

Penrith Development Control Plan 2014: Schedule of Compliance

The following table provides an assessment of the proposal against the Penrith Development Control Plan 2010.

TABLE 1 – PENRITH DEVELOPMENT CONTROL PLAN 2014

CONTROL	COMMENTS	COMPLIANCE
B DCP Principles		
The principles and objectives should be addressed as part of any development application to Council.	This development application is generally compliant with the relevant controls of this DCP and the principles provided in Section B. The proposed will ensure the continued commercial viability of St Mary's Leagues Club, provide employment opportunities, and provide a gathering place for the local community.	YES
C1 Site Planning and Design Principles		
1.1.2 Key Areas with Scenic and Landscape Values		
The key principles should be addressed in a visual impact assessment to minimise the visual impact of the development and protect areas with high scenic and landscape values:	Whilst the site is just outside the area illustrated on the Scenic and Landscape Values Map accompanying the PLEP 2010 this development has taken the scenic value of the surrounding area into consideration within the proposed design and as such has been designed to conserve the visual landscape of the surrounding area.	YES
1) New proposals on land identified on the Penrith LEP 2010 Scenic and Landscape Values Map (including gateway sites) or on land zoned E1 National Parks and Nature Reserves or E2 Environmental Conservation, are to submit a visual impact assessment with their development application. This assessment involves describing, analysing and evaluating the visual impacts of the proposed development, and identifying measures to minimise the impacts and ensure the development is sympathetic to the scenic and landscape character of the area.	Refer above:	YES
1.2.1. Application of Certification System		
a) Non-residential developments, including mixed-use developments, with a construction cost of \$1 million or more are to demonstrate a commitment to achieving no less than 4 stars under Green Star or 4.5 stars under the Australian Building Greenhouse Rating system, now part of the National Australian Built Environment Rating System (NABERS).	ESD has been addressed within the accompanying ESD Initiatives Report for Proposed Hotel prepared by AECOM, provided with the ESD initiatives report appended to the SEE.	YES
1.2.2. Built Form - Energy Efficiency and Conservation		
a) The selection criteria for construction materials, including internal fit-out work,	The building design will incorporate steel with a high percentage of post-consumer	YES

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should include detailed documentation of their energy efficiency properties.	recycled content and will utilise existing engineering services available in the Club.	
b) Buildings should be designed on passive solar design principles.	The development is designed to maximise passive design elements.	YES
<p>c) The future use and occupants of the building should be considered in the design and location of building services/equipment to ensure that:</p> <p>i) The thermal comfort of occupants is optimised through zoning sections of the floor area to enable individual control of heating and cooling;</p> <p>ii) Lighting systems and fittings have reduced energy consumption that are also appropriate for the use/activity located in that part of the building;</p> <p>iii) The equipment or service will be used and its future use will not affect other elements of sustainability; and</p> <p>iv) Sub-metering of building services is provided to individual tenancies within the development to enable individual monitoring of consumption performance.</p>	<p>The Hotel development will be designed to maximise occupant thermal comfort with considered mechanical design appropriately zoned and optimised to achieve comfort conditions. The mechanical system controls for the Hotel will be designed to monitor internal conditions of the occupied spaces and adjust the supply conditions as appropriate to maximise occupant comfort..</p> <p>The internal lighting system of the Hotel will be designed to be energy efficient and exceed the minimum requirements of NCC Section J Part J6 in lighting power density.</p> <p>Electricity and gas sub-metering will help facilitate on-going management of energy consumption for the Hotel. The energy sub-metering will be provided to comply with the requirements of the NCC Section J Part J8.3. This includes separate energy metering for air-conditioning, lighting, power, central hot water supply, internal transport devices and other ancillary plant.</p> <p>Issues related to energy efficiency and conservation are addressed in the accompanying ESD Initiatives Report appended to this SEE.</p>	YES
d) Common and service areas in the building should incorporate energy and water efficiency/conservation measures in their design and location.	Energy and water conservation initiatives will be adopted throughout the facility.	YES
1.2.3 Building Form – Height Bulk and Scale		
a) Context: An applicant must demonstrate how all proposed buildings are consistent with the height, bulk and scale of adjacent buildings and buildings of a similar type and use.	<p>The existing leagues club whilst relatively low in height has a large overall footprint. The height of hotel building will be higher than the adjacent buildings on the site it will be considerably smaller in overall footprint and is relatively narrow in depth.</p> <p>The location of the hotel to the east of the main leagues club building and setback 55m from the Boronia Road frontage and 200m from the Forrester Road Frontage and will be partially screened by the existing building and proposed landscaping along the Boronia Road frontage. In terms of height, bulk and scale it is also noted</p>	YES

CONTROL	COMMENTS	COMPLIANCE
	that the site is not subject to either a maximum height or floor space ratio control and Council's Urban Design Review Panel did not raise the height bulk or scale in relation to the existing buildings on the site as issues when reviewing the proposed scheme in February 2016	
b) Character: An applicant must demonstrate how any building's height, bulk and scale will avoid or minimise negative impacts on an area's landscape, scenic or rural character (where relevant) taking into account the topography of the area, the surrounding landscape and views to and from the site.	The architect has addressed the visual impact of the proposal. Given the size of the site and its use as a major regional registered club, with additional permitted uses that permit hotel and motel development with no height or floor space controls, the proposed development is appropriate for the site. The building will incorporate high quality materials and finishes and will add visual interest to this site, providing an elevated focal point that will draw the eye away from the large expanse of car existing at grade car parking areas.	YES
c) Articulation: Where the dimension of the building is 20m or more, an applicant must demonstrate how the building or surface has been articulated (either through built form or materials) to minimise impact on bulk and scale.	Façade surfaces have been articulated with windows inset from the main façade and aligned vertically. The building has two distinct horizontal sections with the ground floor lobby, porte-cochere and carpark landscape screening providing visual interest and contrast to the more linear hotel levels above. The lobby areas use glass walls which add permeability and helps in minimising the visual bulk of the building from the ground level. The building also appears as two vertical sections through the articulation of the western and eastern facades.	YES
d) Overshadowing: Building locations, height and setbacks should seek to minimise any additional overshadowing of adjacent buildings and/or public spaces where there would be a significant reduction in amenity for users of those buildings/spaces.	Given the use of the adjacent club on the site is inwardly focused and that the hotel is setback 55m from Boronia Road, overshadowing from the hotel building is not considered to be an issue.	YES
<p>e) Setbacks/Separations: Buildings should be sufficiently set back from property boundaries and other buildings to:</p> <p>i) Maintain consistency with the street context and streetscape character, especially street/front setbacks;</p> <p>ii) Maximise visual and acoustic privacy, especially for sensitive land uses;</p> <p>iii) Maximise deep root planting areas that will support landscape and significant</p>	<p>The location of the hotel to the east of the main leagues club building and setback 55m from the Boronia Road frontage and 200m from the Forrester Road Frontage.</p> <p>The proposed landscaping demonstrates consistency with the existing landscape setback to Boronia Road. This landscaped area will support deep root planting areas and will enhance the visual character of this frontage. This landscape area will provide visual softening and screening of the existing built upon areas of the site. A turfed swale along the perimeter of the parking areas will assist in the overall stormwater management on the subject site.</p>	YES

CONTROL	COMMENTS	COMPLIANCE
<p>tree plantings integrated with the built form, enhancing the streetscape character and reducing a building's visual impact and scale;</p> <p>iv) Maximise permeable surface areas for stormwater management; and</p> <p>v) Minimise overshadowing.</p>		
<p>f) Building Façade Treatment: The aim is to ensure that any built form will:</p> <p>i) promote a high architectural quality commensurate with the type of building and land use;</p> <p>ii) adopt façade treatments which define, activate and enhance the public domain and street character;</p> <p>iii) ensure that building elements are integrated into the overall building form and façade design;</p> <p>iv) compose façades with an appropriate scale, rhythm and proportion that responds to the building's desired contextual character;</p> <p>v) design façades to reflect the orientation of the site using elements such as sun shading, light shelves and appropriate glazing as environmental controls;</p> <p>vi) express important corners by giving visual prominence to parts of the façade, for example, a change in building articulation, material or colour, roof expression or building height, and</p> <p>vii) co-ordinate and integrate building services to improve the visual presentation.</p>	<p>The proposed façade treatment as demonstrated within the accompanying photomontage is considered to be of a high quality commensurate with the type of hotel building and designed to attract a high quality established tenant.</p> <p>The ground floor lobby and porte-cochere will provide visual interest and activity to the areas surrounding the building. All building elements and services are integrated into the overall building form including concealed gutters and downpipes and parapets to conceal rooftop plant and lift overruns.</p> <p>Facades have appropriate scale, rhythm and proportion which reflect the land use whilst respecting the adjacent land uses on the site.</p> <p>The facades reflect the orientation and are provided with appropriate sun shading elements such as inset windows, eaves and appropriate glazing to minimise noise intrusion.</p> <p>Colours and materials and articulation serve to break up the façade into distinct horizontal and vertical sections providing visual interest and reducing the overall bulk and scale of the building.</p>	YES
<p>g) Roof Design: The roof is an important architectural element of any building and:</p> <p>i) the shape and form of the roof should respond to its surrounding context and minimise visual impact from any key viewpoints; and</p>	<p>A continuous parapet has been provided to conceal roof elements such as plant areas and lift overruns, the roof is consistent with the shape and rhythm of the building.</p>	YES

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ii) should consider opportunities for incorporating 'green roofs'.		
1.2.4. Responding to the Site's Topography and Landform		
a) Applicants must demonstrate how the development responds to the natural topography and landform of the site based on analysis drawings.	Topography of the site has a very slight slope to the east towards Ropes Creek which runs from south to north-west generally parallel to the site boundary. However the topography of the hard stand area on which the hotel is to be developed is relatively flat. There are minimal topographical features of the site that require a detailed design response.	YES
b) Any built form should be located, oriented and designed to minimise excavation, cut and fill in accordance with the requirements of the Land Management Section of this Plan.	Proposal requires minimal excavation.	YES
c) The built form should respond to the natural topography by: i) Avoiding steep slopes for buildings; ii) Aligning the built form with the contours; and iii) Utilising split level design on gentler slopes.	Refer above site is relatively flat.	YES
d) Where relevant, buildings should be placed so there is a backdrop of a hill, slope or rise behind the building. In this way, the ridgeline of any building is lower than the highest level of any hill, slope or rise on which the building is placed to avoid being visible above that hill, slope or rise.	Refer above site is relatively flat	YES
1.2.5. Safety and Security (Principles of Crime Prevention Through Environmental Design)		
Principle 1: Natural Surveillance	Public areas such as the car park and building have a clear view from the street, allowing passive surveillance of the area. The nature of the additions will not greatly alter the visibility of public areas or shelter entrances from public view.	YES
Principle 2: Access Control	The building entrance is highly visible and apparent from the street. The entrance to the facility is clearly identified through the use of a visually prominent porte cochere.	YES

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	The lobby areas are distinctly apparent through the use of glazing. The existing fencing and vegetation on the boundary of the site acts as a barrier. The leagues club site is provided with 24 hour security and entrance supervision.	
Principle 3: Territorial Reinforcement	The existing and proposed boundary landscaping reinforce the boundary of the site and delineates public and private land.	YES
Principle 4: Space Management	Existing space management regimes will be maintained and appropriated to the expansion.	YES
1.2.6. Maximising Access and Adaptability		
<p>It is more important that development which involves frequent public use conforms to the principles of Universal Design, wherever practical, as it is this form of development where equity of access is most critical. This type of development includes (but is not limited to):</p> <p>c) Function centres, restaurants, registered clubs and the like; development applications for any of the above uses should address the principles of Universal Design in the Statement of Environmental Effects.</p>	Issues relating to accessibility are addressed in the DDA Access Report appended to the SEE.	YES
a) Principle 1 – Equitable use: The design is useful and marketable to people with diverse abilities.	<p>The design is marketable to people with diverse abilities. Adaptable rooms, bathrooms and car parking are provided which meet the requirements of the relevant Australian Standards. An accessible path of travel has been provided by a covered 1:20 walkway to the leagues club.</p> <p>An access report has been provided by Design Confidence and has been included within the appendices.</p>	YES
b) Principle 2 – Flexibility in use: The design accommodates a wide range of individual preferences and abilities.	The design of the hotel is considered to be flexible to accommodate a wide range of individual preferences and abilities through the inclusion of ** adaptable rooms.	YES
c) Principle 3 – Simple and intuitive use: Use of the design is easy to understand regardless of the individual’s experience, knowledge, language skills or current	The design of the hotel is linear and legible to all users. The entry is readily apparent and level access is provided to all areas within the lobby. Access to the	YES

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concentration levels.	upper floors is provided by lift.	
d) Principle 4 – Perceptible information: The design communicates useable information effectively to the user regardless of ambient conditions or the user’s sensory abilities.	As per the above the design clearly communicates the use of the building through legible entry points and physical connection via an accessible walkway to the main leagues club building.	YES
e) Principle 5 – Tolerance for error: The design minimises hazards and the adverse consequences of accidental or unintended actions.	Level access is provided to the ground floor entry points, and a covered accessible walkway provides all weather access to the adjacent leagues club for all guests of the hotel. It is considered that the design minimises the hazards and adverse consequences of accidental or unintended actions,	YES
f) Principle 6 – Low physical effort: The design can be used effectively and comfortably with a minimum of fatigue.	The design of the hotel allows for all users to utilise all facilities on the subject site comfortably with a minimum of fatigue. The site is relatively flat with minimal changes in grade. Lifts provide access to all levels of the hotel building; adaptable rooms are located in proximity to the lift cores.	
g) Principle 7 – Size and space for approach and use: Appropriate size is provided for approach, manipulation and use regardless of users body size, posture or mobility.	The design allows for adequate size and space for all users. Sufficient space has been provided within the accessible rooms for wheelchair manoeuvrability. Lobby area is large and open within minimal obstructions.	
C2 Vegetation Management		
1. Development Consent		
a) In accordance with Clause 5.9 of Penrith LEP 2010, a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation which is prescribed by this Plan without development consent.	No trees are proposed to be removed.	YES
2.3 Bushfire Management		
a) If land is identified as 'bushfire prone land' on the Bushfire Prone Land Map, then any development application on that land must address the bush fire protection measures set out in the document 'Planning for Bushfire Protection 2006 (PBP).	A portion of the subject site is bushfire prone land. Refer to accompanying bushfire statement within the appendices.	YES

CONTROL	COMMENTS	COMPLIANCE
<p>b) If the development proposes the subdivision of land for residential and rural-residential purposes or is a development which has been identified as 'special fire protection purposes', then the development will be Integrated Development under the Environmental Planning and Assessment Act 1979.</p> <p>A development identified as 'special fire protection purposes' includes:</p> <ul style="list-style-type: none"> i) a school ii) a child care centre iii) a hospital iv) a hotel, motel or other tourist accommodation v) seniors housing vi) a group home vii) any other purpose prescribed by section 100B (6) of the Rural Fires Act 1997. 	<p>Development for the purposes of a hotel is considered to be a "special fire protection purpose" and located on land identified as Bushfire Prone Land as such approval is required by the NSW Rural Fire Service.</p> <p>Refer to accompanying bushfire statement within the appendices.</p>	<p>YES</p>
<p>2. Bushfire Assessment Report</p> <p>a) A Bushfire Assessment Report, prepared in accordance with the PBP, must accompany all development applications on land identified as bush fire prone land. (For report requirements, see Appendix F3 – DA Submission Requirements).</p>	<p>Refer to accompanying bushfire statement at Appendix K</p>	<p>YES</p>
<p>C3 Water Management</p>		
<p>3.2. Catchment Management and Water Quality</p>		
<p>2. Addressing Potential Catchment Impacts</p>		
<p>All applications to Council, where there is the potential to impact upon a water system, are required to identify in the application the relevant water systems in the catchment area of the site that may be affected and address how any potential</p>	<p>Given the development is not located immediately adjacent to the riparian corridor, , the development is not considered likely to impact the water system.</p>	<p>YES</p>

CONTROL	COMMENTS	COMPLIANCE
impacts will be mitigated/avoided.		
3. Water Quality for all Land Uses		
a) Where any development could result in water quality impacts in nearby surface water systems, the water quality at that system is to be monitored for pollutants prior to the commencement of works, and at regular intervals during construction and/or operation.	Given the development is not located immediately adjacent to the riparian corridor and located on an existing hard stand area, the development is not considered likely to impact the water system. An erosion and sediment control plan has been prepared and included within the civil engineering package. In addition a turfed swale will be provided to improve the water quality entering the site drainage system which flows to the existing dam. This, along with existing vegetation between the site and Ropes Creek will service to trap pollutants before they are able to enter the waterway.	YES
4) Council Approval Requirements for WSUD Systems		
.Development types required to meet water conservation and stormwater quality and quantity targets are defined in Table C3.1. The performance criteria required to be met are listed below under subsection '5) WSUD Development Controls'. Affected developments must submit a WSUD Strategy (report dealing with measures to be implemented as part of the development) with a Development Application.	Given the development is not located immediately adjacent to the riparian corridor and that it is an addition to an existing building, the development is not considered likely to impact the water system. However some water quality measures have been incorporated into the proposed development in the form of a turf swale along the perimeter of the car park.	YES
3.3. Watercourses, Wetlands and Riparian Corridors		
If any activities/land uses are proposed near a watercourse, the <i>Water Management Act 2000</i> may apply and you may be required to seek a Controlled Activity Approval from the NSW Department of Environment, Climate Change and Water.	The site on which the hotel is to be developed is not within 40m of a watercourse and as such a controlled activity approval is not required.	YES
3.5. Flood Liable Lands		
Where relevant, a comprehensive flood study, incorporating: i) a survey of the main watercourse; ii) a survey of the site; and	The portion of land on which the hotel is to be developed is not shown to be flood affected. Nevertheless flooding has been considered in the Civil design of the project. This is because the northern portion of the site is shown to be flood affected. The Civil Design Report provided by Taylor Thomson Whitting notes the proposed	YES

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<p>iii) a detailed flood and drainage investigation which establishes the estimated 1:100 ARI flood level; is to be submitted with any development application on land identified as fully or partially flood affected (See Appendix F3 for detailed requirements). The levels on the survey are required to be verified during construction by a survey certificate.</p>	<p>development will have a negligible impact on the 100 year ARI flood plain. All proposed habitable finished floor levels (FFL's) will be located a minimum of 500mm above the 100 year ARI flood level.</p>	
<p>i) The development will not increase the flood hazard or risk to other properties;</p>	<p>Portion of the site to which this development relates is not shown to be flood affected</p>	<p>YES</p>
<p>6) Industrial/Commercial - New Development</p> <p>a) Floor levels shall be at least 0.5m above the 1% AEP (100 year ARI) flood or the buildings shall be flood-proofed to a least 0.5m above the 1% AEP (100 year ARI) flood If floor levels are below the 1% AEP (100 year ARI) flood the matters listed in section 7</p> <p>i) – vii) shall be addressed.</p> <p>b) Flood safe access and emergency egress shall be provided to all new developments.</p>	<p>Portion of the site to which this development relates is not shown to be flood affected</p>	<p>YES</p>
<p>12. Other land uses which may attract large numbers of people</p>		
<p>Council will generally not support an application for any land use which may attract large numbers of people (including schools, function centres, child care centres, hostels, etc) on land below the flood planning level and on land that cannot be safely and effectively evacuated during a 1:100 ARI flood event.</p>	<p>Portion of the site to which this development relates is not shown to be flood affected</p>	<p>YES</p>
<p>13 Overland Flow Flooding</p>		
<p>a) Council has undertaken a Penrith Overland Flow Flood 'Overview' Study. Consideration must be given to the impact on any overland flow path. Generally, Council will not support development obstructing overland flow paths. Development is required to demonstrate that any overland flow is maintained for the 1% AEP (100 year ARI) overland flow. A merit based approach will be taken when assessing</p>	<p>Overland flows have been considered in the Civil design. The Civil Design Report 500mm freeboard will be provided to the local overland flow paths, this exceeds the 150mm free board which is usually required for overland flow paths. The report also notes that the existing flood extent does not encroach into the proposed hotel location</p>	<p>YES</p>

CONTROL	COMMENTS	COMPLIANCE
development applications that affect the overland flow.		
15. Filling of Land Below the Flood Planning Level		
a) Flood levels are not increased by more than 0.1 metre by the proposed filling;	No filling of land is proposed below the flood planning level	N/A
b) Downstream velocities are not increased by more than 10% by the proposed filling	Refer above	N/A
c) The potential for cumulative effects of possible filling proposals in that area is minimal	Refer above	N/A
e) There are alternative opportunities for flood storage	Refer above	N/A
f) The development potential of surrounding properties is not adversely affected by the filling proposal	Refer above	N/A
g) The flood liability of buildings on surrounding properties is not increased	Refer above	N/A
3.6 Stormwater Management and Drainage		
1. Natural Environment		
<p>a) Runoff must not be discharged into bushland areas.</p> <p>b) Pipe outlets shall be treated with measures to dissipate stormwater velocity, except where waters will enter a formed channel or similar structure that is unlikely to be damaged by water flowing in at high velocity.</p> <p>c) Permeable ground surfaces are to be maintained as far as possible, and where suitable conditions exist, stormwater is to be infiltrated on-site.</p>	<p>A Stormwater Concept Plan has been submitted with the application and is accompanied by supporting report and calculations. The stormwater drainage will be designed to maintain the existing level of protection for the site. It will consist of a minor and major system, providing the following minimum levels of protection as required by Penrith City Councils DCP.</p> <p>Stormwater will be directed into the on-site system which flows to the existing dam to the north of the site. A turf drainage swale has been provided around the perimeter of the car park area as detailed in the accompanying stormwater management documentation.</p>	YES

CONTROL	COMMENTS	COMPLIANCE
<p>2. Drainage</p>		
<p>a) The development of any lot should take into account the existing drainage patterns of the area, including any localised ponding, and whether the proposed development is likely to affect:</p> <ul style="list-style-type: none"> i) Access to the site; ii) Drainage on adjoining properties; iii) Localised nuisance flooding on adjoining properties; and iv) Natural overland flow or drainage paths. <p>b) In areas where there are no defined drainage patterns, Council may require the applicant to liaise with the adjoining owners regarding the construction of a drain or channel to an existing watercourse.</p> <p>c) Depending on the scale of the proposed development, the applicant may be required to address the other matters within the DCP within their application:</p> <p>d) If the site does not have access to Council's stormwater drainage system, all drainage should be designed to ensure that the intensity, quantity and quality of surface runoff is not detrimental to downstream properties and watercourses.</p> <p>e) If the site has access to Council's stormwater drainage system, all roof and surface water that is not recycled for use on the site must be discharged into Council's stormwater drainage system. No surface drainage will be permitted to discharge across Council's footways or reserves or enter adjoining land.</p> <p>f) The applicant should demonstrate how existing soil type and associated constraints (e.g. salinity and poor percolation) have been considered in the drainage design.</p>	<p>A Stormwater Concept Plan has been submitted with the application and accompanied by supporting report and calculations.</p> <p>The current site generally falls in north to north-easterly direction towards the existing football ground. The proposed development will only result in a small increase in impervious area due to the location of the proposed hotel building being within the existing carpark. The proposed site is part of the catchment that falls towards the dam located to the north of the club. Based on the previous developments within the club, we understand that Penrith City Council does not require on-site detention (OSD) for catchments draining to the dam.</p> <p>Water quality treatment will be provided from swales located directly behind a broken kerb.</p>	<p>YES</p>

CONTROL	COMMENTS	COMPLIANCE
3. On-Site Stormwater Detention (OSD)		
<p>a) Adequate stormwater systems shall be designed and constructed to ensure that, for all rainwater events up to and including the 1:100 Average Recurrence Interval (ARI) event, new developments and redevelopments do not increase stormwater peak flows in any downstream areas.</p> <p>b) On-site stormwater detention systems must release water after any rainfall event to maximise future capacity and, therefore, cannot include rainwater tanks, water retention basins or dams.</p> <p>c) Detention storage is to be located at a level that is above the 1:5 ARI flood level.</p> <p>d) On-site detention systems are to be designed using a catchment wide approach. Advice should be sought from Council's Engineering Services Unit in this regard.</p> <p>e) For developments above 2 hectares, designs shall be prepared by a suitably qualified civil engineer.</p> <p>f) On-site stormwater detention mechanisms should have a maintenance program in place.</p> <p>g) On-site stormwater detention mechanisms should be placed on the title of the relevant allotment/property to ensure their retention and maintenance.</p>	<p>Based on the previous developments within the club, we understand that Penrith City Council does not require on-site detention (OSD) for catchments draining to the dam.</p>	<p>YES</p>
C4 Land Management		
4.3 Erosion and Sedimentation		
<p>a) All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP) (see Appendix F3 of this Plan for details), except in the following circumstances:</p> <p>i) The construction of minor structures including carports, pergolas, verandahs, garden sheds and the like; and</p>	<p>Given that the development is proposed on an existing hard surface, issues of soil erosion are not considered significant. Nevertheless an Erosion and Sediment Control Plan has been prepared by Taylor Thomson Whitting and is appended to the Civil Design Report within the appendices.</p>	<p>YES</p>

CONTROL	COMMENTS	COMPLIANCE
<p>ii) Dwelling additions and alterations which are deemed by Council as not likely to cause erosion and sediment loss from the site.</p>		
<p>4.4 Contaminated Lands</p>		
<p>1) Any application must provide appropriate information relating to past, present and proposed land uses.</p> <p>2) Council will evaluate the site's potential for contamination in accordance with procedures established by this section. If there is any indication of a past land use or activity that may have caused contamination, Council will require additional information to prove that the site is suitable for the proposed use.</p> <p>3) Council may require any site investigation report or similar information submitted in support of an application to be referred to a site auditor for an independent review. The auditor shall be nominated by Council. All costs associated with the review shall be borne by the applicant. All communication with the auditor shall be either with the knowledge of Council or in the presence of Council officers.</p>	<p>Based on the previous site assessments, there is no evidence to suggest that the subject land has previously supported any activities which may have resulted in land contamination it is also noted that Council has also previously stated within its assessment reports that is not aware of any contaminating activities currently being undertaken on the site and that the information presented within the previous development applications is sufficient.</p>	<p>YES</p>
<p>4.5 Salinity</p>		
<p>a) Clause 6.2 Salinity of Penrith LEP 2010 requires the following matters to be considered before granting consent to any development:</p> <p>i) Whether or not the proposed development is likely to have an impact on salinity processes;</p> <p>ii) Whether or not salinity is likely to have an impact on the proposed development; and</p> <p>iii) Appropriate measures that can be taken to avoid or reduce any undesirable effects that may result from the impacts referred to i) and ii).</p> <p>b) These matters must be addressed in the supporting documentation submitted</p>	<p>Given that the development is proposed on an existing hard surface, issues of salinity are not considered significant.</p>	<p>YES</p>

CONTROL	COMMENTS	COMPLIANCE
with the development application.		
C5 Waste Management		
5.1. Waste Management Plans		
<p>a) Applicants are to submit a Waste Management Plan when lodging a development application for:</p> <p style="padding-left: 40px;">i) Demolition or construction of buildings;</p>	Issues relating to waste management will be addressed in the Waste Management Plan appended to the SEE. This considers demolition, construction and ongoing waste management.	YES
<p>4) The Waste Management Plan must include details of:</p> <p>a) The types and volumes of wastes and recyclables likely to be generated as a result of the development;</p> <p>b) How waste and recyclables will be stored and treated on site;</p> <p>c) How the residual non-reusable or non-recyclable wastes and recyclables are to be disposed of; and</p> <p>d) How ongoing waste management will operate once the development is complete (for the life of the development).</p>	Addressed in accompanying waste management plan within the appendices.	YES
5.1. Waste Management Plans		
<p>a) Applicants are to submit a Waste Management Plan when lodging a development application for:</p> <p style="padding-left: 40px;">i) Demolition or construction of buildings;</p>	Issues relating to waste management have been addressed in the Waste Management Plan appended to the SEE. This considers demolition, construction and ongoing waste management.	YES
<p>1) These controls will apply to commercial, industrial and any other non-residential development.</p> <p>2) For any building comprising three or more storeys and not containing dwellings, a suitable system for the interim storage and transportation of waste and recyclables</p>	Waste associated with hotel rooms will be removed as part of the general daily turn down service provided by the hotel as such it is considered that a suitable system of transferring this waste will be part of the hotels day to day operations	YES

CONTROL	COMMENTS	COMPLIANCE
from each storey to the waste storage/collection area is to be integrated within the building's design.		
<p>3) Waste storage and collection areas should be:</p> <p>a) Flexible in their design so as to allow for future changes in the operation, tenancies and uses;</p> <p>b) Located away from primary street frontages, where applicable;</p> <p>c) Suitably screened from public areas so as to reduce the impacts of noise, odour and visual amenity; and</p> <p>d) Designed and located to consider possible traffic hazards (pedestrian/vehicular) likely to be caused by the storage and collection of waste.</p>	<p>Waste storage and collection areas are shown on the plan accompanying the WMP. Waste will be stored in the ground floor loading area where it will be regularly collected by private contractor.</p>	<p>YES</p>
<p>4) The following features will need to be considered in the design of waste storage and collection areas:</p> <p>a) Dry recyclables including containers, paper, cardboard and toners for printers and photocopiers should be separated from other waste, for recycling;</p> <p>b) Food scraps should be placed in specialised containment bins and collected on a regular basis (particularly where large volumes of perishable wastes are generated);</p> <p>c) Refrigerated garbage rooms should be provided where there are large quantities of perishable wastes and infrequent collections; and</p>	<p>It is considered that adequate space for the separation of waste can be provided within the back of house loading area into the following categories.</p> <ul style="list-style-type: none"> ▪ General Waste ▪ Co-mingled recycling, and ▪ Paper and Cardboard. 	<p>YES</p>
<p>5) Grease traps must be provided where there is a likelihood of liquid waste entering the drainage systems (contact Sydney Water to obtain trade waste requirements).</p>	<p>No kitchens or grease generating activities are proposed within the hotel and as such it is considered that the provision of a grease trap is not required.</p>	<p>N/A</p>
<p>6) Communal storage/collection facilities are recommended where:</p> <p>a) The design makes it difficult for all tenants to have ready access to a collection point; or</p>	<p>The proposed development is for the purpose of a fully serviced hotel and as such this control is not applicable.</p>	<p>N/A</p>

CONTROL	COMMENTS	COMPLIANCE
b) The site characteristics restrict vehicle entry.		
7) Where a communal facility exists, each tenant should have a designated area which is clearly signposted.	The proposed development is for the purpose of a fully serviced hotel and as such this control is not applicable.	N/A
8) Should a collection vehicle be required to enter the property, the driveway and manoeuvring area must be suitable for a collection vehicle in terms of both its strength and design.	The traffic report has stated that the loading area is capable of being accessed by a rigid truck.	YES
9) The system for waste management must be compatible with the collection service(s) to be used whether Council or private contractor	The system for waste management will be compatible with the requirements of the future private contractor to be used	YES
C6 Landscape Design 6.1.2 Protection of the Environment		
1. Environmentally Sustainable Design	The landscape architects have selected native, deciduous plants. See the Landscape Plan for more details.	YES
2. Soil Landscapes	The landscape architects have selected plants appropriate to the soil profile of the site.	YES
3. Minimising Soil Erosion	The development is to occur predominantly on existing hardscape surfaces and will include additional landscaping features.	YES
5. Conserving Site Soil	The development is to occur predominantly on existing hardscape surfaces.	YES
6. Species Selection	The landscape architects have selected native plants suitable for the site. See the Landscape Plan for more details.	YES
7. Bushfire Resistant Species	The landscape plan shows that the landscape architects have selected appropriate species for the site.	YES
8. Protection of Trees of Vegetation on Construction Sites and Adjoining Public and Privately Owned Land	The development is to occur on existing hardscape surfaces and caution will be taken during the construction phase to ensure no damage occurs to existing landscaping not scheduled for removal.	YES

CONTROL	COMMENTS	COMPLIANCE
10. Irrigation /Water Consumption	The landscape architects have selected indigenous plants.	YES
11. Minimisation of Impervious Surfaces	The development is to occur on existing impervious surfaces however it is noted that an area of turf will be removed to accommodate additional car parking and to create a more formalised landscape setback.	YES
12. Salinity	The development is to occur predominantly on existing hardscape surfaces.	YES
13. Materials Selection	The selection of materials is outlined in the Landscape Plan.	YES
6.3 Neighbourhood Amenity and Character		
1. Landscape Character	The landscaping scheme has been designed to build on the existing landscape character of the site and to provide a consistent landscape setback along Boronia Road.	YES
2. Integration of Design	The design of the building and landscaping features will occur concurrently.	YES
3. Streetscape	Additional landscaping will be provided within the carpark areas and a consistent setback provided along the Boronia Road frontage in accordance with the recommendations of the design review panel.	YES
4. Community Safety	Issues related to community safety have been addressed in response to 1.2.5. Safety and Security (Principles of Crime Prevention Through Environmental Design).	YES
6.4 Site Amenity		
1. Contextual Design	Landscaping currently exists on the boundaries of the site and existing landscaping is to occur around the building.	YES
3. Deep Soil Zones	The development is to occur on existing hardscape surfaces a minor reduction in turf area is proposed to accommodate some car parking and a more formalised landscape setback zone.	YES
4. Equal Access	No landscaping elements will decrease the accessibility of the development.	YES

CONTROL	COMMENTS	COMPLIANCE
5. Noise, Vibration and Dust Reduction	As the development is proposed predominantly on existing hardscape area, additional landscape barriers are not considered necessary. Recommendations to mitigate noise and vibration are addressed in the Acoustic Report.	YES
C7 Culture and Heritage	No heritage items located on or in proximity to the subject site. As the development is to be located predominantly over existing hardstand areas the development is not expected to impact upon Aboriginal heritage. Nevertheless it is acknowledged that standard conditions respect to unexpected finds will be imposed on the development.	YES
C8 Public Domain		
1 Permeability		
<p>d) Opportunities to increase a site's permeability, particularly in the form described above,</p> <p>should be provided:</p> <p>i. for sites comprising 5 hectares or more in area; or</p> <p>ii. at locations identified in particular Key Precincts under this DCP</p> <p>e) The principles of Crime Prevention through Environmental Design (CPTED) (as identified in Site Planning and Design Principles Section of this Plan) should be incorporated into a Public Domain site's permeability to create a safe and secure environment and encourage activity along these areas.</p>	The proposed hotel has considered site permeability in its design providing ground floor glazing, active areas and sightlines through the undercroft car park. Issues related CEPTD addressed in response to 1.2.5. Safety and Security (Principles of Crime Prevention Through Environmental Design)	YES
2. Active Street Frontage and Address		
<p>a) Active street frontages are to be located on the ground/street level of all buildings, being one or a combination of the following:</p> <p>i) A shop front or entrance to a retail premises or public building with the entrance visible from the street;</p>	Although setback 55m the new entrance proposed will address Boronia Road. It will be located at street level and be visible from the street. Glazed areas to the lobby and porte cochere will emphasise the building's use and purpose.	YES

CONTROL	COMMENTS	COMPLIANCE
ii) A café or restaurant, if accompanied by an entry from the street; iii) Active office uses, such as a reception area, if visible from the street; or iv) Activation of the secondary frontage of a corner site; e.g. continuing glazing around the corner.		
b) Glazed entries to commercial or residential lobbies are to occupy less than 50% of the street frontage and have a maximum frontage of 12m. The remainder of the street frontage is to be active.	As the proposed hotel building is located 55m from the Boronia Road frontage this control relating to active street frontages is not applicable.	YES
8.3. Lighting		
a) Council's adopted Public Lighting Policy and the implementation of an energy efficient lighting system should be incorporated into any design. Other factors for consideration of the design and location of lighting are:	The entrances to the development and surrounding car parking facilities are well lit to allow for visibility and security. Nevertheless, it is considered that lighting details can be provided in accordance with Council's Public Lighting Policy and AS 4282 Control of the obstructive effects of outdoor lighting prior to issue of a Construction Certificate.	YES
C10 Signage		
1) General a) Signs are to be designed and located to: i) relate to the use of the building; ii) be visually interesting and exhibit a high level of design quality; iii) be constructed of high quality, durable materials; iv) be wholly contained within the property; v) have only a minimal projection from the building; vi) be integrated and achieve a high degree of compatibility with the architectural	Approval is sought for two 27m2 signage zones on the southern and northern elevations. Detail of the proposed signage will be subject to a future development application once an operator for the hotel is secured. The locations are appropriate in the context of the site and will not lead to a proliferation of signage. It is considered that the details will be able to comply with the relevant requirements of the DCP and State Environmental Planning Policy 64 Advertising and Signage.	YES/

CONTROL	COMMENTS	COMPLIANCE
<p>design of the supporting building having regard to its composition, fenestration, materials, finishes and colours, and ensure that architectural features of the building are not obscured;</p> <p>vii) have regard to the view of the sign and any supporting structure, cabling and conduit from all angles, including visibility from the street level and nearby higher buildings and against the skyline; and</p> <p>viii) be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.</p> <p>b) Signs that contain additional advertising promoting products or services not related to the approved use of the premises or site (such as the logos or brands of products; e.g. soft drinks, brewers, photographic film, etc) are not permitted.</p> <p>c) Signs painted or applied on the roof are prohibited;</p> <p>d) Corporate colours, logos and other graphics are encouraged to achieve a very high degree of compatibility with the architecture, materials, finishes and colours of the building and the streetscape.</p> <p>e) Flat standing signs are only permissible where the main building is set back 3 metres or more from the street alignment.</p> <p>f) In considering applications for new signs, Council must have regard to the number of existing signs on the site and in its vicinity; whether that signage is consistent with the provisions of this section; and whether the cumulative impact gives rise to visual clutter.</p> <p>g) Signs must not involve damage, removal or pruning to trees or other vegetation and must not result in pruning or removal for visibility purposes.</p> <p>h) The dominant design of any sign must relate to business identification rather than product advertising.</p>		

CONTROL	COMMENTS	COMPLIANCE
2) Signs and Road Safety	Approval is sought for signage location only details will be subject to a future development application.	YES
3) Inappropriate Signs	Approval is sought for signage location only details will be subject to a future development application. Locations are not considered to be inappropriate.	YES
4) Signs in Open Space Zones		
1) Applicants intending to erect a sign (advertisement) should first consult the relevant environmental planning instrument applying to or any plan of management for the land to determine any requirements for an advertisement.	Approval is sought for signage location only details will be subject to a future development application.	YES
<p>2) The siting and design of the sign on the property should ensure that amenity and visual impacts to adjoining properties are kept to a minimum.</p> <p>3) The siting and design of the sign on the property should be sympathetic to the existing character of the area and the particular architectural/urban design utilised in any improvements scheme.</p> <p>4) Signs on recreation reserves that are visible from beyond the site should generally not be permitted except for signs identifying the name of the recreation reserve and/or the name of sporting clubs or other associations occupying the site (and other 'public interest' information pertaining to the club or association).</p> <p>5) Signs identifying the sponsors of clubs or associations occupying reserves are generally not permitted if they are visible from beyond the site. However, favourable consideration may be given to no more than 20% of the total area of the main identification sign being used for sponsor recognition.</p> <p>6) Signs should be generally low key in appearance, taking into consideration their shape, colour, materials, construction and the character of the surrounding area.</p> <p>7) Any sponsorship advertising signage must not be visible outside the site.</p>	Approval is sought for signage location only details will be subject to a future development application.	YES

CONTROL	COMMENTS	COMPLIANCE
<p>Development applications for major development proposals should be accompanied by an appropriate Traffic Report (see Appendix F3 for further details). The Traffic Report should detail the assessed impact of projected pedestrian and vehicular traffic associated with the proposal, with recommendations on the extent and nature of the traffic facilities necessary to preserve or improve the safety and efficiency of the adjacent road system.</p>	<p>Issues relating to traffic and parking are addressed in the Traffic and Parking Report appended to the SEE. This report considers the relevant sections of the DCP.</p>	<p>YES</p>
<p>C10 Transport, Access and Parking</p>		
<p>1. Traffic Studies</p>		
<p>Development applications for major development proposals should be accompanied by an appropriate Traffic Report (see Appendix F3 for further details). The Traffic Report should detail the assessed impact of projected pedestrian and vehicular traffic associated with the proposal, with recommendations on the extent and nature of the traffic facilities necessary to preserve or improve the safety and efficiency of the adjacent road system.</p>	<p>Issues relating to traffic and parking are addressed in the Traffic and Parking Report appended to the SEE. This report considers the relevant sections of the DCP.</p>	<p>YES</p>
<p>b) A Traffic Report must be provided for applications required to be referred to the Roads and Maritime Services (RMS) under Column 2 and a Traffic Impact Statement for Column 3 of SEPP (Infrastructure) 2007.</p>	<p>Not required to be referred to the RMS.</p>	
<p>1. Provision of Parking Spaces</p>		
<p>a) Parking provided on site is to meet AS 2890 and where appropriate, AS 1428.</p> <p>b) For any proposed development, Council will require the provision of on-site car parking to a standard appropriate to the intensity of the proposed development as set out in</p> <p>1 space per unit plus 1 space per manager plus 1 space per 6 employees</p>	<p>Issues relating to traffic and parking are addressed in the Traffic and Parking Study appended to the SEE. It considers the relevant provisions of the DCP which require a minimum number of parking spaces.</p> <p>The Transport Report as provided the following summary to explain the overall rationale for the proposed car parking provision.</p> <ul style="list-style-type: none"> ▪ With 123 rooms proposed, the development would require some 128 parking spaces, including allowance for employee parking in accordance with the Penrith 	<p>NO</p> <p>JUSTIFIED IN</p> <p>SECTION 6.5 of</p> <p>SEE AND</p> <p>ACCOMPANYING</p> <p>TRAFFIC REPORT</p>

CONTROL	COMMENTS	COMPLIANCE
	<p>DCP 2014.</p> <ul style="list-style-type: none"> ▪ The club has an existing parking provision of 1094 spaces. Based on the demand counts, the existing median peak demand is 765 spaces, giving an existing surplus of 329 spaces. ▪ The proposed hotel is providing an additional 102 spaces, with a loss of 101 spaces due to construction. This is a net gain of 1 space. The hotel requires 128 spaces. Therefore, on completion of the hotel there will be a surplus of 202 spaces (329+1-128). <p>The Transport Report concludes that the access, internal circulation and layout will be provided in accordance with AS2890.1:2004 and that The road network will be able to accommodate the additional traffic from the proposed hotel.</p> <p>Accordingly the proposed hotel development is considered to be acceptable from a Traffic and Parking perspective..</p>	
g) Where relevant, development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site	Traffic report states that on site loading facilities is capable of accommodating a rigid truck	YES
<p>l) Where possible, natural ventilation is to be provided to underground parking areas with ventilation grilles and structures that are:</p> <p>i) integrated into the overall façade and landscape design of the development;</p> <p>ii) located away from the primary street façade; and</p> <p>iii) oriented away from windows of habitable rooms and private open space areas.</p>	Natural ventilation is provided to the undercroft car parking area which is screened by a fence and proposed landscaping.	YES
5. Design of Parking and Manoeuvring Areas		
a) The movement of pedestrians throughout the car park should be clearly delineated and be visible for all users of the car park to minimise conflict with vehicles. The car parking and manoeuvring layout should be in accordance with the	<p>Matters related to traffic and parking have been addressed in the Traffic and Parking Report.</p> <p>The Traffic and Parking Report shows:</p>	YES

CONTROL	COMMENTS	COMPLIANCE
<p>provisions of AS 2890.1 - 2004.</p> <p>b) Provision of parking spaces for disabled persons should be in the range of 1 - 4% of total parking spaces required for that particular use and comply with AS 2890.6 - 2009.</p>	<ul style="list-style-type: none"> The dimensions of car parking are in accordance with AS 2890.1:2004 Access, internal circulation and layout are in accordance with AS 2890.1:2004 	
<p>c) Council will require all car parking areas to be constructed of hard standing, all weather material, with parking bays and circulation aisles clearly delineated.</p>	<p>Proposed car parking areas are to be constructed as hard stand with clearly delineated circulation aisles</p>	<p>YES</p>
<p>d) It will be necessary for the method of treating and minimising runoff from parking and access areas to be addressed as part of any development application (See the section entitled 'Stormwater and Drainage' in Chapter C3 'Water Management').</p>	<p>A turf swale is provided along the southern perimeter of the car park, refer to accompanying stormwater layout plans for more details.</p>	<p>YES</p>
<p>e) Large car parking areas (more than 5 vehicles) should be visually separated from access roads and from the buildings they serve by planting and other landscaping and should not be visually prominent from public roads, either through separation or screening.</p>	<p>A new and more formal landscaped setback zone has been provided to match the existing Boronia Street setback. The new landscaping will visually soften the existing and new car parking areas,</p>	<p>YES</p>
<p>f) Council may require the provision of internal directional signs to assist site visitors in locating parking areas.</p>	<p>Additional internal directional signs can be provided if required by Council</p>	<p>YES</p>
<p>h) The design of the car park should ensure that passive surveillance is possible and, where appropriate, incorporate active measures such as cameras and security patrols. Car parks should be designed to minimise dark areas through the provision of appropriate lighting.</p>	<p>Passive surveillance is possible in the proposed car parking areas.</p>	<p>YES</p>
<p>l) The design of car parks should ensure adequate separation of staff/visitor parking and loading dock circulation areas for heavy vehicles.</p>	<p>The proposed car park is compliant.</p>	<p>YES</p>
<p>m) Loading docks associated with the development shall be provided on-site, with all loading and unloading activities occurring on-site.</p>	<p>The proposed loading docks are compliant.</p>	<p>YES</p>
<p>p) All surfaces in the car park should be painted in light coloured paint or finished in</p>	<p>Materials will be a continuation of approved existing materials.</p>	<p>YES</p>

CONTROL	COMMENTS	COMPLIANCE
light grey concrete to reflect as much light as possible.		
q) All potential entrapment points should be avoided, e.g. under stairs, blind corners and wide columns. Adequate lighting and mirrors should be used when certain design features are unavoidable. Refer to Chapter C1 'Site Planning and Design Principles' for more information on entrapment.	Entrapment points have been considered.	YES
<p>s) Loading docks associated with the development shall be provided on-site, with all loading and unloading activities occurring on-site.</p> <p>t) All loading and unloading areas are to be:</p> <p>i) integrated into the design of developments,</p> <p>ii) separated from car parking and waste storage and collection areas,</p> <p>iii) located away from the circulation path of other vehicles,</p> <p>iv) provided separately for commercial/retail and residential uses, where part of a mixed use development, and</p> <p>v) designed for commercial vehicle circulation and access complying with AS 2890.2.</p> <p>u) Vehicular access to the loading / unloading area(s) is preferred off rear lanes, side streets and right of ways. Where appropriate, consider a single vehicular access point for the loading/unloading area(s) and waste collection area(s).</p>	Traffic report states that on site loading facilities is capable of accommodating a rigid truck.	YES
10.5.2. Access and Driveways		
<p>a) The road access to the site should provide for safe entry to and exit from the site. All vehicles must enter/exit the site in a forward direction. (This does not apply to single dwellings).</p> <p>O lp;bjb0lm/0) ,0T.h0e entry and exit from the site should provide for appropriate</p>	<p>The design of the road access allows for cars to enter/exit in a forward direction.</p> <p>The Traffic and Parking Report shows that access, internal circulation and layout are in accordance with AS 2890.1:2004.</p>	YES

CONTROL	COMMENTS	COMPLIANCE
<p>traffic sight distance in both directions, in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles respectively.</p> <p>c) The design of the development driveway should take into consideration the traffic volumes of the surrounding road network.</p> <p>d) The driveway crossing and access roads shall be designed in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles respectively.</p>	<p>Traffic volumes in the surrounding road network are considered in the report.</p>	
<p>C12 Noise and Vibration</p>	<p>An Acoustic Report is appended to the SEE which shows that the acoustic impacts of the development will be compliant by following their recommended controls.</p>	<p>YES</p>
<p>C13 Infrastructure and Services</p>	<p>The development will utilise existing electricity, telecommunications, gas and sewerage services.</p>	<p>YES</p>