

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA19/0705
Proposed development:	Demolition of Existing Structures and Construction of a Two (2) Storey Boarding House Containing 12 Boarding Rooms, Manager's Room and Basement Car Parking
Property address:	6 Edith Street, KINGSWOOD NSW 2747
Property description:	Lot 55 DP 241989
Date received:	14 October 2019
Assessing officer	Gemma Bennett
Zoning:	Zone R3 Medium Density Residential - LEP 2010
Class of building:	Class 3 , Class 7a
Recommendations:	Refuse

Executive Summary

Council is in receipt of a development application for the demolition of all structures on the site and the construction of a two storey, 13 room boarding house at 6 Edith Street, Kingswood. The development is defined as a 'boarding house' and is a permissible form of development in the R3 Medium Density Residential zone under *Penrith Local Environmental Plan 2010*. The development proposal is also permissible within the R3 Medium Density Residential zone under Division 3 Boarding Houses of *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

Key issues identified for the proposed development and site include:

- The design of the building and its relationship to the existing and likely future streetscape is not considered compatible with the character of the local area,
- The cumulative impacts of boarding house developments on local character and residents sense of place,
- The presentation of the building is bulky in scale, with a number of design features considered to contribute to the scale and bulk, causing overbearing and overshadowing impacts,
- The proposal is not considered to provide for an appropriate landscape treatment of the front setback area, or provided adequate planting within the side setbacks,
- The design has not provided for adequate on-site waste infrastructure or stormwater design,
- The application has not demonstrated that the site is suitable for the proposed use as required by *State Environmental Planning Policy No. 55 (SEPP 55)*,
- The proposal was not considered acceptable by Council's Development Engineering, Traffic Engineering, Social Planning, Waste Services and Environmental Management Teams.

The application has been notified to adjoining properties and land owners, and exhibited and advertised between 1 November 2019 and 15 November 2019, in accordance with relevant legislation. A total of 27 submissions were received in response. The submissions raised various matters including impacts on amenity, asbestos contamination, local character, privacy and overlooking, traffic and parking, bulk and scale, safety and security, noise, overshadowing and the cumulative impacts of boarding house developments in the vicinity. A response to the matters raised in the submissions is provided within this report.

As the application has received more than 10 submissions, it is a statutory requirement that the application be determined by the Penrith Local Planning Panel as identified by the *Environmental Planning and Assessment Act 1979*.

An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken and the application is recommended for refusal for the reasons stated at the end of this report.

Site & Surrounds

The subject site is legally described as Lot 55 in DP 241989 and is known as 6 Edith Street, Kingswood. The site is relatively flat and is a rectangular shaped allotment located on the eastern side of Edith Street, close to the intersection of Edna Street, and is 644 sqms in area. The site currently contains a single storey, brick residential dwelling with attached garage and carport with vehicle access via a driveway from Edith Street.

The site shares its northern boundary with a single storey dwelling at 4 Edith Street and its southern boundary with a single storey dwelling at 8 Edith Street. Although it is noted that the zoning of the land within this area permits a greater level of density than currently exists, the local character of the area is that of single storey, older style residential dwellings with ancillary structures. Edith Street consists of all single storey dwellings, with one exception at No.18 Edith Street, where a two storey dwelling is located.

The campus of Western Sydney University is located 695m to the east of the subject site. Kingswood Railway Station is approximately 1.2 km walking distance to the north-west of the site. Local shops including an art supplies store, a taylor, convenience store, a restaurant and take away food shop are located at the intersection of Second Avenue and Manning Street which is approximately 200m walking distance to the north-east.

Proposal

The proposed development involves:

- Demolition of all structures on the site,
- Construction of a two storey, 13 room boarding house for a maximum of 23 boarders. One single and 11 double boarding rooms are provided, each with a bathroom and kitchenette, and a separate managers room is provided to the ground floor, with private open space, and
- Basement parking for 7 cars, 4 motorcycles and 4 bicycles.

The proposed boarding house is to be treated externally in a mixture of painted rendered finish, face brick and a pitched, tiled roof.

Plans that apply

- Local Environmental Plan 2010 (Amendment 4)
- Development Control Plan 2014
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy No 55—Remediation of Land
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

• Section 4.15 - Evaluation

The development has been assessed in accordance with the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for further consideration:

Section 79C(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Affordable Rental Housing) 2009

An assessment of the development proposal has been undertaken with regard to the provisions of SEPP ARH and the proposal is found to be non-compliant as detailed below:

Division 3 Boarding houses

Clause 29 Standards that cannot be used to refuse consent

Clause 29 of the SEPP ARH states that a consent authority must not refuse consent to a development to which this Division applies on any of the following grounds:

- (a) *Building Height* - if the building height is not more than the maximum permitted under another environmental planning instrument for any building on the land.
- (b) *Landscaped area* - if the landscaped treatment of the front setback area is compatible with the streetscape in which the building is located;
- (c) *Solar access* - where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9:00am and 3:00pm in mid-winter;
- (d) *Private open space* - if at least the following private open space areas are provided (other than the front setback area):
 - (i) one area of at least 20m² with a minimum dimension of 3m is provided for the use of all lodgers.
 - (ii) if accommodation is provided on site for a boarding house manager - one area of at least 8m² with a minimum dimension of 2.5m is provided.
- (e) *Parking* - if

(i) 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.

(ii) 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.

(f) Accommodation size - if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least 12m² for a single room and 16m² in any other case.

Clause 29 also states that Council may consent to development to which this Division applies whether or not the development complies with the standards listed above.

The proposed development is assessed to comply with the above mentioned applicable standards related to parking, height, solar access, accommodation size and private open space. However, the proposal does not comply with the standards under cl 29(b) related to landscaped area.

Clause 29(b) - non compliance

Landscaping treatment within the streetscape is characterised by deep front setbacks, informal planting beds with a variety of groundcovers, shrubs and mature trees. The proposed development provides an 8m front building setback, however due to the width of the site and the inclusion of the double width driveway and footpath, the remaining area available for landscaping is limited. It is unlikely that any landscaping embellishment will provide for appropriate relief in the form of screening or softening of the development when viewed from the street. Further, the proposed planter box walls adjacent to the entry footpath and along the northern elevation extend to the front boundary and are inconsistent with the landscaped character of Edith Street.

The landscaped area of the site, of which a significant proportion is provided in the form of the 1m deep raised planter boxes over the basement carpark extent, and boundary to boundary basement design with 300-800mm setbacks on the northern and southern boundaries, is considered to stifle any opportunity for appropriate deep soil planting or screening vegetation. This reduces the development proposal's ability to contribute to the canopy coverage and green networks in the vicinity. The development is not considered to contribute to the contextual fit of, or enhance the landscape quality of the area in the vicinity of the site due to the inappropriate basement setback and consequential inability to provide for adequate landscaping.

Clause 30 Standards for boarding houses

Clause 30 of the SEPP ARH states that a consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:

- (a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,
- (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,
- (c) no boarding room will be occupied by more than 2 adult lodgers,
- (d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,
- (e) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.

The development proposal is assessed to comply with the above mentioned requirements, however the communal living room mentioned in (a) is considered non-compliant with the intent of the development standard, due to the lack of functionality and useability of the space. The internal plans indicate a communal space however at 2.7m wide, the space is considered to be too narrow to satisfactorily accommodate the number of boarders proposed.

Clause 30A Character of local area

Clause 30A states that a consent authority must not consent to a 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. As discussed elsewhere in this report, the design of the development is not compatible with the character of the local area, in that the built form does not complement existing built form qualities that are considered to define the character of the local area. The development proposal does not include adequate articulating elements at the side elevations, and the building's length adds bulk and

inappropriate scale to the structure which is not representative of, or complementary to, the character of the local area.

Each side elevation provides inadequate visual interest, with large expanses of unarticulated rendered or face brick finish which is a result of the nature of the small openings proposed. In addition, the failure to adequately step back the upper level from the ground level is considered to accentuate the bulk and create a visually dominant built form.

The form of the proposed development will result in an undesirable mass which will be inconsistent with the streetscape in the vicinity of the site, characterised by low scale development of 1 -2 storeys in height. The extent of face brick is considered to exacerbate bulk, in particular via the treatment of the north and south elevations. The infrastructure located within the front setback, including the double width driveway, access pathways and consequential minimal nature of landscaping treatment provided will allow for negligible softening of the building's form emphasise the bulk of the built form. As such, the proposed built form would likely visually dominate the area surrounding the subject site and consequently adversely impact upon the character of the locality.

The built form is not representative of the traditional pattern of development for residential accommodation existing in Edith Street or that which is anticipated through the applicable controls and objectives of the LEP and DCP. Further, due to the volume of car parking required to facilitate a compliant level of car parking spaces under the SEPP ARH, landscaping is deficient and does not complement the streetscape of Edith Street.

The proposed development is inconsistent with clause 30A of the SEPP ARH the design fails to demonstrate how the built form responds to the existing and the future permissible development in the area. The application should include sufficient information to demonstrate that the proposed design is capable of delivering an appropriate response to the existing and future context of the built form.

The context and streetscape analysis provided with the application is insufficient as it does not include information to show adequate consideration of any likely future development pattern of the area in the vicinity of the site. In particular, the minimal setbacks provided to the north, and extent of basement excavation, would limit the capacity of adjoining sites to development in compliance with zone objectives. While so, no consideration of this planning principle has been provided by the application.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

This Policy ensures the implementation of the BASIX scheme that encourages sustainable residential development. It requires certain kinds of residential development to be accompanied by a list of commitments to be carried out by applicants. This application is subject to these requirements as it involves the construction of a new boarding house.

BASIX Certificate No. 969627M_02 was submitted with the development application. The certificate demonstrates compliance with set sustainability targets for water, energy efficiency and thermal comfort.

State Environmental Planning Policy No 55—Remediation of Land

An assessment has been undertaken of the development proposal against the relevant criteria within State Environmental Planning Policy No 55—Remediation of Land (SEPP 55) and the application is considered unsatisfactory. When determining a development application for any development of land, Clause 7 of SEPP 55 requires that Council consider "*whether the land is contaminated*" and "*if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out*".

From historic aerial photographs it can be seen that fill material has been imported onto the property. Fill can be seen imported onto the south-west portion of the property at various points in time between 9 May 2012 and 5 May 2016. The piles of fill identified within this time frame vary in size and colour. The origin and contamination status of the fill is not known.

The Phase 2 Environmental Assessment by EHO Consulting submitted with the application concludes (page 7), "*The investigation of fill material placed in the south western section of the property located at 6 Edith Street, Kingswood NSW 2747 for the purposes of levelling the front yard within the fence line has found that the material is unsuitable not only for the proposed site use, that being a boarding house and per the DA currently under submission with Penrith City Council but is also unsuitable for the current site use, that being a single storey detached residence with assessable soil.*"

The report goes on to state (page 7) "*...immediate action is recommended from a human health perspective to protect the tenant, visitors and surrounding properties*".

A Remediation Action Plan (RAP) must be prepared for the site and development consent sought for the remediation works. All remediation works within the Penrith Local Government Area are considered to be Category 1 works under the relevant provisions of SEPP 55 and SREP 20.

The report recommends that "*In order to make the property suitable for the proposed use, the unsuitable material needs to be either*
- *removed from the Site by a licensed friable asbestos removalist and disposed of as Asbestos Waste under NSW EPA Waste Classification,*
- *the proposed development needs to be amended to ensure that potential disturbance of the unsuitable material is minimised.*"

Remedial options recommended in the applicants report include removing the grass and capping with pavers or concrete, or removal of fill and replacing with clean fill (page 8).

In accordance with clause 11 of SREP 20, any remediation activities require development consent. As the application has not sought consent for the works, the consent authority cannot determine whether the land can be made suitable for the proposed use as required by SEPP 55.

Council actions in response

The matter has been referred to Council's Development Compliance Team for action and a clean up order is to be issued on the property owner.

A notation has been made on Council's property and rating system recording the contamination findings against the property.

At the time of this assessment report being prepared, letters notifying the tenant and immediate neighbours were being prepared to provide information with regards to the contamination.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

An assessment has been undertaken of the application against relevant criteria with Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) and the application is unsatisfactory.

Clause 11 of SREP 20 requires development consent for remediation of contaminated land. As the proposal has not sought consent for remediation works for contamination discovered on site, the application does not comply with the SREP.

Local Environmental Plan 2010 (Amendment 4)

Provision	Compliance
Clause 1.2 Aims of the plan	Does not comply - See discussion
Clause 2.3 Permissibility	Complies
Clause 2.3 Zone objectives	Does not comply - See discussion
Clause 4.3 Height of buildings	Complies
Clause 4.4 Floor Space Ratio	N/A
Clause 7.1 Earthworks	Complies
Clause 7.2 Flood planning	N/A
Clause 7.4 Sustainable development	Does not comply - See discussion
Clause 7.6 Salinity	Complies
Clause 7.7 Servicing	Complies

Clause 1.2 Aims of the plan

The proposal is not considered to comply with the following aims of the LEP:

(b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement

(h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change

The development is inconsistent with the character envisioned for the Kingswood area, in that the bulk and scale of the development is inappropriate for the site.

The adverse amenity impacts on neighbours, in regards to the acoustic privacy and overshadowing of neighbouring dwellings, is not aligned with Council's vision for development in Penrith.

The proposal does not incorporate the principles of sustainable development into the design.

The provision of waste facilities are not sufficient to service the proposal.

Contamination of the site is identified however the remediation of the site is insufficient to ensure the health and safety of the community.

Clause 2.3 Zone objectives

The subject site is located within the R3 Medium Density Residential zone under LEP 2010. Objectives of the zone include:

- *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 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.*

Although the development would add to the variety of dwelling types and numbers within the zone, the development proposal is considered to be in conflict with core objectives of the zone related to enhancing essential character and residential amenity.

It is not considered that the design of the boarding house enhances the essential character and identity of the established residential area, in that the built form does not complement qualities of existing residential development that define the character of the area. The development proposal does not include adequate articulating elements along its side elevations and the building's length is not representative of or complementary to the character of the local area.

The density of rooms proposed, and the requirement under the SEPP ARH to provide a minimum of 0.5 car spaces per room, is resulting in an overdevelopment of the site with unacceptable levels of site coverage and limited opportunity for meaningful landscaping within the setback areas. To mitigate against self imposed impacts related to noise and privacy, the development provides minimal window openings to boarding rooms along its side elevations which is resulting in large expanses of unarticulated wall and poor architectural composition.

In addition, the development does not reflect the desired future character and dwelling densities of the area, in that the proposal is in conflict with the comparable built form controls of the PDOP 2014 which is to be discussed later within this report.

Clause 7.4 Sustainable development

Clause 7.4 of the LEP requires Council to have regard to the principles of sustainable development as they relate to the development based on a "whole of building" approach by considering each of the following:

- (a) conserving energy and reducing carbon dioxide emissions,*
- (b) embodied energy in materials and building processes,*
- (c) building design and orientation,*
- (d) passive solar design and day lighting,*
- (e) natural ventilation,*
- (f) energy efficiency and conservation,*
- (g) water conservation and water reuse,*
- (h) waste minimisation and recycling,*
- (i) reduction of vehicle dependence,*
- (j) potential for adaptive reuse.*

Due to the sheer wall heights, minimal glazed elements and elevated unarticulated design of the building, the thermal load of the concrete and brickwork will result in high energy consumption in the hotter months of the year. No significant landscaping is provided to reduce the reliance on air conditioning.

A minimal drying area is nominated on plans which does not meet best practice standards for the number of people able to reside in the development. Only 2 rooms are provided with the opportunity for natural cross flow ventilation. In this regard, the amenity provided for future occupants is considered poor as a consequence of the above design elements.

No water tanks are proposed for water re-use, however the development was submitted with a BASIX certificate indicating compliance with minimum sustainability requirements.

It is for the above reasoning that the development proposal is not considered to comply with clause 7.4 of the LEP.

Section 79C(1)(a)(ii) The provisions of any draft environmental planning instrument

Annual Update Amendment Planning Proposal

It is noted that an Annual Update Amendment Planning Proposal is in the process of being created by Council. The Annual Update Amendment Planning Proposal has no relevance to the modified proposal.

Draft Environmental SEPP

The Draft Environment SEPP was exhibited from 31 October 2017 to 31 January 2018. This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Changes proposed include consolidating a total of seven existing SEPPs being:

- *State Environmental Planning Policy No. 19 – Bushland in Urban Areas*
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*
- *State Environmental Planning Policy No. 50 – Canal Estate Development*
- *Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment*
- *Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*
- *Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.*

It is noted that the amendments to Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No. 2 – 1997) do not impact the modified proposal. In this regard, the modified development is not inconsistent with the provisions of this Draft Instrument.

Draft Remediation of Land SEPP

The Department of Planning and Environment has announced a Draft Remediation of Land SEPP, which will repeal and replace the current State Environmental Planning Policy No 55—Remediation of Land.

The proposed new land remediation SEPP will:

- provide a state-wide planning framework for the remediation of land,
- maintain the objectives and reinforce those aspects of the existing framework that have worked well,
- require planning authorities to consider the potential for land to be contaminated when determining development applications and rezoning land,
- clearly list the remediation works that require development consent, and
- introduce certification and operational requirements for remediation works that can be undertaken without development consent.

It is also proposed that it will transfer the requirements to consider contamination when rezoning land to a direction under Section 9.1 of the Environmental Planning and Assessment Act 1979. Whilst the proposed SEPP will retain the key operational framework of SEPP 55, it will adopt a more modern approach to the management of contaminated land. Noting the above, the Draft SEPP will not alter or affect the findings in respect to contamination of the site.

Section 79C(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
DCP Principles	Does not comply - see Appendix - Development Control Plan Compliance
C1 Site Planning and Design Principles	Does not comply - see Appendix - Development Control Plan Compliance
C2 Vegetation Management	Complies
C3 Water Management	Does not comply - see Appendix - Development Control Plan Compliance
C4 Land Management	Does not comply - see Appendix - Development Control Plan Compliance
C5 Waste Management	Does not comply - see Appendix - Development Control Plan Compliance
C6 Landscape Design	Does not comply - see Appendix - Development Control Plan Compliance
C7 Culture and Heritage	N/A
C8 Public Domain	N/A
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Does not comply - see Appendix - Development Control Plan Compliance
C11 Subdivision	N/A
C12 Noise and Vibration	Complies
C13 Infrastructure and Services	Does not comply - see Appendix - Development Control Plan Compliance
D2.1 Single Dwellings	N/A
D2.2. Dual Occupancies	N/A
D2.3 Secondary Dwellings	N/A
D2.4 Multi Dwelling Housing	Does not comply - see Appendix - Development Control Plan Compliance
D2.5 Residential Flat Buildings	N/A
D2.6 Non Residential Developments	N/A
D5.1. Application of Certification System	N/A
D5.2. Child Care Centres	N/A
D5.3. Health Consulting Rooms	N/A
D5.4. Educational Establishments	N/A
D5.5 Parent Friendly Amenities	N/A
D5.6. Places of Public Worship	N/A
D5.7. Vehicle Repair Stations	N/A
D5.8. Cemeteries, Crematoria and Funeral Homes	N/A
D5.9. Extractive Industries	N/A
D5.10 Telecommunication Facilities	N/A

Section 79C(1)(a)(iiia) The provisions of any planning agreement

There are no planning agreements applying to this application.

Section 79C(1)(a)(iv) The provisions of the regulations

The application was referred to Council's Building Surveyor for assessment. No objections were raised. Further, the development application has been notified, exhibited and advertised in accordance with the requirements of the Regulations. Notwithstanding, the proposal is recommended for refusal related to building, amenity, streetscape character and landscape design matters.

Section 79C(1)(b)The likely impacts of the development

Likely impacts of the proposed development are discussed below:

Streetscape and Local Character

The proposal to construct a two storey, 13 bedroom boarding house will have a negative impact on the existing streetscape and character of the local area. The development proposal is inconsistent with controls of the DCP that are related to boarding houses, local character, landscaping and built form. The design is also in contrast to comparable built form controls of the DCP, in that the bulk and scale of the development is not adequately mitigated by landscaping or articulating design elements along its elevations. The presentation of the building is dominated by facebrick to both the north and south elevations which is considered to extenuate the visual prominence of the inappropriate presentation provided. The design of the boarding house does not enhance the essential character and identity of established residential areas.

In addition to the above, this form of development is considered to be in conflict with the objectives of the subject site zoning related to maintaining residential amenity and development being designed to reflect the desired future character of the area.

Noise and Privacy Impacts

The development proposal does not adequately demonstrate a package of measures to mitigate against negative privacy and amenity impacts. Side setbacks at the basement are minimal (300-800mm) and results in an inadequate area for landscape screening along each side boundary. The length of the building and the extent of the upper level will result in negative visual impacts on neighbouring sites. The acoustic assessment submitted with the proposal did not assess the potential impact of the communal indoor or outdoor space.

Impacts related to demolition, site preparation and construction could be adequately managed via recommended conditions of consent in relation to hours of demolition and construction, dust, erosion and sediment control, however, the development application is recommended for refusal.

Traffic, Access and Manoeuvring

The development complies with the minimum number of spaces required by the State Environmental Planning Policy (Affordable Rental Housing) 2009. However, impacts related to site coverage, landscaping, local character and overbearing built form result from the requirement to provide 0.5 car spaces per room.

Solar Access Impacts

Shadow diagrams indicate that the residential dwelling to the south will be primarily negatively impacted by the proposed built form. Windows along its northern elevation will have reduced direct solar access having less than 2 hours per day at mid-winter.- This is considered a consequence of the large built form proposed and the length of the building which is not considered an acceptable design for the subject site and its surrounds.

Servicing of the Site

The stormwater management proposal is not compliant with Council's policies in relation to the OSD system functionality.

The waste management proposal is not compliant with Council's policies as the architectural plans propose an inadequately sized communal bin room and no bulky waste storage area.

Social and Economic Impacts

The proposal was referred to Council's Social Planner who raised concerns about potential for negative impacts on the social cohesion and sense of safety for all residents in the area due to the cumulative effect of a clustering of boarding houses being experienced in Kingswood.

Section 79C(1)(c)The suitability of the site for the development

The site is considered to be unsuitable for the following reasons:

- The proportions of the building proposed on the site is excessive in that inadequate setbacks are provided and inadequate landscaped area is available.
- The design of the building is not compatible with, or complementary to the character of the local area.
- The development proposal does not adequately demonstrate that impacts related to bulk, scale, acoustic privacy and amenity are adequately mitigated against or addressed in the design of the building.
- The site has been found to be contaminated and remediation works have not been proposed.

Section 79C(1)(d) Any Submissions

Community Consultation

In accordance with Appendix F4 of Penrith Development Control Plan 2014, the proposed development was notified to nearby and adjoining residents and was exhibited advertised between 1 November and 15 November 2019. Council received 27 submissions in response.

Matters raised in the submissions have formed part of this assessment. A response to the summarised matters raised are also provided below.

Matter Raised	Comments
<p><i>Bulk, Character and Density</i></p> <ul style="list-style-type: none"> • <i>This part of Kingswood has already been the subject of significant development proposals for boarding houses resulting in development which is not compatible with the existing character.</i> • <i>The boarding house is too large a scale and there is no similarity between the design proposed by this development and the surrounding single storey residential properties.</i> • <i>The bulk of the building does not integrate well with the cottage style of the dwellings on the street and is impacting on the solar access to the adjoining property at 8 Edith Street.</i> 	<p>As discussed within this report, the development is considered inconsistent with the comparative built form controls of the DCP and is inconsistent with the objectives of the zone.</p> <p>Although boarding houses are permissible under the SEPP ARH, the design of the development is considered to be inconsistent with Clause 30A of the Policy which relates to local character.</p> <p>As detailed within this report it has been identified that the density of rooms proposed at the site is resulting in excessive bulk, overbearing and negative amenity impacts.</p> <p>It is agreed that elements of the essential character of the area are not complemented by the design of the building.</p>

<p><i>Traffic and Parking</i></p> <ul style="list-style-type: none"> • <i>Families, visitor and emergency and other service vehicles cannot enter and exit the suburb safely due to on street parking associated with other multi-unit and boarding house developments, the local school and University.</i> • <i>Safety issues related to increased traffic in the area which is already experiencing high traffic demands, particularly during peak times (school pick up and drop off times).</i> • <i>Parking is inadequate for the number of rooms proposed and does not account for visitors.</i> • <i>Potential damage to adjoining properties due to the extent of basement excavation required to contain the car parking for the proposal.</i> 	<p>Council's Traffic Engineers have assessed the development in relation to impact on local road network and have no objection from a traffic impact perspective.</p> <p>It is the intention of the SEPP ARH, that developments incorporating affordable rental housing are located with accessible locations. This is to facilitate connected communities and allow individuals making use of affordable rental housing, opportunity to access services, facilities and transport options. It is not expected that the traffic and parking needs of the development will result in negative impacts to the detriment of the local area. The proposed parking meets the required parking rates under the SEPP ARH.</p> <p>Adequate conditions of consent may be applied with regards to the pre-development and post development condition of adjoining properties, however the application is recommended for refusal and as such standard conditions are not recommending in this regard.</p>
<p><i>Safety and Social Impacts</i></p> <ul style="list-style-type: none"> • <i>The character and behaviour of potential tenants is raised as a concern.</i> • <i>Safety is raised as an issue related to the proximity to the school and young children living/visiting adjoining properties.</i> 	<p>The development proposal was referred to Council's Social Planner who has identified a need for diverse forms of affordable rental housing within the local area. Selection of tenants of the boarding house will be a matter for the owner and /or manager to resolve. However, concerns were also raised by the Social Planner about the less permanent nature of boarding house tenants as compared to the general population, the potential for negative impacts on the social cohesion and sense of safety for all residents in the area due to the clustering of boarding houses in the vicinity. The intensification of the residential development type in the small area is noted to maintain the potential to create undesirable impacts on the social fabric of the neighbourhood.</p> <p>It is not documented that the safety of children in the area would be impacted by the proposal.</p> <p>No evidence has been provided to suggest that property values will be impacted in the vicinity of the site, should the boarding house be approved.</p>
<p><i>Asbestos contamination</i></p> <ul style="list-style-type: none"> • <i>Occupants and neighbours not notified of asbestos contamination as specified in report.</i> • <i>Remediation actions not identified and no provisions in waste management plan for appropriate disposal.</i> • <i>Rear of the dwelling not tested for contamination and fill was used there at the same time as front yard filled.</i> 	<p>The site contamination has been discussed within this assessment and the proposal found to be unsuitable for the site. While the application is recommended for refusal, the contamination matters will be referred to Council's Environmental Management Team for further action.</p>

<p><i>Servicing</i></p> <ul style="list-style-type: none"> • <i>The large number of bins required to service the development.</i> • <i>Inadequacy of stormwater management proposal.</i> 	<p>The waste infrastructure and OSD system detail is inadequate however as the development application is recommended for refusal, the applicant was not requested to amend their proposal to rectify inconsistencies with Council Policies.</p>
<p><i>Operational Arrangements</i></p> <ul style="list-style-type: none"> • <i>Concern was raised as to how the Boarding House would operate and complaint management.</i> 	<p>A Plan of Management was submitted to support the proposal. Adequate conditions of consent may be applied with regards to the operational management plan, however the application is recommended for refusal and as such standard conditions are not recommended in this regard.</p>
<p><i>Noise</i></p> <ul style="list-style-type: none"> • <i>Concern raised regarding noise impacts from communal areas and air conditioning units.</i> 	<p>It is considered that noise levels may have an impact on existing levels of amenity in the area. The applicant has submitted a Plan of Management which includes conflict resolution and instructions of how complaints will be managed.</p> <p>An acoustic report was submitted to support the proposal however it did not assess the potential acoustic impacts of the communal room or communal open space. It is considered that the proposed development has not demonstrated that noise can effectively be managed at the site.</p> <p>Air conditioning units are contained within the basement and therefore the acoustic impacts of condensers are likely to be satisfactory.</p>
<p><i>Privacy and overshadowing</i></p> <ul style="list-style-type: none"> • <i>The two storey building will deprive families in adjoining properties of privacy.</i> • <i>The development will overshadow adjoining residents.</i> 	<p>Windows at the upper and lower levels have a sill height of 1.5m which will limit any downward view.</p> <p>The limited number of windows on the subject building is resulting in additional bulk and limited articulation.</p> <p>Insufficient area for substantial or sustainable landscaping is provided for. Privacy impacts are not able to be mitigated through landscape screening.</p> <p>Council's DCP does not have specific overshadowing controls related to boarding house development, the solar access controls specified for multi dwelling housing development can be used as a guide. In this respect, the DCP requires that the proposed development provides a minimum of 4 hours sunlight between 9:00am and 3:00pm on June 21 to the living zones (not including bedrooms, bathrooms, kitchen or laundry) of any adjoining dwelling.</p> <p>The submitted shadow diagrams indicate that the development will overshadow the north facing window openings for the dwelling at No. 8 (to the immediate south) of the site for most of the day with less than 2 hours provided in the pm hours at the winter solstice. In this regard, compliance with the DCP control is not demonstrated.</p>

The developer does not appear to have an ABN

An ABN is not required to submit a development application and therefore Council does not hold this information with regards to property owners or applicants.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	Not supported
Environmental - Environmental management	Not supported
Environmental - Waterways	No objections
Environmental - Public Health	No objections - subject to conditions
Waste Services	Not supported
Traffic Engineer	Not supported
Community Safety Officer	No objections - subject to conditions
Social Planning	Not supported

Section 79C(1)(e)The public interest

The proposed development is assessed to be contrary to the aims and zone objectives of Penrith Local Environmental Plan 2010 and is non-compliant with key clauses of State Environmental Planning Policy (Affordable Rental Housing) 2009, including those related to compatibility with local character and development standards related to landscaping.

The proposal is not considered to comply with the relevant provisions of Penrith Development Control Plan 2014, in particular Section 5.11 - Boarding Houses, requiring the design to be compatible with the context of the site and its immediate surrounds. Furthermore, the proposed bulk and scale of the proposal are not considered compliant with the applicable built form controls detailed under Section D2.4.

It is for the above reasoning that approval of the development application would not be in the public interest.

Section 94 - Developer Contributions Plans

Development contributions apply to the subject proposal, however as the application is recommended for refusal, a condition requiring their payment prior to the issue of a Construction Certificate is not recommended.

Conclusion

The development application has been assessed against the applicable environmental planning instruments, including *State Environmental Planning Policy (Affordable Rental Housing) 2009* and *Penrith Local Environmental Plan 2010* and the proposal does not satisfy the aims, objectives and specific provisions of these policies.

In its current form, the proposal will have a negative impact on the surrounding character of the area, specifically the bulk, scale and design of the development is not compatible with local character and is not representative of the future desired character of the area, as defined by *Penrith Local Environmental Plan 2010* and the *Penrith Development Control Plan 2014*.

Support for this application would set an undesirable precedent in the locality, particularly given the incompatibility of the design with comparable built form controls of the *Penrith Development Control Plan 2014*. The building design is not site responsive and does not comply with key development standards which are directly resulting in unacceptable negative impacts in the locality, and is not in the public interest.

It is for the above reasoning that the development application is not worthy of support. Reasons for refusal are detailed below.

Recommendation

1. That DA19/0705 for a two storey, 13 room boarding house at 6 Edith Street, Kingswood, be refused for the following reasons; and
2. That those making submissions are notified of the determination.

Refusal

1 **X Special (BLANK)**

The application is not satisfactory for the purpose of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as the proposal has not satisfied the provisions of the *State Environmental Planning Policy No. 55 - Remediation of Land*.

2 **X Special (BLANK)**

The application is not satisfactory for the purpose of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as the proposal has not satisfied the provisions of the *State Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No 2-1997)*.

3 **X Special 02 (Refusal under Section 79C(1)(a)(i) of EPA Act 1979)**

The application is not satisfactory for the purpose of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as the proposal is inconsistent with the provisions of Penrith Local Environmental Plan 2010 as follows:

(i) Clause 1.2 Aims of the Plan - The proposal is inconsistent with the aims of the plan in relation to promotion of development consistent with Council's vision for Penrith, ensuring protection of the environment and the health and safety of the community, and ensuring that the development incorporates the principles of sustainable development.

(ii) Clause 2.3 - The proposal is inconsistent with the objectives of the R3 Medium Density Residential zone, particularly:

(a) the proposal is not considered to enhance the essential character and identity of established residential areas,

(b) the proposed boarding house does not ensure a high level of residential amenity is achieved and maintained, and

(c) the proposed boarding house does not ensure provision of development that reflects the desired future character and dwelling densities of the area.

(iii) Clause 7.4 Sustainable Development - The proposal does not demonstrate that the principles of sustainable development have been appropriately incorporated into the design.

4 **X Special 03 (Refusal under Section 79C(1)(a)(i) of EPA Act 1979)**

The application is not satisfactory for the purpose of Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as the proposal is inconsistent with the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 as follows:

(i) Clause 29 (2)(b) Landscaped area, and

(ii) Clause 30A Character of local area.

5 **X Special 04 (Refusal under Section 79C(1)(a)(iii) of EPA Act 1979)**

The development application is not satisfactory for the purpose of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, as the proposal is inconsistent with the following provisions of Penrith Development Control Plan 2014:

- (i) Part B - 'DCP Principles',
- (ii) Section C1 'Site Planning and Design Principles',
- (iii) Section C3 'Water Management',
- (iv) Section C4 'Land Management',
- (v) Section C5 'Waste Management',
- (vi) Section C6 'Landscape Design',
- (vii) Section C10 'Transport, Access and Parking',
- (viii) Section C13 'Infrastructure and Services',
- (ix) Section D2.4 'Residential - Multi Dwelling Housing', and
- (x) Section D5.11 Boarding Houses'.

6 **X Special 07 (Refusal under Section 79C(1)(b) of EPA Act 1979)**

The development application is not satisfactory for the purpose of Section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979* in terms of the likely impacts of that development including those related to:

- (i) Negative streetscape and local character impacts,
- (ii) Insufficient landscaping,
- (iii) Amenity impacts for adjoining neighbours, in particular acoustic privacy and overshadowing,
- (iv) Insufficient stormwater and waste servicing of the site, and
- (v) Negative social and economic impacts.

7 **X Special 08 (Refusal under Section 79C(1)(c) of EPA Act 1979)**

The application is not satisfactory for the purpose of Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979* as the site is not suitable for the scale of the proposed development, the design is not compatible with the character of the local area, the proposal does not adequately address acoustic amenity impacts resulting from the scale and use of the building on the site, or propose site contamination and remediation works required to make the site suitable for the proposed use.

8 **X Special 9 (Refusal under Section 79C(1)(d) of EPA Act 1979)**

Based on the above deficiencies and submissions received, approval of the proposed development would not be in the public interest pursuant to Section 4.15(1)(d) of the *Environmental Planning and Assessment Act 1979*.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part B - DCP Principles

The development proposal is considered to be contrary to the principles, commitments and objectives of the Penrith Development Control Plan 2014 in particular, the proposal does not enable communities to minimise their ecological footprint or promote sustainable production and consumption through appropriate use of environmentally sound technologies and effective demand management.

The side setbacks are unlikely to support canopy tree planting, particularly with the extent of basement construction proposed and extensive use of planter boxes.

There is limited opportunity is provided for natural cross flow ventilation.

No water capture and re-use is proposed.

Part C - City-wide Controls

Section C1 Site Planning and Design Principles

Clause 1.2.2 Built form - Energy Efficiency and Conservation

This section of the DCP states that "*buildings should be designed on passive solar design principals which respond to orientation to maximise the northern aspect and solar access in the cooler periods; reduce overheating in summer and promote solar gain in winter; and ensure there is adequate cross flow of air by utilising natural ventilation, resulting in a reduction in the use of mechanical ventilation and/or air-conditioning systems*".

The design of the building does not facilitate opportunity for natural cross flow ventilation resulting in overheating and poor internal amenity and thermal comfort for lodgers, and reliance on air conditioning systems.

Clause 1.2.3 Building Form - Height, Bulk and Scale

The proposal fails to demonstrate how the development is consistent with the height, bulk and scale of adjacent development. It is acknowledged that the area is zoned R3 Medium Density Residential under the LEP and some growth in the density of the area is expected. However, the development proposal does not demonstrate an acceptable level of compliance with applicable built form controls under the DCP or objectives of the zone. The development will result in unacceptable levels of overshadowing to the south, is not sufficiently articulated and its bulk and scale is unacceptable in the location.

Proposed setbacks, separation distances and landscaped elements do not adequately mitigate against negative and unacceptable amenity impacts such as privacy (visual and acoustic), overbearing and impacts on local streetscape character.

Section C3 Water Management

Council's Development Engineer has reviewed the application and provided the following comments:

- *The submitted Stormwater Plans are watermarked as Draft Only.*
- *The proposed OSD system shows inlet pipes below TWL. This does not comply with Penrith Council's Stormwater Drainage Policy Section 4.3.2.*
- *Details are to be provided on how to address emergency overflow from OSD tank in case of system failure complying with Section 4.3.9 of Penrith Council's Stormwater Drainage Policy. Currently, surcharge from OSD tank will result in flooding of basement carpark.*
- *Demonstrate how the outlet control of proposed OSD system meets the requirements set out in Section 4.3.2 of Penrith Council's Stormwater Drainage Policy.*

Noting the above, inadequate information is considered to accompany the proposal for it to be viewed as supportable.

Section C4 Land Management

Clause 4.4.3 Stages of Contamination Investigation

If contamination is, or may be, present the applicant must investigate the site and provide Council with the information it needs to carry out its planning functions. The application is supported by a Stage 2 Detailed Investigation which describes and tests contaminated fill within the front setback of the site. As required by the DCP, the next phase is to prepare a Remediation Action Plan, describing the works to be undertaken to make the site suitable for the proposed use. This has not been provided.

Section C5 Waste Management

For boarding house developments, a bin generation rate of 75% is to be applied to the waste generation calculation outlined within table 2 of the '*Multi-unit dwelling waste management guideline*' document. All on-site waste collection infrastructure outlined within sections 2.4.1 (communal waste collection area) and 2.4.2 (bulky goods collection area) is required to be integrated wholly within the development's built form.

Council's Waste Planning Officer has reviewed the application and provided the following comments:

- *The communal bin storage area does not meet the minimum requirements of the DCP, including internal dimensions required of 6m long x 2.2m wide. The structure is to provide a minimum doorway width of 1.2m.*
- *The submitted plans do not provide communal bulky goods collection area.*

The design of the development does not comply with design requirements of the waste bin and bulky waste area as detailed within the DCP.

Section C6 Landscape Design

Clause 6.1.3 Neighbourhood Amenity and Character

The submitted design does not comply with the requirements of the DCP as follows:

- The landscape proposal does not enhance the amenity and visual quality of the site. The bulk and scale of the building is not moderated by the use of landscaped elements such as for screening or shade provision.
- The development does not make any contribution to the streetscape by way of the design of structures or landscaping.
- The design of landscaping works do not ensure that the development integrates into and enhances the existing landscape character through either setbacks, materials selection, architectural character or vegetation selection/placement.

Clause 6.1.4 Site Amenity

The DCP states that landscape design should seek to screen development, particularly from the sides and rear of an allotment and shrubs and small trees should be used to screen service areas and block unwanted views that reduce privacy. The proposal does not adequately demonstrate that an acceptable level of compliance is achievable. The proposed areas of landscaping are minimal in width due to basement design, which is needed to support the car parking requirements under the SEPP ARH.

Section C10 Transport, Access and Parking

Car parking requirements are set by SEPP ARH and are found to be compliant. Notwithstanding the compliance with the number of car parking spaces required by the SEPP ARH, the design of the basement has not been supported by Council's Traffic or Development Engineers as swept paths were not provided to demonstrate that each space would be accessible, and the basement ramp is of an insufficient width to allow two cars to pass. Additionally, parking bay dimensions and the minimum basement height are not indicated on the plans demonstrating compliance with AS2890.

It is noted that the area required to facilitate a compliant level of car parking is resulting in a high level of site coverage and minimal landscaping, in particular to the side setbacks.

Section C13 Infrastructure and Services

Clause 13.4 Engineering Works and Construction Standards

The stormwater management proposal has been assessed against the provisions of Council's technical policies for engineering works and found not to comply.

D2 Residential Development

An assessment of the built form of the development has been undertaken having regard to comparative built form controls applying to multi dwelling housing development within the R3 Medium Density Residential zone, as is required by the boarding house objectives and controls of clause 5.11 (Boarding Houses) of Section D5 Other Land Uses.

The anticipated built form for the area within the vicinity of the site (applicable to boarding houses and multi dwelling housing developments) is detailed within this section of the DCP and includes controls requiring articulation of the built form and the inclusion of deep external side setbacks with an upper storey surrounded by a larger floor plan. The development proposal does not include characteristics of traditional suburban development where the building form is stepped with integrated landscaped elements.

Clause 2.4.4 Urban Form

The development proposal is in conflict with controls requiring external walls to be a maximum of 5m in length between distinct corners and for buildings to be no more than 20m in length.

Clause 2.4.6 Building Envelope and side setbacks

The proposal does not comply with the side setbacks requirements under 2.4.6(7)(a) and (b) which states a minimum side setback of 2m is permissible however for only 50% of any boundary. The proposal is for 2m side setback (north and south) for both the ground floor, and 900mm northern setback to the wall of the ramp to the basement.

Clause 2.4.9 Solar Planning

The DCP requires that the development allow a minimum of 4 hours sunlight between the hours of 9.00am and 3.00pm on June 21, to living zones of any adjoining dwellings. Submitted shadow diagrams do not demonstrate an acceptable level of compliance with the above control.

Clause 2.4.12 Building Design

The development proposal is contrary to the controls of the clause, in that the design does not effectively mitigate against bulk through the use of a variety of materials, articulating elements such as stepped walls and roof forms, and number and design of window openings.

Clause 2.4.13 Energy Efficiency

The development proposal does not adequately employ design techniques to reduce thermal loads and increase natural cross flow ventilation.

Clause 2.4.19 Visual and Acoustic Privacy and Outlook

The development proposal has not adequately demonstrated that the package of measures proposed to prevent privacy (visual and acoustic) impacts is acceptable. No landscaping is provided to the side and rear setback to provide a buffer. The acoustic report submitted with the application does not assess the impacts of the communal room or communal outdoor space.

D5 Other Land Uses

Clause 5.11, B Objectives

The proposal does not comply with the following objectives listed under the clause which include:

(a) To ensure that boarding houses fit the local character or desired future local character of the area.

(b) To minimise negative impacts on neighbourhood amenity.

(d) To respond to increasing neighbourhood densities resulting from boarding house development.

(e) To ensure that boarding houses operate in a manner which maintains a high level of amenity, health and safety for residents.

The bulk and scale of the development does not adequately respond to the existing or desired future character of the area in the vicinity of the site, as discussed elsewhere within this report (refer SEPP ARH local character discussion). The building design and landscaping concept does not take adequate regard of the submitted site analysis. Proposed setbacks and landscaping will not ameliorate negative and unacceptable impacts on residential amenity due to the scale and bulk of the building, the wall length and its potential for thermal load in the summer months and the inability for landscaping to provide relief in this regard.

The bulk and scale of the design proposed will result in over bearing and amenity impacts (visual and acoustic) on neighbouring residential uses.

The density of the development and the requirement under the SEPP ARH to provide 0.5 car parking spaces per bedroom will result in the basement excavation being excessive such that deep soil landscaping is negatively impacted.

Clause 5.11, C. Controls

The proposed development does not comply with clause 5.11(C)(2)(c) which states that "boarding houses shall be designed to have a sympathetic relationship with adjoining development" as discussed above and under the SEPP ARH section of this report. Further, due to the bulk and scale and the 2m side setbacks proposed, the proposal does not comply with clause 5.11 (C)(2)(b) which requires any new boarding house to not adversely impact upon solar access of adjoining properties and clause 5.11(C)(2)(d) which requires proposals to demonstrate that neighbourhood amenity will not be adversely impacted by factors such as noise and privacy.

The proposal does not comply with clause 5.11(C)(2)(f) which states that 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 ARH and the objectives of the zone. The design of the boarding house is not compliant with the controls for multi dwelling housing as detailed under Section D2 Residential Development of this report. Compliance with the controls for multi dwelling housing would not result in a development that would be in conflict with the objectives of the R3 Medium Density Residential zone or those of the SEPP ARH.

The proposal does not comply with the following controls of clause 5.11(C)(3) Tenant Amenity, Safety and Privacy:

- Clause (c) which requires cross ventilation to be achieved to reduce reliance on air conditioning.
- Clause (d) requires fly screens on all windows. It is unclear if this is proposed.

The proposal does not comply with the following controls of clause 5.11(C)(4) Visual and Acoustic Amenity Impacts:

- Clause (d) which requires screen fencing, plantings and acoustic barriers in appropriate locations. No screen planting is provided to the rear and side setback areas.




















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GENERAL NOTES

WALL MATERIALS & FINISHES








-  270 CAVITY BRICKWORK (110/50/110) WITH CEMENT RENDER INTERNALLY
-  270 CAVITY BRICKWORK (110/50/110), SELECTED FACE BRICK INTERNALLY
-  250 BRICK-VENEER, - 110 BRK / 50 CAV. / 90 SS
-  110 BRICKWORK WITH 13mm CEMENT RENDER BOTH SIDES
-  3HR FIRE RATE - 50 STC SOUND RATE 143 CLAY MINI BLOCKS WITH 13mm CEMENT RENDER ON BOTH SIDES
-  PRECAST R/FOURCED CONC. PANEL - THICKNESS: AS SHOWN
-  CONCRETE BLOCK WALL - THICKNESS: 190, 140 OR 90mm
-  CFC COMPRESSED FIBRE CEMENT LINING
-  CJ CONSTRUCTION JOINT
-  EJ EXPANSION JOINT
-  FB FACE BRICKWORK
-  FC FIBRE CEMENT LINING
-  ICW INSTU REIN. CONC. WALL
-  P PAINT FINISH
-  PBD PLASTERBOARD LINING
-  PJ PRECAST PANEL JOINT
-  PCP PRECAST REIN. CONC. PANEL

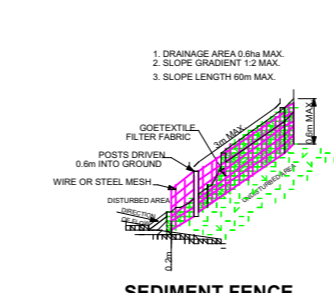
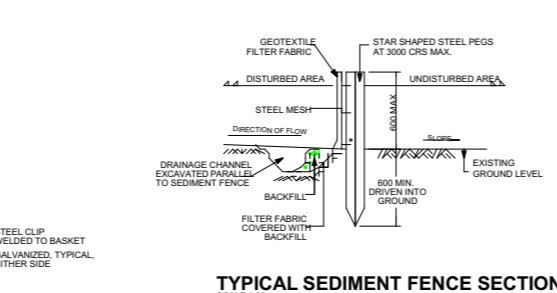
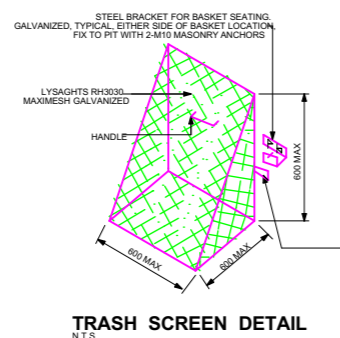
FLOOR MATERIALS & FINISHES

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- CONCI... CONCRETE FINISHED AS FOLLOWS:
- BR BROOM FINISH
- EP EPOXY FINISH
- GR GRANOLITHIC SCREED
- OL OIL RESISTANT SEALER
- ST STEEL TROWEL
- T&G TONGUE & GROOVE POLISHED TIMBER FLOOR BOARDS
- CPT CARPET
- CT CERAMIC TILES
- GRT GRANITE FLOORING
- MAR MARBLE FLOORING
- TER TERRAZZO FLOORING
- TCT TERRA-COTTA FLOOR TILES
- PAV PAVING SELECTED
- SSV SAFETY SHEET VINYL
- SV SHEET VINYL
- VT VINYL TILE

FIXTURES / COMPONENTS

- AP ACCESS PANEL
- APD AGRICULTURAL PIPE DRAIN
- ARICON AIR CONDITION
- AL ALUMINIUM
- ASPH ASPHALT
- BAL GMS BALUSTRADE
- BID BIDET
- BIT BITUMEN
- BHDO BULKHEAD OVER
- BOL BOLLARD
- BIO STR. BEAM OVER TO ENGR. DET.
- BIS BRASS STRIP
- BSN BASIN
- BWU BOILING WATER UNIT
- CD CONDENSATE DRAIN
- CDL STRUCTURAL STEEL COLUMN
- CS CLEANERS SINK
- CW COLD WATER
- CWM CHAIN WIRE MESH
- D... DOOR (number nominated)
- DW DISHWASHER
- DSB DISTRIBUTION SWITCH BOARD
- DP DOWN PIPE
- EXH EXHAUST HOOD
- FA FIRE ALARM
- FBL FIRE BLANKET
- FD FIRE RATED DOOR
- FE FIRE EXTINGUISHER
- FHR FIRE HOSE RACK/REEL
- PH FIRE HYDRANT
- FRW FIRE RATED WINDOW
- FW FLOOR WASTE
- GLB GLASS BLOCKS - 190x190 size
- GM GAS METER
- GD GRATED DRAIN
- H HAND RAIL
- HB HAND BASIN
- HP HOT PLATE
- HT HOSE TAP
- HWS HOT WATER SYSTEM
- ICS INTERCOMMUNICATIONS SYSTEM
- LVR LOUVRE
- KS KITCHEN SINK
- MSD MAIN SWITCH BOARD
- PFC PARALLEL FLANGE STR. CHANNEL
- REF REFRIGERATOR
- RS ROLLER SHUTTER
- RWH RAIN WATER HEAD
- RS RAINWATER SPITTER
- SD SMOKE DETECTOR
- SLD SLIDING DOOR
- STK STACK HYDRAULIC
- SHW SHOWER
- SWD STORM WATER DRAIN
- T LAUNDRY TUB
- URL URINAL
- V VANITY UNIT
- VP VENT PIPE
- WC WATER CLOSET
- W... WINDOW (number nominated)
- WM WASHING MACHINE

KEY	
	proposed doors
	proposed 90mm timber framed wall
	proposed 230mm brick wall
	proposed 250mm brick veneer wall
	proposed 270mm double brick wall
	proposed floor waste
	denotes proposed additional floor area



NOTE

1. ALL DIMENSIONS AND FLOOR AREAS ARE TO BE VERIFIED BY BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK. ANY DISCREPANCIES ARE TO BE CONFIRMED BY THE DESIGNER.
2. LEVELS SHOWN ARE APPROXIMATE UNLESS ACCOMPANIED BY REDUCED LEVELS BY A REGISTERED SURVEYOR.
3. FIGURED DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALING.
4. ALL BOUNDARY CLEARANCES MUST BE VERIFIED BY THE SURVEYOR PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.
5. WHERE ENGINEERING OR HYDRAULIC DRAWINGS ARE REQUIRED, SUCH MUST TAKE PREFERENCE TO THIS DRAWING.
6. STORMWATER TO BE CONNECTED AND DISCHARGED TO COUNCIL'S REQUIREMENTS AND TO AS 3500.3-1990.
7. ALL SERVICES TO BE LOCATED AND VERIFIED BY THE BUILDER WITH THE RELEVANT AUTHORITIES PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.
8. ALL DIMENSIONS TO BE VERIFIED BY BUILDER/ REGISTERED SURVEYOR ON SITE PRIOR TO CONSTRUCTION COMMENCING
9. ALL DEMOLITION AND REMOVAL WORK TO BE CARRIED OUT WITH APPROVED WASTE MANAGEMENT PLAN AND IN ACCORDANCE WITH COUNCIL'S REQUIREMENTS & D.A. CONDITIONS

BASIX CALCULATIONS & COMMITMENTS

A ON DEMAND HOT WATER RECIRCULATION SYSTEM IS TO BE INSTALLED	
TOILETS MUST BE 3 STAR	
SHOWER HEADS MUST BE 3 STAR	
KITCHEN TAPS MUST BE MIN. 3 STAR	
BATHROOM TAPS MUST BE MIN. 3 STAR	
LGA : PENRITH CITY COUNCIL	
AREA POSTCODE: 2747	
COLLECTED ROOF AREA:	120 m ²
BED ROOMS:	14
VEGETATION AREA:	150 m ²
ROOF AND WALL COLOUR:	MEDIUM

SHEET SCHEDULE

DRAWING No	TITLE	SCALE	REV
000	COVER SHEET	A	B
001	BASIX & CALCULATIONS	A3	B
002	DEMOLITION PLAN	1:200 @ A3	B
003	EROSION & SEDIMENT CONTROL	1:200 @ A3	B
004	SITE PLAN	1:200 @ A3	B
005	BASEMENT FLOOR PLAN	1:200 @ A3	B
006	BASEMENT FLOOR PLAN	1:100 @ A3	B
007	GROUND FLOOR PLAN	1:200 @ A3	B
008	GROUND FLOOR PLAN	1:100 @ A3	B
009	FIRST FLOOR PLAN	1:100 @ A3	B
010	ELEVATIONS 1	1:100 @ A3	B
011	ELEVATIONS 2	1:100 @ A3	B
012	SECTIONS	1:100 @ A3	B
013	SHADOWS	1:200 @ A3	B
014	LANDSCAPE CALCULATION PLAN	1:100 @ A3	B
015	MATERIALS & FINISHES	A4	B

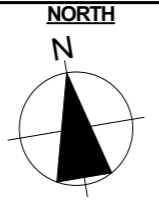
COMPLIANCE TABLE

CONTROL	PENRITH	REQUIRED	PROPOSED	COMPLIANCE
SITE AREA		400m2	650.3m2	YES
STREET FRONTAGE SETBACK		min 5.5m	min 5.6m	YES
SIDE SETBACKS		min 0.9	2m or greater	YES
BUILDING HEIGHTS		max double stry 8.5m	> 8.5m	YES
COURTYARD FENCES		1.8m	1.8m	YES
SOLAR ACCESS		4 hours	> 4 hours	YES
MINIMUM LANDSCAPE AREA		40% = 260.12m ²	256.95m ²	NO
MAX 40% OF FRONT SETBACK SEALED		< 40%	< 30.95%	YES
REAR SET BACK		min. 4 m	min. 6 m	YES
PRIVATE OPEN SPACE		req 30m ²	135.82m ²	YES
PARKING		7 spaces	8 spaces	YES




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Pg. 001

B
A3

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DIAL 1100 BEFORE YOU DIG

SCALE BAR 1:100

PROJECT: BOARDING HOUSE

CLIENT: MR. SIMON SASSINE

LGA: PENRITH CITY COUNCIL

SCALE: AS SHOWN

REF: 2018 - 065

DATE: Sept - 2019

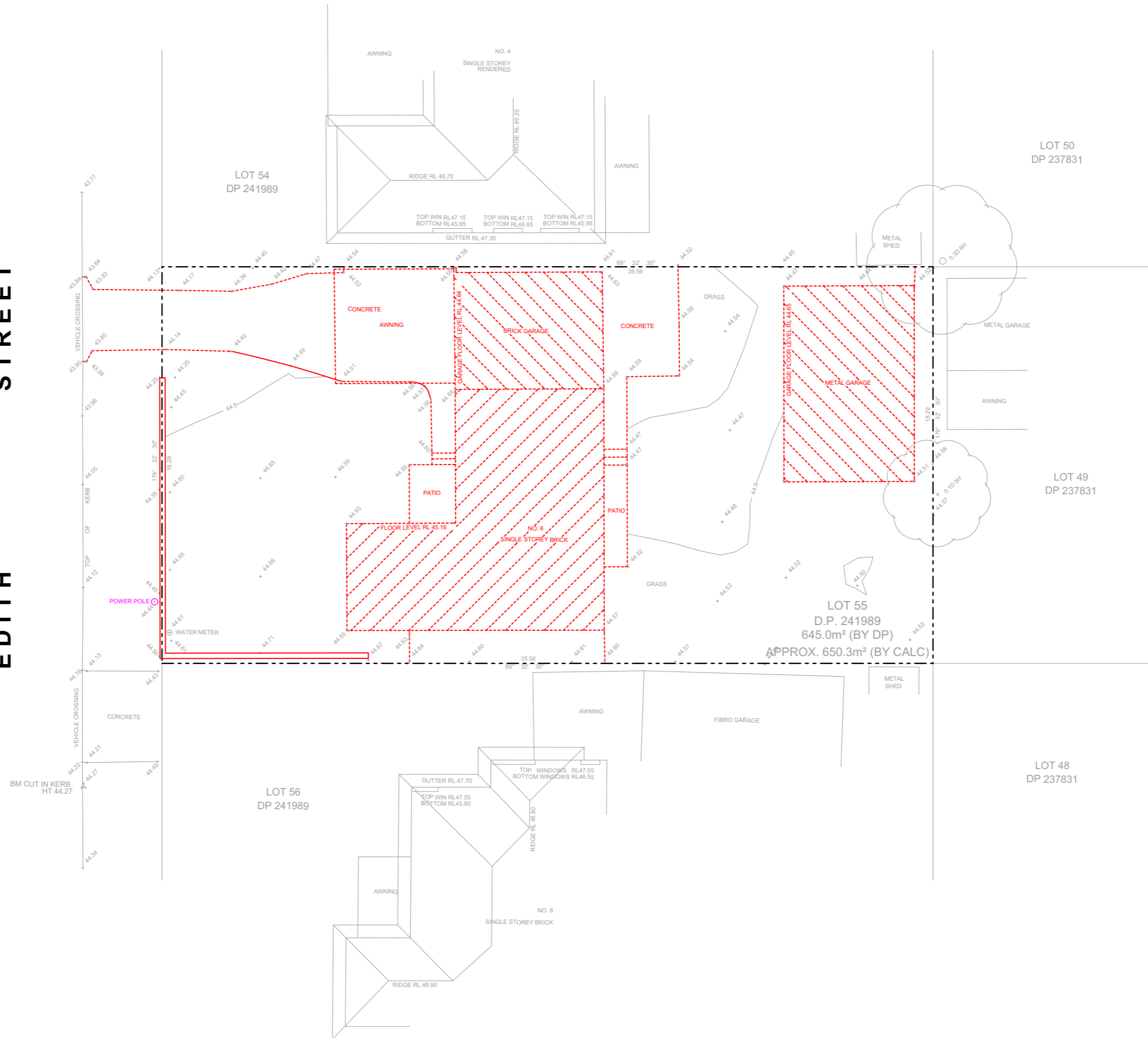
DRAWN BY: W.H

ADDRESS: LOT 55 DP 241989 LOT SIZE 650.3m²
 6 EDITH STREET, KINGSWOOD NSW 2747

ISSUE A: Client Approval 18/08/2019

ISSUE B: DA 02/09/2019

EDITH STREET

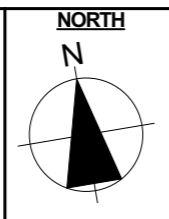


DEMOLITION PLAN
1:200

KEY	
	existing doors
	existing timber framed wall to be removed
	elements to be demolished
	existing timber framed wall
	existing walls

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SCALE BAR 1:100

PROJECT BOARDING HOUSE

CLIENT MR. SIMON SASSINE

LGA: PENRITH CITY COUNCIL

SCALE: AS SHOWN

REF: 2018 - 065

DATE: Sept - 2019

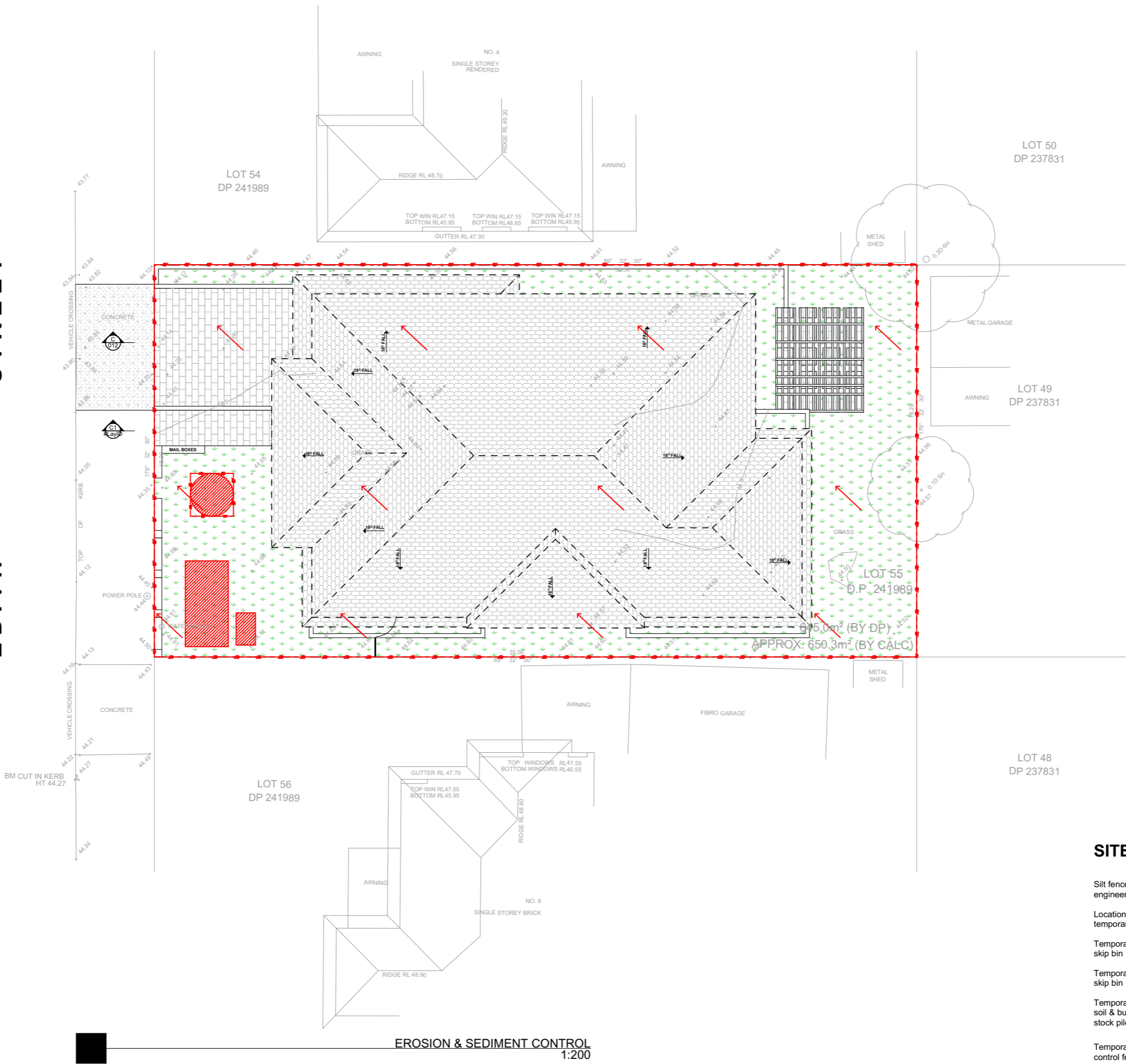
DRAWN BY: W.H

ADDRESS LOT 55 DP 241989 LOT SIZE 650.3m²
6 EDITH STREET, KINGSWOOD NSW 2747

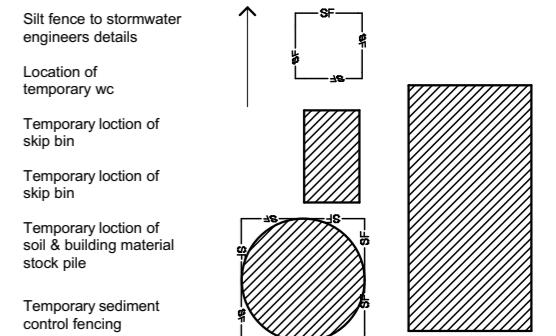
ISSUE A: Client Approval 18/08/2019

ISSUE B: DA 02/09/2019

EDITH STREET

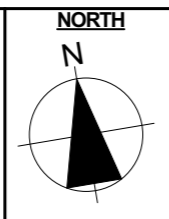


SITE MANAGEMENT TEXT



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PROJECT
BOARDING HOUSE

CLIENT
MR. SIMON SASSINE

SCALE BAR 1:100

LGA: PENRITH CITY COUNCIL

SCALE: AS SHOWN

REF: 2018 - 065

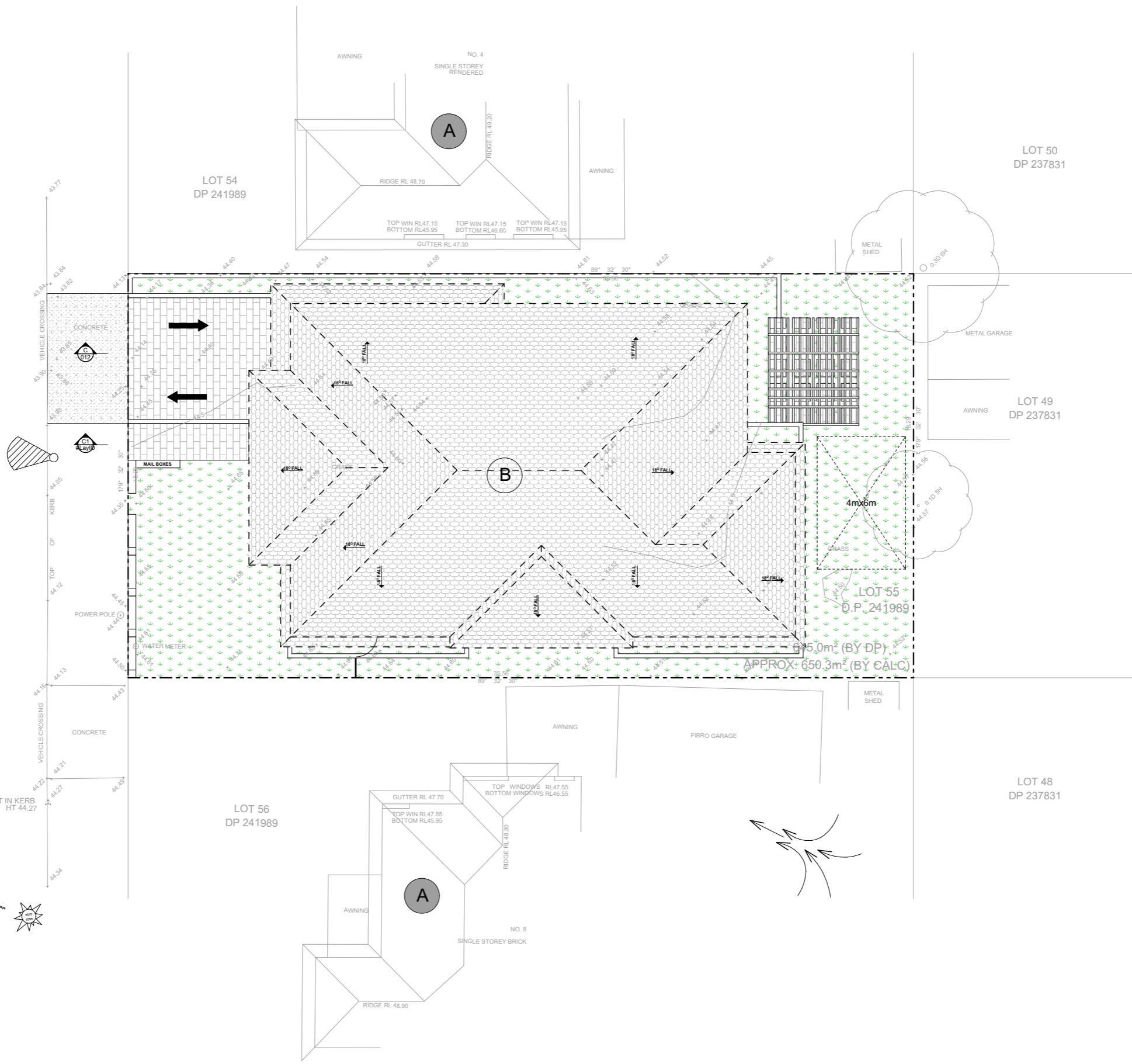
DATE: Sept - 2019

DRAWN BY: W.H

ADDRESS LOT 55 DP 241989 LOT SIZE 650.3m²
6 EDITH STREET, KINGSWOOD NSW 2747

ISSUE A: Client Approval	18/08/2019
ISSUE B: DA	02/09/2019

EDITH STREET

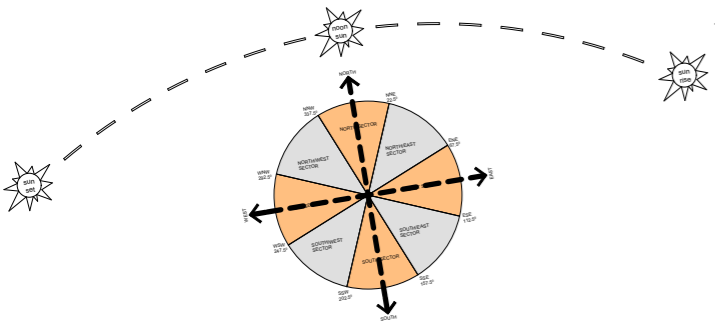


LEGEND

- PROPOSED SITE BOUNDARY
- - - EXISTING STRUCTURES TO BE DEMOLISHED
- SILT FENCING
- TEMPORARY CONSTRUCTION FENCE
- TREES TO BE REMOVED
- TREES TO BE RETAINED
- ← STREET ACCESS
- ← PREVALING WINDS
- ☹ POTENTIAL OVERLOOKING
- ← VEHICLE ACCESS
- ▨ PRIVATE OPEN SPACE
- ▨ NEIGHBOURING PRIVATE OPEN SPACE
- A NEIGHBOURING PROPERTIES
- B PROPOSED BUILDING

ROOF/SITE ANALYSIS PLAN
1:200

WINTER SET, WINTER RISE, SUMMER SET, SUMMER RISE

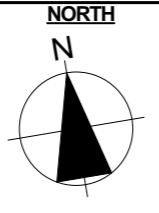


GEN ONE

bda
BUILDING DESIGNERS AUSTRALIA NSW

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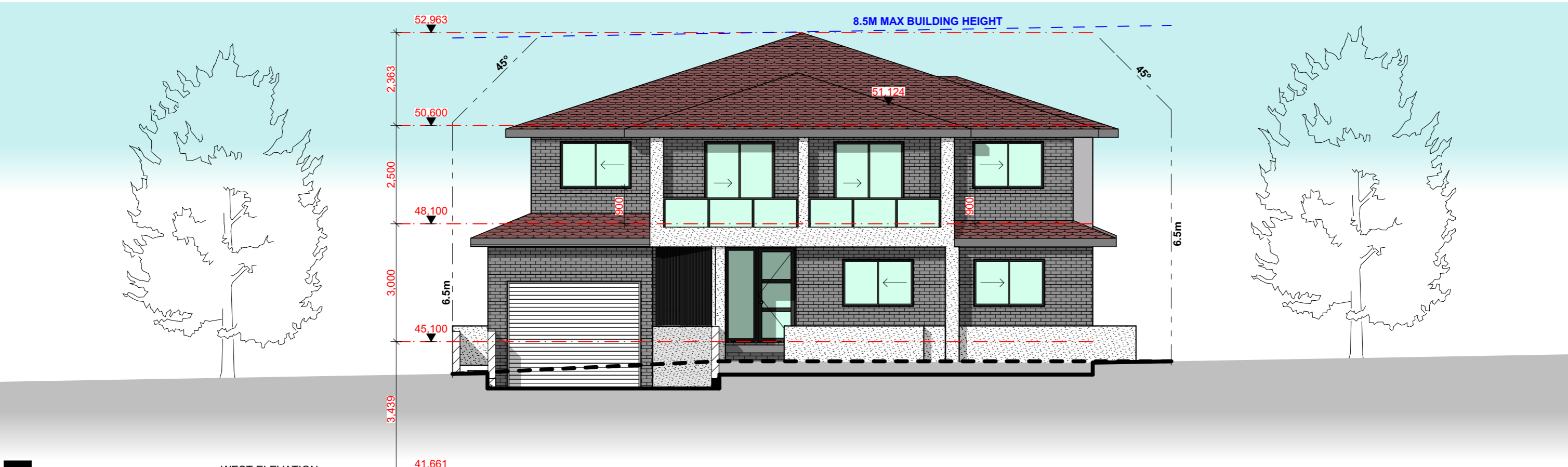
SCALE BAR 1:100

PROJECT: BOARDING HOUSE

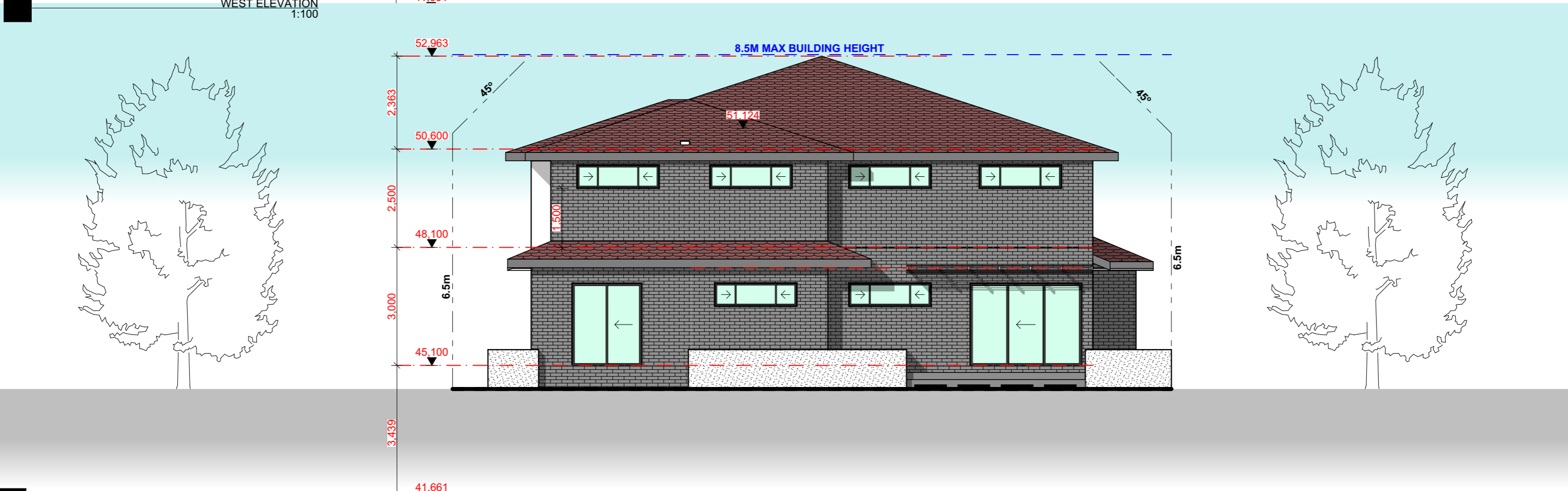
CLIENT: MR. SIMON SASSINE

LGA:	PENRITH CITY COUNCIL
SCALE:	AS SHOWN
REF:	2018 - 065
DATE:	Sept - 2019
DRAWN BY:	W.H
ADDRESS:	LOT 55 DP 241989 LOT SIZE 650.3m ² 6 EDITH STREET, KINGSWOOD NSW 2747

ISSUE A:	Client Approval	18/08/2019
ISSUE B:	DA	02/09/2019

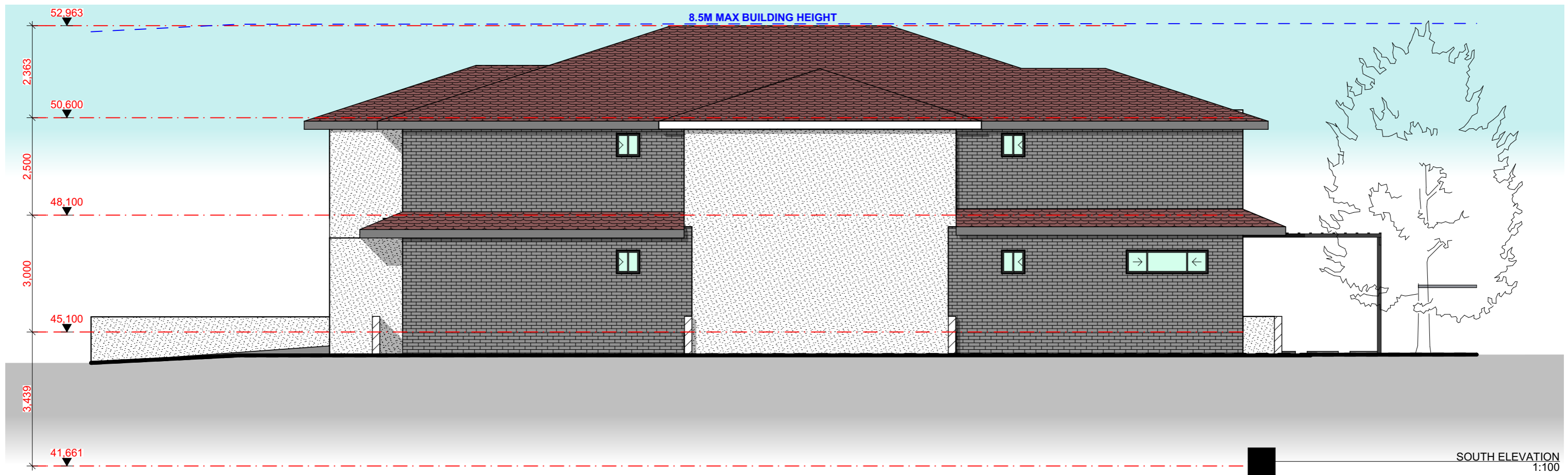
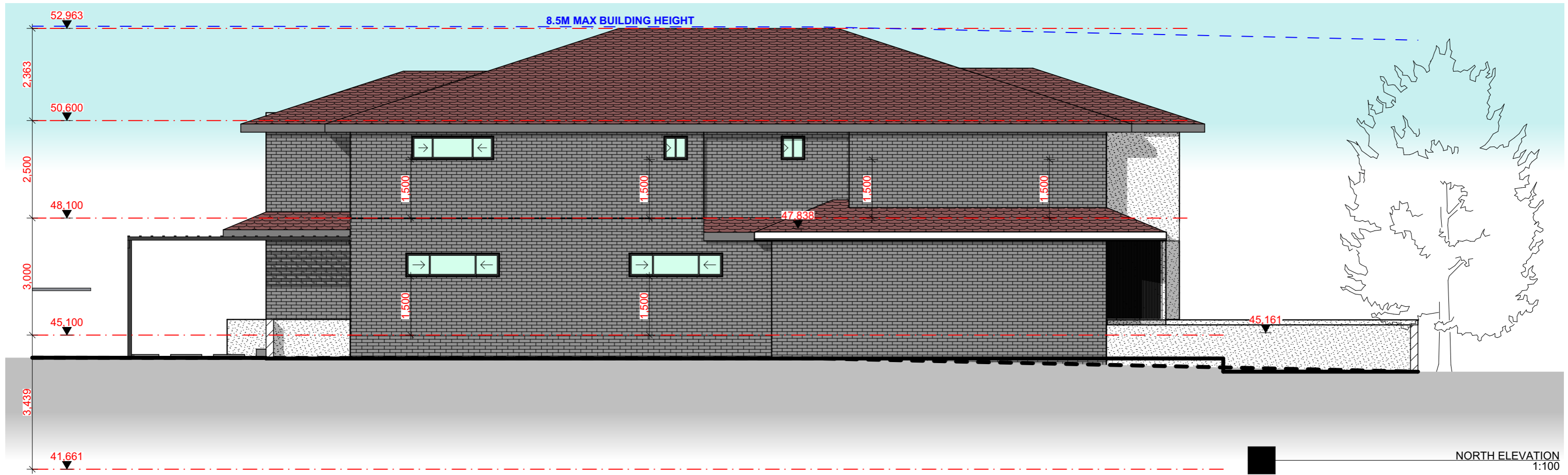


WEST ELEVATION
1:100



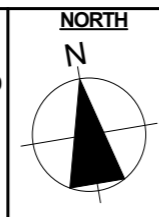
EAST ELEVATION
1:100

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				<p>B</p> <p>A3</p>				<p>PROJECT: BOARDING HOUSE</p>	<p>SCALE: AS SHOWN</p>	<p>ISSUE B: DA</p>
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<p>CLIENT: MR. SIMON SASSINE</p>								<p>DATE: Sept - 2019</p>		
<p>ADDRESS LOT 55 DP 241989 LOT SIZE 650.3m² 6 EDITH STREET, KINGSWOOD NSW 2747</p>								<p>DRAWN BY: W.H</p>		



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SCALE BAR 1:100

PROJECT BOARDING HOUSE

CLIENT MR. SIMON SASSINE

LGA: PENRITH CITY COUNCIL

SCALE: AS SHOWN

REF: 2018 - 065

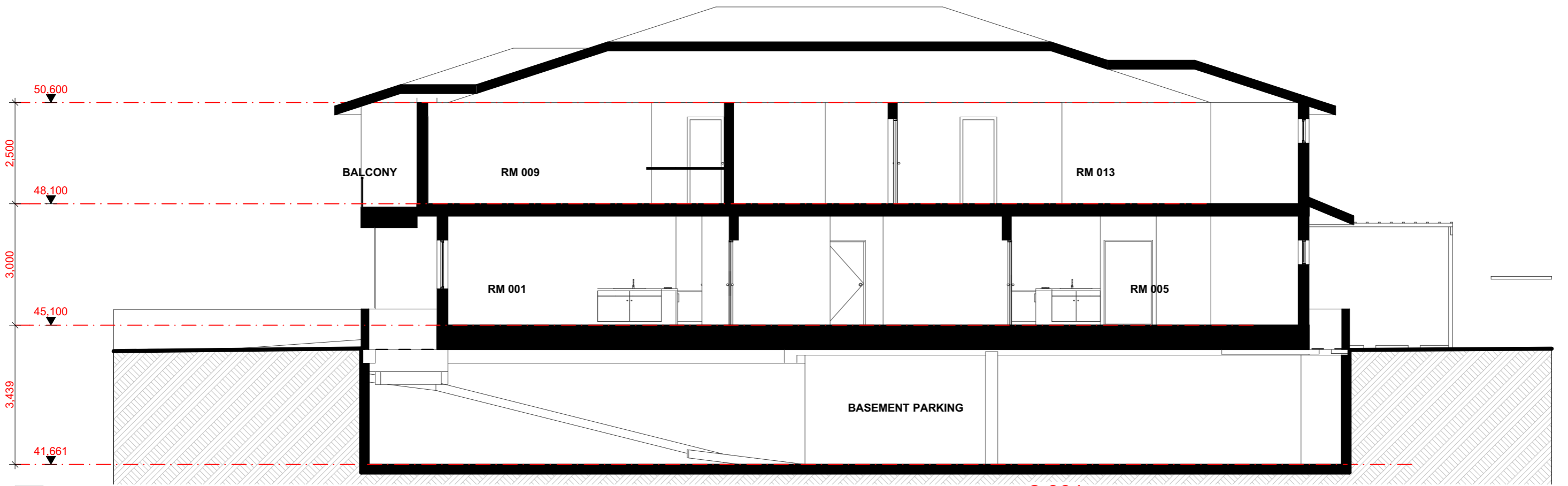
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ADDRESS LOT 55 DP 241989 LOT SIZE 650.3m²
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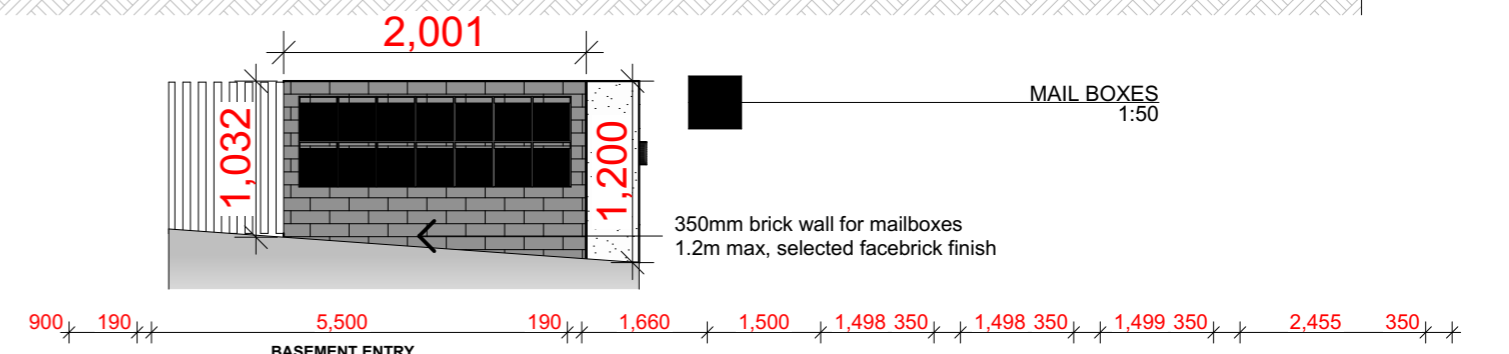
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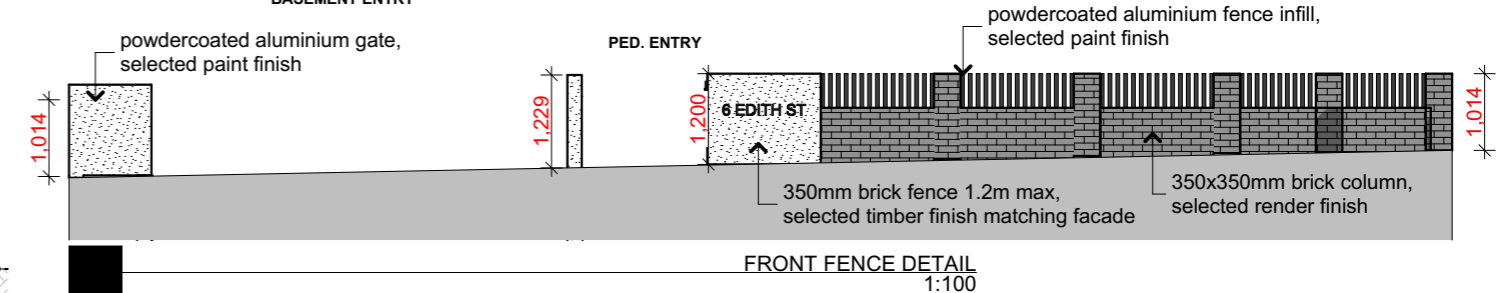
SECTION A
1:100



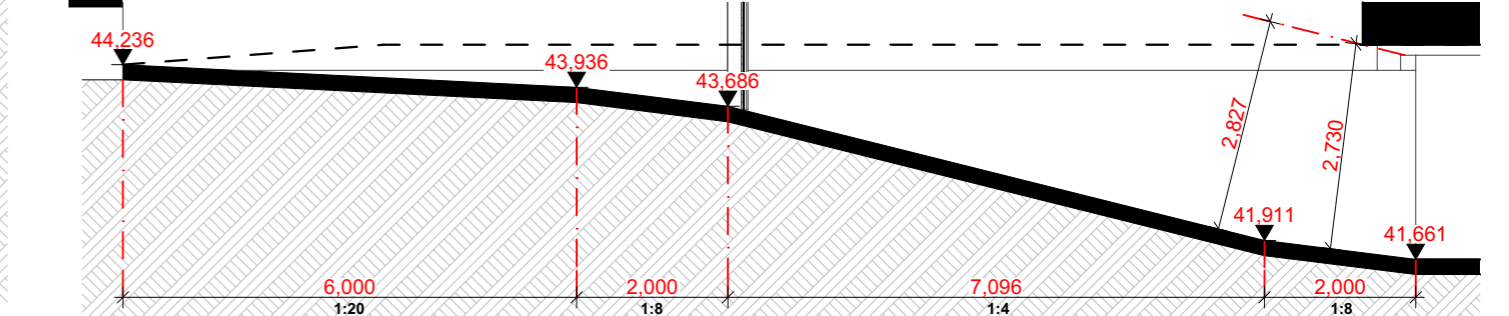
SECTION B
1:100



MAIL BOXES
1:50



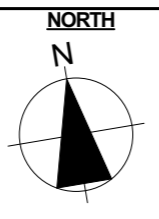
FRONT FENCE DETAIL
1:100



DRIVEWAY SECTION
1:100

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PROJECT BOARDING HOUSE

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SCALE: AS SHOWN

REF: 2018 - 065

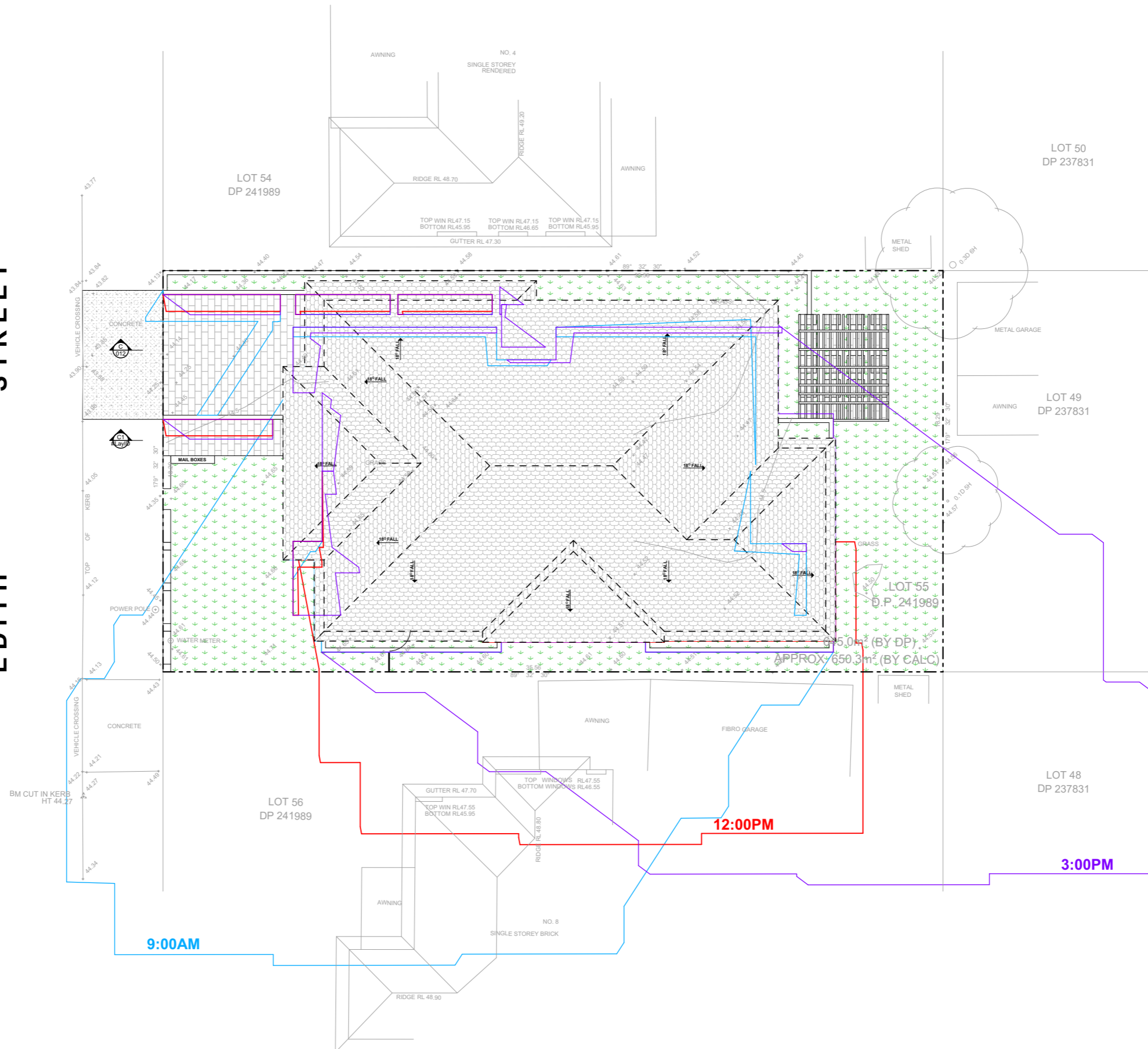
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ADDRESS LOT 55 DP 241989 LOT SIZE 650.3m²
6 EDITH STREET, KINGSWOOD NSW 2747

ISSUE A: Client Approval	18/08/2019
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EDITH STREET

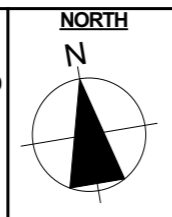


SHADOWS BASED ON JUNE 21ST
1:200



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SCALE BAR 1:100
0 1 2 3 4 5

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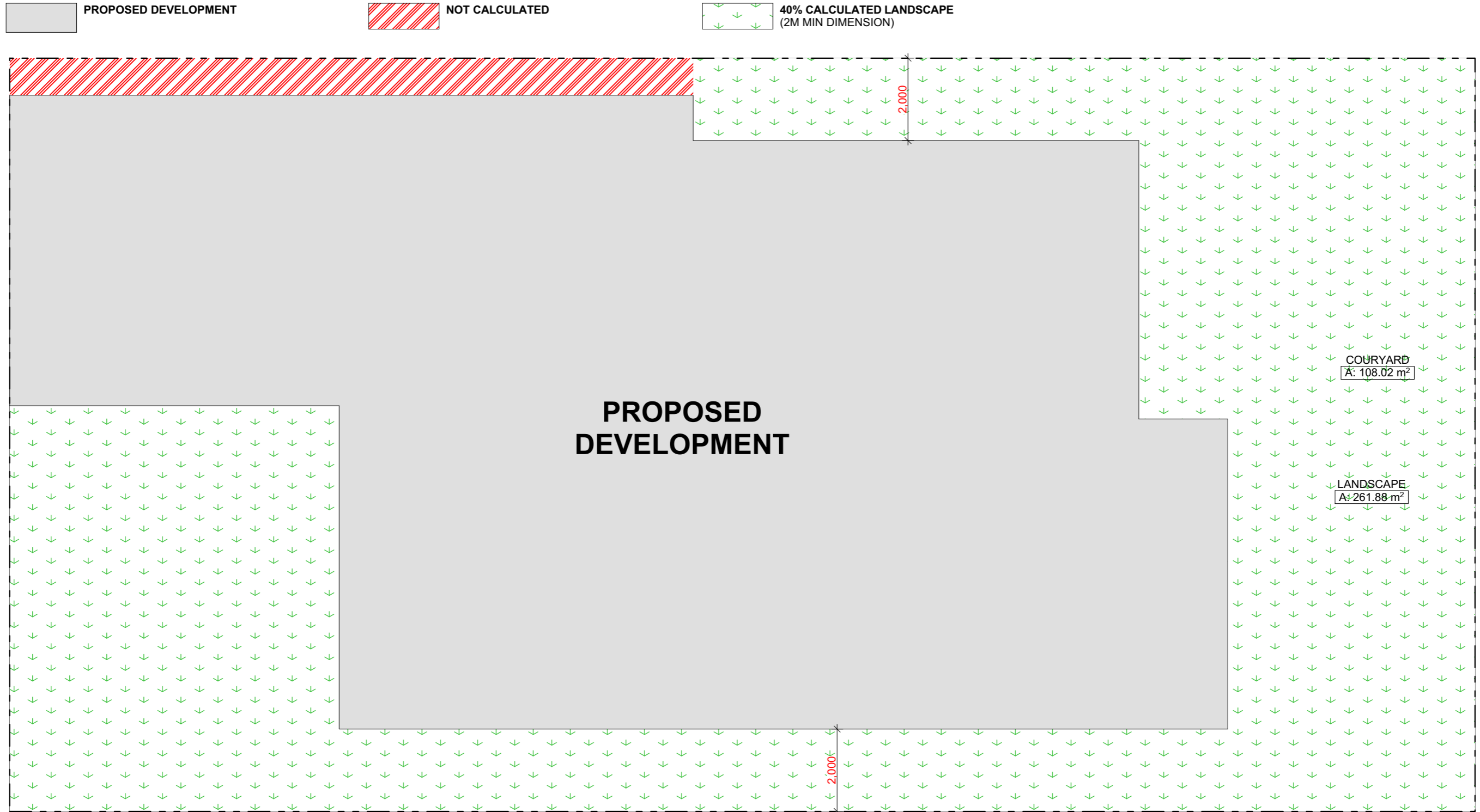
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SCALE: AS SHOWN
REF: 2018 - 065
DATE: Sept - 2019
DRAWN BY: W.H.
ADDRESS LOT 55 DP 241989 LOT SIZE 650.3m²
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STREET

EDITH



LANDSCAPE PLAN
1:100

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				B				SCALE: AS SHOWN	ISSUE B: DA	02/09/2019
				A3			PROJECT: BOARDING HOUSE	REF: 2018 - 065		
						CLIENT: MR. SIMON SASSINE	DATE: Sept - 2019			
						DRAWN BY: W.H				
						ADDRESS LOT 55 DP 241989 LOT SIZE 650.3m²				
						6 EDITH STREET, KINGSWOOD NSW 2747				

PHASE 2 ENVIRONMENTAL SITE ASSESSMENT 6 EDITH STREET, KINGSWOOD NSW 2747

Job Number: JN00869
Issued date: 28 September 2019
Prepared for: Liquid Gold 888 Pty Ltd
Client Address: Unit 1, 26-28 Cann Street, Guilford NSW 2161
Report by: Craig Wellings, Principal Environmental Scientist
Total No of pages: 18

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6 EDITH STREET, KINGSWOOD NSW 2747

Executive Summary

On the 9 September 2019, EHO Consulting Pty Limited (EHO) were engaged by Mr Anthony Nakhoul of Liquid Gold 888 Pty Ltd (the Client), to undertake a limited Phase 2 Environmental Site Assessment (P2ESA) of the property located at 6 Edith Street, Kingswood NSW 2747 (the Site).

The objective of the assessment is to provide an assessment of the Site in accordance with the requirements of the NSW State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55), assessing suitability of the Site in support of a development application (DA) submitted by the Client to develop the Site as a boarding house.

The scope included collection of soil samples from a total of three (3) locations in the south western corner of the property (the front yard) which is where fill has been imported to level the property within the fence line, and submission of the samples to an independent NATA accredited laboratory for analysis of general contaminants of concern including asbestos.

The investigation of fill material placed in the south western section of the property located at 6 Edith Street, Kingswood NSW 2747 for the purposes of levelling the front yard within the fence line has found that the material is unsuitable not only for the proposed site use, that being a boarding house as per the DA currently under submission with Penrith City Council but is also unsuitable for the current site use, that being a single storey detached residence with assessable soil.

As the fill material which has been investigated at the Site has been found to unsuitable for both the current and proposed site use immediate action is recommended from a human health perspective to protect the tenant, visitors and surrounding properties. These actions include may but may not be limited to:

- The Client should notify the property owner, as it is understood the Client is engaged on behalf of the property owner, so that the tenant can be informed of the associated risk;
- All care should be taken to avoid disturbing the soil under the grass in the front yard.
 - In particular, care should be taken when mowing the grass to ensure that it is not cut close to the level of the soil.
 - The property owner should take steps to encourage the current or future tenants to maintain the lawn in good condition. This may include:
 - Subsidising maintenance of the lawn;
 - Engaging a professional to maintain/promote growth of the lawn;
- No new gardens or plants should be established in the front yard;
- Anyone engaged to carry out works of any kind which may include disturbance of the fill material in the front yard of the Site, within the fence line needs to be informed that a human risk from asbestos fines exists.

In order to make the property suitable for the proposed use the unsuitable material needs to be either

- removed from the Site by a licenced friable asbestos removalist and disposed of as Asbestos Waste under NSW EPA Waste Classification,
- the proposed development needs to be amended to ensure that potential disturbance of the unsuitable material is minimised.

Remedial options in order to meet the DA requirements for the proposed development include but may not be limited to:

- onsite remediation by removing the grass under monitored conditions by a licenced friable asbestos removalist as asbestos waste and paving the front yard with a permanent surface such as pavers or concrete; or
- removal of the contaminated and disposal of the fill entirely under monitored conditions by a licenced friable asbestos removalist as asbestos waste, and replacing with clean fill and re-turfing.

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1. Introduction

1.1 Background

On the 9 September 2019, EHO Consulting Pty Limited (EHO) were engaged by Mr Anthony Nakhoul of Liquid Gold 888 Pty Ltd (the Client), to undertake a limited Phase 2 Environmental Site Assessment (P2ESA) of the property located at 6 Edith Street, Kingswood NSW 2747 (the Site).

1.2 Purpose of Investigation

The purpose of the site works carried out as part of the assessment was to investigate the depth, physical and chemical characteristics of fill material which historic photos indicated was imported onto the south-west portion of the Site between 9 May 2012 and 5 May 2016.

1.3 Objective of Assessment

The objective of the assessment is to provide an assessment of the Site in accordance with the requirements of the NSW State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55), assessing suitability of the Site in support of a development application (DA) submitted by the Client to develop the Site as a boarding house.

EHO understands that the DA was originally submitted to Penrith City Council (Council) and was rejected as based on the documentation provided in support of the DA, Council could not at the time, with certainty, be satisfied that the Site is not contaminated. EHO have not been provided with any other particulars of the DA.

1.4 Site Setting

The Site is located in a street of primarily single storey, brick and tile, detached dwellings with fenced boundaries and is on the eastern site of Edith Street Kingswood NSW 2747.

Surrounding properties are all residential, with a complex of single storey semi-detached townhouses located on the opposite site on the street on a battle-axe block, behind the first row of houses.

There is no industry in the immediate area nor sensitive receivers other than residences for several hundred metres in any direction. The western boundary of Western Sydney University is located approximately 350 m to the east.

The nearest identified waterway is Werrington Creek, located some 700 m to the east on the eastern side of Western Sydney University.

The topography of the area is generally flat, with Edith Street sloping gently from the south. The yards of the residences are generally raised slightly above the alignment of Edith Street indicating that either, general filling of the lots may have occurred at the time of initial development of the area or that the alignment of Edith Street follows a natural depression. However, Edith Street and the surrounding area do not appear to be flood prone.

The Site was observed to be occupied by a single storey brick and tile residence with an attached single garage and carport, served by a concrete driveway located at the front of the property on the northern side. The front yard is lawn bordered by low hedges on the house side and by a brick fence on the southern and western sides. The lawn and hedges appeared to be in good condition with no evidence

of die-back or stress other than the area has been through an extremely dry winter and appear to be in a similar condition to other properties in Edith Street.

The brick fence has been used as a retaining wall for fill which has been used to make the lawn within the yard level, whereas the ground level on the outside of the western alignment of the fence is lower and slopes slightly to Edith Street as do most of the other properties in the street.

A partial inspection of the backyard over a fixed fence located on the southern side of the house did not indicate that noticeable filling has occurred at the rear of the Site.

No waste, staining of the surface or activities causing dust being generated were observed on the Site.

No odours were noted as coming from the Site.

No surface water was observed on or within 350 m of the Site.

All works associated with this assessment were carried out in the front yard targeting the filled portion of the Site, as identified in the historical photographs reviewed by Council as part of the DA determination.

1.5 Site History

As this P2ESA is a limited assessment targeting only the fill in the south western corner of the Site, in support of the current DA and Council have as part of the original DA determination, indicated that the application is not in conflict with the requirements of the Sydney Regional Development Plan (No.2-1997), a detailed site history, identification of the Site and assessment of zoning against Local Environmental Plan (LEP) zoning requirements have not been carried out as part of the scope of this assessment.

2. Scope

2.1 Overview

In order to meet the stated objective EHO carried out the following scope:

- Mobilisation of an experienced contaminated land specialist to the Site;
- Undertaking of the requisite service clearance and site familiarisation;
- Collection of soil samples from a total of three (3) locations in the south western corner of the property (the front yard) which is where fill has been imported to level the property within the fence line.
 - Screening of the samples with a PID to assess for the presence of volatile compounds;
 - A copy of the PID calibration certificate is provided as Appendix E to this report.
 - Submission of the soil samples to an independent NATA accredited laboratory to test for the following contaminants of potential concern:
 - Total recoverable hydrocarbons (TRH);
 - Benzene, toluene, ethylbenzene, xylenes and naphthalene (BTEXN);
 - Polycyclic aromatic hydrocarbons (PAH);
 - Phenols;
 - Polychlorinated Biphenyls (PCBs);
 - Organochlorine Pesticides (OCPs);
 - Metals (As, Cd, Cr, Cu, Hg, Ni, Pb, Zn); and
 - Asbestos
 - Identification; and
 - Quantification in soil.
- Comparison of laboratory results against the adopted site assessment criteria; and
- Production of this limited Phase 2 Environmental Site Assessment report in General accordance with the NSW OEH Guidelines for Consultants Reporting on Contaminated Sites 2011.

2.2 Methodology

The site was examined during the service clearance to ascertain the zones of deepest fill and a total of three boreholes advanced through the fill and into the natural ground using a petrol-powered auger equipped with a 200 mm diameter spiral auger.

Prior to bore advancement the lawn at each location was cut and lifted in a single piece and placed to the side.

Plastic was laid on the lawn adjacent each of the bores and the cuttings from each bore were placed onto the plastic in order of advancement to allow logging and prevent potential contamination of the surface as the bores were advanced. Copies of bore/sample logs are provided as Appendix C to this report.

Samples were collected from the cuttings for laboratory analysis and field screening for volatile compounds with a photo-ionisation detector (PID). Samples were taken from the full depth of the fill using a stainless-steel trowel and single use nitrile gloves. Samples for chemical analysis were placed in

jars with sealable lids provided by the laboratory. Samples for asbestos analysis were double bagged in sealable zip lock bags.

All samples were placed into a cooler containing ice as soon as practicable after PID screening.

The sampling trowel and auger were wiped down so as to be visually free of soil and/or contaminants between each borehole using disposable moist wipes.

All gloves, wipes and plastic were collected and placed into a sealed bag for appropriate offsite disposal.

Following sample collection the boreholes were reinstated by tipping the cuttings from the plastic back into the holes and tamping down with a shovel. Finally the section of grass was replaced level with the surrounding lawn and watered to encourage regrowth.

Samples were transported directly from the Site to the laboratory by road and submitted for analysis under standard Chain of Custody protocols.

2.3 Site Assessment Criteria

The NEPC National Environment Protection (Assessment of Site Contamination) Measure 1999 (amended 2013) criteria were adopted as site assessment criteria for the purpose of the limited P2ESA. The NEPC NEPM framework is based on a matrix of human health and ecological soil and groundwater investigation and screening levels and guidance for specific contaminants. For the purpose of this assessment only human health criteria for soil have been used as no sensitive ecological receivers have been identified with potential to be impacted by contamination within fill at the Site.

2.3.1 Chemical Assessment

NEPC National Environment Protection (Assessment of Site Contamination) Measure 1999 (amended 2013) – Schedule B1; Guideline on Investigation Levels for Soil and Groundwater.

- Table 1A(1) Health investigation levels for soil contaminants
 - Residential A – Residential with garden/accessible soil.
- Table 1A(3) Soil Health Screening Levels (HSLs) for vapour intrusion
 - HSL A & HSL B; Low – high density residential: Sand - 0 m to <1 m.

2.3.2 Asbestos Assessment

NEPC National Environment Protection (Assessment of Site Contamination) Measure 1999 (amended 2013) – Schedule B1; Guideline on Investigation Levels for Soil and Groundwater.

- Table 7. Health screening levels for asbestos contamination in soil
 - Residential A – with garden/accessible soil.

3. Results

3.1 Characteristics of Fill

Fill was identified in all bores advanced at the site in depths from 0.25 m toward the house, increasing up to 0.43 m toward the front fence.

The fill encountered was typically Silty SAND / Sandy SILT with some gravel and tile fragments, dry, loosely compacted and low plasticity.

The underlying natural soil was typically Sandy Silty CLAY / Clayey SILT, compact and of low-med plasticity.

3.2 Laboratory Analyses

The laboratory engaged for the purposes of this assessment was SGS who hold current NATA accreditation for all analyses undertaken. The results of laboratory analyses are tabulated in Appendix B of this report with a copy of the SGS Certificate of Analysis provided as Appendix B.

3.3 Chemical Results

3.3.1 Chemical Results Exceeding Criteria

No chemical result was found to exceed the screening criteria for any of the analytes which this assessment has considered. Potential chemical contaminants screened are as listed in section 2.1 of this report.

3.3.2 Chemicals Detected but Not Exceeding Criteria

Table 1 summarises chemical contaminants detected above the laboratory limits of reporting (LOR) but not exceeding the adopted site assessment criteria. Where analytes have not been detected above the LOR it is stated within the table.

Table 1 Chemicals Detected but not Exceeding Assessment Criteria

Chemical	LOR (mg/kg)	Range of Results (mg/kg)	Assessment Criteria (mg/kg)
Metals			
– Arsenic (As)	– 1	– 7 - 8	– 100
– Cadmium (Cd)	– 0.3	– <0.3 – 0.4	– 20
– Chromium (Cr)	– 0.5	– 16 - 19	– 100
– Copper (Cu)	– 0.5	– 56 - 98	– 6000
– Mercury (Hg)	– 0.05	– 0.21 – 0.38	– 10
– Nickel (Ni)	– 0.5	– 10 - 13	– 400
– Lead (Pb)	– 1	– 89 - 120	– 300
– Zinc (Zn)	– 2	– 220 - 330	– 7400

Chemical	LOR (mg/kg)	Range of Results (mg/kg)	Assessment Criteria (mg/kg)
PAH			
– Carcinogenic PAHs	– 0.3	– <0.3 – 0.7	– 3
– Total PAHs	– 0.8	– <0.8 - 3	– 300
TRH			
– F1	– 25	– All less than LOR	– 45
– F2	– 25	– All less than LOR	– 110
BTEXN			
– Benzene	– 0.1	– All less than LOR	– 0.5
– Toluene	– 0.1	– All less than LOR	– 160
– Ethylbenzene	– 0.1	– All less than LOR	– 55
– Xylenes	– 0.3	– All less than LOR	– 40
– Naphthalene	– 0.1	– All less than LOR	– 3
Speciated Phenols	0.5 – 2	All less than relevant LOR	100*
OC & OP Pesticides	0.1 – 0.5	All less than relevant LOR	6*
PCBs	0.2	All less than LOR	1

*Lowest single analyte criteria for chemical group (most conservative criteria)

3.3.3 Asbestos

Asbestos was detected as asbestos fines in two (2) of the three (3) samples submitted to the laboratory. Table 2 summaries the concentration of asbestos detected in soil.

Table 2 Asbestos Detected in Soil

Sample No	Type of Asbestos Detected	Result (%w/w)	Assessment Criteria (%w/w)
S1	>2mm - <7mm FA/AF	0.001	0.001
S2	None detected	<0.001	
S3	>2mm - <7mm FA/AF	0.002	

4. Discussion

The laboratory results indicate that the fill material which has been placed in the front yard of the Site and specifically that material placed in the south-western corner to level the yard within the fence line material is suitable from a chemical perspective for the proposed site use, that being a boarding house. However, asbestos in the form of asbestos fines (>2 mm /<7 mm) has been detected in two (2) of the three (3) samples collected and at concentrations equal to, or greater than the adopted site criteria for this assessment (see Section 2.3.2). This means that the fill is **unsuitable** not only for the proposed but also the current site use.

Based on guidance provided in the NSW EPA Guidelines on the Duty to report Contamination under the Contaminated Land Management Act 1997, the duty to report the property as a contaminated site would not be triggered (No Duty to Report) as long as the lawn is maintained in a healthy condition and no digging of any kind occurs in the front yard (eg. a dog digging a hole, or planting of shrubs etc) where fill has been used to level of the site.

5. Conclusion and Recommendations

5.1.1 Conclusion

The investigation of fill material placed in the south western section of the property located at 6 Edith Street, Kingswood NSW 2747 for the purposes of levelling the front yard within the fence line has found that the material is unsuitable not only for the proposed site use, that being a boarding house as per the DA currently under submission with Penrith City Council but is also unsuitable for the current site use, that being a single storey detached residence with assessible soil.

EHO consider that the objectives of this limited P2ESA have been met in full.

5.1.2 Recommendations

As the fill material which has been investigated at the Site has been found to unsuitable for both the current and proposed site use immediate action is recommended from a human health perspective to protect the tenant, visitors and surrounding properties. These actions include may but may not be limited to:

- The Client should notify the property owner, as it is understood the Client is engaged on behalf of the property owner, so that the tenant can be informed of the associated risk;
- All care should be taken to avoid disturbing the soil under the grass in the front yard.
 - In particular, care should be taken when mowing the grass to ensure that it is not cut close to the level of the soil.
 - The property owner should take steps to encourage the current or future tenants to maintain the lawn in good condition. This may include:
 - Subsidising maintenance of the lawn;
 - Engaging a professional to maintain/promote growth of the lawn;
- No new gardens or plants should be established in the front yard;
- Anyone engaged to carry out works of any kind which may include disturbance of the fill material in the front yard of the Site, within the fence line needs to be informed that a human risk from asbestos fines exists.

In order to make the property suitable for the proposed use the unsuitable material needs to be either

- removed from the Site by a licenced friable asbestos removalist and disposed of as Asbestos Waste under NSW EPA Waste Classification,
- the proposed development needs to be amended to ensure that potential disturbance of the unsuitable material is minimised.

Remedial options in order to meet the DA requirements for the proposed development include but may not be limited to:

- onsite remediation by removing the grass under monitored conditions by a licenced friable asbestos removalist as asbestos waste and paving the front yard with a permanent surface such as pavers or concrete; or
- removal of the contaminated and disposal of the fill entirely under monitored conditions by a licenced friable asbestos removalist as asbestos waste, and replacing with clean fill and re-turfing.

6. Limitations

Observations and sampling/test results were indicative of the conditions present at the time of our investigation are a snapshot of conditions as they were at the time of the investigation, and may not be representative of past or future conditions.

Our report is limited in to the agreed scope of works outlined in our fee proposal.

The report has been prepared for the benefit of the Client and no other party. EHO Consulting assumes no responsibility and will not be liable to any other person or organisation for or in relation to any matter dealt with or conclusions expressed in the report, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in the report (including without limitation matters arising from any negligent act or omission of EHO Consulting or for any loss or damage suffered by any other party in relying upon the matters dealt with or conclusions expressed in the report). Other parties should not rely upon the report or the accuracy or completeness of any conclusions and should make their own enquiries and obtain independent advice in relation to such matters.

EHO Consulting will not be liable to update or revise the report to take into account any events, emergent circumstances or facts occurring or becoming apparent after the date of the report.

The scope of services did not include any assessment of the title to nor ownership of the properties, buildings and structures referred to in the report, nor the application or interpretation of laws in the jurisdiction in which those properties, buildings and structures are located.

7. References

NSW EPA (2011), Guidelines for Consultants Reporting on Contaminated Sites

NEPC National Environmental Protection (Assessment of Site Contamination) Measure; 1997 (amended 2013).

Appendix A – Figures



⊗ Soil Sample Location

FIGURE 1
SITE LOCATION AND SAMPLING PLAN
6 Edith Street, Kingswood NSW – 10 September 2019

Appendix B – Laboratory Certificate of Analysis

CLIENT DETAILS

Contact Craig Wellings
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Telephone (Not specified)
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Project **JN00869 - Kingswood**
 Order Number (Not specified)
 Samples 3

LABORATORY DETAILS

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 Email au.environmental.sydney@sgs.com

SGS Reference **SE197563 R0**
 Date Received 12 Sep 2019
 Date Reported 19 Sep 2019

COMMENTS

Accredited for compliance with ISO/IEC 17025 - Testing. NATA accredited laboratory 2562(4354).

No respirable fibres detected in all soil samples using trace analysis technique.

Sample #1: Asbestos found in approx 4x2x1mm cement sheet fragments.
 Sample #3: Asbestos found in approx 5x3x1mm cement sheet fragments.

Asbestos analysed by Approved Identifier Yusuf Kuthpudin .

SIGNATORIES



Akheeqar Beniameen
 Chemist



Kamrul Ahsan
 Senior Chemist



Ly Kim Ha
 Organic Section Head



Yusuf Kuthpudin
 Asbestos Analyst

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Sample Number			SE197563.001	SE197563.002	SE197563.003
Sample Matrix			Soil	Soil	Soil
Sample Date			10 Sep 2019	10 Sep 2019	10 Sep 2019
Sample Name			S1	S2	S3

VOC's in Soil Method: AN433 Tested: 13/9/2019

Monocyclic Aromatic Hydrocarbons

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Benzene	mg/kg	0.1	<0.1	<0.1	<0.1
Toluene	mg/kg	0.1	<0.1	<0.1	<0.1
Ethylbenzene	mg/kg	0.1	<0.1	<0.1	<0.1
m/p-xylene	mg/kg	0.2	<0.2	<0.2	<0.2
o-xylene	mg/kg	0.1	<0.1	<0.1	<0.1

Polycyclic VOCs

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Naphthalene	mg/kg	0.1	<0.1	<0.1	<0.1

Surrogates

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
d4-1,2-dichloroethane (Surrogate)	%	-	97	103	96
d8-toluene (Surrogate)	%	-	130	129	130
Bromofluorobenzene (Surrogate)	%	-	105	104	103

Totals

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Total Xylenes	mg/kg	0.3	<0.3	<0.3	<0.3
Total BTEX	mg/kg	0.6	<0.6	<0.6	<0.6

Volatile Petroleum Hydrocarbons in Soil Method: AN433 Tested: 13/9/2019

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
TRH C6-C10	mg/kg	25	<25	<25	<25
TRH C6-C9	mg/kg	20	<20	<20	<20

Surrogates

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
d4-1,2-dichloroethane (Surrogate)	%	-	97	103	96
d8-toluene (Surrogate)	%	-	130	129	130
Bromofluorobenzene (Surrogate)	%	-	105	104	103

VPH F Bands

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Benzene (F0)	mg/kg	0.1	<0.1	<0.1	<0.1
TRH C6-C10 minus BTEX (F1)	mg/kg	25	<25	<25	<25

Parameter	Units	LOR	Sample Number	SE197563.001	SE197563.002	SE197563.003
			Sample Matrix	Soil	Soil	Soil
			Sample Date	10 Sep 2019	10 Sep 2019	10 Sep 2019
			Sample Name	S1	S2	S3

TRH (Total Recoverable Hydrocarbons) in Soil Method: AN403 Tested: 13/9/2019

Parameter	Units	LOR	Sample 1	Sample 2	Sample 3
TRH C10-C14	mg/kg	20	<20	<20	<20
TRH C15-C28	mg/kg	45	57	51	55
TRH C29-C36	mg/kg	45	46	71	<45
TRH C37-C40	mg/kg	100	<100	<100	<100
TRH C10-C36 Total	mg/kg	110	<110	120	<110
TRH C10-C40 Total (F bands)	mg/kg	210	<210	<210	<210

TRH F Bands

Parameter	Units	LOR	Sample 1	Sample 2	Sample 3
TRH >C10-C16	mg/kg	25	<25	<25	<25
TRH >C10-C16 - Naphthalene (F2)	mg/kg	25	<25	<25	<25
TRH >C16-C34 (F3)	mg/kg	90	<90	100	<90
TRH >C34-C40 (F4)	mg/kg	120	<120	<120	<120

PAH (Polynuclear Aromatic Hydrocarbons) in Soil Method: AN420 Tested: 13/9/2019

Parameter	Units	LOR	Sample 1	Sample 2	Sample 3
Naphthalene	mg/kg	0.1	<0.1	<0.1	<0.1
2-methylnaphthalene	mg/kg	0.1	<0.1	<0.1	<0.1
1-methylnaphthalene	mg/kg	0.1	<0.1	<0.1	<0.1
Acenaphthylene	mg/kg	0.1	<0.1	<0.1	<0.1
Acenaphthene	mg/kg	0.1	<0.1	<0.1	<0.1
Fluorene	mg/kg	0.1	<0.1	<0.1	<0.1
Phenanthrene	mg/kg	0.1	0.1	<0.1	<0.1
Anthracene	mg/kg	0.1	<0.1	<0.1	<0.1
Fluoranthene	mg/kg	0.1	0.2	0.3	<0.1
Pyrene	mg/kg	0.1	0.2	0.3	<0.1
Benzo(a)anthracene	mg/kg	0.1	<0.1	0.3	<0.1
Chrysene	mg/kg	0.1	<0.1	0.3	<0.1
Benzo(b&j)fluoranthene	mg/kg	0.1	0.1	0.4	<0.1
Benzo(k)fluoranthene	mg/kg	0.1	<0.1	0.3	<0.1
Benzo(a)pyrene	mg/kg	0.1	0.1	0.4	<0.1
Indeno(1,2,3-cd)pyrene	mg/kg	0.1	0.1	0.4	<0.1
Dibenzo(ah)anthracene	mg/kg	0.1	<0.1	<0.1	<0.1
Benzo(ghi)perylene	mg/kg	0.1	0.1	0.4	<0.1
Carcinogenic PAHs, BaP TEQ <LOR=0	TEQ (mg/kg)	0.2	<0.2	0.6	<0.2
Carcinogenic PAHs, BaP TEQ <LOR=LOR	TEQ (mg/kg)	0.3	<0.3	0.7	<0.3
Carcinogenic PAHs, BaP TEQ <LOR=LOR/2	TEQ (mg/kg)	0.2	<0.2	0.6	<0.2
Total PAH (18)	mg/kg	0.8	<0.8	3.0	<0.8
Total PAH (NEPM/WHO 16)	mg/kg	0.8	<0.8	3.0	<0.8

Surrogates

Parameter	Units	LOR	Sample 1	Sample 2	Sample 3
d5-nitrobenzene (Surrogate)	%	-	86	88	88
2-fluorobiphenyl (Surrogate)	%	-	84	86	84
d14-p-terphenyl (Surrogate)	%	-	88	88	86

Speciated Phenols in Soil Method: AN420 Tested: 13/9/2019

Parameter	Units	LOR	Sample 1	Sample 2	Sample 3
Phenol	mg/kg	0.5	<0.5	<0.5	<0.5
2-methyl phenol (o-cresol)	mg/kg	0.5	<0.5	<0.5	<0.5
3/4-methyl phenol (m/p-cresol)	mg/kg	1	<1	<1	<1
Total Cresol	mg/kg	1.5	<1.5	<1.5	<1.5
2-chlorophenol	mg/kg	0.5	<0.5	<0.5	<0.5
2,4-dimethylphenol	mg/kg	0.5	<0.5	<0.5	<0.5
2,6-dichlorophenol	mg/kg	0.5	<0.5	<0.5	<0.5
2,4-dichlorophenol	mg/kg	0.5	<0.5	<0.5	<0.5
2,4,6-trichlorophenol	mg/kg	0.5	<0.5	<0.5	<0.5
2-nitrophenol	mg/kg	0.5	<0.5	<0.5	<0.5
4-nitrophenol	mg/kg	1	<1	<1	<1
2,4,5-trichlorophenol	mg/kg	0.5	<0.5	<0.5	<0.5
2,3,4,6/2,3,5,6-tetrachlorophenol	mg/kg	1	<1	<1	<1
Pentachlorophenol	mg/kg	0.5	<0.5	<0.5	<0.5
2,4-dinitrophenol	mg/kg	2	<2	<2	<2

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Sample Number			SE197563.001	SE197563.002	SE197563.003
Sample Matrix			Soil	Soil	Soil
Sample Date			10 Sep 2019	10 Sep 2019	10 Sep 2019
Sample Name			S1	S2	S3

Speciated Phenols in Soil Method: AN420 Tested: 13/9/2019 (continued)

4-chloro-3-methylphenol	mg/kg	2	<2	<2	<2
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Surrogates

2,4,6-Tribromophenol (Surrogate)	%	-	91	92	96
d5-phenol (Surrogate)	%	-	102	102	102

OC Pesticides in Soil Method: AN420 Tested: 13/9/2019

Hexachlorobenzene (HCB)	mg/kg	0.1	<0.1	<0.1	<0.1
Alpha BHC	mg/kg	0.1	<0.1	<0.1	<0.1
Lindane	mg/kg	0.1	<0.1	<0.1	<0.1
Heptachlor	mg/kg	0.1	<0.1	<0.1	<0.1
Aldrin	mg/kg	0.1	<0.1	<0.1	<0.1
Beta BHC	mg/kg	0.1	<0.1	<0.1	<0.1
Delta BHC	mg/kg	0.1	<0.1	<0.1	<0.1
Heptachlor epoxide	mg/kg	0.1	<0.1	<0.1	<0.1
o,p'-DDE	mg/kg	0.1	<0.1	<0.1	<0.1
Alpha Endosulfan	mg/kg	0.2	<0.2	<0.2	<0.2
Gamma Chlordane	mg/kg	0.1	<0.1	<0.1	<0.1
Alpha Chlordane	mg/kg	0.1	<0.1	<0.1	<0.1
trans-Nonachlor	mg/kg	0.1	<0.1	<0.1	<0.1
p,p'-DDE	mg/kg	0.1	<0.1	<0.1	<0.1
Dieldrin	mg/kg	0.2	<0.2	<0.2	<0.2
Endrin	mg/kg	0.2	<0.2	<0.2	<0.2
o,p'-DDD	mg/kg	0.1	<0.1	<0.1	<0.1
o,p'-DDT	mg/kg	0.1	<0.1	<0.1	<0.1
Beta Endosulfan	mg/kg	0.2	<0.2	<0.2	<0.2
p,p'-DDD	mg/kg	0.1	<0.1	<0.1	<0.1
p,p'-DDT	mg/kg	0.1	<0.1	<0.1	<0.1
Endosulfan sulphate	mg/kg	0.1	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	0.1	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	0.1	<0.1	<0.1	<0.1
Endrin Ketone	mg/kg	0.1	<0.1	<0.1	<0.1
Isodrin	mg/kg	0.1	<0.1	<0.1	<0.1
Mirex	mg/kg	0.1	<0.1	<0.1	<0.1
Total CLP OC Pesticides	mg/kg	1	<1	<1	<1

Surrogates

Tetrachloro-m-xylene (TCMX) (Surrogate)	%	-	73	73	70
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OP Pesticides in Soil Method: AN420 Tested: 13/9/2019

Dichlorvos	mg/kg	0.5	<0.5	<0.5	<0.5
Dimethoate	mg/kg	0.5	<0.5	<0.5	<0.5
Diazinon (Dimpylate)	mg/kg	0.5	<0.5	<0.5	<0.5
Fenitrothion	mg/kg	0.2	<0.2	<0.2	<0.2
Malathion	mg/kg	0.2	<0.2	<0.2	<0.2
Chlorpyrifos (Chlorpyrifos Ethyl)	mg/kg	0.2	<0.2	<0.2	<0.2
Parathion-ethyl (Parathion)	mg/kg	0.2	<0.2	<0.2	<0.2
Bromophos Ethyl	mg/kg	0.2	<0.2	<0.2	<0.2
Methodathion	mg/kg	0.5	<0.5	<0.5	<0.5
Ethion	mg/kg	0.2	<0.2	<0.2	<0.2
Azinphos-methyl (Guthion)	mg/kg	0.2	<0.2	<0.2	<0.2
Total OP Pesticides*	mg/kg	1.7	<1.7	<1.7	<1.7

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Sample Number			SE197563.001	SE197563.002	SE197563.003
Sample Matrix			Soil	Soil	Soil
Sample Date			10 Sep 2019	10 Sep 2019	10 Sep 2019
Sample Name			S1	S2	S3

OP Pesticides in Soil Method: AN420 Tested: 13/9/2019 (continued)

Surrogates

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
2-fluorobiphenyl (Surrogate)	%	-	84	86	84
d14-p-terphenyl (Surrogate)	%	-	88	88	88

PCBs in Soil Method: AN420 Tested: 13/9/2019

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Arochlor 1016	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1221	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1232	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1242	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1248	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1254	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1260	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1262	mg/kg	0.2	<0.2	<0.2	<0.2
Arochlor 1268	mg/kg	0.2	<0.2	<0.2	<0.2
Total PCBs (Arochlors)	mg/kg	1	<1	<1	<1

Surrogates

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Tetrachloro-m-xylene (TCMX) (Surrogate)	%	-	73	73	70

Total Recoverable Elements in Soil/Waste Solids/Materials by ICPOES Method: AN040/AN320 Tested: 16/9/2019

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Arsenic, As	mg/kg	1	8	7	7
Cadmium, Cd	mg/kg	0.3	0.4	<0.3	<0.3
Chromium, Cr	mg/kg	0.5	19	16	16
Copper, Cu	mg/kg	0.5	68	56	98
Nickel, Ni	mg/kg	0.5	13	10	10
Lead, Pb	mg/kg	1	120	96	89
Zinc, Zn	mg/kg	2	330	220	240

Mercury in Soil Method: AN312 Tested: 16/9/2019

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
Mercury	mg/kg	0.05	0.38	0.21	0.24

Moisture Content Method: AN002 Tested: 13/9/2019

Parameter	Units	LOR	SE197563.001	SE197563.002	SE197563.003
% Moisture	%w/w	1	13.3	13.7	13.0

	Sample Number	SE197563.001	SE197563.002	SE197563.003
	Sample Matrix	Soil	Soil	Soil
	Sample Date	10 Sep 2019	10 Sep 2019	10 Sep 2019
	Sample Name	S1	S2	S3
Parameter	Units	LOR		

Fibre Identification in soil Method: AN602 Tested: 18/9/2019

FibreID

Asbestos Detected	No unit	-	Yes	No	Yes
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SemiQuant

Estimated Fibres*	%w/w	0.01	<0.01	<0.01	<0.01
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Gravimetric Determination of Asbestos in Soil Method: AN605 Tested: 18/9/2019

Total Sample Weight*	g	1	850	818	916
ACM in >7mm Sample*	g	0.01	<0.01	<0.01	<0.01
AF/FA in >2mm to <7mm Sample*	g	0.0001	0.0117	<0.0001	0.0228
AF/FA in <2mm Sample*	g	0.0001	<0.0001	<0.0001	<0.0001
Asbestos in soil (>7mm ACM)*	%w/w	0.01	<0.01	<0.01	<0.01
Asbestos in soil (>2mm to <7mm AF/FA)*	%w/w	0.001	0.001	<0.001	0.002
Asbestos in soil (<2mm AF/FA)*	%w/w	0.001	<0.001	<0.001	<0.001
Asbestos in soil (<7mm AF/FA)*	%w/w	0.001	0.001	<0.001	0.002
Fibre Type*	No unit	-	-	-	-

MB blank results are compared to the Limit of Reporting
 LCS and MS spike recoveries are measured as the percentage of analyte recovered from the sample compared the the amount of analyte spiked into the sample.
 DUP and MSD relative percent differences are measured against their original counterpart samples according to the formula : *the absolute difference of the two results divided by the average of the two results as a percentage*. Where the DUP RPD is 'NA', the results are less than the LOR and thus the RPD is not applicable.

Mercury in Soil Method: ME-(AU)-[ENV]AN312

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Mercury	LB183251	mg/kg	0.05	<0.05	0%	97%	96%

Moisture Content Method: ME-(AU)-[ENV]AN002

Parameter	QC Reference	Units	LOR	DUP %RPD
% Moisture	LB183142	%w/w	1	0 - 3%

OC Pesticides in Soil Method: ME-(AU)-[ENV]AN420

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Hexachlorobenzene (HCB)	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Alpha BHC	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Lindane	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Heptachlor	LB183140	mg/kg	0.1	<0.1	0%	118%	105%
Aldrin	LB183140	mg/kg	0.1	<0.1	0%	123%	104%
Beta BHC	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Delta BHC	LB183140	mg/kg	0.1	<0.1	0%	111%	97%
Heptachlor epoxide	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
o,p'-DDE	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Alpha Endosulfan	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Gamma Chlordane	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Alpha Chlordane	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
trans-Nonachlor	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
p,p'-DDE	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Dieldrin	LB183140	mg/kg	0.2	<0.2	0%	122%	90%
Endrin	LB183140	mg/kg	0.2	<0.2	0%	117%	104%
o,p'-DDD	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
o,p'-DDT	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Beta Endosulfan	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
p,p'-DDD	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
p,p'-DDT	LB183140	mg/kg	0.1	<0.1	0%	109%	105%
Endosulfan sulphate	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Endrin Aldehyde	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Methoxychlor	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Endrin Ketone	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Isodrin	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Mirex	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Total CLP OC Pesticides	LB183140	mg/kg	1	<1	0%	NA	NA

Surrogates

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Tetrachloro-m-xylene (TCMX) (Surrogate)	LB183140	%	-	81%	3%	87%	74%

MB blank results are compared to the Limit of Reporting
 LCS and MS spike recoveries are measured as the percentage of analyte recovered from the sample compared the the amount of analyte spiked into the sample.
 DUP and MSD relative percent differences are measured against their original counterpart samples according to the formula : *the absolute difference of the two results divided by the average of the two results as a percentage*. Where the DUP RPD is 'NA', the results are less than the LOR and thus the RPD is not applicable.

OP Pesticides in Soil Method: ME-(AU)-[ENV]AN420

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Dichlorvos	LB183140	mg/kg	0.5	<0.5	0%	78%	82%
Dimethoate	LB183140	mg/kg	0.5	<0.5	0%	NA	NA
Diazinon (Dimpylate)	LB183140	mg/kg	0.5	<0.5	0%	88%	93%
Fenitrothion	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Malathion	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Chlorpyrifos (Chlorpyrifos Ethyl)	LB183140	mg/kg	0.2	<0.2	0%	88%	93%
Parathion-ethyl (Parathion)	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Bromophos Ethyl	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Methidathion	LB183140	mg/kg	0.5	<0.5	0%	NA	NA
Ethion	LB183140	mg/kg	0.2	<0.2	0%	78%	83%
Azinphos-methyl (Guthion)	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Total OP Pesticides*	LB183140	mg/kg	1.7	<1.7	0%	NA	NA

Surrogates

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
2-fluorobiphenyl (Surrogate)	LB183140	%	-	94%	2%	88%	84%
d14-p-terphenyl (Surrogate)	LB183140	%	-	98%	2%	90%	90%

PAH (Polynuclear Aromatic Hydrocarbons) in Soil Method: ME-(AU)-[ENV]AN420

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Naphthalene	LB183140	mg/kg	0.1	<0.1	0 - 7%	104%	102%
2-methylnaphthalene	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
1-methylnaphthalene	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Acenaphthylene	LB183140	mg/kg	0.1	<0.1	10 - 35%	104%	100%
Acenaphthene	LB183140	mg/kg	0.1	<0.1	0 - 57%	107%	109%
Fluorene	LB183140	mg/kg	0.1	<0.1	0 - 7%	NA	NA
Phenanthrene	LB183140	mg/kg	0.1	<0.1	7 - 97%	107%	108%
Anthracene	LB183140	mg/kg	0.1	<0.1	3 - 26%	106%	104%
Fluoranthene	LB183140	mg/kg	0.1	<0.1	15 - 80%	101%	103%
Pyrene	LB183140	mg/kg	0.1	<0.1	4 - 66%	106%	106%
Benzo(a)anthracene	LB183140	mg/kg	0.1	<0.1	4 - 51%	NA	NA
Chrysene	LB183140	mg/kg	0.1	<0.1	3 - 42%	NA	NA
Benzo(b&j)fluoranthene	LB183140	mg/kg	0.1	<0.1	3 - 29%	NA	NA
Benzo(k)fluoranthene	LB183140	mg/kg	0.1	<0.1	8 - 31%	NA	NA
Benzo(a)pyrene	LB183140	mg/kg	0.1	<0.1	3 - 29%	109%	106%
Indeno(1,2,3-cd)pyrene	LB183140	mg/kg	0.1	<0.1	1 - 29%	NA	NA
Dibenzo(ah)anthracene	LB183140	mg/kg	0.1	<0.1	0%	NA	NA
Benzo(ghi)perylene	LB183140	mg/kg	0.1	<0.1	1 - 13%	NA	NA
Carcinogenic PAHs, BaP TEQ <LOR=0	LB183140	TEQ (mg/kg)	0.2	<0.2	1 - 31%	NA	NA
Carcinogenic PAHs, BaP TEQ <LOR=LOR	LB183140	TEQ (mg/kg)	0.3	<0.3	1 - 26%	NA	NA
Carcinogenic PAHs, BaP TEQ <LOR=LOR/2	LB183140	TEQ (mg/kg)	0.2	<0.2	1 - 28%	NA	NA
Total PAH (18)	LB183140	mg/kg	0.8	<0.8	5 - 57%	NA	NA
Total PAH (NEPM/WHO 16)	LB183140	mg/kg	0.8	<0.8			

Surrogates

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
d5-nitrobenzene (Surrogate)	LB183140	%	-	100%	2 - 10%	88%	84%
2-fluorobiphenyl (Surrogate)	LB183140	%	-	94%	2%	88%	84%
d14-p-terphenyl (Surrogate)	LB183140	%	-	98%	2%	90%	90%

MB blank results are compared to the Limit of Reporting

LCS and MS spike recoveries are measured as the percentage of analyte recovered from the sample compared the the amount of analyte spiked into the sample.

DUP and MSD relative percent differences are measured against their original counterpart samples according to the formula : *the absolute difference of the two results divided by the average of the two results as a percentage*. Where the DUP RPD is 'NA', the results are less than the LOR and thus the RPD is not applicable.

PCBs in Soil Method: ME-(AU)-[ENV]AN420

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Arochlor 1016	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Arochlor 1221	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Arochlor 1232	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Arochlor 1242	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Arochlor 1248	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Arochlor 1254	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Arochlor 1260	LB183140	mg/kg	0.2	<0.2	0%	95%	93%
Arochlor 1262	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Arochlor 1268	LB183140	mg/kg	0.2	<0.2	0%	NA	NA
Total PCBs (Arochlors)	LB183140	mg/kg	1	<1	0%	NA	NA

Surrogates

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Tetrachloro-m-xylene (TCMX) (Surrogate)	LB183140	%	-	81%	3%	80%	75%

Speciated Phenols in Soil Method: ME-(AU)-[ENV]AN420

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery
Phenol	LB183140	mg/kg	0.5	<0.5	0%	100%
2-methyl phenol (o-cresol)	LB183140	mg/kg	0.5	<0.5	0%	NA
3/4-methyl phenol (m/p-cresol)	LB183140	mg/kg	1	<1	0%	NA
Total Cresol	LB183140	mg/kg	1.5	<1.5	0%	NA
2-chlorophenol	LB183140	mg/kg	0.5	<0.5	0%	NA
2,4-dimethylphenol	LB183140	mg/kg	0.5	<0.5	0%	NA
2,6-dichlorophenol	LB183140	mg/kg	0.5	<0.5	0%	NA
2,4-dichlorophenol	LB183140	mg/kg	0.5	<0.5	0%	112%
2,4,6-trichlorophenol	LB183140	mg/kg	0.5	<0.5	0%	86%
2-nitrophenol	LB183140	mg/kg	0.5	<0.5	0%	NA
4-nitrophenol	LB183140	mg/kg	1	<1	0%	NA
2,4,5-trichlorophenol	LB183140	mg/kg	0.5	<0.5	0%	NA
2,3,4,6/2,3,5,6-tetrachlorophenol	LB183140	mg/kg	1	<1	0%	NA
Pentachlorophenol	LB183140	mg/kg	0.5	<0.5	0%	77%
2,4-dinitrophenol	LB183140	mg/kg	2	<2	0%	NA
4-chloro-3-methylphenol	LB183140	mg/kg	2	<2	0%	NA

Surrogates

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery
2,4,6-Tribromophenol (Surrogate)	LB183140	%	-	71%	2%	71%
d5-phenol (Surrogate)	LB183140	%	-	108%	3%	107%

MB blank results are compared to the Limit of Reporting
 LCS and MS spike recoveries are measured as the percentage of analyte recovered from the sample compared the the amount of analyte spiked into the sample.
 DUP and MSD relative percent differences are measured against their original counterpart samples according to the formula : *the absolute difference of the two results divided by the average of the two results as a percentage*. Where the DUP RPD is 'NA', the results are less than the LOR and thus the RPD is not applicable.

Total Recoverable Elements in Soil/Waste Solids/Materials by ICPOES Method: ME-(AU)-[ENV]AN040/AN320

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Arsenic, As	LB183250	mg/kg	1	<1	15%	101%	96%
Cadmium, Cd	LB183250	mg/kg	0.3	<0.3	0%	115%	88%
Chromium, Cr	LB183250	mg/kg	0.5	<0.5	1%	99%	100%
Copper, Cu	LB183250	mg/kg	0.5	<0.5	7%	104%	98%
Nickel, Ni	LB183250	mg/kg	0.5	<0.5	11%	102%	99%
Lead, Pb	LB183250	mg/kg	1	<1	3%	105%	97%
Zinc, Zn	LB183250	mg/kg	2	<2.0	10%	102%	87%

TRH (Total Recoverable Hydrocarbons) in Soil Method: ME-(AU)-[ENV]AN403

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
TRH C10-C14	LB183140	mg/kg	20	<20	0%	88%	85%
TRH C15-C28	LB183140	mg/kg	45	<45	0 - 24%	78%	108%
TRH C29-C36	LB183140	mg/kg	45	<45	0%	75%	63%
TRH C37-C40	LB183140	mg/kg	100	<100	0%	NA	NA
TRH C10-C36 Total	LB183140	mg/kg	110	<110	0%	NA	NA
TRH C10-C40 Total (F bands)	LB183140	mg/kg	210	<210	0%	NA	NA

TRH F Bands

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
TRH >C10-C16	LB183140	mg/kg	25	<25	0%	85%	75%
TRH >C10-C16 - Naphthalene (F2)	LB183140	mg/kg	25	<25	0%	NA	NA
TRH >C16-C34 (F3)	LB183140	mg/kg	90	<90	0 - 26%	75%	105%
TRH >C34-C40 (F4)	LB183140	mg/kg	120	<120	0%	80%	NA

VOC's in Soil Method: ME-(AU)-[ENV]AN433

Monocyclic Aromatic Hydrocarbons

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Benzene	LB183139	mg/kg	0.1	<0.1	0%	90%	84%
Toluene	LB183139	mg/kg	0.1	<0.1	0%	89%	102%
Ethylbenzene	LB183139	mg/kg	0.1	<0.1	0%	93%	88%
m/p-xylene	LB183139	mg/kg	0.2	<0.2	0%	89%	87%
o-xylene	LB183139	mg/kg	0.1	<0.1	0%	88%	85%

Polycyclic VOCs

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Naphthalene	LB183139	mg/kg	0.1	<0.1	0%	NA	NA

Surrogates

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
d4-1,2-dichloroethane (Surrogate)	LB183139	%	-	101%	4 - 8%	93%	83%
d8-toluene (Surrogate)	LB183139	%	-	100%	12 - 22%	84%	96%
Bromofluorobenzene (Surrogate)	LB183139	%	-	104%	7 - 10%	88%	83%

Totals

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Total Xylenes	LB183139	mg/kg	0.3	<0.3	0%	NA	NA
Total BTEX	LB183139	mg/kg	0.6	<0.6	0%	NA	NA

MB blank results are compared to the Limit of Reporting
 LCS and MS spike recoveries are measured as the percentage of analyte recovered from the sample compared the the amount of analyte spiked into the sample.
 DUP and MSD relative percent differences are measured against their original counterpart samples according to the formula : *the absolute difference of the two results divided by the average of the two results as a percentage*. Where the DUP RPD is 'NA', the results are less than the LOR and thus the RPD is not applicable.

Volatile Petroleum Hydrocarbons in Soil Method: ME-(AU)-[ENV]AN433

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
TRH C6-C10	LB183139	mg/kg	25	<25	0%	86%	97%
TRH C6-C9	LB183139	mg/kg	20	<20	0%	82%	90%

Surrogates

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
d4-1,2-dichloroethane (Surrogate)	LB183139	%	-	101%	4 - 8%	93%	83%
d8-toluene (Surrogate)	LB183139	%	-	100%	12 - 22%	84%	96%
Bromofluorobenzene (Surrogate)	LB183139	%	-	104%	7 - 10%	88%	83%

VPH F Bands

Parameter	QC Reference	Units	LOR	MB	DUP %RPD	LCS %Recovery	MS %Recovery
Benzene (F0)	LB183139	mg/kg	0.1	<0.1	0%	NA	NA
TRH C6-C10 minus BTEX (F1)	LB183139	mg/kg	25	<25	0%	85%	101%

METHOD

METHODOLOGY SUMMARY

AN002	The test is carried out by drying (at either 40°C or 105°C) a known mass of sample in a weighed evaporating basin. After fully dry the sample is re-weighed. Samples such as sludge and sediment having high percentages of moisture will take some time in a drying oven for complete removal of water.
AN040	A portion of sample is digested with Nitric acid to decompose organic matter and Hydrochloric acid to complete the digestion of metals and then filtered for analysis by ASS or ICP as per USEPA Method 200.8.
AN040/AN320	A portion of sample is digested with nitric acid to decompose organic matter and hydrochloric acid to complete the digestion of metals. The digest is then analysed by ICP OES with metals results reported on the dried sample basis. Based on USEPA method 200.8 and 6010C.
AN312	Mercury by Cold Vapour AAS in Soils: After digestion with nitric acid, hydrogen peroxide and hydrochloric acid, mercury ions are reduced by stannous chloride reagent in acidic solution to elemental mercury. This mercury vapour is purged by nitrogen into a cold cell in an atomic absorption spectrometer or mercury analyser. Quantification is made by comparing absorbances to those of the calibration standards. Reference APHA 3112/3500
AN403	Total Recoverable Hydrocarbons: Determination of Hydrocarbons by gas chromatography after a solvent extraction. Detection is by flame ionisation detector (FID) that produces an electronic signal in proportion to the combustible matter passing through it. Total Recoverable Hydrocarbons (TRH) are routinely reported as four alkane groupings based on the carbon chain length of the compounds: C6-C9, C10-C14, C15-C28 and C29-C36 and in recognition of the NEPM 1999 (2013), >C10-C16 (F2), >C16-C34 (F3) and >C34-C40 (F4). F2 is reported directly and also corrected by subtracting Naphthalene (from VOC method AN433) where available.
AN403	Additionally, the volatile C6-C9 fraction may be determined by a purge and trap technique and GC/MS because of the potential for volatiles loss. Total Recoverable Hydrocarbons - Silica (TRH-Si) follows the same method of analysis after silica gel cleanup of the solvent extract. Aliphatic/Aromatic Speciation follows the same method of analysis after fractionation of the solvent extract over silica with differential polarity of the eluent solvents.
AN403	The GC/FID method is not well suited to the analysis of refined high boiling point materials (ie lubricating oils or greases) but is particularly suited for measuring diesel, kerosene and petrol if care to control volatility is taken. This method will detect naturally occurring hydrocarbons, lipids, animal fats, phenols and PAHs if they are present at sufficient levels, dependent on the use of specific cleanup/fractionation techniques. Reference USEPA 3510B, 8015B.
AN420	(SVOCs) including OC, OP, PCB, Herbicides, PAH, Phthalates and Speciated Phenols (etc) in soils, sediments and waters are determined by GCMS/ECD technique following appropriate solvent extraction process (Based on USEPA 3500C and 8270D).
AN420	SVOC Compounds: Semi-Volatile Organic Compounds (SVOCs) including OC, OP, PCB, Herbicides, PAH, Phthalates and Speciated Phenols in soils, sediments and waters are determined by GCMS/ECD technique following appropriate solvent extraction process (Based on USEPA 3500C and 8270D).
AN433	VOCs and C6-C9 Hydrocarbons by GC-MS P&T: VOC's are volatile organic compounds. The sample is presented to a gas chromatograph via a purge and trap (P&T) concentrator and autosampler and is detected with a Mass Spectrometer (MSD). Solid samples are initially extracted with methanol whilst liquid samples are processed directly. References: USEPA 5030B, 8020A, 8260.
AN602	Qualitative identification of chrysotile, amosite and crocidolite in bulk samples by polarised light microscopy (PLM) in conjunction with dispersion staining (DS). AS4964 provides the basis for this document. Unequivocal identification of the asbestos minerals present is made by obtaining sufficient diagnostic 'clues', which provide a reasonable degree of certainty, dispersion staining is a mandatory 'clue' for positive identification. If sufficient 'clues' are absent, then positive identification of asbestos is not possible. This procedure requires removal of suspect fibres/bundles from the sample which cannot be returned.
AN602	Fibres/material that cannot be unequivocally identified as one of the three asbestos forms, will be reported as unknown mineral fibres (umf) The fibres detected may or may not be asbestos fibres.

METHOD

METHODOLOGY SUMMARY

AN602	AS4964.2004 Method for the Qualitative Identification of Asbestos in Bulk Samples , Section 8.4, Trace Analysis Criteria, Note 4 states:"Depending upon sample condition and fibre type, the detection limit of this technique has been found to lie generally in the range of 1 in 1,000 to 1 in 10,000 parts by weight, equivalent to 1 to 0.1 g/kg."
AN602	<p>The sample can be reported "no asbestos found at the reporting limit of 0.1 g/kg" (<0.01%w/w) where AN602 section 4.5 of this method has been followed, and if-</p> <ul style="list-style-type: none"> (a) no trace asbestos fibres have been detected (i.e. no 'respirable' fibres): (b) the estimated weight of non-respirable asbestos fibre bundles and/or the estimated weight of asbestos in asbestos-containing materials are found to be less than 0.1g/kg: and (c) these non-respirable asbestos fibre bundles and/or the asbestos containing materials are only visible under stereo-microscope viewing conditions.
AN605	This technique gravimetrically determines the mass of Asbestos Containing Material retained on a 7mm Sieve and assumes that 15% of this ACM is asbestos. This calculated asbestos weight is then calculated as a percentage of the total sample weight.
AN605	This technique also gravimetrically determines the mass of Fibrous Asbestos (FA) and Asbestos Fines (AF) Containing Material retained on and passing a 2mm sieve post 7mm sieving. Assumes that FA and AF are 100% asbestos containing. This calculated asbestos weight is then calculated as a percentage of the total sample weight. This does not include free fibres which are only observed by standard trace analysis as per AN 602.
AN605	Insofar as is technically feasible, this report is consistent with the analytical reporting recommendations in the Western Australian Department of Health Guidelines for the Assessment Remediation and Management of Asbestos - Contaminated Sites in Western Australia - May 2009.

FOOTNOTES

IS	Insufficient sample for analysis.	LOR	Limit of Reporting
LNR	Sample listed, but not received.	↑↓	Raised or Lowered Limit of Reporting
*	NATA accreditation does not cover the performance of this service.	QFH	QC result is above the upper tolerance
**	Indicative data, theoretical holding time exceeded.	QFL	QC result is below the lower tolerance
		-	The sample was not analysed for this analyte
		NVL	Not Validated

Unless it is reported that sampling has been performed by SGS, the samples have been analysed as received.
Solid samples expressed on a dry weight basis.

Where "Total" analyte groups are reported (for example, Total PAHs, Total OC Pesticides) the total will be calculated as the sum of the individual analytes, with those analytes that are reported as <LOR being assumed to be zero. The summed (Total) limit of reporting is calculated by summing the individual analyte LORs and dividing by two. For example, where 16 individual analytes are being summed and each has an LOR of 0.1 mg/kg, the "Totals" LOR will be 1.6 / 2 (0.8 mg/kg). Where only 2 analytes are being summed, the "Total" LOR will be the sum of those two LORs.

Some totals may not appear to add up because the total is rounded after adding up the raw values.

If reported, measurement uncertainty follow the ± sign after the analytical result and is expressed as the expanded uncertainty calculated using a coverage factor of 2, providing a level of confidence of approximately 95%, unless stated otherwise in the comments section of this report.

Results reported for samples tested under test methods with codes starting with ARS-SOP, radionuclide or gross radioactivity concentrations are expressed in becquerel (Bq) per unit of mass or volume or per wipe as stated on the report. Becquerel is the SI unit for activity and equals one nuclear transformation per second.

Note that in terms of units of radioactivity:

- a. 1 Bq is equivalent to 27 pCi
- b. 37 MBq is equivalent to 1 mCi

For results reported for samples tested under test methods with codes starting with ARS-SOP, less than (<) values indicate the detection limit for each radionuclide or parameter for the measurement system used. The respective detection limits have been calculated in accordance with ISO 11929.

The QC and MU criteria are subject to internal review according to the SGS QAQC plan and may be provided on request or alternatively can be found here: www.sgs.com.au/pv.sgsvr/en-gb/environment.

This document is issued by the Company under its General Conditions of Service accessible at www.sgs.com/en/Terms-and-Conditions.aspx. Attention is drawn to the limitation of liability, indemnification and jurisdiction issues defined therein.

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Appendix C – Bore Logs

SOIL BORE LOG

Project No: JN00869

Date: 10/9/19

Logged By: CRAIG WELINGS

Client: LIQUID GOLD 888 P/L.

Drill Method: HAND AUGER
(POWER)

Location: 6 EDITH ST. KINGWOOD NSW 2747

Bore Identification: BORE 1

Depth (mbgl)	Water Observed (mbgl)	Sample Information			Material Type	Material Description
		PID (ppm)	ID	Duplicate		
0.0 - 0.39	NWO	0.0	S1 0.1 - 0.3m		SM	GRASS (APPROX 50mm thick) over Silty SAND with grass roots, dry, loose, low plasticity, grey (FILL) some gravel (to 10mm ϕ) & occasional tile fragments.
0.39 - 0.43					CL	Sandy Silty CLAY / Clayey SILT, dry, compact, low-med plasticity, grey mottled orange/brown, remnants of roots (NATURAL).

Bore Terminated at 0.43 mbgl. Refusal? -

Bore Identification: BORE 2

Depth (mbgl)	Water Observed (mbgl)	Sample Information			Material Type	Material Description
		PID (ppm)	ID	Duplicate		
0.0 - 0.25	NWO	0.0	S2 - 0.1 - 0.25		SM	Grass (approx 50mm thick) over (FILL) - Silty SAND with some gravel, tile fragments & roots, dry, loose, low plasticity, grey
0.25 - 0.3					CL	(NATURAL) - Sandy Silty CLAY / Clayey SILT, dry, compact, low-med plasticity, grey mottled orange/brown, roots.

Bore Terminated at 0.3 mbgl. Refusal? -

SOIL BORE LOG

Project No: JN00869

Date: 10/9/19

Logged By: CRAIG WELINGS

Client: LIQUID GOLD 888 P/L.

Drill Method: HAND AUGER
(POWER)

Location: 6 EDITH ST, KINGSWOOD NSW 2747

Bore Identification: BORE 3

Depth (mbgl)	Water Observed (mbgl)	Sample Information			Material Type	Material Description
		PID (ppm)	ID	Duplicate		
0.0 - 0.29	NWO	0.0	S3 0.1 - 0.25m		SM	GRASS (approx 50mm thick) over (FILL) - Silty SAND / Sandy SILT with some gravel, tile fragments, & grass roots, dry, loose, low plasticity (gravel to 10mm ϕ), grey.
0.29 - 0.34					CL	(NATURAL) - Sandy Silty CLAY / Clayey SILT, dry, compact, low-med plasticity, grey mottled orange / brown - rootlets.

Bore Terminated at 0.34 mbgl. Refusal? -

Bore Identification:

Depth (mbgl)	Water Observed (mbgl)	Sample Information			Material Type	Material Description
		PID (ppm)	ID	Duplicate		
 						

Bore Terminated at mbgl. Refusal? -

Appendix D – PID Calibration Certificate

Company: Active Environmental Solutions Hire
Contact: Aleks Todorovic
Address: 2 Merchant Avenue
 Thomastown Vic 3074
Phone: 03 9464 2300 | **Fax:** 03 9464 3421
Email: Hire@aesolutions.com.au

Manufacturer: RAE Systems
Instrument: MiniRAE 3000
Model: PGM 7320
Configuration: VOC
Wireless: -
Network ID: -
Unit ID: -

Serial #: 592-915461
Asset #: -
Part #: -
Sold: -
Last Cal: -
Job #: -
Cal Spec: Std

Item	Test	Pass/Fail	Comments
Battery	Li Ion	✓	
Charger	Charger, Power supply	✓	
	Cradle	✓	
Pump	Flow	✓	>500 mL/min
Filter	Filter, fitting, etc	✓	
Alarms	Audible, visual, vibration	✓	
Display	Operation	✓	
PCB	Operation	✓	
Connectors	Condition	✓	
Firmware	Version	✓	2.16
Datalogger	Operation	✓	
Monitor Housing	Condition	✓	
Case	Condition/Type	✓	
Sensors			
Oxygen		-	
LEL		-	
PID	10.6eV	✓	
Toxic 1		-	
Toxic 2		-	
Toxic 3		-	
Toxic 4		-	
Toxic 5		-	

Engineer's Report

Setup, service and calibration for hire

Calibration Certificate

Sensor	Type	Serial No:	Span Gas	Concentration	Traceability Lot #	CF	Reading	
							Zero	Span
Oxygen								
LEL								
PID	10.6eV	23030045VC	Isobutylene	100 PPM	2440-3-1	1	0	100 PPM
Toxic 1								
Toxic 2								
Toxic 3								
Toxic 4								
Toxic 5								

Calibrated/Repaired by: Milenko Sasic

Date: 26/08/2019

Next due: 26/02/2020

Head Office – Melbourne
 2 Merchant Avenue
 Thomastown VIC 3074 Australia
 T: +61 3 9464 2300

NSW Office – Ashfield
 Level 2, Suite 14, 6 - 8 Holden Street
 Ashfield NSW 2131 Australia
 T: +61 2 9716 5966

WA Office – Malaga
 Unit 6, 41 Holder Way
 Malaga WA 6090 Australia
 T: +61 8 9249 5663

QLD Office – Banyo
 Unit 17, 23 Ashtan Place
 Banyo QLD 4014 Australia
 T: +61 7 3267 1433



WASTE MANAGEMENT PLAN

DEMOLITION, CONSTRUCTION AND USE OF PREMISES

The applicable sections of this table must be completed and submitted with your Development Application.

Completing this table will assist you in identifying the type of waste that will be generated and will advise Council of how you intend to reuse, recycle or dispose of the waste.

The information provided on the form (and on submitted plans) will be assessed against the objectives of the DCP.

If space is insufficient in the table please provide attachments.

Outline of Proposal

Site Address: 6 Edith St, Kingswood

Applicant's name and address: Gen One Group Pty Ltd

Address: P.O. Box 3249 North Parramatta 2150

Phone: 02 9603 1151

Email: admin@genonegroup.com.au

Buildings & other structures currently on site: Single storey brick house and metal garage.

Brief Description of Proposal: Demolition of all existing structures and construction of a two-storey boarding house development over one level of basement parking and front fence.

The details provided on this form are the intentions of managing waste relating to this project.

Signature of Applicant:

A handwritten signature in black ink, appearing to be 'G.M.', written over a horizontal line.

Date: 13/11/2018

STAGE ONE – DEMOLITION

This is the stage with the greatest potential for waste minimisation, particularly in Sydney where there are high levels of development, relatively high tipping charges and where alternative quarry materials are located on the outskirts.

Applicants should consider whether it is possible to re-use existing buildings, or parts thereof, for the proposed use.

With careful onsite sorting and storage and by staging work programs it is possible to re-use many materials, either on-site or off-site.

Council is seeking to move from the attitude of straight demolition to a process of selected deconstruction, ie. total reuse and recycling both off-site and on-site. This could require a number of colour-coded or clearly labelled bins onsite (rather than one size fits all).

Applicants should demonstrate project management which seeks to:

- re-use of excavated material on-site and disposal of any excess to an approved site;
- green waste mulched and re-used in landscaping either on-site or off-site;
- bricks, tiles and concrete re-used on-site as appropriate, or recycled off-site;
- plasterboard re-used in landscaping on-site, or returned to supplier for recycling;
- framing timber re-used on-site or recycled elsewhere;
- windows, doors and joinery recycled off-site;
- plumbing, fittings and metal elements recycled off-site;
- All asbestos, hazardous and/or intractable wastes are to be disposed of in accordance with Workcover Authority and EPA requirements;
- Locations of on-site storage facilities for material to be reused on-site, or separated for recycling off-site; and
- Destination and transportation routes of all materials to be either recycled or disposed of off-site.

The following table should be completed by applicants proposing any demolition work. The following details should be shown on your plans.

- Location of on-site storage space for materials (for re-use) and containers for recycling and disposal.
- Vehicle access to the site and to storage and container areas.

Demolition Stage One – To be completed for proposals involving demolition

Materials On-Site		DESTINATION		
REUSE & RECYCLING		DISPOSAL		
Type of Material	Estimated Volume (m3) or Area (m2) or weight (t)	ON-SITE Specify how materials will be reused or recycled on-site	OFF-SITE Specify the <u>contractor and recycling outlet</u>	Specify the <u>contractor and landfill site</u>
EXAMPLE *e.g. bricks	*e.g. 2m3	*e.g. clean & reuse for footings and broken bricks behind retaining walls	*e.g. sent by <u>XYZ Demolishers to ABC Recycling Company</u>	*e.g. nil to landfill
Excavation Material	140m3			Has-A-Bin Auburn Waste Management
Green Waste	5m3			Has-A-Bin Holroyd Waste Management
Bricks	4m3			Has-A-Bin Holroyd Waste Management
Tiles	4m3			Concrete Recyclers Group Camellia
Concrete	3m3			Concrete Recyclers Group Camellia
Timber – please specify	5m3			WSN Enviro Solutions Eastern Creek
Plasterboard	3m3			Has-A-Bin Holroyd Waste Management
Metals	2m3			Sims Metal Wetherill Park
Asbestos				
Other waste e.g. ceramic tiles, paints, plastics, PVC tubing, cardboard.				

STAGE TWO – CONSTRUCTION

Stage Two – Potential for Waste Minimisation During Construction Stage

- Consider the following measures that may also save resources and minimise waste at the construction stage:
- Purchasing Policy – i.e. Ordering the right quantities of materials and prefabrication of materials where possible;
- Reusing formwork;
- Minimising site disturbance, limiting unnecessary excavation;
- Careful source separation of off-cuts to facilitate re-use, resale or efficient recycling;
- Co-ordination/sequencing of various trades.

How to Estimate Quantities of Waste

- There are many simple techniques to estimate volumes of construction and demolition waste. The information below can be used as a guide by builders, developers & homeowners when completing a waste management plan:

To estimate Your Waste:

- ii. Quantify materials for the project
- iii. Use margin normally allowed in ordering
- iv. Copy these amounts of waste into your waste management plan.

- When estimating waste, the following percentages are building “rule of thumb” and relate to renovations and small home building:

Material	Waste as a Percent of the Total Material Ordered
Timber	5-7%
Plasterboard	5-20%
Concrete	3-5%
Bricks	5-10%
Tiles	2-5%

Converting Volume into Tonnes: A Guide for Conversion

- Timber = 0.5 tonnes per m³
 - Concrete = 2.4 tonne per m³
 - Bricks = 1.0 tonne per m³
 - Tiles = 0.75 tonne per m³
 - Steel = 2.4 tonne per m³
-
- To improve provide more reliable figures:
 - Compare your projected waste quantities with actual waste produced;
 - Conduct waste audits of current projects;
 - Note waste generated and disposal methods;
 - Look at past waste disposal receipts;
 - Record this information to help estimate future waste management plans.
 - On a waste management plan amounts of waste may be stated in – m² or m³ or tonnes(t).

Construction Stage Two – To be completed for proposals involving demolition

Materials On-Site		DESTINATION		
REUSE & RECYCLING		DISPOSAL		
Type of Material	Estimated Volume (m3) or Area (m2) or weight (t)	ON-SITE Specify how materials will be reused or recycled on-site	OFF-SITE Specify the <u>contractor and recycling outlet</u>	Specify the <u>contractor and landfill site</u>
EXAMPLE *e.g. bricks	*e.g. 2m3	*e.g. clean & reuse for footings and broken bricks behind retaining walls	*e.g. sent by <u>XYZ Demolishers to ABC Recycling Company</u>	*e.g. nil to landfill
Excavation Material	3m3			Has-A-Bin Auburn Waste Management
Green Waste	2m3			Has-A-Bin Holroyd Waste Management
Bricks	4m3			Has-A-Bin Holroyd Waste Management
Tiles	0m3			Concrete Recyclers Group Camellia
Concrete	5m3			Concrete Recyclers Group Camellia
Timber – please specify	2m3			WSN Enviro Solutions Eastern Creek
Plasterboard	2m3			Has-A-Bin Holroyd Waste Management
Metals	3m3			Sims Metal Wetherill Park
Asbestos				
Other waste e.g. ceramic tiles, paints, plastics, PVC tubing, cardboard.				

STAGE THREE – DESIGN OF FACILITIES

The following details should be shown on your plans:

- Location of temporary storage space within each dwelling unit;
- Location of Waste Storage and recycling Area(s), per dwelling unit or located communally onsite. In the latter case this could be a Garbage & Recycling Room;
- Details of design for Waste Storage and Recycling Area(s) or Garbage and Recycling Room(s) and any conveyance or volume reduction equipment; and
- Location of communal composting area.
- Access for vehicles.
- Every builder shall be provided with a Waste Storage and Recycling Area which is flexible in size and layout to cater for future changes in use. The size is to be calculated on the basis of waste generation rates and proposed bin sizes.

Stage 3 – Design of Facilities – To be completed if designing waste facilities for the proposed development

TYPE OF WASTE TO BE GENERATED	EXPECTED VOLUME PER WEEK	PROPOSED ON-SITE STORAGE AND TREATMENT FACILITIES	DESTINATION
Please specify. For example: glass, paper, food waste, offcuts etc.	Litre or m3	For example: <ul style="list-style-type: none"> •waste storage & recycling area •garbage chute •on-site composting •compaction equipment 	<ul style="list-style-type: none"> •recycling •disposal •specify contractor

Note: details of on-site waste management facilities should be provided on plan drawings accompanying your application.

ESSENTIALS FOR WASTE MANAGEMENT IN MULTI UNIT DWELLINGS (M.U.D)

Many of the issues for good waste management are common across all M.U.D.
The following is the bare minimum that needs to be considered for all M.U.D.

1.Council

- a. What regulations apply?
- b. What are the current Council garbage and recycling services?
 - i. Will Council service the development?
 - ii. If No – seek consultation through a Private Contractor for the best solution for development.
- c. Are the plans to change the service in the future?
- d. Include waste management plan in the DA pre-lodgement meetings.

2.Space

- a. The anticipated volume of waste must be calculated and appropriate waste service selected.
- b. Sufficient space must be allocated for the containers and for manoeuvring – bins, including frontage area, etc.

3.Access – for residents and collectors

- a. Collection vehicles must be able to service the development efficiently and effectively from kerb within confines of the allotment frontage with no need to reverse.
- b. The maximum carting distance between the storage and collection points must be no more than 75m, and no more than 50m for aged persons and persons with a disability.
- c. The bin carting grade must not exceed 1:14.
- d. Bins must not need to be wheeled over steps.
- e. Bulk bins must not need to be manually manoeuvred by a single person to be serviced.

4.Amenity

- a. Noise and odour must be minimised.
- b. Waste areas must be able to be washed, with wash water discharging to sewer.
- c. Vermin must be prevented from entering waste areas and containers.
- d. Equipment must be protected from theft and vandalism.
- e. Waste storage areas must blend in with the development.

5.Management

- a. Signage must be posted in all communal waste storage areas.
- b. Bins must be clearly and correctly labelled.
- c. Responsibility for cleaning of waste storage areas must be determined when designing the system.
- d. Responsibility for transfer of bins must be determined when designing the system.

Council's regulations

Council will only service up to 30 units/townhouses.

Council supplies 1 x 140 litre bin for general waste (1 bin per unit/townhouse)

Council supplies 1 x 240 litre bin for recycling to be shared (1 between 2 unit/townhouse)

A 240-litre bin is provided for green waste – upon request from strata management.

No services are available to private roads.

Commercial Services

Under the current contract Council does not automatically offer services to this industry & is not in the business of removing trade waste.

Services are available to small business where a limited amount of waste is generated. Option of 140 or 240 litre bins.

CBD is serviced 6 days/per week; however, charges are calculated on the number of weekly services.

Retail & Food industries that generate large volumes of waste generally use the services of private contractors.

No Council recycling services are available to this sector under the current contract, however, this could change from 1/7/06.

Council's waste service collection

General waste collected weekly.

Recycling collected alternate fortnights.

Green waste alternate fortnights.

Standard general waste bin size can be increased to a 240-litre bin, however will incur an additional charge and is required in writing from the strata management or owner.

Bin dimensions:

140 litre bins:

Normal volume: 140 litres

Net weight: approx. 10.4 kg

Maximum load: 56 kg

Permitted total weight: 70 kg

Height 925mm

Width 535mm

Depth 615mm

240 litre bins:

Normal volume: 240 litres

Net weight: approx. 12.3 kg

Maximum load: 96 kg

Permitted total weight: 110 kg

Height 1060mm

Width 585mm

Depth 730mm



Statement of Environmental Effects

6 EDITH STREET,
KINGSWOOD
3 OCTOBER 2019



QUALITY ASSURANCE

Project:	Boarding House
Address:	6 Edith Street, Kingswood
Lot /DP:	Lot 53 DP 241989
Council:	Penrith City Council
Author:	Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
October 2019	Draft Issue for Comment	Draft	SK	JW
October 2019	DA Lodgement Issue	Final	JW	JW

<i>Integrated Development (under S.4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?</i>	
Fisheries Management Act 1994	No
Heritage Act 1977	No
Mine Subsidence Act 1992	No
Mining Act 1992	No
National Parks and Wildlife Act 1974	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No
<i>Concurrence</i>	
SEPP 1- Development Standards	No
SEPP 64- Advertising and Signage	No
SEPP Coastal Management 2018	No
SEPP (Infrastructure) 2007	No
SEPP (Major Development) 2005	No
SREP (Sydney Harbour Catchment) 2005	No

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EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of a new Development Application for the demolition of existing structures to construct a New Generation 'Boarding House' at 6 Edith Street, Kingswood.

It is noted that the new proposal has been prepared in response to a refusal of a prior development application on the site. The development has undergone revision to address the previous grounds for refusal with the building being substantially redesigned to present a building that is more in character with the area and presents a form similar to a large dwelling/dual-occupancy development. Of note is the reduction in the number of rooms to 12 and the reduction in the size of the number of rooms as well as the adoption of a more residential form of development with brickwork and a pitched roof form.

The proposed boarding house is to accommodate a total of 12 rooms, each with full bathroom, kitchenette and living area, noting 2 of the rooms on the ground floor have been designed to be adaptable (Rooms 1 & 4) and an on-site managers room. The boarding house will accommodate a total of 23 lodgers based on the room size and configuration and as nominated on the plans, noting that the proposal provides for 1 x single occupancy room and 11 double occupancy rooms- which is inclusive of the on-site managers room.

The development also includes a communal room and communal open space within the ground floor, a total of 7 car parking spaces including 2 x accessible car parking spaces within the basement level which also provides 4 x motorcycle parking space and 4 x bicycle parking spaces within a basement level.

Situated within walking distance of 550m from the Western Sydney University – Penrith Campus and within walking distance from TAFE NSW College Kingswood. The site is also within proximity to Nepean Hospital, Kingswood Commercial Precinct, suburban train station, local primary school (Kingswood Primary School), child care centres, large parks/sportsground with a bus stop with regular services to Penrith and Mt Druitt situated on the eastern and western side of Manning Street.

Located within proximity to a small set of neighbourhood shops, the site can be best described as a regular shaped land parcel with a frontage of 18.29m to Edith Street and a site depth of 35.56m, resulting in a total site area of 650.3m².

The site and the broader locality is zoned R3 Medium Density Residential under the Penrith Local Environment Plan 2010. Despite its R3 zoning which permits medium density residential developments including multi-dwelling housing, the built form in the vicinity of the site comprises predominantly of older style single storey dwellings within a garden setting interspersed by larger two storey dwellings and dual occupancies as well as boarding houses, a small number of child care centres and a few large older style multi dwelling housing developments.

Renewal of the locality is inevitable and potential residential redevelopment patterns and form is heavily dictated by historical subdivision patterns, which will dictate the shape and form of residential areas- therefore meaning that dual occupancies are more likely than traditional townhouse development in the R3 zone given the allotment configurations which are much more shallow than traditional R3 allotments.

The immediate locality comprises predominantly of smaller lots which are not conducive to undertaking redevelopment for multi dwelling housing which typically requires cluster of large and deep lots and as such land parcels along Edna & Edith Streets that are more likely to be redeveloped as larger modern two storey forms including dual occupancies and unlikely to be redeveloped for multi dwelling housing in the medium term.

As such, the proposed new age boarding housing is designed to appear as a large two storey duplex set within a landscape setting to be consistent with the existing and anticipated higher-intensity low density housing character of the immediate locality, noting Council has recently approved comparable two storey boarding houses within R3 zones within the immediate locality (6 Anthony Crescent & 8 Cosgrove Crescent) locality. This indicates that small-scale boarding houses designed to appear as dwelling houses and dual occupancies within R3 zoned land within Kingswood is considered to be an acceptable development. As such, the current application is considered to not only reflect the desired future character of the area but also to enhance the essential character and identify of the existing low density character within the immediate locality.

'Boarding Houses' are permissible with consent within the R3 Medium Residential zone with the application made pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009.

The development proposes to provide affordable short-term rental housing, noting that students are to be a key target market for future residents considering the site's proximity to an established university and TAFE.

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.



Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

SITE AND LOCALITY DESCRIPTION

LEGAL DESCRIPTION

The subject site is legally known as Lot 53 DP 241989, though more commonly known as 6 Edith Street, Kingswood.

SUBJECT SITE

Situated within walking distance to local neighbourhood shops, the development site is within 550m from the Western Sydney University – Penrith Campus and within walking distance from TAFE NSW College Kingswood. The subject land parcel can be best described as a regular shaped land parcel with a frontage of 18.29m to Edith Street and an average site depth of 35.56m, resulting in a total site area of 650.3m².

The subject site currently accommodates an older style residential dwelling, vehicle cross-over, driveway and associated structures, as demonstrated by Photograph 1 below.

Photograph 1: Shows the subject site – 6 Edith Street, Kingswood



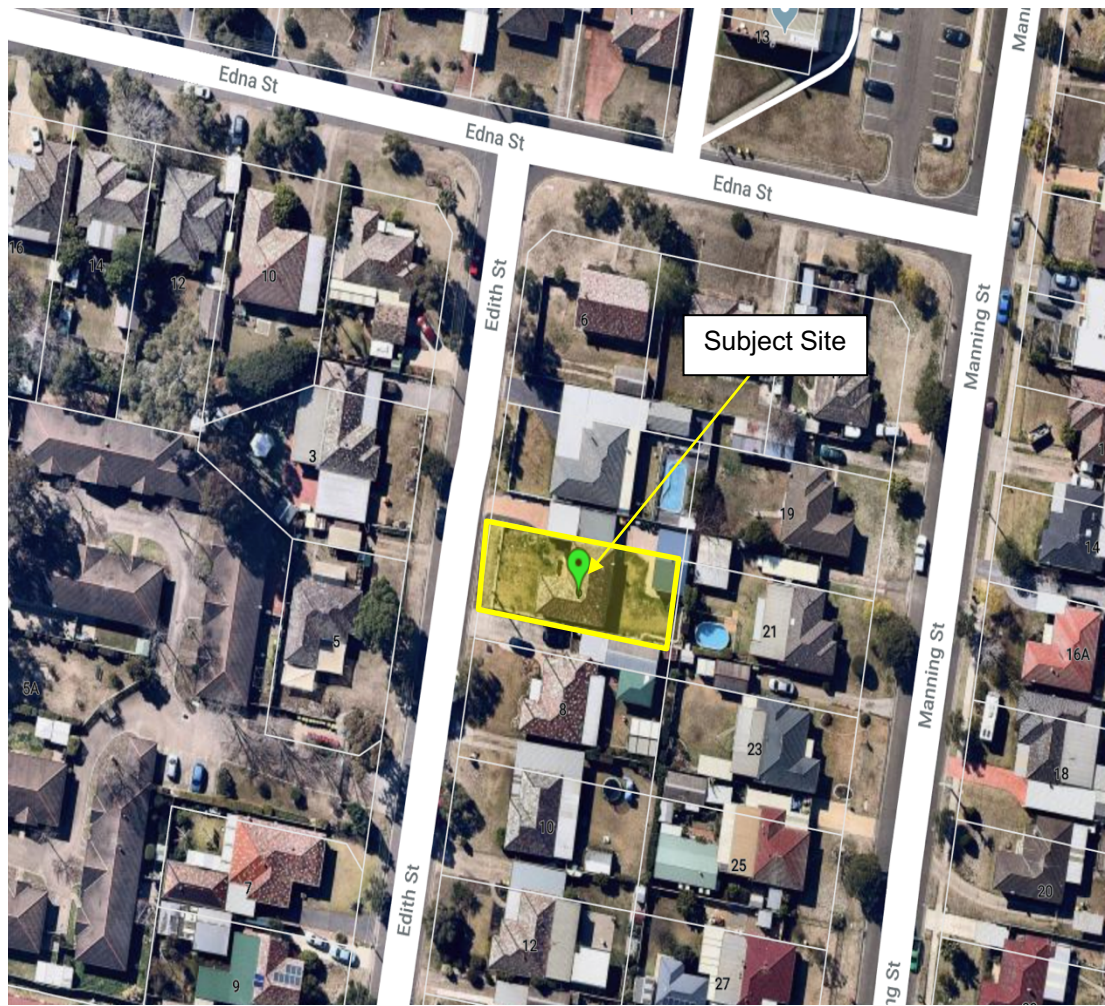
The site is also within proximity to Nepean Hospital, Kingswood Commercial Precinct, suburban train station, local primary school (Kingswood Primary School), child care centres, large parks/sportsground with a bus stop with regular services to Penrith and Mt Druitt situated on the eastern and western side of Manning Street.

The site itself is bounded by single storey residential dwellings to its northern, southern and western boundaries.

The development proposes to provide affordable rental housing, noting that students are to be a key target market for future residents considering the site's proximity to an established university and TAFE.

Aerial extract of the immediate locality provide context to the development site and its surrounds below.

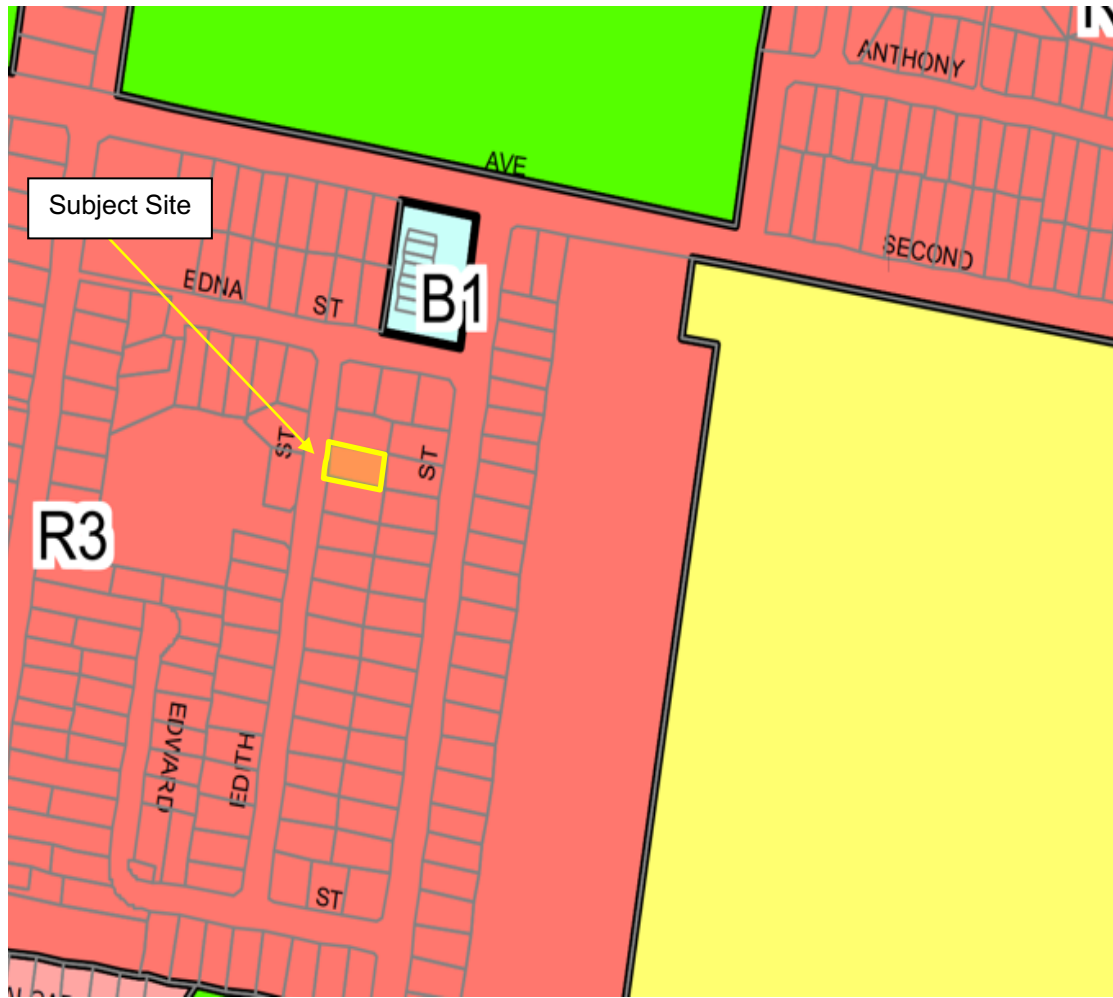
Figure 1: Aerial Map Extract of Subject Site (Six Maps)



ZONING CONTROL

The site is zoned R3 Medium Density Residential under the provisions of the Penrith Local Environmental Plan 2010 and is attributed with a maximum permitted building height limit of 8.5m. Council's zoning map extract is provided below.

Figure 2: Zoning Map Sheet LZN_013 Extract (Source: Penrith LEP 2010)



The built form along Edith Street comprises predominantly of older style single storey dwellings within a garden setting interspersed by larger two storey dwellings and dual occupancies as well as boarding houses, child care centres and a few large older style multi dwelling housing developments.

'Boarding Houses' are permissible with consent within the R3 Medium Residential zone with the application made pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009.

LOCALITY ANALYSIS

An analysis of the built form character along Edith and nearby Manning Street indicates that single storey dwellings set within a garden setting is the predominant dwelling form interspersed by larger two-storey dwellings and dual occupancies.

Renewal of the locality is inevitable and potential residential redevelopment patterns and form is heavily dictated by historical subdivision patterns, which will dictate the shape and form of residential areas.

The immediate locality comprises predominantly of smaller lots which are not inductive to undertaking redevelopment for multi dwelling housing which typically requires cluster of large and deep lots and as such land parcels along the Edith Street are more likely to be redeveloped as larger modern two storey forms including dual occupancies and unlikely to be redeveloped for multi dwelling housing in the medium term and as such the proposed new age boarding housing is designed to appear as a large two storey duplex set within a landscape setting to be consistent with the existing and anticipated higher-intensity low density housing character of the immediate locality.

Figure 3: Locality Aerial Map Extract of Subject Site (Source: Google Maps)

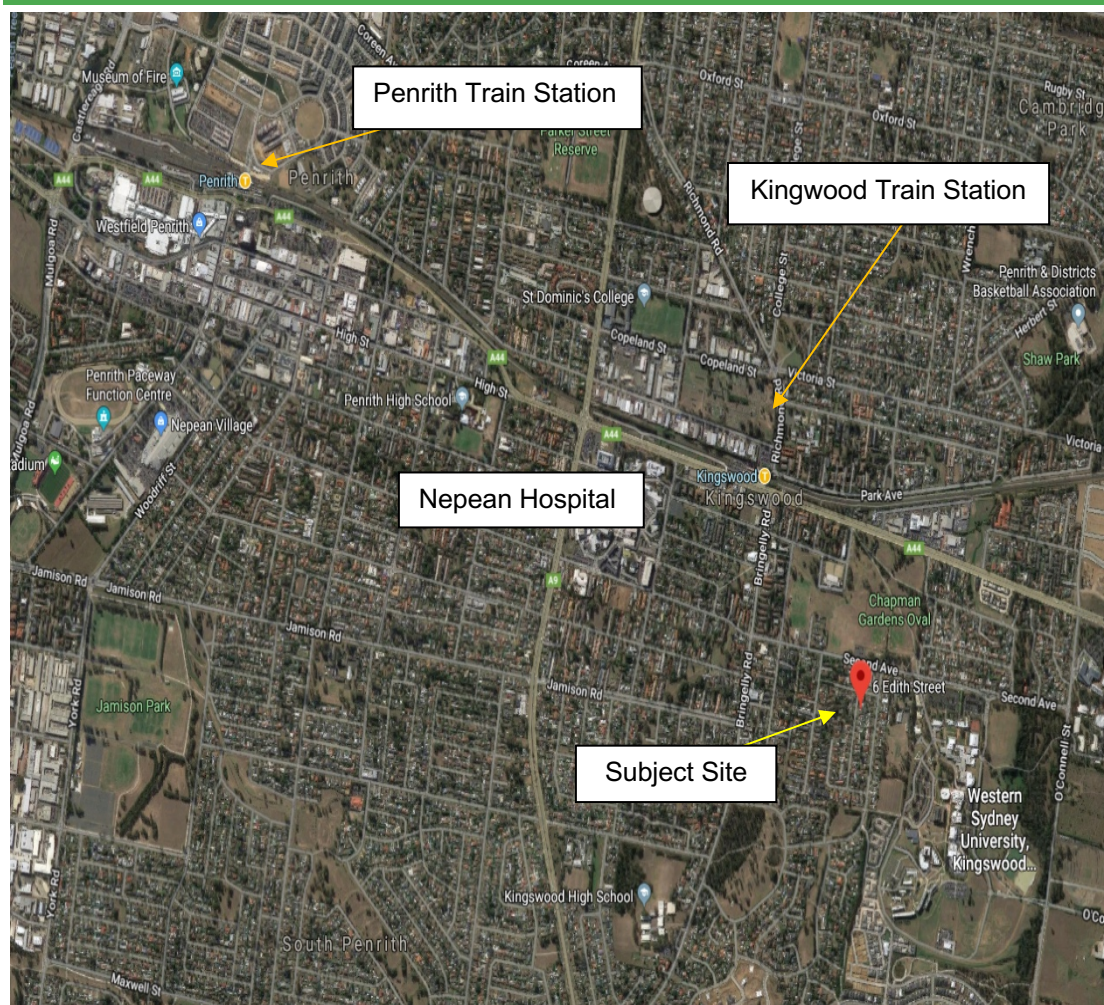


BROADER LOCALITY ANALYSIS

The subject area is ideal to accommodate a new age boarding house due to its proximity to Nepean Hospital, Kingswood Commercial Precinct, local primary school (Kingswood Primary School), child care centres, large parks/sportsground and public transportation (suburban train station and local bus stops with services between Penrith and Mt Druitt).

The site is also serviced by key road networks including The Great Western Highway, as illustrated by an aerial map of the broader locality below.

Figure 4: Broader Aerial Map Extract of Subject Site (Source: Google Maps)

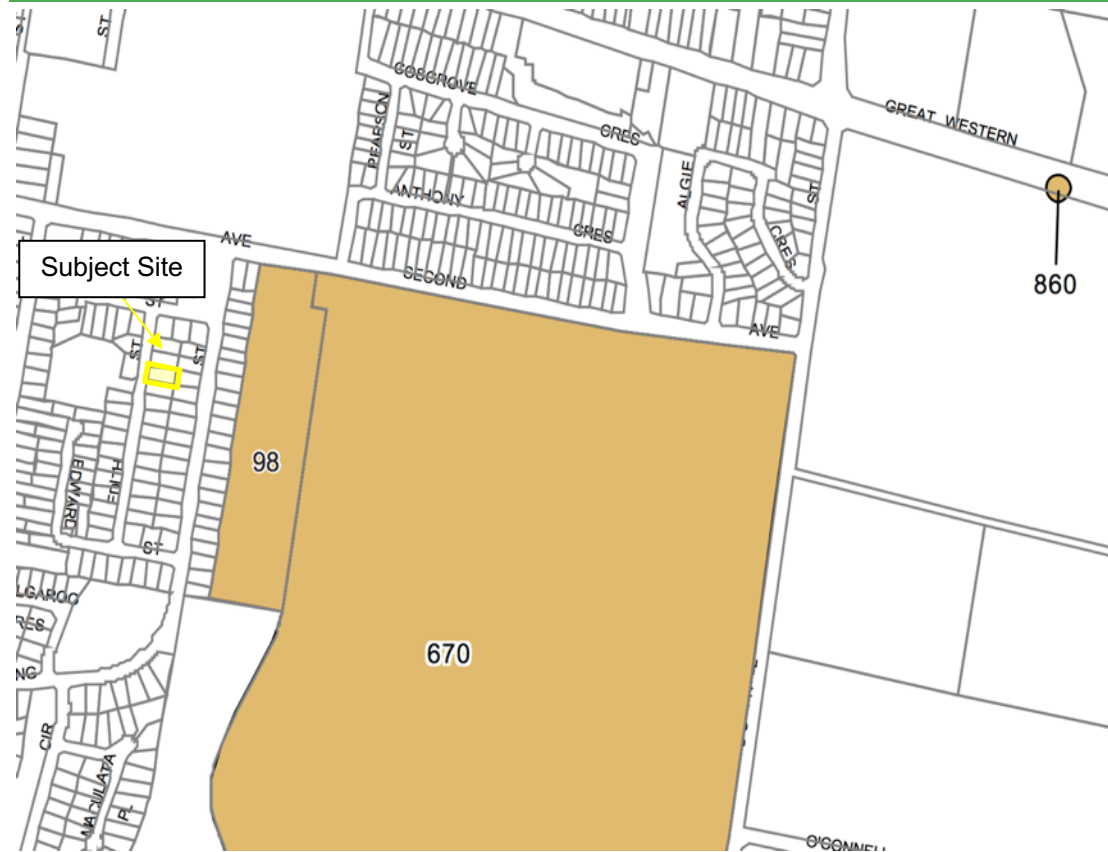


The development proposes to provide affordable rental housing, noting that students are to be a key target market for future residents considering the site's proximity to an established university.

HERITAGE

The site is not identified as a heritage item, and it is not located within a heritage conservation area, however there is a heritage item (I670) located near the subject site, as illustrated by Council's Heritage Map Extract below.

Figure 5: Heritage Map Sheet HER_013 Extract (Source: Penrith LEP 2010)



Item 670 is a former Teacher's Residence and is an item of local significance, noting that Kingswood Public School is also listed and is bounded towards the eastern side of Manning Street.

Due to the nature of the proposal and physical separation to the item there is no impact on the setting of the nominated heritage item as it is located on the southern side of Second Avenue within the grounds of the University and school.

Given the separation the proposal will have no impact on the curtilage associated with the heritage item and therefore the development will have no impact on the heritage significant of heritage item 670 or 98.

As a result, the subject site will not have any associated heritage restrictions and a heritage impact statement is not deemed to be necessary.

DESCRIPTION OF PROPOSAL

The Development Application is for the demolition of existing structures in order to construct a New Generation 'Boarding House' at 6 Edith Street, Kingswood.

The boarding house is to accommodate a total of 12 rooms, each with full bathroom, kitchenette and living area, noting 2 of the rooms on the ground floor have been designed to be adaptable (Rooms 1 & 4) and an on-site managers room. The boarding house will accommodate a total of 23 lodgers based on the room size and configuration and as nominated on the plans, noting that the proposal provides for 1 x single occupancy room and 11 double occupancy rooms- which is inclusive of the on-site managers room.

The development also includes a communal room and communal open space within the ground floor, a total of 7 car parking spaces including 2 x accessible car parking spaces within the basement level which also provides 4 x motorcycle parking space and 4 x bicycle parking spaces within a basement level.

Access to the basement level provided via a new double width vehicle crossover, driveway and graded ramp from Edith Street.

A summary of the relevant aspects of the proposal is provided below:

Level	Inclusion
Basement Level	<p>Access to the basement level is provided via a graded vehicle ramp from the ground floor.</p> <p><u>Parking</u></p> <p>Car parking breakdown within the basement level:</p> <ul style="list-style-type: none"> - 7 x vehicular parking spaces - 4 x motorcycle spaces - 4 x bicycle spaces. <p>The internal circulation areas and turning areas are of sufficient size to permit vehicles to enter and exit in a forward direction.</p> <p>A lift core and stairwell.</p>
Ground Floor	<p><u>Access</u></p> <p><i>Vehicular Access</i></p> <p>Direct vehicular access to driveway and graded ramp to the basement level situated to the north-wester corner of the site from Edith Street.</p>

Pedestrian Access

Primary pedestrian access is provided via a graded pedestrian pathway situated near the central portion of the site from Edith Street.

Boarding House

A total of 4 boarding house rooms/suites are located within the ground floor with each room/suite provided with a bedroom, kitchenette, living space, storage and bathroom. Two of the rooms/suites are designed as adaptable units (Room 1 & 4).

A manager's room (Room 003) with private open space area is also provided within the ground floor.

The boarding house also includes a communal room (28.31m²), a communal open space (108.02m²) include pergola, seating area and clothesline, fencing and planter boxes.

Bin storage area.

Storage room.

First Floor

Boarding House

A total of 8 boarding house rooms/suites is located within the first floor with each room/suite provided with a bedroom, kitchenette, living space, storage and bathroom.

Room 007 & 008 are provided with a balcony oriented to Edith Street.

Lift core and stairwell.

The proposal is purpose built to provide low cost flexible rental accommodation to a wide range of tenants. Most tenants are likely to be students from Western Sydney University, but may also include single retirees, working singles and young couples. In addition the site is within broad proximity to the Kingswood Health and Education Precinct and therefore nurses and other medical professionals may also be future residents.

The boarding house has been designed to present as a large two storey dual occupancy to be consistent with the existing and anticipated 2 storey low density-built form character within the immediate locality, noting Council has recently approved comparable two storey boarding houses within R3 zones within the immediate locality (6 Anthony Crescent, Kingswood & 8 Cosgrove Crescent). The development also incorporates contemporary architectural aesthetics that relate to existing development in proximity to the site and are sympathetic to the nature and character of the area.

Design consideration has also been given to residential amenity including aspects such as privacy and solar access for both future residents of the proposal and those of surrounding properties.

The relevant architectural plans for the proposal have been prepared by Gen One, while supporting reports have been prepared by relevant consultants.

The design of the proposal development incorporates contemporary architectural aesthetics that aims to be consistent with the character in the locality.

COUNCIL REFUSAL NOTIFICATION DISCUSSION

A discussion against Council's reason for refusal notice of determination report is provided in the following table.

In simple terms the proposal has been redesigned to address these concerns through a reduction in the number of rooms (14 to 12) and a complete redesign to reflect a more traditional built form that is most clearly seen in the comparison of the previous scheme (top image) and the proposed scheme (bottom image).



The revisions are a much more suitable response to the context of the area and emerging character of the area.

The table below provides a discussion against those grounds for refusal.

Issue	Response
PLEP 2010	
<p>1. Proposal inconsistent with the objectives of the R3 Medium Density Residential Zone</p>	<p>The proposed development is considered to be consistent with the objectives of the R3 Zone as demonstrated below:</p> <ul style="list-style-type: none"> - The immediate locality comprises predominantly of smaller lots which are not conducive to undertaking redevelopment for multi dwelling housing which typically requires cluster of large and deep lots and as such land parcels along Edna & Edith Streets are more likely to be redeveloped as larger modern two storey forms including dual occupancies and unlikely to be redeveloped for multi dwelling housing in the medium term. <p>As such, the proposed new age boarding housing is designed to appear as a large two storey attached duplex set within a landscape setting to be consistent with the existing low density housing character of the immediate locality, noting Council has recently approved comparable two storey boarding houses within R3 zones within Kingswood (6 Anthony Crescent & 8 Cosgrove Crescent) locality. This indicates that small-scale boarding houses designed to appear as dwelling houses and dual occupancies within R3 zoned land within Kingswood is considered to be an acceptable development. As such, the current application is considered to not only reflect the desired future character of the area but also to enhance the essential character and identify of the existing low density character within the immediate locality.</p> <ul style="list-style-type: none"> - A high level of residential amenity is achieved via the boarding house designed to comply with the key requirements under the Affordable Rental Housing SEPP 2009. Furthermore, the development site is also designed to comply with key controls under the Penrith LEP in terms of building height, setback, landscaping to ensure an orderly development is provided.

State Environmental Planning Policy (Affordable Rental Housing) 2009

2. Part 2, Division 3, Clause 29(2)(b) The development is consistent with the provision of front setback under the Penrith DCP with less than 30.95% of the front setback sealed and the development also provides 40.3% of the site as landscape area, with a significant portion of the front setback to be landscaped. In addition the OSD has been relocated to be under the driveway to ensure suitable landscaping is maintained.

3. Part 2, Division 3, Clause 30(1)(a) Development provides a communal living room within the ground floor that is 28.31m² in size with minimum dimension of 3m.

4. Part 2, Division 3, Clause 30A

The immediate locality comprises predominantly of smaller lots which are not conducive to undertaking redevelopment for multi dwelling housing which typically requires cluster of large and deep lots and as such land parcels along Edna & Edith Streets are more likely to be redeveloped as larger modern two storey forms including dual occupancies and unlikely to be redeveloped for multi dwelling housing in the medium term.

As such, the proposed new age boarding housing is designed to appear as a large two storey attached duplex set within a landscape setting to be consistent with the existing low density housing character of the immediate locality, noting Council has recently approved comparable two storey boarding houses within R3 zones within Kingswood (6 Anthony Crescent & 8 Cosgrove Crescent) locality. This indicates that small-scale boarding houses designed to appear as dwelling houses and dual occupancies within R3 zoned land within Kingswood is considered to be an acceptable development. As such, the current application has taken into consideration that the design of the proposal is compatible with the existing character of the local area. Refer to detailed discussion against the Affordable Rental Housing SEPP 2009 further within this statement for detail.

SEPP No.55

5. A Phase 2 Environmental Site Assessment was undertaken within the subject site BY EHO Consulting, which concluded the following:

- *The investigation of fill material placed in the south western section of the property for the purposes of levelling the front yard within the fence line has found that the material is unsuitable not only for the proposed site use but is also unsuitable for the current site use.*

The unsuitable materials need to be either removed from the site by a licenced friable asbestos removalist and disposed of as Asbestos Waste under NSW EPA Waste Classification or the proposed development needs to be amended to ensure that potential disturbance of the unsuitable material is minimised or undertake remedial works including but not limited to:

- *onsite remediation by removing the grass under monitored conditions by a licenced friable asbestos removalist as asbestos waste and paving the front yard with a permanent surface such as pavers or concrete; or*
- *removal of the contaminated and disposal of the fill entirely under monitored conditions by a licenced friable asbestos removalist as asbestos waste, and replacing with clean fill and re-turfing.*

The development is to undertake the actions identified by the proposal to ensure that the proposed boarding house is suitable within the subject site in accordance with SEPP No.55. Refer to attached Phase 2 Environmental Site Assessment for detail.

Environmental Planning and Assessment Act 1979

6. Section 4.15(1)(i)

An updated Plan of Management has been provided in accordance with Schedule 2 of the Local Government (General) Regulations 2005.

8. Section 4.15(10(a)(iv) & Clause 54 of the Environmental Planning and Assessment Regulation 2000

An Acoustic Report has been prepared by Koikas Acoustics Pty Ltd and accompanies this report. The report concluded the following:"

The assessment considers potential impacts to future occupants of the development, and to surrounding residents such that acceptable acoustic amenity for the area is maintained. Acoustic planning levels have been reference from current EPA and BCA acoustic planning guidelines and requirements.

The recommendation are based on designs prepared by Gen One.

As such, there is sufficient scope within the proposed building design to achieve the applied acoustic planning guidelines. Referred to attached Acoustic Report for detail.

9. Section 4.15(1)(b)

The development is consistent with Section 4.15(1)(b) of the EPAA 1979 as demonstrated below:

(i) negative streetscape and local character impacts:

- The proposed small-scale two storey boarding house has been designed to appear as a modern two storey dual occupancy (attached) set within a landscape setting to be consistent with the existing low density character along Edith Street.

(ii) noise and privacy impacts:

- An Acoustic Report that accompanies this report has found that there is sufficient scope within the proposed building design to achieve the applied acoustic planning guidelines.
- Privacy impacts are mitigated using building separation, reduced windows to side boundaries and the use of raised sill windows to upper level rooms.

(iii) traffic, access and manoeuvring

- A Traffic and parking effect of the proposal has been undertaken by Stantec which concludes the following:
 - The proposed car parking provision meets the car parking requirements of the State Environmental Planning Policy (Affordable Rental Housing) 2009 parking requirements
 - The proposed car park layout complies with the Australian Standard (AS 2890). A swept path assessment has been prepared for the proposal, which demonstrates that vehicles are able to manoeuvre in and out the basement car park; and
 - The negligible level of traffic movement expected to be generated by the proposed development is not expected to result in any material change to the continued safe and efficient operating performance of the local road network or intersection.

Overall, the proposed boarding house development is expected to have negligible impact on the existing local traffic and parking environments.

(iv) solar access

- The proposal incorporates appropriate design features including window size and location that will permit adequate solar penetration.

The proposal complies with the ARH SEPP in relation to the required 3 hours of solar access to the common room between 12 noon and 3pm.

The proposal does not result in unacceptable overshadowing of adjoining residential properties. Appropriate setbacks are employed to ensure solar access and privacy to adjoining development.

Shadow diagrams demonstrate that adjoining property to the site's immediate western boundary continues to receive adequate solar access at mid-winter, noting the majority of the shadow casted by the proposed development falls onto the existing street network. See shadow diagram for detail.

(v) landscaping, setbacks and site coverage

- Development is consistent with the landscaping requirements under the Penrith DCP 2014.
- Development is consistent with the setback requirements under the Penrith DCP 2014.

(vi) stormwater management

- The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.

The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater. See attached Stormwater Management Plan for detail.

10. Section 4.15(1)(c)

The site is considered to be suitable for the scale of the proposed development for the following reasons:

- The site which as a frontage of 18.29m, a site depth of 35.56m and a site area of 645m² is of a size and scale to accommodate the proposed small-scale two storey new age boarding house.
- The site provides a building envelope that complies with the provision for dual occupancies under the Penrith DCP in terms of setbacks and the provision of landscape area which demonstrate that the site can accommodate the small-scale boarding house
- Development is compliant with the key controls under the SEPP ARH 2009 including the provision of a communal room and parking.

Finally it is worth noting that the ARH SEPP states that for boarding houses on land within R2 Zone Land, a number of boarding rooms is capped at 12.

Clause 30AA does not apply to the current application as the subject site is zoned R3. However, considering that immediate locality, despite its R3 zoning, continues to maintain its low density character, the development proposes a small-scale boarding house designed to appear as a large 2 storey dual-occupancy with a maximum of 12 rooms and a managers room to be consistent with the SEPP's aims of ensuring boarding houses are of low scale within low density residential areas and ultimately that the site is considered to be suitable for the scale of the proposed development.

11. & 12. Section 4.15(1)(3)

The proposal has been revised to address key issues and deficiencies raised via Council Notice of Determination, noting that boarding houses are permissible within the R3 zone.

The development is considered to be a orderly development that has been designed to comply with relevant requirements under the ARH SEPP 2009, Penrith LEP & DCP to ensure that the amenity of neighbouring properties is maintained whilst also playing a role in increasing valuable short-term rental accommodation within the Kingswood housing market.

As such, the development is considered to be in the public interest as per Section 4.1(1)(e) of the Environmental Planning and Assessment Act 1979.

Penrith Development Control Plan 2014

7. Penrith DCP 2014

The proposal has been revised to ensure that the development is consistent with the relevant provision under the Penrith Development Control Plan 2014.

It is noted that the size of the site is not of a sufficient size to accommodate a multi dwelling housing development. Furthermore, it is worth noting that the immediate locality comprises predominantly of smaller lots which are not inductive to undertaking redevelopment for multi dwelling housing which typically requires cluster of large and deep lots and as such land parcels along Edna Street are more likely to be redeveloped as larger modern two storey forms including dual occupancies and unlikely to be redeveloped for multi dwelling housing in the medium term. This is evident with a lack of multi-dwelling housing development in the locality despite its R3 zoning. Considering Council approving comparable low-scale boarding houses within R3 zoned land parcel within the suburb, the development has been designed to comply with controls for dual occupancies as the site would alternatively be development as a dual occupancy form given the allotment size and frontage. This will also ensure that the proposal provides a building form and building envelope consistent with the existing low density character along Edna Street.

Refer to discussion against the DCP further within this statement for detail.

PLANNING CONTROLS

STATUTORY CONTROLS

The relevant Statutory Planning Controls include:

- State Environmental Planning Policy BASIX
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy- (Vegetation in Non-Rural Areas) 2017
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- Sydney Regional Environmental Plan (SREP) NO. 20 – Hawkesbury Nepean River.
- Penrith Local Environmental Plan 2010.

POLICY CONTROLS

The applicable policy control documents include:

- Penrith Development Control Plan 2014.

CONSIDERATION OF PLANNING CONTROLS

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

STATE ENVIRONMENTAL PLANNING POLICY (BASIX) 2004

The proposal is not subject to BASIX and hence a Section J report accompanies the development application.

STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

A Phase 2 Environmental Site Assessment was undertaken within the subject site BY EHO Consulting, which concluded the following:

- *The investigation of fill material placed in the south western section of the property for the purposes of levelling the front yard within eh fence line has found that the material is unsuitable not only for the proposed site use but is also unsuitable for the current site use.*

The unsuitable materials need to be either removed from the site by a licenced friable asbestos removalist and disposed of as Asbestos Waste under NSW EPA Waste Classification or the proposed development needs to be amended to ensure that potential disturbance of the unsuitable material is minimised or undertake remedial works including but not limited to:

- *onsite remediation by removing the grass under monitored conditions by a licenced friable asbestos removalist as asbestos waste and paving the front yard with a permanent surface such as pavers or concrete; or*
- *removal of the contaminated and disposal of the fill entirely under monitored conditions by a licenced friable asbestos removalist as asbestos waste, and replacing with clean fill and re-turfing.*

The development is to undertaken the actions identified by the proposal to ensure that the proposed boarding house is suitable within the subject site in accordance with SEPP No.55.

Refer to attached Phase 2 Environmental Site Assessment for detail.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The development site is not located on a classified road and thus it is not necessary to consider the provisions of Clause 102, and 104 of the SEPP. Clause 104 identifies several types of development that require concurrence from Roads and Maritime Services where development is identified as *'traffic generating development'*.

The current proposal is not identified as traffic generating development as the site does not trigger the threshold requirements.

Therefore, concurrence from the RMS is not required.

STATE ENVIRONMENTAL PLANNING POLICY- (VEGETATION IN NON-RURAL AREAS) 2017

State Environmental Planning Policy (Vegetation in Non-Rural Areas) was introduced in August 2017. This SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The subject site is within a well-established residential area, having historically been used for residential purposes. This application seeks Council consent for the removal of a few small shrubs on site as identified in the attached plans. It is highlighted that no significant vegetation is to be impacted as part of the proposal.

Development proposes extensive landscape embellishment works within a low to medium residential context including landscaping along the sites front, side and rear setbacks will be undertaken as part of the proposal in accordance with the attached Landscape Plan.

The landscape treatment will soften the built form, assist with maintaining privacy and help to integrate the development with the site's context.

STATE ENVIRONMENTAL PLANNING POLICY (AFFORDABLE RENTAL HOUSING 2009)

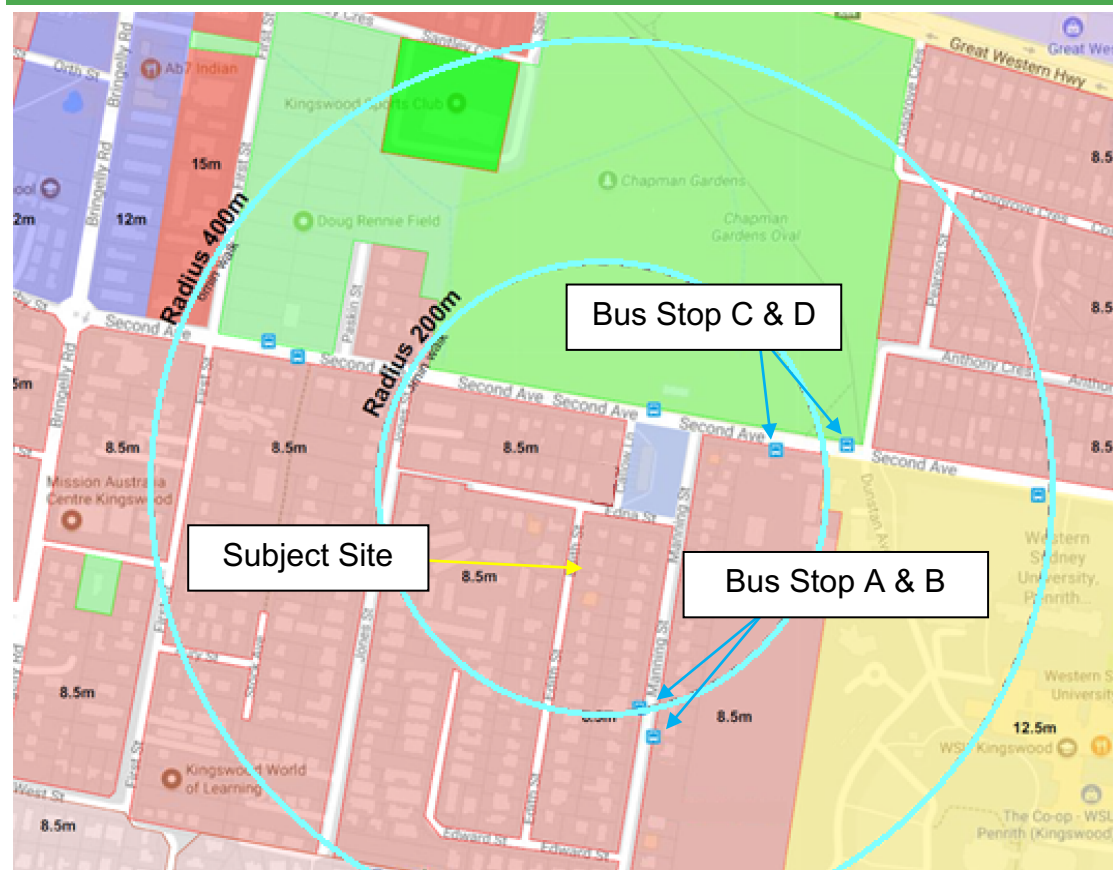
The SEPP permits Boarding Houses on land zoned residential, neighbourhood, local centre and mixed use. The effect of the SEPP is to confirm that such uses are consistent with the objectives of the zone.

The site is located within an *'accessible area'* being within 400m of a bus stop that provides the required level of service as defined in the SEPP.

As shown on the map extract in the following page, a local bus stop that provides an hourly service to Penrith via the 770/774/775/776 bus routes that run between 06.00 and 21.00 from Monday to Friday and between 08.00 and 18.00 on each Saturday and Sunday, is situated between 120m-240 away from the subject site and two bus stops (on each side of the road) that provide a hourly service to Mt Druitt via the 770/774/775/776 bus routes that run between 06.00 and 21.00 from Monday to Friday and between 08.00 and 18.00 on each Saturday and Sunday.

As such it is demonstrated that the site is within an accessible area and that the level of service complies with the SEPP requirements to be considered as an 'accessible area'.

Figure 6: Bus Stop Location



The proposal will provide affordable rental housing within medium density residential zoned land to address current shortages in the availability of affordable rental housing.

The table below provides discussion against the relevant provisions of the SEPP.

SEPP ARH Requirement

3 Aims of Policy

The aims of this Policy are as follows:

- (a) to provide a consistent planning regime for the provision of affordable rental housing,
- (b) to facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards,
- (c) to facilitate the retention and mitigate the loss of existing affordable rental housing,
- (d) to employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing,
- (e) to facilitate an expanded role for not-for-profit-providers of affordable rental housing,
- (f) to support local business centres by providing affordable rental housing for workers close to places of work,
- (g) to facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation.

The proposal is for a form of affordable housing directly sought in the SEPP. The proposal will result in the addition of affordable short-term rental housing in the area that is close to public transport and as such is consistent with the aims of the policy.

25 Definition

In this Division:

Communal living room means a room within a boarding house or on site that is available to all lodgers for recreational purposes, such as a lounge room, dining room, recreation room or games room.

The development provides a common living room and communal open space at the rear of the site that exceeds the minimum area set out by the SEPP. This area can be used as a congregation/living area by future residents.

26 Land to which Division applies

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:

- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone B1 Neighbourhood Centre,
- (f) Zone B2 Local Centre,
- (g) Zone B4 Mixed Use.

The site is zoned R3 Medium Density Residential.

27 Development to which Division applies

This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.

<p>28 Development may be carried out with consent Development to which this Division applies may be carried out with consent.</p>	<p>Consent is sought in this development application.</p>
<p>29 Standards that cannot be used to refuse consent</p>	
<p>(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 buildings when expressed as a floor space ratio are not more than:</p>	<p>There is no applicable maximum FSR for land zoned R3 within Penrith LEP 2010.</p>
<p>(a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or</p>	
<p>(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:</p>	
<p>(a) building height if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,</p>	<p>Development complies with prescribed height controls under the Penrith LEP.</p>
<p>(b) landscaped area if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located,</p>	<p>The front setback landscape treatment is compatible with the existing streetscape, noting the landscape plantings proposed.</p>
<p>solar access where the development provides for one or more 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,</p>	<p>One communal area is provided to the boarding house. The communal living room is oriented to the north and will receive at least 3 hours of direct sunlight from 9am to 12 noon.</p>
<p>(d) private open space if at least the following private open space areas are provided (other than the front setback area): (i) one area of at least 20 square metres with a minimum dimension of 3 metres is provided for the use of the lodgers,</p>	<p>The proposal provides communal open space area to the rear of the site with depth greater than 3m (6m) and a total area over 20m² and as such is compliant with the SEPP.</p>
<p>(ii) if accommodation is provided on site for a boarding house manager—one area of at least 8 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation,</p>	<p>The proposal is for a 12-room boarding house accommodating a total of 23 lodgers (1 x single lodger room & 11 x double lodger rooms) and therefore a boarding house manager is required, noting ARH SEPP states a total of 20 or more lodgers triggers the need to provide an on-site boarding house manager.</p>
	<p>Room 004 within the ground floor is to be dedicated as the Managers Room and > 8sqm is provided.</p>

<p>(e) parking if not more than:</p>	<p>The site is in an accessible area (within 400m to bus stop).</p>
<p>(i) in the case of development not carried out by a social housing provider—at least 0.5 parking spaces are provided for each boarding room</p>	<p>0.5 x 12 = 6 car parking spaces.</p>
<p>(f) accommodation size if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:</p>	<p>The application provides a total of 7 resident car parking spaces within a basement level, including a parking space allocated to the on-site manager. Complies.</p> <p>The proposal also provides for 4 motorcycle parking spaces and 4 bicycle parking space within a basement level, which complies with the SEPP.</p>
<p>(i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or (ii) 16 square metres in any other case.</p>	<p>All single lodger rooms are >12m² when excluding the kitchen and bathroom areas and all double lodger rooms are >16m², when excluding kitchen and bathroom areas.</p>
<p>(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.</p>	<p>Each room has a kitchen and bathroom.</p>
<p>30 Standards for boarding houses</p>	
<p>(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:</p>	
<p>(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,</p>	<p>A communal living room is provided on the ground floor with generous ancillary outdoor space.</p>
<p>(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,</p>	<p>The rooms measure no more than 25m² in area in total, noting the largest room/suite is 23.61m² in size when excluding the kitchen and bathroom areas.</p>
<p>(c) no boarding room will be occupied by more than 2 adult lodgers,</p>	<p>The boarding house has been designed with a maximum of 2 adults lodgers. A condition to this effect is anticipated.</p>
<p>(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,</p>	<p>All boarding rooms are self-contained rooms containing a kitchen and bathroom.</p>
<p>(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,</p>	<p>The boarding has the capacity to accommodate up to 23 lodgers and as such a boarding house manager has been provided on-site (Room 003)</p>
<p>(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will</p>	<p>Not applicable.</p>

<p>be used for residential purposes unless another environmental planning instrument permits such a use,</p> <p>(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.</p>	<p>SEPP requires a total of 1 bicycle parking space and 1 motorcycle parking space for every 5 boarding rooms. The development proposes a total of 12 boarding house room which equates to 2.4 spaces for both bicycles and motorcycles.</p> <p>The proposal makes provision for 4 x bicycle parking spaces and 4 x motorcycle parking spaces, which complies with the SEPP.</p>
<p>30AA Boarding houses in Zone R2 Low Density Residential</p>	<p>The SEPP prescribes that for boarding houses on land within R2 Zone Land, a number of boarding rooms is capped at 12.</p> <p>Clause 30AA does not apply to the current application as the subject site is zoned R3. However, considering that immediate locality, despite its R3 zoning, continues to maintain its low density character, the development proposes a small-scale boarding house designed to appear as a large 2 storey dual-occupancy with a maximum of 12 rooms and a managers room to be consistent with the SEPP's aims of ensuring boarding houses are of low scale within low density residential areas.</p>
<p>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.</p>	<p>An analysis of the character of the local area and the compatibility of a boarding house is provided at the end of this table.</p>
<p>52 No subdivision of boarding houses A consent authority must not grant consent to the strata subdivision or community title subdivision of a boarding house.</p>	<p>No subdivision is proposed.</p>

Character of the Local Area

The SEPP requires consideration as to whether the design of the development is compatible with the character of the local area. The question of compatibility is set out in the planning principle set out in *Project Venture Developments v Pittwater Council (2005) NSW LEC 191*. A decision in *Moscaritolo v Ryde City Council [2012] NSWLEC 1024* reinforced that the planning principle is relevant to development to which the Affordable Rental Housing SEPP applies.

A discussion of the character of the locality is provided as well as assessment of the compatibility of the proposal that aligns with the planning principle.

Existing Character

The existing character of the locality is of 1-2 storey residential dwellings of mixed age and architectural style. Given the age of housing stock in the locality a key consideration in the current circumstance is the form of development anticipated for the area. As addressed, the site is zoned R3 Medium Density Residential under the Penrith LEP 2010 and boarding houses, multi-unit housing, dual occupancies, semi-detached dwellings and dwelling houses are permissible on the site and in the surrounding locality.

Renewal of this established residential estate is inevitable and potential residential redevelopment pattern and form is heavily dictated by historical subdivision patterns, which will dictate the shape and form of residential areas. The immediate locality comprises predominantly of smaller lots which are not inductive to undertaking redevelopment for multi dwelling housing which typically requires cluster of large and deep lots and as such land parcels along the both Edith Street and Manning Street are more likely to be redeveloped as larger modern two storey dwelling and large two storey duplex and unlikely to be redeveloped for multi dwelling housing in the medium term and as such the proposed new age boarding housing is designed to appear as a large two storey duplex set within a landscape setting to be consistent with the existing and anticipated housing forms in the locality noting adjoining properties are sized for dual occupancy developments rather than multi-unit housing and therefore adopting those controls as a guide for the building footprint are considered most suitable.

As such, the proposed new age boarding housing is designed to appear as a large two storey duplex set within a landscape setting to be consistent with the existing and anticipated higher-intensity low density housing character of the immediate locality, noting Council has recently approved comparable two storey boarding houses within R3 zones within the immediate locality (6 Anthony Crescent & 8 Cosgrove Crescent) locality. This indicates that small-scale boarding houses designed to appear as dwelling houses and dual occupancies within R3 zoned land within Kingswood is considered to be an acceptable development. As such, the current application is considered to not only reflect the desired future character of the area but also to enhance the essential character and identify of the existing low density character within the immediate locality.

In consideration of the likely future character of this local area and anticipated building forms, the current proposal will be entirely consistent with the future character of the locality as envisaged under the controls contained within the Penrith LEP 2010.

Furthermore, it will not be out of context with the existing established character.

Compatibility of the Proposal with the Character of the Area

In accordance with the Planning Principle set out in *Project Venture Developments v Pittwater Council (2005) NSW LEC 191* the following tests apply in determining whether development is compatible with surrounding development:

24 *Where compatibility between a building and its surroundings is desirable, its two major aspects are physical impact and visual impact. To test whether a proposal is compatible with its context, two questions should be asked.*

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?*

These questions will be dealt with in turn however it is important to note that as set out in the planning principle *'Compatibility is... different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale or appearance, though as the difference in these attributes increases, harmony is harder to achieve'*.

Therefore, it is not necessary that the development adopt the same built form as surrounding, and in this case anticipated, development. In terms of the physical impacts of development the following points are made:

- The design of the proposal and the orientation of the lot means that there is minimal overshadowing to adjoining properties, with adjoining properties retaining adequate solar access at mid-winter. Refer to attached shadow diagrams.
- Privacy impacts are mitigated using building separation, reduced windows to side boundaries and the use of raised sill windows to upper level rooms.
- Noise impacts are reduced through siting the communal areas internally and communal open space towards the rear of the development site away from adjoining dwellings and road traffic areas. An Acoustic Report that accompanies this report has found that there is sufficient scope within the proposed building design to achieve the applied acoustic planning guidelines.
- The development proposal does not result in the constrained development potential of the adjoining properties.

Therefore, the physical impacts of the proposal are acceptable.

In response to the second question set out in the planning principle, the following comments are made:

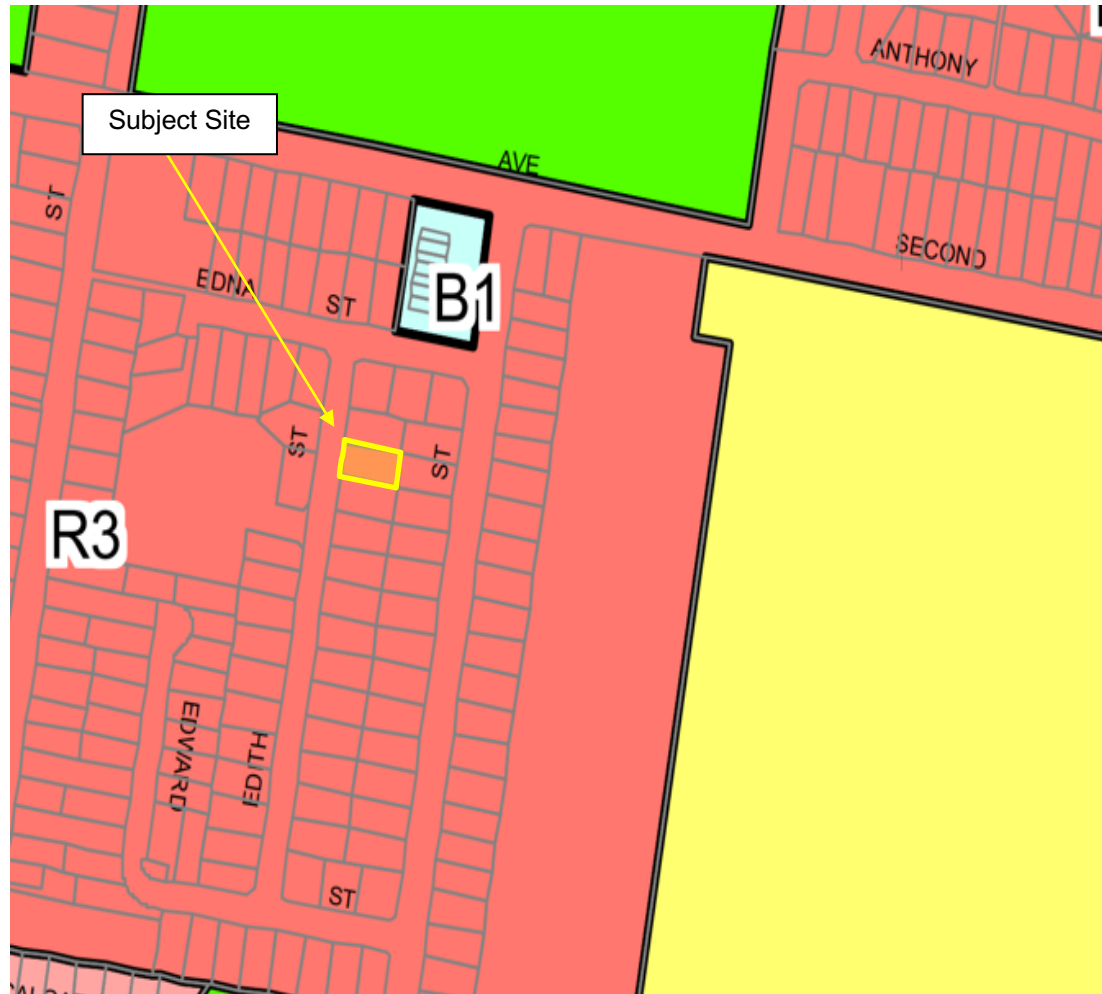
- The scale of the proposed building is consistent with the anticipated character of residential buildings in the area, as discussed above. This is particularly the case given that the LEP adopts a building height of 8.5m for the site with development near the site permitted to adopt comparable forms of dual occupancies, and townhouses, noting that Council has recently approved comparable two storey boarding houses within R3 zones within the immediate locality.
- The proposal does not exceed the maximum height of 8.5m, thus the proposal is consistent with the height required by the LEP and therefore respects the character of the local area.
- The boarding house provides compatible building setbacks allowing for substantial areas of open space and landscape plantings. The height is consistent with the planning controls and is a 2-storey building has been designed to appear as a large 2-storey dual occupancy development comparable to development within the locality, noting that the development has been influenced and designed to be consistent with the form, style, bulk and scale of a comparable two storey boarding house within a R3 zone that has recently approved by Council within the subject are (6 Anthony Crescent & 8 Cosgrove Crescent).
- The extent of landscaping is comparable to the adjoining developments and is reasonable on that basis noting screen plantings are proposed along the front boundary to soften the development.
- The architectural style seeks a contemporary design; however it continues to align with the building height and setbacks of other comparable developments.

Based on the foregoing discussion the development proposal is considered compatible with the character of the local area, with reference to the anticipated future character of the locality that will adopt a comparable form and scale to the current proposal.

PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The development site is zoned R3 Medium Density Residential, as per the zoning map extract below, under the provisions of the Penrith LEP 2010.

Figure 7: Zoning Map Sheet LZN_013 Extract (Source: Penrith LEP 2010)



Boarding Houses are permissible with consent within the subject site and the proposal is consistent with the definition contained within the LEP:

Boarding House means a building that:

- (a) is wholly or partly let in lodging, 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.

The development proposal is also consistent with the prescribed zone objectives that are stipulated as:

- *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.*

The proposal development provides a new generation boarding house that is not only located within a suitable location but will make available a variety of housing types within the and contribute towards providing low cost flexible rental accommodation for tenants such as single retirees, working singles, students from outside the Sydney metropolitan area and young couples an opportunity to live within Kingswood.

The proposed new generation boarding house incorporates the characteristics of a large 2 storey dual occupancy to be compatible with the existing and anticipated large two storey residential dwellings, noting the 2-storey form of the development is appropriate within a medium density residential context subject to a height limit of 8.5m.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant LEP provisions.

Penrith Local Environmental Plan 2010 – Compliance Table			
Clause	Controls	Comments	Complies
Zoning	R3 – Medium Density	Boarding houses are permissible with Council consent in the R3 – Medium Density zone	Yes

Clause	Controls	Comments	Complies
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of the R3 – Medium Density and will appropriately fulfil the subject site's zoning potential and will provide low rent short term accommodation in the form of a new age boarding housing within the catchment of public transport and services.	Yes
2.6	Subdivision – Consent Requirements	No subdivision is proposed.	N/A
2.7	Demolition Requires Consent	Council consent is sought for the demolition of the existing structures on site.	Yes
Part 4 Principal Development Standards			
4.1A	Minimum Subdivision Lot Size: No minimum lot size for boarding houses	Not applicable	N/A
4.3	Height of Building: 8.5m	Penrith Local Environmental Plan 2010 Height of Buildings Map Sheet HOB_013 indicates that the maximum building height within the subject site is 8.5m. Development proposes a two-storey building with a maximum building height of 8m. Complies.	Yes
4.4	Floor Space Ratio	No FSR control applies to the subject site. Not relevant.	N/A
Part 5 Miscellaneous Provision			
5.10	Heritage Conservation	The site is not identified as a heritage item, and it is not located within a heritage conservation area, however there is a heritage item (I670) located near the subject site. Due to the nature of the proposal – a two storey new age boarding house set within a landscape setting and with sufficient separation, the proposal will have no impact on the curtilage associated with the heritage item and therefore the development will have no impact on the heritage significance of heritage item 670.	Yes

Clause	Controls	Comments	Complies
		<p>As a result, the subject site will not have any associated heritage restrictions.</p> <p>A heritage impact statement is not deemed to be necessary.</p>	
Part 7 Additional Local Provisions			
7.1	Earthworks	<p>This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	Yes
7.2	Flood Planning	<p>The subject site is identified as being flood prone however this is limited and there is no impact from the development given it only affects a corner of the site which is clear of development.</p>	Yes
7.3	Development on Natural Resources Sensitive Land	<p>The subject site is not identified on the Natural Resource Sensitive Map. Not applicable.</p>	N/A
7.4	Sustainable Development	<p>The proposal satisfies the LEP in that:</p> <ul style="list-style-type: none"> (a) <i>conserving energy and reducing carbon dioxide emissions,</i> (b) <i>embodied energy in materials and building processes,</i> (c) <i>building design and orientation,</i> (d) <i>passive solar design and day lighting,</i> (e) <i>natural ventilation,</i> 	Yes

Clause	Controls	Comments	Complies
		<p>All units are to receive good solar access.</p> <p><i>(f) energy efficiency and conservation,</i> <i>(g) water conservation and water reuse,</i> Proposal will comply with the accompanying Section J Report.</p> <p><i>(h) waste minimisation and recycling,</i> Waste management and recycling can be addressed through waste management plan.</p> <p><i>(i) reduction of vehicle dependence,</i> Proposal is located within walking distance of bus stops with regular services to Penrith and Mt Druitt situated on the eastern and western side of Manning Street.</p> <p><i>(j) potential for adaptive reuse.</i> Given the zoning of the site as R3 there is limited adaptive re-use potential on the site.</p>	
7.5	Protection of Scenic Character and Landscape Values	The site is not identified on the Land with Scenic and Landscape Values Map. Not applicable.	N/A
7.6	Salinity	Due to the nature and location of the site it is not likely to be affected by Saline Soils. Not applicable.	N/A
7.7	Servicing	The development site is well serviced by water and sewer and the required utility clearances will be obtained prior to works commencing on site.	Yes

PENRITH DEVELOPMENT CONTROL PLAN 2014 PART C – CITY-WIDE CONTROLS

The relevant Council controls have been identified and considered in the following compliance table.

Penrith Development Control Plan 2014 Compliance Table			
Clause	Controls	Comments	Complies
C1 Site Planning and Design Principles			
1.1	Site Planning	<p><u>1.1.1 Site Analysis</u></p> <p>A Site Analysis has been prepared and is attached as part of this application.</p> <p>The site analysis identifies the relevant considerations required by Council and acknowledges the unique opportunities and constraints of the site that have informed the design of the development proposal.</p>	Yes
		<p><u>1.1.2 Key Areas with Scenic and Landscape Values</u></p> <p>The subject site is not located within the Scenic and Landscape Values Map under the Penrith LEP 2010. Not applicable.</p>	N/A
1.2	Design Principles	<p><u>1.2.2 Built Form – Energy Efficiency and Conservation</u></p> <p>The proposed development has orientation that maximise solar access to most rooms and designed in a manner that achieves natural ventilation to some of the rooms.</p>	Yes
		<p><u>1.2.3 Building Form – Height, Bulk and Scale</u></p> <p>It is considered that the proposal will result in an appropriate outcome on site that responds to the unique characteristics of the site, noting development is compliant with prescribed height control.</p> <p>The subject area is currently undergoing a transformation from single storey residential dwelling to larger two storey residential dwelling, dual occupancies and medium density housing, with the proposal designed to be consistent with the evolving medium density-built form character along Edith</p>	Yes

Clause Controls	Comments	Complies
	<p>Street, noting development has been influenced and designed to be consistent with the form, style, bulk and scale of a comparable two storey boarding house within a R3 zone that has recently approved by Council within the subject are (55 Second Avenue, Kingswood).</p> <p><u>1.2.4 Responding to the Site's Topography and Landform</u></p> <p>The subject site responds to the topography and landform noting the land parcel relatively flat as such will not impact upon the site's ability to accommodate the proposed Boarding House development.</p> <p><u>1.2.5 Safety and Security (Principles of Crime Prevention through Environmental Design)</u></p> <p>The proposed development incorporates an active façade that will permit casual surveillance of Edith Street, as well as common areas and landscaped areas of the proposal.</p> <p>The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area.</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders.</p> <p>The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p> <p><u>1.2.6 Maximising Access and Adaptability</u></p> <p>The proposed development incorporates a suitable path of travel from the street to the units and provides 2 x accessible rooms.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
C2 Vegetation Management		
2.1	Preservation of Trees and Vegetation	<p>The subject site is within a well-established residential area, having historically been used for residential purposes and is</p> <p>Yes</p>

Clause	Controls	Comments	Complies
		<p>predominantly void of vegetation. It is noted that identified trees are to be removed to accommodate the proposed development. See attached plans for detail.</p> <p>The site is not identified as being located within the Natural Resource Sensitive Map under Penrith LEP 2010.</p> <p>The proposal will incorporate landscape embellishment works in accordance with the landscape plan to help soften the physical bulk and built form of the proposed development.</p> <p>The subject site does not contain any significant trees or vegetation.</p> <p>Landscaping of the site is to be undertaken in accordance with the attached Landscape Plan.</p>	
2.2	Biodiversity Corridors and Areas of Remnant Indigenous Vegetation in Non-Urban Areas	Subject site is not identified as being within a Natural Resource Sensitive Land under Penrith LEP 2010. Not applicable.	N/A
2.3	Bushfire Management	The subject site is not located in a bushfire prone area.	N/A
C3 Water Management			
3.2	Catchment Management and Water Quality	<p>Appropriate management of the site during the demolition and construction phases will contribute towards protecting the water system.</p> <p>A Stormwater Management Plan has been prepared and is attached as part of this application.</p>	Yes
3.3	Watercourses, Wetlands and Riparian Corridors	Subject site is not located within proximity to a watercourse, wetland or riparian corridor. Not applicable.	N/A
3.4	Groundwater	The proposed development is to be for a boarding house development. It is therefore considered that the risk of site contamination occurring during construction and future use of the site is low. Not applicable.	N/A

Clause	Controls	Comments	Complies
3.5	Flood Planning	The site is flood prone land but the impact of this is limited and engineering plans provide further detail noting the affectation is only to a corner of the site.	Yes
3.6	Stormwater Management and Drainage	A Stormwater Management Plan has been prepared and is attached as part of this application.	Yes
3.9	Water Sensitive Urban Design	<p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.</p> <p>The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.</p> <p>See attached Stormwater Management Plan for detail.</p>	Yes
C4 Land Management			
4.1	Site Stability and Earthworks	<p>This application seeks Council consent for the excavation of the site as per the attached plans. It is considered that the proposed excavation, will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p> <p>Further the extent of excavation to the ground floor is limited to the footprint of the dwellings to maximize landscaping above.</p>	Yes

Clause	Controls	Comments	Complies
		It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.	
4.3	Erosion and Sedimentation	<p>This application seeks Council consent for the excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation, will have minimal adverse environmental or amenity impact.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p> <p>An Erosion and Sediment Control Plan is attached as part of this application.</p>	Yes
4.4	Contaminated Lands	<p>A Phase 2 Environmental Site Assessment was undertaken within the subject site by EHO Consulting.</p> <p>Refer to attached Phase 2 Environmental Site Assessment for detail.</p>	Yes
4.5	Salinity	Due to the nature and location of the site it is not likely to be affected by Saline Soils, Not relevant.	N/A
C5 Waste Management			
		<p>A Waste Management Plan is attached as part of this application. Notwithstanding it is noted that waste is to be appropriately managed during the demolition and construction stages of the development.</p> <p>Bin storage area is located within the ground floor level and is designed to align with the Council design guidelines for a collect and return service.</p>	Yes
C6 Landscape Design			
		A landscape concept plan accompanies this development application.	Yes

Clause	Controls	Comments	Complies
		Where appropriate existing trees are to be retained. The concept plan details the landscape embellishment works proposed and these works is consistent with landscape works of other comparable low-density developments along Edith Street and surrounding streets and will also contribute towards softening the proposed built form.	
C7 Cultural and Heritage			
7.1	Heritage	<p>The site is not identified as a heritage item, and it is not located within a heritage conservation area, however there is a heritage item (I670 and I98) located near the subject site.</p> <p>Due to the nature of the proposal – a two storey new generation boarding house set within a landscape setting and with sufficient separation, the proposal will have no impact on the curtilage associated with the heritage item and therefore the development will have no impact on the heritage significance of heritage item 670 and 98. As a result, the subject site will not have any associated heritage restrictions.</p> <p>A heritage impact statement is not deemed to be necessary.</p>	Yes
7.2	Aboriginal Cultural and Heritage	Not relevant.	N/A
7.3	Significant Trees and Gardens	The subject site does not contain any trees or gardens that is considered to be of cultural, historical, scientific or aesthetic significant.	N/A
C10 Transport, Access and Parking			
10.2	Traffic Management and Safety	<p>It is considered that the vehicular access and exit points are clearly defined and provide for the safe and efficient movement of vehicular traffic on site and entering and exiting the site.</p> <p>The proposed car parking is provided within a basement level.</p>	Yes

Clause	Controls	Comments	Complies
		<p>It is noted that the development site will be landscaped and also contain fencing where practicable to help obscure any visual impacts and reduce any acoustic impacts associated with the vehicle access and parking arrangements.</p> <p>Furthermore, the proposal provides for the safe and efficient movement of pedestrian and vehicular traffic within the site and both entering and exiting the site.</p> <p>Vehicle and pedestrian routes are clearly indicated and accessible.</p> <p>Finally a traffic and parking effect of the proposal has been undertaken by Stantec which concludes that the proposed boarding house development is expected to have negligible impact on the existing local traffic and parking environments.</p>	
10.3	Key Transport Corridors	The subject site is not located within a key transport corridor. Not relevant.	N/A
10.5	Parking, Access and Driveways	<p>Proposed dimensions for car parking spaces are consistent with Council controls. See plan for detail.</p> <p>Proposed dimensions for car parking spaces are consistent with Council controls. See plan for detail.</p> <p>The development proposes parking in accordance with the ARH SEPP as detailed previously.</p>	Yes – ARH SEPP

PENRITH DEVELOPMENT CONTROL PLAN 2014 PART D – CITY-WIDE CONTROLS

State Environmental Planning Policy (Affordable Rental Housing) 2009 outlines the development standards for boarding houses within NSW.

The Penrith Development Control Plan 2014 does not apply to the development application as section D2 states that the DCP applies to dwelling houses, secondary dwelling, dual occupancy development, multi dwelling housing and residential flat development.

		5. No garages are proposed noting the vehicle, bicycle and motorcycle parking to be provided within a basement level.	Yes
		Finally, appropriate landscape is provided along the site's front setbacks. Refer to attached plans for detail.	
2.2.4	Urban Form	1. The proposal adopts a traditional orientation as far as practicable. The front setbacks are to be appropriately landscaped. Furthermore, the front façade of the boarding house has been designed with articulation features and window placements to present as a large 2 storey attached dual occupancy. It is also noted that appropriate rear and side landscaping is provided.	Yes
		3. The boarding house proposes parking within a basement level and as such the proposal will not have a gun barrel design.	Yes
		4. The development has been articulated through shadow casting features and stepping external walls.	Yes
		Where appropriate, the proposed building has been designed to incorporate a variety of roof forms and pitches. It is noted that the proposal provides windows in every elevation.	
2.2.5	Front and Rear Setbacks	1 & 2. The development provides a 6m rear setback to both the ground floor first floor.	Yes
	Rear Setback:		
	- Single Storey Component: 4m		
	- Two Storey Component: 6m		
	Front Setback: Average of neighboring development or 5.5m minimum.	3 & 4. Development is to provide a front setback of 7.5m from the primary building line and is to be landscaped with the primary frontage to reflect the existing dwelling configuration on the site. Whilst not fully compliance with the 'average of the adjoining' the setback proposed is considered suitable given the R3 zoning and likely forms of redevelopment in the locality.	Yes
		5. No garages proposed.	N/A

2.2.6	Building Envelope and Side Setbacks	1. 2 and 3. The proposal is within the building envelope. Complies.	Yes
		4. Cut and fill is limited to <500mm.	Yes
		5. The roof pitch is <25 degrees.	Yes
		6. The development provides side setbacks >900mm to the first-floor component and a minimum side setback of 2m from the primary building line to the second storey component.	Yes
	Side Setbacks: 900mm		
2.2.7	Driveways and Parking Areas	1. The proposal complies with the provisions in accordance with the parking section of the Penrith DCP 2014 and State Environmental Planning Policy (Affordable Rental Housing) 2009.	Yes – ARH SEPP 2009
		2. No garages are proposed.	N/A
		Driveways, access ways and car parking spaces are to be appropriately dimensioned in accordance with Council controls.	Yes
		The proposed car parking arrangement is to be appropriately integrated into the proposal and is consistent with existing development. In addition, vehicles can enter and leave the site in a forward direction.	
	Furthermore, it is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the safe and efficient movement of vehicular and pedestrian traffic. See attached plans for detail.		
2.2.8	Landscaped Area	Minimum landscaped area:	261.88m ² or 40.3% of the site is dedicated as landscaped area. Complies.
		40% of the site	Yes
2.2.9	Solar Planning	1. The proposal incorporates appropriate design features including window size and location that will permit adequate solar penetration.	Yes
		The proposal complies with the ARH SEPP in relation to the required 3 hours of solar	

		<p>access to the common room between 12 noon and 3pm.</p> <p>The proposal does not result in unacceptable overshadowing of adjoining residential properties. Appropriate setbacks are employed to ensure solar access and privacy to adjoining development.</p> <p>Shadow diagrams demonstrate that adjoining property to the site's immediate western boundary continues to receive adequate solar access at mid-winter, noting the majority of the shadow casted by the proposed development falls onto the existing street network. See shadow diagram for detail.</p>	
2.2.10	Significant Townscapes & Landscapes	The site is not within an area of townscape or landscape significance. Not relevant.	N/A
2.2.11	Corner Site and Park Frontages	Development site is a mid-block land parcel that does not front a park or reserve.	N/A
2.2.12	Building Design	<p>1. No dormer windows proposed.</p> <p>2. The proposal incorporates physical articulation of the built form and a mixed palette of building materials and finishes that are typical of comparable development within the locality and within the wider Penrith Local Government Area.</p> <p>Furthermore, the development adopts a variety of architectural features designed to minimise the apparent scale and bulk of the proposed two storey boarding house by:</p> <ul style="list-style-type: none"> • Incorporation of stepped alignment of walls • Articulation of the front façade • Alternate materials • Varied window placements. <p>Materials used are consistent with that existing in the area while being contemporary in character, including wall and awning cladding and a mix of face and painted brickwork.</p>	<p>N/A</p> <p>Yes</p>

		<p>The range of materials significantly contributes to the articulation of the building and reducing the overall bulk and mass of the building.</p> <p>The facade of the proposed 2-storey building includes windows and doors along all visible walls and feature facade to provide an attractive built form.</p>	
2.2.13	Energy Efficiency	<p>The proposal will comply with the accompanying Section J Report.</p> <p>Furthermore, the common rooms have been oriented to incorporate appropriate design features including window size and location that will permit adequate solar penetration.</p> <p>Appropriate shading devices are proposed to provide adequate shading from the summer sun.</p>	Yes
2.2.14	Design of Dwelling and Private Courtyards	<p>1. The proposal incorporates appropriate common open space in accordance with the ARH SEPP 2009.</p> <p>Private open space for each dwelling is not required under the ARH SEPP 2009.</p>	Yes – ARH SEPP 2009
2.2.15	Garage Design	<p>1. No garages are proposed.</p> <p>2. Development provides 7 car parking spaces as per SEPP (Affordable Rental Housing) 2009 within the basement level.</p>	N/A Yes
2.2.16	Garden Design	<p>Where appropriate, small to medium trees are to be planted along the sites front and side boundaries, noting an existing street tree is to be retained.</p> <p>See Landscape Plan for detail.</p>	Yes
2.2.17	Paving Design	<p>Where appropriate, hard paved surfaces are minimized to maximize landscaping and gardens.</p> <p>The proposal provides attractive driveways and provide soft verge planting.</p> <p>Refer to attached Landscape Plans for detail.</p>	Yes

2.2.18	Fencing and Retaining Walls	<p>Proposed fencing is to be consistent with that existing within Penrith Local Government Area of similar boarding house developments.</p> <p>The proposed fencing is compliant with Council controls.</p>	Yes
2.2.19	Visual and Acoustic Privacy and Outlook	<p>The proposal contains design elements that seek to reduce potential visual, privacy and acoustic impacts and promote a high standard of residential amenity.</p> <p>This includes the siting/layout of dwellings, location/size of windows, as well as the incorporating other elements including using landscaping, blank walls, offset windows and sill height windows to side elevations.</p> <p>It is considered that the proposed development produces an appropriate outcome on site that will provide a high level of residential amenity for future residents and will not adversely impact upon residential amenity currently enjoyed by adjoining properties.</p> <p>Finally, an Acoustic Report that accompanies this report has found that there is sufficient scope within the proposed building design to achieve the applied acoustic planning guidelines.</p>	Yes
2.2.20	Safety and Security	<p>The proposed development incorporates an active façade that will permit casual surveillance to Edith Street as well as driveway and landscaped areas of the proposal.</p> <p>The proposal incorporates open space and landscaped areas that will contribute to activity and natural surveillance of the area.</p> <p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit easy concealment of intruders. The proposed development is appropriate and provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p>	Yes

2.2.21	Accessibility and Adaptability	<p>Proposal has been designed to provide access to and from the site for people with a disability, including graded pedestrian pathways to and from the site.</p>	Yes
		<p>Dwellings have been designed to meet the needs of an ageing population, noting 2 of the rooms have been designed to meet accessibility standards.</p>	
D4 Other Land Uses			
5.11	Boarding Houses	<p><u>1 Local Character</u> Refer to discussion against the ARH SEPP 2009 'Character Test' provided previously within this statement where the proposal provides a suitable design response to the local character.</p>	Yes
		<p><u>2 Built Form, Scale and Appearance</u> a) The entry point to the boarding house is in a prominent position that addresses the street.</p>	Yes
		<p>b) The proposed small scale two-storey boarding house has been sited and oriented to protect the solar access of adjoining properties.</p>	Yes
		<p>The proposal does not result in unacceptable overshadowing of adjoining residential properties. Appropriate setbacks are employed to ensure solar access and privacy to adjoining development.</p>	
		<p>Shadow diagrams demonstrate that adjoining property to the site's immediate western boundary continues to receive adequate solar access at mid-winter, noting the majority of the shadow casted by the proposed development falls onto the existing street network. See shadow diagram for detail.</p>	
		<p>c) The boarding house has been designed to appear as a modern large attached two storey dual occupancy in-order to be consistent with the existing low density character within the immediate locality.</p>	Yes
		<p>d) The development has been designed protect the neighbouring amenity noting that potential privacy impacts are mitigated using</p>	Yes

building separation, reduced windows to side boundaries and the use of screens and noise impacts are reduced through siting the communal areas internally and communal open space towards the rear of the development site away from adjoining dwellings and road traffic areas. Refer to attached Acoustic Report for detail.

e) & f) As discussed extensively previously within this statement, the size of the site is not of a sufficient size to accommodate a multi dwelling housing development. Furthermore, it is worth noting that the immediate locality comprises predominantly of smaller lots which are not inductive to undertaking redevelopment for multi dwelling housing which typically requires cluster of large and deep lots and as such land parcels along Edna Street are more likely to be redeveloped as larger modern two storey forms including dual occupancies and unlikely to be redeveloped for multi dwelling housing in the medium term. This is evident with a lack of multi-dwelling housing development in the locality despite its R3 zoning. Considering Council approving comparable low-scale boarding houses within R3 zoned land parcel within the suburb, the development has been designed to comply with controls for dual occupancies as the site would alternatively be development as a dual occupancy form given the allotment size and frontage. This will also ensure that the proposal provides a building form and building envelope consistent with the existing low density character along Edna Street.

**Technical
Variation**

3 Tenant Amenity, Safety and Privacy

a) All 11 boarding house rooms and the managers room has been designed to be self contained in that each room is provided with a bathroom, kitchenette, laundry and living area. The boarding house also provides a communal room, communal open space and waste facilities.

Yes

b) DCP prescribes 10% of all boarding rooms (developments with more than 10 rooms) to be accessible. The development provides a total of 2 accessible/adaptable rooms or 16.7%). Complies.

Yes

c) Development has been designed where appropriate to achieve cross-ventilation.	Yes
d) All opening windows are to be provided with fly screens. This is to be enforced via condition of consent.	Yes
d) Appropriate and secured mailboxes are to be provided.	Yes
<u>4 Visual and Acoustic Amenity Impacts</u>	
a) Where appropriate, bedrooms are to be separated from significant noise sources. Refer to attached Acoustic Report for detail.	Yes
b) Appropriate sound insulation are to be provided between bedrooms. Noise insulation will be compliant with relevant BCA requirement. Refer to attached Acoustic Report for detail.	Yes
c) Communal areas and bedroom windows are primary located away from windows on adjoining buildings, noting windows are minimised to side elevation and the use of blank walls contribute towards mitigating potential privacy impacts to neighbouring properties.	Yes
d) Appropriate fencing and planning are provided along the site's side and rear boundaries.	Yes
<u>5 Visual and Acoustic Amenity Impacts</u>	
The proposed boarding house is not located in a cul-de-sac.	N/A
<u>6 Plan of Management</u>	
A Plan of Management has been prepared and accompanies this statement.	Yes

CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and considering the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

Plan of Management

NEW GENERATION BOARDING HOUSE: 6 EDITH STREET, KINGSWOOD



Prepared by Think Planners Pty Ltd

Date: 3 October 2019



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Plan of Management Overview

This Plan of Management has been prepared for the operation and management of a Boarding House at 6 Edith Street, Kingswood.

The boarding house is to accommodate a total of 12 rooms/suite & a managers residence, each with a full bathroom kitchenette and living area. The boarding house will accommodate a total of 23 lodgers based on the room size and configuration and as nominated on the plans. The manager's room is proposed in addition to these room numbers and is located at the ground floor in proximity to the common open space and communal room on the site.

This Plan of Management identifies appropriate strategies and procedures to address potential social or environmental impacts associated with Boarding Houses. The Plan of Management embraces current best practice methodologies such as casual surveillance, formal CCTV surveillance, clear contact points and procedures, complaint handling processes, articulation of responsibilities, and agreed house rules.

A plan of management is an accepted concept in environmental law and can be used in a range of circumstances. This plan of management assists in addressing the amenity impacts on the neighbours and integrating the proposed development with the existing development in the street.

The plan of management assists in addressing any adverse impacts on the amenity and characteristics of the established residential area. It provides a procedure to receive and resolve complaints and requires the appointment of an on site manager who will be contactable 24 hours a day, 7 days per week.

The measures outlined in this plan of management will be of assistance in maintaining the amenity and characteristics of the area.

This Plan of Management will require ongoing revision and may need to be updated to reflect any DA conditions of consent imposed by Council.

It is noted that this new generation boarding house will not be provided as a fully furnished product and therefore tenants are to provide their own furniture and associated furnishing for their room- more akin to a small studio apartment than a traditional boarding house.



Legislative Framework

The Boarding House is regulated by the Boarding Houses Act 2012 and the associated Boarding Houses Regulation 2013. The provisions of the Act and Regulations are to be complied with at all times.

Objects of the Act

The objects of the Act are to: *establish an appropriate regulatory framework for the delivery of quality services to residents of registrable boarding houses, and for the promotion and protection of the wellbeing of such residents, by:*

- (a) providing for a registration system for registrable boarding houses, and*
- (b) providing for certain occupancy principles to be observed with respect to the provision of accommodation to residents of registrable boarding houses and for appropriate mechanisms for the enforcement of those principles, and*
- (c) providing for the licensing and regulation of assisted boarding houses and their staff (including providing for service and accommodation standards at such boarding houses), and*
- (d) promoting the sustainability of, and continuous improvements in, the provision of services at registrable boarding houses.*

Definition

The proposal is defined as a 'general boarding house' under the Act:

- (2) Boarding premises are a **general boarding house** if the premises provide beds, for a fee or reward, for use by 5 or more residents (not counting any residents who are proprietors or managers of the premises or relatives of the proprietors or managers).*

Key Requirements

Registration of Boarding Houses

The boarding house is required to Notify the Commissioner the following according to Section 9:

9 Notification of particulars about registrable boarding house

(1) A proprietor of boarding premises that are used as a registrable boarding house must notify the Commissioner, in accordance with this section, of the following particulars so as to enable the Commissioner to include information about the boarding house in the Register:

- (a) the name, and the residential or business address, of each proprietor of the boarding house,*
- (b) the name (if any) and the address of the registrable boarding house,*
- (c) whether the boarding house is a general or regulated assisted boarding house,*
- (d) whether development consent or approval is required under the [Environmental Planning and Assessment Act 1979](#) to use the boarding house as boarding premises and, if so, whether such consent or approval has been granted,*
- (e) the number of residents of the registrable boarding house,*
- (f) the number of residents who are under 18 years of age,*



- (g) the name of the manager (if any) of the registrable boarding house,*
- (h) the total number of bedrooms provided as sleeping accommodation for the residents,*
- (i) such other particulars as may be approved by the Commissioner or prescribed by the regulations.*

The additional particulars specified by Section 9(1)(i) are identified in Section 4 of the Regulations and stated as:

(1) The following additional particulars are prescribed for the purposes of section 9 (1) (i) of the Act:

- (a) the telephone number and email address, if any, of the manager (if any) of the registrable boarding house,*
- (b) the telephone number, email address and website address, if any, of the registrable boarding house,*
- (c) the local government area in which the registrable boarding house is located,*
- (d) the telephone number and email address, if any, of each proprietor of the registrable boarding house,*
- (e) the maximum number of fee-paying residents who can be accommodated in the registrable boarding house,*
- (f) the method or methods for calculating charges for fee-paying residents and the fee amounts payable,*
- (g) the methods of payment used by fee-paying residents (including cash payments, credit cards, cheques, direct bank debits, money orders, BPay and Australia Post),*
- (h) the kinds of services provided to any residents (including accommodation, meals and personal care services),*
- (i) whether the registrable boarding house has special provisions for physical access and, if so, the kind of provisions provided,*
- (j) the numbers of residents who fit into each of the following categories (to the extent that it is reasonably practicable to ascertain this information):*
 - (i) males,*
 - (ii) females,*
 - (iii) elderly persons (that is, persons 60 years of age or more),*
 - (iv) students of tertiary institutions,*
 - (v) persons who are mentally ill persons within the meaning of the [Mental Health Act 2007](#),*
 - (vi) persons who have a disability (however arising and whether or not of a chronic episodic nature) that is attributable to an intellectual, psychiatric, sensory, physical or like impairment or to a combination of such impairments,*
 - (vii) persons with significant health problems,*
 - (viii) persons needing assistance with daily tasks and personal care.*

Occupancy Agreements

A written Occupancy Agreement is to be formulated in accordance with the Act and associated Regulations that sets out the terms of the occupancy agreement. The Occupancy Agreement is to align with the Occupancy Principles contained in Schedule 1 of the Act, as stated below (but may be updated from time to time):



Schedule 1 Occupancy principles

(Section 30 (1))

1 State of premises

A resident is entitled to live in premises that are:

- (a) reasonably clean, and*
- (b) in a reasonable state of repair, and*
- (c) reasonably secure.*

2 Rules of registrable boarding house

A resident is entitled to know the rules of the registrable boarding house before moving into the boarding house.

3 Penalties for breaches of agreement or house rules prohibited

A resident may not be required to pay a penalty for a breach of the occupancy agreement or the rules of the registrable boarding house.

4 Quiet enjoyment of premises

A resident is entitled to quiet enjoyment of the premises.

5 Inspections and repairs

A proprietor is entitled to enter the premises at a reasonable time on reasonable grounds to carry out inspections or repairs and for other reasonable purposes.

6 Notice of increase of occupancy fee

A resident is entitled to 4 weeks written notice before the proprietor increases the occupancy fee.

7 Utility charges

(1) The proprietor is entitled to charge a resident an additional amount for the use of a utility if:

- (a) the resident has been notified before or at the time of entering the occupancy agreement of the use of utilities in respect of which the resident will be charged, and*
- (b) the amount charged is based on the cost to the proprietor of providing the utility and a reasonable measure or estimate of the resident's use of that utility.*

*(2) A **utility** for the purposes of this clause is each of the following:*

- (a) the supply of electricity,*
- (b) the supply of gas,*
- (c) the supply of oil,*
- (d) the supply of water,*
- (e) the supply of any other service prescribed by the regulations.*

8 Payment of security deposits

(1) The proprietor may require and receive a security deposit from the resident or the resident's authorised representative only if:

- (a) the amount of the deposit does not exceed 2 weeks of occupancy fee under the occupancy agreement, and*
- (b) the amount is payable on or after the day on which the resident (or the resident's authorised representative) enters the agreement.*

(2) Within 12 days after the end of the occupancy agreement, the proprietor must repay to the resident (or the resident's authorised representative) the amount of the security deposit less the amount necessary to cover the following:



- (a) the reasonable cost of repairs to, or the restoration of, the registrable boarding house or goods within the premises of the boarding house, as a result of damage (other than fair wear and tear) caused by the resident or an invitee of the resident,*
 - (b) any occupation fees or other charges owing and payable under the occupancy agreement or this Act,*
 - (c) the reasonable cost of cleaning any part of the premises occupied by the resident not left reasonably clean by the resident, having regard to the condition of that part of the premises at the commencement of the occupancy,*
 - (d) the reasonable cost of replacing locks or other security devices altered, removed or added by the resident without the consent of the proprietor,*
 - (e) any other amounts prescribed by the regulations.*
- (3) The proprietor may retain the whole of the security deposit after the end of the occupancy agreement if the costs, fees or charges referred to in subclause (2) (a)–(e) are equal to, or exceed, the amount of the security deposit.*

(4) In this clause:

security deposit means an amount of money (however described) paid or payable by the resident of a registrable boarding house or another person as security against:

- (a) any failure by the resident to comply with the terms of an occupancy agreement, or*
- (b) any damage to the boarding house caused by the resident or an invitee of the resident, or*
- (c) any other matter or thing prescribed by the regulations.*

9 Information about occupancy termination

A resident is entitled to know why and how the occupancy may be terminated, including how much notice will be given before eviction.

10 Notice of eviction

- (1) A resident must not be evicted without reasonable written notice.*
- (2) In determining what is reasonable notice, the proprietor may take into account the safety of other residents, the proprietor and the manager of the registrable boarding house.*
- (3) Subclause (2) does not limit the circumstances that are relevant to the determination of what is reasonable notice.*

11 Use of alternative dispute resolution

A proprietor and resident should try to resolve disputes using reasonable dispute resolution processes.

12 Provision of written receipts

A resident must be given a written receipt for any money paid to the proprietor or a person on behalf of the proprietor.



Management of the Boarding House

The Boarding House will be managed by an appointed on-site manager, who will be contactable 24 hours a day and 7 days per week. In the event that the On-Site Manager is unable to be contacted (eg emergency, unwell, etc), a separate arrangement with a Property Management Company, that is to be a recognised property management firm operating as a business with relevant ABN and authorities for property management and is licensed under the Property Stock and Business Agents Act and associated regulations, will be made the point of contact. The On-Site Manager is to be trained and have resources to screen potential occupants, manage complaints efficiently and ensure maintenance of common property is systematic and thorough.

The On-Site Manager is to be engaged by contract on an annual basis. The appointment of a Property Management Company to cover for the On Site Manager in circumstances where 24hr 7 day per week contact is not possible will ensure that there is a management regime in place.

The On-Site Manager will be able to respond within short timeframes, and be responsible for contracts and contacts with maintenance persons and companies, manage the facilities for the recording and storing of CCTV footage, and have established relationships/contacts with security companies and services such as the NSW Police Force, NSW Ambulance Service and NSW Fire Brigade. Any matters that require urgent and potentially life threatening responses are the responsibility of either police, ambulance or fire services.

The On-Site Manager must:

- Be experienced in the operation of multiple occupancy residential development.
- Oversee all occupancy agreements and ensure such agreements align with the provisions of the Boarding Houses Act 2012 and associated Regulations, including setting out information about occupancy evictions (such as the amount of notice to be provided of eviction).
- Organise building and landscaping maintenance as required through the engaging of contractors to undertaken maintenance, landscaping and cleaning functions.
- Promptly address and respond to tenant issues and building operation and maintenance matters.
- Maintain an incident register and record any complaints. The register is to be made available to Council.
- Ensure that the total occupancy of the boarding rooms pursuant to the leases does not exceed 17 lodgers.
- Provide the tenant with a copy of the Resident Information Brochure and House Rules with any new occupancy agreement;
- Undertake periodic inspections of the boarding rooms to ensure that they are being maintained in a clean and tidy fashion and that maximum occupant numbers are maintained.
- Hold a Senior First Aid Certificate, Child Protection Clearance, and pass a Police Background Check.



Maintenance of Common Areas and Responsibilities

Common areas are to be maintained by users and spaces should be left as they are found- in a clean and tidy state.

A weekly cleaner will be employed, at the cost of the Boarding House owner, to ensure that the common property is clean and to take out the bins for the council garbage collection and subsequently bring in the bins after collection. Recycling bins and residual bins will be provided in each room to promote recycling.

The Boarding House On Site Manager is to employ the services of professional maintenance companies to undertake regular maintenance of the building. The maintenance companies are to enter the premises regularly and complete all maintenance required.

Any damage of internal or external property is repaired immediately together with all wear and tear items.

Maintenance of Individual Areas and Responsibilities

Individual residents are responsible for maintaining their rooms in a clean and tidy state and must be made available for inspection by the boarding house manager upon request (48 hours notice).

Laundry Areas & Chemical Storage

Residents are to purchase their own laundering consumables (including washing powder, detergent, and the like) and store them securely. Residents are to clean the laundry as required after use. Chemicals and poisons are to be secured in a lockable cupboard and labelled accordingly.

Resident Registers to be Kept

Resident Registers are to be completed by every person on arrival which includes but is not limited to: name, previous address, mobile phone contact, source of referral, date of arrival, estimated date of departure, vehicle registration, date of birth, number in party, age and gender of Children. This is to be stored by the boarding house manager in a secure location.

Resident Special Need Register are to be completed by every person which includes but is not limited to: details of any medication requirements, emergency contacts, disability access and any other information volunteered by resident in initial consultation in relation to special needs or personal information. This is to be stored by the boarding house manager in a secure location.



Pest Control Arrangements

Cleaning will also include regular inspections for vermin control and pest control services will be arranged by the boarding house manager on a regular basis.

Waste Management and Collection

A weekly cleaner will be employed, at the cost of the Boarding House owner, to ensure that the common property is clean and to take out the bins for the council garbage collection and subsequently bring in the bins after collection. Recycling bins and residual bins will be provided in each room to promote recycling.

Fire Safety

A Fire Safety Evacuation Plan will be prepared and attached to this Plan of Management prior to commencement of operations of the boarding house. The plan will contain pictorial instructions detailing evacuation steps in the case of an emergency. The plan is to include evacuation routes, assembly points, and a plan of action once a fire alarm has been activated. The Fire Safety Evacuation Plan is to be prominently located in each room and in the common area. The phone numbers of appropriate contacts will be prominently displayed throughout the premises e.g. NSW Police, Security Company, NSW Fire and Rescue, NSW Ambulance Service and other local emergency assistance services.

Emergency Contacts and Procedures

The phone numbers of appropriate contacts will be prominently displayed throughout the premises (foyer and common room) e.g. NSW Police, Security Company, NSW Fire and Rescue, NSW Ambulance Service and other local emergency assistance services. Phone numbers are also to be provided for appropriate support infrastructure service providers such as Telstra, Electrical Authority, Water Authority, local Council, etc.

Security and Access

Residents will be issued with 1 set of access keys to the common areas and their own individual room. They are not to be duplicated or given to any visitors to the site.

Conflict Resolution

Complaints from the community and between lodgers are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint. The task of the On-Site Manager is to ensure that all neighbourhood and internal complaints are recorded and management responses documented. A Management Diary and an Incident Register is to be kept.

The On Site Manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how the Boarding House intends minimising any further impact in the future on neighbours or between residents.



The procedures detailed in this Plan of Management are designed to minimise complaints. The On Site Manager is to deal with empathy and respect to any person making a complaint.

Complaints Mechanism: External

The On Site Manager is responsible for establishing contact and maintaining a relationship with the neighbours of the Boarding House within a 100m radius by undertaking the following tasks:

- Upon appointment letterbox drop all mail boxes within 100m radius of the Boarding Housing advising of their appointment and nominating all methods to contact them should any matter arise that warrants addressing. There shall be no less than two after hours contact numbers.
- Provide a clear sign at the front of the Boarding House, that is visible to the public, identifying the name of the On-site Manager and the methods of contacting the Manager in the event that there is a matter that warrants addressing.

Complaints from the community are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint.

The task of the On-Site Manager is to ensure that all neighbourhood complaints are recorded and management responses documented. A Management Diary and an Incident Register is to be kept. The On-Site Manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how the Boarding House intends minimising any further impact in the future.

The procedures detailed in this Plan of Management are designed to minimise complaints.

The On-Site Manager is to deal with empathy and respect to any person making a complaint.

Complaints Mechanism: Between Lodgers

The On Site Manager is responsible for acting as mediator in disputes between lodgers.

Complaints from the lodgers are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint.

The task of the On-Site Manager is to ensure that all complaints are recorded and management responses documented. A Management Diary and an Incident Register is to be kept.

The On-Site Manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how it is intended to minimise any further impact in the future.



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The procedures detailed in this Plan of Management are designed to minimise complaints.

The On-Site Manager is to deal with empathy and respect to any person making a complaint.

Location and Room Number of Manager

The manager's room is nominated on the plans at the rear of the site.



Code of Conduct: House Rules - Amenity of the Neighbourhood and Control of Noise

The draft “House Rules” for the Boarding House are attached to this Plan of Management. It is noted that the document is a draft as it outlines the minimum requirements to be implemented by the On-Site Manager; however it may be appropriate to amend and add to the House Rules as the Boarding House operations evolve.

The House Rules are to be prominently displayed in the common areas. Each new tenant is to be provided with a copy of the House Rules when signing their leasing agreement and agree to be bound by the House Rules.

Appropriate signage is to be provided within the building informing residents of the maximum number of guests permitted and limiting non-residents arrival and departure times.

House Rules relate to –

- the emission of noise (from within the boarding house and also the external spaces);
- prohibition of large gatherings and parties on the premises;
- interference with the peace and quiet of other residents and neighbours;
- volume of television and music players;
- control of alcohol intake and prohibition of illegal substances; and
- anti-social behaviour.

The emission of noise and appropriate hours for noise emission is dictated in legislation and enforced by parties such as the local Council.

The On Site Manager is to be familiar with the legislative requirements and rules and be aware of the relevant authorities that are responsible for enforcement of noise issues.

Parking Allocation

To avoid conflict parking spaces will be allocated to individual rooms as part of occupancy agreements. Any other vehicles are only permitted to park in lawful locations.



HOUSE RULES

The following rules are a condition of your occupancy agreement – Any breach of these rules will result in termination of your occupancy agreement.

Resident Behaviour & Neighbour Relations

Each occupant is required to ensure that other occupants of this boarding house as well as surrounding neighbours are allowed to peacefully and quietly enjoy their own premises. Each occupant is required to ensure they do not do anything or allow anything to occur that will impact on the quiet enjoyment of each tenant and neighbour of this boarding house.

Occupants of each boarding room shall make available their boarding room available for inspection by the property manager. This shall be by appointment with 24 hours' notice. However, in the case of an emergency, no notice is required and the property manager may use the spare key to enter the premises

Occupants are not to congregate in groups in any part of the common property, especially the external common property. Anti-social behaviour of any kind is prohibited and will be referred immediately to the police.

Any breach of the house rules will result in warnings initially, and in the case of persistent and serious breaches, termination of your lease and eviction from the premises.

Noise & Radio/TV

At any time noisy activities are occurring, occupants should keep doors any windows closed where possible to reduce noise emission and impact on neighbours.

Television, music players and any other sound emitting device should be kept at a moderate level and not be audible from neighbouring properties

Use of External Areas

The common room and common courtyard shall only be used during the following Hours:

- Sunday to Thursday 7am to 10pm
- Friday and Saturday 7am to 10pm



Alcohol and Smoking

No Alcohol or illegal substances are to be consumed or be brought into common property at any time. Alcohol consumed in rooms must be disposed of in designated recycling bins.

No smoking is permitted within the Boarding House. Smoking is to be limited to visually obscured external open space areas only. No smoking is to be undertaken at the front of the property, only in the designated external smoking spaces.

Appropriate signage is provided within the building informing residents of restrictions that apply in relation to smoking, alcohol and drug usage.

Parking of Vehicles

Any cars unable to be accommodated on site will be parked on the street network and are not to block driveways or being parked in no parking or no stopping zones.

Register of Complaints & Dealing with Complaints: Neighbours

The On-Site Manager is responsible for establishing contact and maintaining a relationship with the neighbours of the Boarding House within a 100m radius by undertaking the following tasks:

- Upon appointment letterbox drop all mail boxes within 100m radius of the Boarding Housing advising of their appointment and nominating all methods to contact them should any matter arise that warrants addressing. There shall be no less than two after hours contact numbers.
- Provide a clear sign at the front of the Boarding House, that is visible to the public, identifying the name of the On-Site Manager and the methods of contacting the Manager in the event that there is a matter that warrants addressing.

Complaints from the community are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint. This is to include specific room numbers that generate complaints.

The task of the On-Site Manager is to ensure that all neighbourhood complaints are recorded and management responses documented. A Management Diary and an Incident Register is to be kept.

The On-Site Manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how the Boarding House intends minimising any further impact in the future.



Register of Complaints & Dealing with Complaints: Between Tenants

If conflict between lodgers cannot be resolved amicably complaints are to be directed to the boarding house manager who will act as a mediator between lodgers. Complaints are to be noted in an Incident Diary with details of the complaint and the action taken to address the complaint.

This is to include specific room numbers that generate complaints.

The task of the On-Site Manager is to ensure that all internal complaints are recorded and management responses documented. A Management Diary and an Incident Register is to be kept.

The On-Site Manager will listen to complaints or respond to correspondence and detail procedures to the persons complaining as to how it is intended to minimise any further impact in the future.

Cleaning Schedules

Each resident is required keep common areas clean. After using common facilities such as the kitchen or bathroom, residents are clean up after themselves. Residents are encouraged to use their own private kitchen and bathroom where possible.

Common areas are to be maintained by users and spaces should be left as they are found- in a clean and tidy state.

A weekly cleaner will be employed, at the cost of the Boarding House owner, to ensure that the common property is clean and to take out the bins for the council garbage collection and subsequently bring in the bins after collection. Recycling bins and residual bins will be provided in each room to promote recycling.

Waste Disposal

Waste is to be disposed to the communal waste bins once bins are full;

Number of Approved Boarding House Rooms

There are to be no more than 2 lodgers in each room.

Boarding House Manager

The Manager is located at the rear of the site on the ground floor in proximity to the common room.



Common Areas and Usage Times

Common areas are available for the enjoyment of boarders provided good order is maintained. All waste is to be disposed of and not left in the common areas or externally in common areas;

The common room and common courtyard shall only be used during the following Hours:

- Sunday to Thursday 7am to 10pm
- Friday and Saturday 7am to 10pm

Behaviour and Guest Visiting Times

Each tenant of this boarding house is responsible for themselves and their visitors. Tenants should ensure their visitors enter and exit the site in a quiet and respectful manner, having regard to the time of day or night they are entering or exiting the site.

Animals

There is to be no keeping of animals on the premises as this may compromise the health and/or safety of other residents and will impact upon maintenance and cleanliness requirements within the Boarding House.

Smoking

No smoking is permitted within the Boarding House. Smoking is to be limited to visually obscured external open space areas only. No smoking is to be undertaken at the front of the property, only in the designated external smoking spaces.

Alcohol and Drugs

No Alcohol or illegal substances are to be consumed or be brought into common property at any time. Alcohol consumed in rooms must be disposed of in designated recycling bins.

Security

The Boarding House is to be fitted with recording CCTV cameras in the common areas such entries, car parking area and common lounge room. All movement in these areas is to be recorded and monitored. The footage is to be capable of being viewed live and recorded, over the Internet from any fixed or portable Internet viewing device, from anywhere locally or internationally. The continual electronic monitoring and recording of common areas is a key function of providing actual and perceived security. These premises are under 24/7 video surveillance which is recorded and held and will be provided to council and/or law enforcement at any time. Disturbances are to be reported to the manager and NSW Police (if manager unavailable).



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Function and Event Restrictions

No parties or any other noise generating activity is to occur after 10pm Sunday to Thursday and after midnight Friday and Saturday