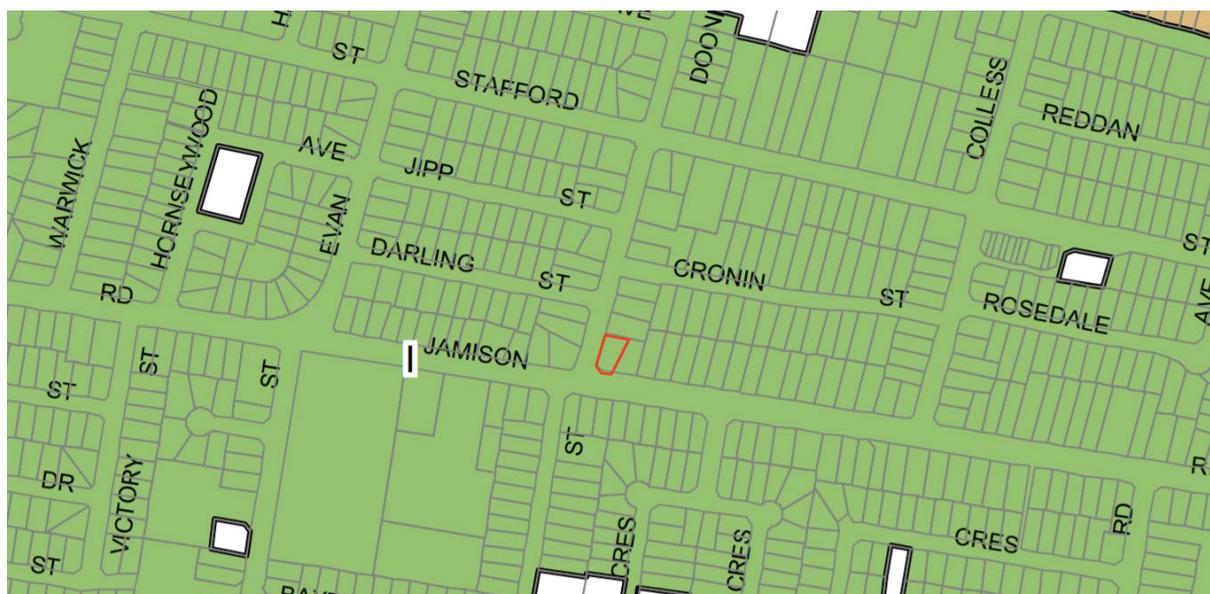


Figure 12. Height Map Extract – I, 8.5m - Penrith Local Environmental Plan 2010 (HOB\_013)

The relevant LEP controls have been considered in the following compliance table.

Table 4. PLEP 2010 Compliance Table

Applicable Clause	Comment	Complies
<b>Zoning – R3 – Medium Density Residential</b>	Development for the purposes of 'Boarding House' is identified as being permissible with Council consent in the R3 – Medium Density Residential zone.	YES
<b>Zone Objectives and Land</b>	<p>The proposal is consistent with the zone objectives of the R3 – Medium Density Residential zone, in particularly the below listed:</p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a medium density residential environment.</li> <li>• To provide a variety of housing types within a medium density residential environment.</li> <li>• To provide for a concentration of housing with access to services and facilities.</li> <li>• To enhance the essential character and identity of established residential areas.</li> <li>• To ensure that a high level of residential amenity is achieved and maintained.</li> <li>• To ensure that development reflects the desired future character and dwelling densities of the area.</li> </ul>	YES
<b>Part 2 Permitted or Prohibited Development</b>		
<b>2.7 – Demolition Requires Consent</b>	Council consent is sought for the demolition of the existing structures on site.	YES

<b>Part 4 Principal Development Standards</b>		
<b>4.3 – Height of Buildings</b>	A maximum building height of 8.5m (l) is identified for the site under the Penrith Local Environmental Plan 2010 Height of Buildings Map Sheet HOB_013. No part of the proposal exceeds 8.5m in height and as such is compliant with this control. See attached plans for details.	YES
<b>Part 5 Miscellaneous Provisions</b>		
<b>5.10 – Heritage Conservation</b>	There are no heritage restrictions on the Site or within its immediate proximity.	YES
<b>Part 7 Miscellaneous Provisions</b>		
<b>7.1 Earthworks</b>	<p>This application seeks Council consent for cut and fill works as per the accompanying plans. It is considered that the proposed works will have minimal adverse environmental or amenity impacts on the locality.</p> <p>The Proposal results in an appropriate outcome when considering the nature of the development and the unique characteristics of the Site.</p> <p>The proposal will not adversely affect or disrupt drainage, flood storage or soil stability in the area. Please refer to the attached drainage plans and Flood Impact Assessment Report accompanying this submission.</p> <p>The proposed excavation is consistent with the current and future use of the land and will ensure a quality open space amenity is provided.</p>	YES
<b>7.2 Flood Planning</b>	This submission includes an amended Flood Impact Assessment Report prepared by Alpha Engineering and Development which details the flood management provisions detailed in the design.	YES
<b>7.4 Sustainable Development</b>	<p>The Proposal has been altered in such a way so as to benefit from the northern orientation by relocating the dedicated private open space area to the northern end of the Site ensuring appropriate solar access.</p> <p>Moreover, given the orientation and design of the proposal, it is considered that all rooms will receive adequate solar access during the winter solstice.</p> <p>The proposal as amended ensures that 6 of the proposed rooms will be appropriately cross ventilated.</p>	

	A BASIX report has been included as part of this submission.	
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## Penrith Development Control Plan 2014

The applicable controls which relate to Proposed Development in the Penrith Development Control Plan 2014 (PDCP 2014) are addressed in the following table:

**Table 5. PDCP 2014 Compliance Table**

<p><b>C1. Site Planning and Design Principles</b></p>
<p>This submission includes a Site Analysis Plan prepared by Platform 5 Architects. The Proposed Development has been designed carefully considering the existing site conditions with respect to slope, allotment shape, drainage, flooding, existing vegetation and orientation in conjunction with potential impacts to the greater streetscape.</p>
<p><b>C2. Vegetation Management</b></p>
<p>This submission includes an Arboricultural Assessment Report prepared by Tree and Landscape Consultants, the recommendations of the report are consistent with the proposal which now seek to retain additional canopy trees within the front setback.</p> <p>The report also lays out a protection methodology for Tree 10 which will ensure compliance with Australian Standard AS 4970-2009 and ensuring a Tree Protection Zone.</p>
<p><b>C3. Water Management</b></p>
<p>The western portion of the Site is affected by 100-year flood level. A Flood Impact Assessment Report and drainage plans have been prepared by Alpha Engineering and Development to address compliance with Clause 7.2 of the PLEP 2010.</p> <p>The Flood Impact Assessment Report lays out recommendations which have been incorporated into the Plan of Management for the Site.</p>
<p><b>C4. Land Management</b></p>
<p>The proposal includes an erosion and sediment control plan, demolition and drainage plans as well as a Flood Impact Assessment Report which provides measures to ensure that the Site does not adversely affect the locality during construction or occupation.</p> <p>The Site has been used for residential purposes but if any contaminated material or suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline documents will be undertaken.</p>
<p><b>C5. Waste Management</b></p>
<p>The proposal provides a waste storage area which provides 16 x 240L bins near the ramp on the Doonmore Street frontage which allows for the easy collection. The area has been incorporated in the design of the boarding house so as to ensure no waste materials are allowed to enter the stormwater system or neighbouring properties.</p> <p>The manager/caretaker of the building will be responsible for ensuring the wheeling of the bins to the collection location as per the plan of management, waste management plan and architectural plans.</p>

**C6. Landscaping**

A landscape plan prepared by Vision Dynamics has been included as part of this submission and details the proposed trees and vegetation to be incorporated into the design along the ground floor and level one. The proposed landscaping on the Site will soften the presentation of the boarding house to the greater streetscape.

The proposed landscaping embellishes the existing streetscape by providing a range of indigenous vegetation and trees of varying heights and forms along the street setbacks as well as incorporated into the design of the boarding house itself.

**C10. Parking, Access and Driveways**

A traffic management plan has been included as part of this submission.

The proposal seeks to maintain the existing driveway access point in the rear of the allotment. The proposal provides provisions for 9 car spaces one of which will be an accessible space. The proposal will also provide 4 (four) motorcycle and bicycle car spaces within the basement.

**C12 Noise and Vibration**

The building will be constructed in accordance with the recommendations made by the Acoustic Report prepared by Acoustic Works as well as the requirements of the AS1469 – Acoustics – Recommended Design Sound Levels and Reverberation Times for Building Interiors and the NSW EPA Industrial Noise Policy

Moreover, the accompanying plan of management also details house rules to ensure that the residents act in a manner that minimises acoustic impact on the adjoining residential dwellings.

Control	Proposed	Complies
<b>PART D – Chapter 4.5 Two Storey Town House Development</b>		
<b>2.4 Multi Dwelling Housing</b>		
<b>Urban Form</b>	<p>The design and form of the proposal as amended is considered to be appropriate for the Site given the context and zone. The proposal provides a two storey form in an locality where the most recent trend is toward two storey residential developments.</p> <p>The locality is currently undergoing transition from low rise single storey residential dwellings to medium density residential uses which is exemplified in the below image where each yellow pins represents each site that has either been approved or constructed for medium density residential purpose:</p>	YES

	 <p>The design response to the adjoining properties ensures that the side and rear setbacks do not result in adverse acoustic, privacy or solar impacts on the adjoining properties due to the separation and location of existing vehicle access points. The Proposal includes a considerable front setback consistent with the most recent town house developments in the locality and landscaping amenity assisting in achieving the perception of a traditional garden pattern in the locality.</p> <p>The proposal has been designed to minimise bulk and scale by providing variations in terms of colour, materials and architectural features as well as through providing steps in the building to ensure that it does not have long expansive walls along its boundaries. The proposed vegetation incorporated into the façade softens its appearance and generally enhance the streetscape.</p>	
<p><b>Front and Rear Setbacks</b></p>	<p>The proposal ensures a minimum 6m front setback to the external wall of the proposal. Given the context of the Site being a corner allotment in a locality undergoing transition it is considered that the 6m setback is the most appropriate in this instance consistent with the most recent medium density developments in the locality namely 153 Jamison Road. It is emphasised that the front setback (previously 5.5m) was not explicitly a reason for refusal of the Development Application, however it is considered that the proposed modification greatly assists in reducing the perception of overdevelopment through the reduction of the building footprint and increased front setback landscaping.</p> <p>Moreover, the proposal has been altered so as to provide a 7m rear setback so as to permit vegetation to be grown along the rear boundary as well as the rear of the building.</p> <p>The proposal includes a verandah within the 6m setback of the front setback which is less than 50% of the elevation consistent with 4)a) of this control.</p>	<p>On Merit</p>
<p><b>Building Envelope and Side Setbacks</b></p>	<p>The Proposal has been amended to ensure a minimum 2m setback to the western boundary which is significantly articulately being stepped at each room proposed.</p>	<p>YES</p>

	Moreover, the proposed building envelope is entirely consistent with the provisions of FD2.13.	
<b>Landscaped Area</b>	<p>The proposal includes pockets and verges of landscaped area within the setbacks and within the facade.</p> <p>The private open space area of the proposal has been landscaped as detailed in the landscape plan accompanying this submission prepared by Vision Dynamics.</p> <p>The design ensures that 40% of the site area will be landscaped area consistent with the numerical control of the section, the SEPP ARH does not require a numerical control only that the landscaped area is compatible with the dominant character of the locality which is achieved through the retention of the significant existing trees within the front setback and the embellishment of the surrounding vegetation.</p>	YES
<b>Solar Access</b>	<p>As demonstrated in the shadow and solar plans accompanying this application the private open space and windows of adjoining living areas will maintain 3 hours of direct sun light during the winter solstice.</p> <p>The shadows cast by the proposal are generally fall the public domain toward Jamison Street and the driveway of 157 Jamison Road.</p>	YES
<b>Visual Privacy</b>	<p>The proposed windows are located in such a way that they do not result in unreasonable or undue impacts due to the proposed building separation (8.3m to 157 Jamison Road and 10.7m to 82 Doonmore Street).</p> <p>Each of the windows along the eastern elevation are to include privacy screening so as to prohibit direct overlooking into 157 Jamison Road. The upper level windows are also to be provide a sill height of 1.7m in accordance with the provisions of this section.</p>	YES
<b>Safety and Security</b>	<p>The proposal is capable of being constructed in accordance with the relevant Australian Standards standard related to access which have been addressed in the Access Report which accompanies this submission.</p> <p>The proposal is capable of providing finishes that meet the needs of an ageing population, the proposal will be completed in accordance with the relevant Australian Standards so as to ensure the accessibility of two rooms.</p> <p>The proposal is consistent with the provisions of this clause, as it ensures passive surveillance within the development and onto the streetscape providing openings that allow for passive surveillance. The proposal is not considered to provide</p>	YES

	hidden recesses and opportunities for the concealment of intruders.	
<b>5.11 Boarding Houses</b>		
<b>1) Local Character</b>		
<b>a) Boarding house development applications shall be accompanied by detailed site analyses to assist with the determination of local character.</b>	This report has provided an extensive breakdown of the character of the locality and the design responses to it in the section that responds to Clause 30A of SEPP ARH.	YES
<b>b) A neighbourhood analysis should be completed to identify the desired future character of the neighbourhood. It is recommended that community consultation be undertaken as part of the analysis to determine aspirations for the future character.</b>		YES
<b>c) Key elements that contribute to consideration of local and neighbourhood character include:</b> - Surrounding land uses - Social and Historic Context - Scale - Built Form - Natural Environment - Density - Amenity - Safety and Security - Social dimensions and housing affordability - Aesthetics		YES
<b>2) Built form, Scale and Appearance</b>	-	-

<b>a) The entrance to the boarding house must be in a prominent position addressing the street.</b>	<p>The proposal provides two pedestrian entrances visible from the streetscape. An entrance accessible from Doonmore Street and Jamison Road.</p> <p>Each of the entrances are well articulated so as to be easily identifiable from the streetscape.</p>	YES
<b>b) New boarding houses shall not adversely impact upon solar access of adjoining properties.</b>	<p>The Proposal has been designed in such a way that ensures that 157 Jamison Road, Penrith is not unduly impacted.</p>	YES
<b>c) Boarding houses shall be designed to have a sympathetic relationship with adjoining development.</b>	<p>It is considered that the proposal is sympathetic to the adjoining properties by maintaining adequate building separation and enhancing the streetscaping through embellished landscaping on the allotment.</p> <p>The proposal implements acoustic recommendations made in the accompanying acoustic report included with this submission.</p>	YES
<b>d) Proposals must demonstrate that neighbourhood amenity will not be adversely impacted by factors such as noise and privacy.</b>		YES
<b>f) A boarding house proposal of a scale similar to a multi dwelling housing development should comply with the controls and objectives for multi dwelling housing within this DCP, where they are not in conflict with the requirements of the SEPP and the objectives of the zone.</b>	<p>The scale of the proposal is generally comparable to that of a two storey multi dwelling house development, as such the previous section addressed the controls of Part D 2.4 of the PDCP 2014.</p>	YES
<b>3) Tenant Amenity, Safety and Privacy Boarding houses are to maintain a high level of resident amenity,</b>	<p>The proposal ensures the amenity, privacy and safety of future residents by providing:</p> <ul style="list-style-type: none"> <li>▪ Waste facilities at ground floor so as to be easily accessible</li> <li>▪ Two (2) accessible rooms located within proximity to the lift</li> </ul>	

<p><b>safety and privacy by ensuring:</b>  <b>a) communal spaces including laundry, bathroom, waste facilities, private open space, kitchen and living areas are accessible to all lodgers;</b>  <b>b) if over 10 boarding rooms are supplied, 10% of the total number of dwellings (rounded up) must be accessible;</b>  <b>c) cross ventilation is achievable such that reliance on air-conditioning is minimised;</b>  <b>d) all opening windows are to be provided with fly screens; and</b>  <b>e) secure mailboxes should be incorporated within the foyer window of the property allowing resident only access from inside the foyer.</b></p>	<ul style="list-style-type: none"> <li>▪ Provisions to provide mailboxes</li> <li>▪ Provisions to provide clothes drying</li> <li>▪ Each of the bathrooms will benefit from a private toilet</li> <li>▪ The communal room will benefit from a kitchenette and toilet</li> <li>▪ Private open space within the secondary street setback to ensure that it does not result in adverse impacts for the adjoining properties</li> <li>▪ Cross ventilation where possible, each of the rooms that are not cross-ventilated benefit from large openings which would provide opportunity for ventilation.</li> <li>▪ Secured basement vehicle and bicycle parking</li> </ul>	
<p><b>4) Visual and Acoustic Amenity Impacts</b>  <b>Boarding houses are to provide:</b>  <b>a) bedrooms separate from significant noise sources;</b>  <b>b) sound insulation between bedrooms to provide reasonable amenity;</b>  <b>c) communal areas and bedroom windows</b></p>	<p>Where a room is in proximity to the lift, the proposal ensures that it is adequately insulated to ensure that it does not impact upon the amenity of the boarding room. Each of the rooms will be insulated in accordance with the relevant Australian Standards and the recommendations made in the accompanying Acoustic Report.</p> <p>The communal open space and private open space have been located so as to ensure that they do not adversely impact upon the future residents of the Site as well as the existing residents of the locality. Each of these spaces will be acoustically treated in accordance with the recommendations made in the accompanying Acoustic Report.</p>	<p>YES</p>

<p><b>away from the main living area or bedroom windows of any adjacent buildings; and</b>  <b>d) screen fencing, plantings, and acoustic barriers in appropriate locations.</b></p>		
<p><b>5) Location Boarding Houses shall not be located in cul-de-sacs.</b></p>	<p>The Site is not located within a cul-de-sac.</p>	<p>YES</p>

## Section 4.15 Evaluation – Matters for Consideration

### Context and Setting

The subject site is located in the suburb of Penrith at 159 Jamison Road. The locality is characterised by residential uses with educational uses visible within the local area. The Proposed Development is considered to be compatible with the existing and intended character of the streetscape.

The two-storey built form will be of a scale that is consistent with the most recent residential developments within the R2 and R3 zone of the locality, namely 153 and 166 Jamison Road, a dual occupancy and multi dwelling house development. The façade and presentation of the proposal is well articulated through the modulation of the built form as well as through the inclusion of landscaping within the façade. The proposal represents the introduction of an alternate residential use-built form that maintains compatibility with the context and setting of the local area.

### Heritage Impacts

The Site is not within proximity to a heritage item or heritage conservation area. The Proposal is not considered to have an adverse impact on the heritage significance of any item as it maintains compatibility with the intended character of the locality.

### Social, Environmental and Economic Impacts

The construction process will assist in stimulating the local economy by providing a variety of jobs within the locality. Moreover, the construction of boarding rooms will result in housing appropriately located to access retail and commercial amenities via public transportation within the locality. The proposal is considered likely to increase expenditure within the local economy over the longer term as well as providing an alternate affordable housing option.

The Proposal will also provide a safe development that is consistent with the Crime Prevention through Environmental Design principles of surveillance, space management access control and territorial reinforcement. Moreover, the proposal seeks to minimise adverse environmental impacts while providing social benefits to the locality through providing affordable accommodation.

#### The Suitability of the Site for the Development

The Proposed Development is a permissible development under the relevant zoning and the proposal complies with the fundamental planning controls for the Site as detailed in this statement. The local area is undergoing a transition as an expected result of the R3 medium density zoning. The proposal is consistent with the zoning and general trend toward medium density residential uses. The proposal has been assessed under the provision of Clause 30A of the SEPP ARH and is considered to be compatible with the local area and it is considered that the proposal is suitable for the site.

#### Any submissions made in accordance with the Act

It is anticipated Penrith City Council will consider any submissions in its assessment of the proposal.

#### The Public Interest

As stated in this report, it is considered that the Proposed Development is consistent with the objectives of the public interest as it provides social, environmental and economic benefits and results in a proposal that enhances the streetscape and the greater locality.

The proposal will provide much needed affordable boarding accommodation in the locality and will improve the amenity of the Site and as such is consistent with Public Interest.

## Conclusion and Recommendation

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Following a review of the relevant planning controls, it is concluded that the Proposed Development as modified ensures consistency with the objectives, planning strategies, public interest and detailed controls of the relevant environmental planning instruments.

Careful consideration has been given to the potential environmental and amenity impacts and in the absence of undue adverse impacts the application is submitted to the Penrith Local Planning Panning for its determination.

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## Appendix A: Plan of Management – 159 Jamison Road, Penrith

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### Objective of this Plan

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The primary purpose of this plan is to ensure the premises maintains a high level of amenity for residents, staff and the greater locality alike. The following matters have been addressed:

- Role of the House Manager
- Cleaning and maintenance of the premises
- Acoustic complaints
- Use of Outdoor and Communal Areas
- Safety and security of the premises
- Occupational Health and Safety
- Complaints register
- House rules

### General Duties of the House Manager

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A boarding house manager ('the manager') is to be appointed by the owner/boarding house operator. The manager is to maintain the below roles and responsibilities:

- Manager shall reside on the premises. His/her contact details will be made available to the boarders, neighbouring properties and relevant government authorities. These details will also be listed on a board within the lobby.
- Manage any staff and/or any contractors that may be required to work in the premises
- The manager is to ensure all necessary signage shall be displayed at all times including (but not limited to) the following information:
  - the name and contact number of the property caretaker or manager;
  - emergency contact numbers for essential services;
  - house rules;
- Ensure the cleaning and maintenance tasks are undertaken in order to maintain the premises
  - Ensure that the schedule of cleaning and maintenance times are displayed in an accessible location
- To enforce the House Rules. The manager is to control and mediate any unacceptable behaviour and on-site disputes between residents.
- Manage any noise and amenity impacts caused by boarders and staff and ensure appropriate measures are taken to resolve any potential issues.
- Act as a point of contact and assist during emergencies on the premises.

- Maintain a contacts list (include the manager) which is to be prominently displayed for the residents.
  - The Manager is to ensure details of the Western Sydney Tenants Services (WESTS) will be made available to residents to ensure that they able to obtain tenancy advice, referrals and other services if required.
  - The Manager is to ensure details of the South Penrith Neighbourhood Centre (3 Trent Street, South Penrith) will be made available to residents to ensure that they able to access the relevant Child, Parenting, Community Development and other social programs.
- Maintain a complaint register
- The manager shall be responsible for ensuring the private open space, common open space areas, lobby's, corridors and common rooms are well kept and clean. The caretaker/manager shall promptly address any issues should they arise.

Note: Should the manager be away for an extended period the contact details of the nominated representative and/or owner who can be contacted at any time.

### Cleaning and Maintenance

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- The caretaker/manager may employ other person(s) to undertake any aspect of site cleaning, security and maintenance services.
- The boarding manager will be responsible for ensuring all waste bins are collected regularly and that they are well kept, placed out for collection services and returned to their storage positions after they have been emptied.
  - Waste bins are to be kept in the bin room except when being collected.
- The caretaker / manager will undertake periodic inspections of all rooms and the grounds to confirm the Site is maintained in accordance with this plan of management.
- The caretaker / manager is to ensure the maintenance and preservation of the landscaping and vegetation within the common areas
- Residents whom benefit from planters' boxes adjoining their rooms will be required to ensure their maintenance. The caretaker / manager is to be provided access in the to maintain the vegetation if required
- The caretaker / manager will ensure the periodic management of pests
- The caretaker / manager will ensure that a quarterly external clean and graffiti is undertaken to ensure the maintenance and appearance of the building

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## Point of Contact, Security and Safety

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- The manager shall provide a “first point of call” service for residents needing assistance with the exception of matters that are of concern the emergency services such as police, fire, ambulance, etc.
- A Fire escape and Safety Plan including shall be kept in a prominent location on Site visible to the boarders and visitors alike.
- The manager is to ensure that in the event of a flood, the evacuation process outlined in the Flood Impact Report are implemented
- The manager shall ensure emergency evacuation procedures are implemented and made known to all occupants of the boarding house.
  - Ensure floor plans are permanently fixed to the inside of the door of each sleeping room which indicate the available emergency egress routes from the respective sleeping room
- The manager shall enforce a ‘no smoking indoors’ policy.
- Smoke detectors consistent with the relevant Australian Standards shall be maintained in good order in all rooms in the buildings.
- The Manager and any staff are to ensure that their roles and responsibilities under the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.
- The following general safety practices are to be adhered to by the manager and any of his/her staff:
  - Any hazards (including but not limit to broken amenities and lights) should be removed, repaired or replaced in discussion with the Manager.
  - Ensure any dangerous chemicals (i.e. cleaning materials) carefully and stored in a secure area
  - All work areas, passageway and common open space areas are to be kept clean and tidy to ensure safe manoeuvrability
  - Materials or products are not to be stacked higher than what is considered to be safe;
  - All rubbish to be disposed of in the bins;
  - Ensure there is no excessive alcohol consumption
  - All drugs that are not prescribed by a doctor are forbidden on the premises
  - No smoking indoors

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## House and Communal Areas Policy

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- The maximum occupancy, including the manager is to be in accordance with Council's conditions of consent

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- A copy of the conditions of consent are to be maintained on Site for reference
  - Minor amendments may be made to this Plan of Management by the owner and/or manager, but only Council can consent to vary this plan in an extensive way.
  - The manager and owner/operator shall maintain a 'House Policy and Rules', a copy of which shall be attached to the rear of the entrance door of each room, the house rules are to attach the emergency evacuation plan.
  - The allowable time of use of the private open space and common room will be signposted to ensure that the space is not to be used between 10:00pm and 7:00am. Any use of these areas between 10:00pm and 7:00am may be reported to the manager.
  - A complaints register is to be kept and maintained on Site, recording incidents and complaints by boarders and neighbours. The register is to record:
    - Date
    - Nature of the complaint
    - Name and contact details of complainant
    - Actions taken
    - Resolution/outcome of the matters
    - Further action required (if applicable)
  - The complaint register is to be made available for inspection by Penrith City Council
  - The manager will manage mail and place items in secure mailboxes near the entry. Residents will be provided with access to their mailbox.
  - Any lodger failing to observe the rules or performing illegal acts on the premises will be dealt with by the manager and relevant authorities. The lodger may be vacated from the premises in justifiable circumstances including but not limited to theft, violence or harassment.
-