

Table of Contents

D5 OTHER LAND USES	2
5.1 APPLICATION OF CERTIFICATION SYSTEM	2
5.2. CHILD CARE CENTRES	2
5.3 HEALTH CONSULTING ROOMS	23
5.4 EDUCATIONAL ESTABLISHMENTS	24
5.5 PARENT FRIENDLY AMENITIES	26
5.6. PLACES OF PUBLIC WORSHIP	32
5.7. VEHICLE REPAIR STATIONS	33
5.8 CEMETERIES, CREMATORIA AND FUNERAL HOMES	34
5.9 EXTRACTIVE INDUSTRIES	35
5.10 TELECOMMUNICATION FACILITIES	37
5.11 BOARDING HOUSES	39

D5 Other Land Uses

5.1 Application of Certification System

A. Background

This section of the DCP seeks to encourage applicants to design, construct and operate significant non-residential developments in a sustainable manner by applying an appropriate certification system.

B. Objectives

- a) The objective of this section is to ensure that development is undertaken in a sustainable manner, demonstrating this through the application of the Green Star and/or Australian Buildings Greenhouse Ratings (now part of the National Australian Built Environment Rating System (NABERS)) certification systems, where appropriate.

C. Controls

- 1) 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.

5.2. Child Care Centres

A. Background

Child care centres are an important service to families and a critical contributing element to socially sustainable community infrastructure delivery. Child care centres need to be conveniently located, in proximity to homes or centres of employment, transport options (e.g. train and metro stations, bus stops) and community activities and facilities. The uses and character of their surroundings should be safe and support enjoyable experiences for children in their indoor and outdoor activities, as well as access to and from the centre.

This chapter should be read in conjunction with relevant NSW Government planning policies and child care centre planning guidelines.

There are two types of child care facilities permissible in Penrith City with consent – Centre-based child care facilities and Home-based child care facilities. The distinction between the two is outlined in Penrith LEP 2010, and the planning controls associated with the situational contexts for each of these centre types should be adhered to.

The following section outlines controls for:

- Employment and Mixed Use zones, including:
 - E1 Local Centre, E2 Commercial Centre, E3 Productivity Support and E4 General Industrial Support, where Centre-based child care centres may be permitted with consent.
 - MU1 Mixed Use, where both Home-based and Centre-based child care facilities are permissible with consent.
- R5 Large Lot Residential and C4 Environmental Living, where both Home-based and Centre-based child care facilities may be permitted with consent.
- All other Residential zones, where both Home-based and Centre-based child care facilities are permitted with consent.

B. General Objectives

The following objectives are applicable to all child care centre developments and should be pursued in addition to the specific objectives for land use zone groupings (outlined above):

- a) To provide a clear planning framework for the development of childcare services in Penrith City.
- b) To ensure provision to satisfy identified gaps and demand for child care centres within Penrith City, to the best of the capabilities of the site or locality.
- c) To support the efficient delivery of child care centres across the Penrith City.
- d) To ensure sites are suitable for a child care centre development, adhering to Council's and other planning requirements or guiding principles for the location, position, scale, built form and design of the proposed development.
- e) To provide child care centres in proximity to other community activities and facilities, such as schools, community facilities, places of worship, parks with play spaces, larger formal public reserves and local shopping centres.
- f) To ensure that child care centres located adjacent to, or adjoining, community activities or facilities justifiably consider direct and safe access, to support a connected network of community infrastructure.
- g) To ensure the design and spatial arrangement of development is compatible to the local context and character in which it is situated, having regard to adjoining land uses, supporting infrastructure and environmental attributes.
- h) To ensure that child care centres are located and designed to minimise any adverse impacts on the amenity of the surrounding area, including but not limited to visual, noise and traffic impacts.
- i) To ensure the design and arrangement of a child care centre development has sufficiently considered and mitigated safety hazards.
- j) To ensure safe and efficient management of vehicular and pedestrian movements into, within, and out of the development, including safe and efficient operation of the public road and footpath network, with special regard for the safety of small children.

C. Employment and Mixed Use zones

Child care centres in Employment and Mixed Use zones require special consideration regarding the management of land use conflicts and environmental impacts from varied land uses.

1) Objectives

- a) To ensure all mixed use developments inclusive of a child care centre element address the relevant DCP development controls for the other defined land uses, in addition to the following controls.
- b) To deliver play areas which are located and/or orientated away from driveways and parking.
- c) To support the delivery and operation of a development which manages and mitigates adjacent or surrounding environmental conditions which would be detrimental to the enjoyment of the space by children, such as dust, fumes, noise and vibration, or other potentially dangerous impacts from industrial uses.
- d) To incorporate suitable safety measures to prevent children from gaining access to other parts of the building, site or adjoining land uses.
- e) To ensure compliance with fire safety requirements, including safe evacuation capability.

2) Controls

Site Suitability

- a) Child care centre development proposals should avoid being located:
 - i. Within a cul-de-sac or at an intersection;
 - ii. On or with direct access from a designated or classified road;
 - iii. Adjacent to, or within proximity to, a service station or similar hazardous development;
 - iv. Adjacent to or impacted by a transmission easement or mobile phone tower;
 - v. Adjacent to or opposite a sex services premises or restricted premises;
 - vi. Adjacent to or opposite a liquor licensed premises; and
 - vii. Adjacent to, opposite or within areas of heavy industry, such as manufacturing, or transport logistics.
- b) A child care centre is not be located on land below the flood planning level and on land that cannot be safely and effectively evacuated during a 1:100 ARI flood event. (See the Water Management section of this DCP for further details on the flood planning level and 1:100 ARI flood event).

Settings and Structures

- a) The scale of a proposed child care centre development must be proportionate to the dimensions and characteristics of the site. This is required to ensure that a sympathetic development form is proposed.
- b) The bulk, scale and architectural design of the proposal must have sufficient regard to the environmental attributes of the site and surrounds, including the design of the built form, spatial arrangements, location of services and the retention and protection of existing vegetation.
- c) The scale and architectural character of the development must be compatible with the existing and desired future character of the locality.
- d) The proposal is required to also address the following:
 - i. Resolution of appropriate access, circulation, safety and security between varied land uses within a mixed use development. This includes views from within the site and from adjoining properties into the development, specifically outdoor play areas;
 - ii. Access for parents and caregivers to drop off/pick up children; and
 - iii. Location and arrangement of outdoor play areas which do not adversely impact other tenancies within the development as well as adjoining properties.

Set Backs

- a) Set backs to property boundaries will be required to be increased where shade canopy trees are required to be provided to address urban heat management considerations. The minimum set back is to be 4.0m for a width of at least 4.0m.

Traffic and Parking

- a) Where the child care centre is located in the same building or development as other land uses, the parking and access arrangements for each separate use will need to be separately calculated and provided on site.
- b) Vehicle circulation and car parking areas shall be designed to allow safe drop-off and collection of children as well as the safe movement and parking of staff, parents, visitor and service vehicles.
- c) Access driveways should not be located opposite, or in proximity to, road intersections.
- d) Parking shall be provided in accordance with Chapter C10 Transport, Access and Parking of this DCP.
- e) The parking area is to be designed to ensure:
 - i. The safe drop off and collection of children, including direct, safe pedestrian access between the parking area and the entrance to the centre;
 - ii. Safe movement and parking of staff, parents, visitors and service vehicles; and
 - iii. All vehicles can enter and exit the site in a forward direction.
- f) Layout of the parking area must allow for safe access for service and emergency vehicles, such as ambulances, delivery and maintenance vehicles.
- g) Where dual use parking and servicing utilisation is suggested, it must be demonstrated that sufficient dedicated staff and visitor parking is available at all times to cater for the parking and circulation of service vehicles.
- h) Within mixed use developments, the design arrangement of car parking must consider and provide deterrents for visitor parking in areas not associated with the child care centre development. This includes demarcation of designated parking areas via line marking as well as landscaping separation for externalised parking areas.
- i) A Traffic Impact Assessment is required for the development of a child care centre. The assessment should address:
 - i. Site characteristics and the surrounding area;
 - ii. Expected trip generation;
 - iii. Parking requirements, including the design of parking areas, and any pick-up and drop-off facilities;
 - iv. Existing traffic conditions and any future changes expected to the traffic conditions;
 - v. Current road safety conditions, including an accident history in the locality; and
 - vi. The expected impact of the proposed development on the existing and future traffic conditions.
- j) Further guidance on traffic assessment can be found in the NSW Child Care Planning Guideline.

D. R5 Large Lot Residential and E4 Environmental Living zones

1) Objectives

- a) To ensure that development complies with objectives of these land use zones, as stipulated in Penrith LEP 2010, and compliments the rural landscape, scenic quality, heritage value, nature conservation significance or agricultural productivity of the local area.
- b) To provide separation between a child care centre development and noise generating sources.
- c) To provide buffers between land uses to minimise the potential for land use conflict.
- d) To ensure that external finishes have minimal detrimental impact on the visual amenity of an area.
- e) To encourage consideration of all the rural components of development such as fencing, outbuildings, driveways and landscaping in the design of the proposed development.
- f) To implement Front and Corner Set Backs which ensure consistency with the rural or built character, preserve and protect flora and fauna corridors, support the scale and openness of these land zones and ensure the operational functions of transport infrastructure continues unhindered.
- g) To implement Side and Rear Set Backs which comply with building envelope and set back controls, minimise disturbance to existing topography and natural soil-profiles, provide for reasonable built form and landscaped separation between neighbouring properties, permit suitable sized spaces for outdoor play and gathering (in addition to other required service infrastructure and built elements and in accordance with outdoor play area objectives and controls) and support the scale and openness of these land zonings.
- h) To ensure outdoor play spaces are universally accessible and of sufficient size and dimension for a variety of learning and skills building opportunities, and that their use does not negatively impact on the use of adjoining or adjacent private and public open spaces

2) Controls

Site Suitability

- a) Child care centre development proposals should avoid being located:
 - i. Within a cul-de-sac or at an intersection;
 - ii. On or with direct access from a designated or classified road;
 - iii. Adjacent to, or within proximity to, a service station or similar hazardous development;.
 - iv. Adjacent to or impacted by a transmission easement or mobile phone tower;
 - v. Adjacent to or opposite a sex services premises or restricted premise;
 - vi. Adjacent to or opposite a liquor licensed premises and
 - vii. Adjacent to, or opposite, odour generating agricultural or similar activities.
- b) A child care centre should not be located on land below the flood planning level and on land that cannot be safely and effectively evacuated during a 1:100 ARI flood event. (See the Water Management section of this DCP for further details on the flood planning level and 1:100 ARI flood event).
- c) The dimensions of a site pursued for a child care centre development must be sufficient in width and depth to the accommodate a sympathetic development

form and arrangement having regard to the context and character of the immediate locality.

- d) A development generally will not be supported if it has not had sufficient regard to the environmental attributes of the site and surrounds, including the design of the built form, spatial arrangement of built form and services and retention and protection of existing vegetation.
- e) The scale of a development must be proportionate to dimensions and characteristics of the site. This is required to ensure that a sympathetic development form is proposed.

Settings and Structures

- a) The scale and architectural design of the development must be sympathetic and compatible with the existing and desired future character of the immediate locality. This includes consideration of fencing, outbuildings, driveways, car parking areas and landscaping.
- b) The development is to be designed and located to maximise the natural advantages of the land in terms of:
 - i. Protecting the privacy of proposed and existing buildings;
 - ii. Providing flood-free access to the development;.
 - iii. Minimising risk from bush fire by considering slope, orientation and location of likely fire sources;
 - iv. Maximising solar access whilst considering urban heat management;
 - v. Retaining as much of the existing vegetation as possible; and
 - vi. Minimising excavation, filling and high foundations by avoiding steep slopes.
- c) Where practical, all buildings on a site should be clustered to improve the visual appearance of the development in its landscape setting and reduce the need for additional access roads and services.
- d) New buildings must be oriented to face the street and building forms must be stepped or articulated and demonstrate integration with the established local context and rural character of the area, including building elements of wall articulation, windows, verandahs and roof variation.
- e) Articulate all building forms and facades through design measures that cast shadows across every elevation. External walls should include windows in every elevation.
- f) Basement arrangements are not considered contextually appropriate and will not be supported.
- g) Pitches for main roofs are to be in accordance with the following:
 - i. For single-storey development: not greater than 35 degrees;
 - ii. For two storey development: not greater than 25 degrees, in order to reduce the visual scale of buildings; and
 - iii. The external façade of the development is to incorporate building materials and colours that complement the surrounding character of the area.

Front Set Backs

- a) The development is required to provide a minimum 15m front setback from a public road. No parking is permitted within the front setback area.

- b) A minimum setback of 30m is required to all classified roads (except Mulgoa Road), Luddenham Road, Greendale Road and Park Road (except in the villages of Londonderry, Wallacia and Luddenham).
- c) A minimum setback of 100m is required to Mulgoa Road for all development (except in the Mulgoa Village).

Corner Lot Set Backs

- a) Where the site is a corner site allotment with two (2) road frontages, the set back to the primary road is to be calculated as per the controls for Front Set Backs.
- b) The set back to the secondary road is to be no less than 10m.
- c) Permissible encroachments within the front set back are verandahs and pergolas, only with a maximum 1.5m encroachment.

Side and Rear Set Backs

- a) The development is required to provide a minimum side boundary set back of no less than 10 metres.
- b) The development is required to provide a minimum rear boundary set back of no less than 10 metres.

Site Coverage and Building Scale

- a) Development is to provide a maximum ground floor footprint of 500m² (including any undercover car parking areas). Note: 'Groundfloor footprint' is the area measured from the external face of any wall or undercover car parking area.
- b) The development is to have a maximum overall ground floor dimension of 45m, with a maximum of 18m at any one point.
- c) The maximum floor space of any second storey is to be no more than 70% of the floor space of the lower storey of the dwelling.
- d) A maximum ground floor footprint of 600m² will be permitted on any one allotment, including the child care centre building and all associated structures.
- e) The development shall be no more than two (2) storeys in height.
- f) The maximum height of the ceiling of the top floor of all buildings is not to exceed 8m above natural ground level.
- g) The finished floor level is not to be greater than 1.0m above or below natural ground level.

Outdoor Play Areas

- a) With respect to ground floor, where possible, play areas should be located away from residential dwellings and other sensitive uses. Sensitive uses are taken to include private open space areas of residential development in addition to the dwellings themselves, as well as non-residential development where permitted in the zone.
- b) Split level design arrangements of outdoor play and landscaped areas must provide for functional use and accessibility to all levels, without dependency on wheel chair lifts / lift platforms. Accessible ramps are required which are to be excluded from the calculation of useable outdoor play area.
- c) The provision of a first floor outdoor play area is not contextually appropriate.

Fencing

- a) Fencing required for ground floor outdoor play areas is not to exceed 2.0m in height and is not to compromise the ability for screen planting to reach maturity

and effective height and spread. Cantilevered fencing treatments to reduce effective fencing heights are not supported.

- b) The location, design and arrangement of fencing must have regard to the local context and character which is rural in nature. Where solid fencing is required, it must be designed to suitably integrate into the rural landscape.
- c) The material composition and location of the fencing is to be sympathetic to the established character of the locality.

Shade

- a) Outdoor play areas and transition areas (between indoor and outdoor areas) are to be provided with appropriate safe shade requirements. Safe shade may be created by vegetation or shade structures.
- b) All active areas containing play equipment or areas where children play for extended periods of time (such as a sand pit) are to be shaded throughout the year.
- c) Movable play equipment used for active play should be placed in the shade. (This should be a combination of built and natural shade).
- d) All shade structures in the play areas should be designed in accordance with AS/NZS 4486.1. If located over play equipment, the shade structure should not have footholds or grip surfaces that will allow for climbing.
- e) Outdoor teaching areas are to be provided with year round protective shade.
- f) Outdoor eating areas are to be provided with year round protective shade.
- g) Other open areas are to be partially shaded.
- h) Any transition zone, between indoor and outdoor areas, such as a verandah, should be permanently shaded and protected in wet weather.
- i) The minimum width of a verandah should be 4m to allow for shaded play space.

Vehicle Access, Circulation and Parking

- a) Vehicle circulation and car parking areas shall be designed to allow safe drop-off and collection of children as well as the safe movement and parking of staff, parents, visitor and service vehicles.
- b) Access driveways should not be located opposite, or in close proximity to, road intersections.
- c) Parking shall be provided in accordance with Chapter C10 Transport, Access and Parking of this DCP.
- d) The parking area is to be designed to ensure:
 - i. The safe drop off and collection of children, including direct, safe pedestrian access between the parking area and the entrance to the centre;
 - ii. Safe movement and parking of staff, parents, visitors and service vehicles; and
 - iii. All vehicles can enter and exit the site in a forward direction.
- e) Layout of the parking area must allow for safe access for service and emergency vehicles, such as ambulances, delivery and maintenance vehicles.
- f) The layout of parking must provide delineation between prioritised pedestrian movements and vehicle access and circulation. This includes line marking for prioritised pedestrian paths of travel throughout the car parking area and from the public domain.

- g) A Traffic Impact Assessment is required for the development of a child care centre. The assessment should address:
 - i. Site characteristics and the surrounding area;
 - ii. Expected trip generation;
 - iii. Parking requirements, including the design of parking areas, and any pick-up and drop-off facilities;
 - iv. Existing traffic conditions and any future changes expected to the traffic conditions;
 - v. Current road safety conditions, including an accident history in the locality; and
 - vi. The expected impact of the proposed development on the existing and future traffic conditions.
- h) Further guidance on traffic assessment can be found in the *NSW Child Care Planning Guideline*.

Noise Management

- a) Outdoor playing areas shall be designed and located to minimise noise impact on adjacent properties.
- b) Where there may be noise impact on adjacent properties, fencing shall be of a height, design and material (e.g. masonry) suitable to contain noise generated by the children's activities. This ensures the children may play outside without time limitations in accordance with licensing requirements. Notwithstanding, the required height and form of fencing must still be contextually appropriate.
- c) Where a site may be affected by traffic, rail or aircraft noise, the child care centre shall be designed to minimise any impact on the children and staff.
- d) An Acoustic Impact Assessment Report from an appropriately qualified acoustic consultant will be required to support the proposal. The acoustic modelling undertaken and reporting to be submitted must address and comply with the following:
 - i. The background noise level is to be measured in accordance with the methodology outlined within the NSW EPA's Noise Policy for Industry for at least 5 consecutive weekdays. If operations are proposed on weekends, then these days must be included. Meteorological data can be measured on-site or accessed from the nearest Bureau of Meteorology weather station, within 30 km.
 - ii. The noise logger is to be located at the most affected locations at surrounding sensitive receivers. This may require more than one logger to be deployed.
 - iii. The project criteria are to be set using the measured background noise level. If the measured background noise level is found to be less than 35dB(A) then a default background of 35dB(A) is to be used for setting project criteria.
 - iv. For outdoor play, the following is to be used when determining project noise criteria:
 - i. Up to 2 hours (total) per day - The Leq, 15 minute noise level emitted from the outdoor play area shall not exceed the background noise level by more than 10 dB at the assessment location; or
 - ii. More than 2 hours per day - The Leq, 15 minute noise level emitted from the outdoor play area shall not exceed the

background noise level by more than 5 dB at the assessment location.

- e) The assessment location is defined as the most affected point on or within any residential receiver property boundary. Examples of this location may be:
 - i. 1.5 m above ground level;
 - ii. On a balcony at 1.5 m above floor level; or
 - iii. Outside a window on the ground or higher floors.
- f) For other noise sources, such as indoor play, mechanical plant and equipment, vehicles, and drop off/pick up activities, the cumulative Leq,15 minute noise emission level resulting from the operation of the child care centre shall not exceed the background noise level by more than 5 dB at the assessment location as defined above.
- g) Further guidance on acoustic assessments for childcare centres can be found in NSW EPA policies and guidelines. In addition, guidance on noise assessments for childcare centres can be found in the *Guideline for Child Care Centre Acoustic Assessment* prepared by the Association of Australasian Acoustic Consultants, noting that the above controls are not consistent with some sections of the AAAC guideline.

E. All Other Residential Areas

1) Objectives

- a) To ensure that the development complies with the objectives of the relevant land zones, as stipulated in Penrith LEP 2010 and compliments the established and desired character and urban aesthetic of the surrounds.
- b) To provide separation between a child care centre development and noise generating sources.
- c) To provide buffers between land uses to minimise the potential for land use conflict.
- d) To ensure that external finishes have minimal detrimental impact on the visual amenity of an area.
- e) To ensure set backs comply with applicable controls and support consistency with surrounding or established character.
- f) To ensure front set backs preserve or enable the establishment of flora and fauna corridors, while corner lot, rear and side set backs ensure the operational functions of transport infrastructure continue unhindered.
- g) To ensure rear and side set backs also minimise disturbance to existing topography and natural soil-profiles, provide for reasonable built form and landscaped separation between neighbouring properties, and permit suitable sized spaces for outdoor play and gathering (in addition to other required service infrastructure and built elements and in accordance with outdoor play area objectives and controls).
- h) The retention of sufficient proportions of each site for landscaped garden areas, conservation of significant existing vegetation, provision for naturalised tree canopy growth and shading and the provision of meaningful spatial separation between neighbouring properties and building forms.
- i) To ensure outdoor play spaces are universally accessible and of sufficient size and dimension for a variety of learning and skills building opportunities, and that their use does not negatively impact on the use of adjoining or adjacent private and public open spaces.

2) Controls

Site Suitability

- a) Child care centre development proposals should avoid being located:
 - i. Within a cul-de-sac or at an intersection;
 - ii. On or with direct access from a designated or classified road;
 - iii. Adjacent to, or within close proximity to, a service station or similar hazardous development;
 - iv. Adjacent to or impacted by a transmission easement or mobile phone tower;
 - v. Adjacent to or opposite a sex services premises or restricted premises; and
 - vi. Adjacent to or opposite a liquor licensed premises.
- b) A child care centre should not be located on land below the flood planning level and on land that cannot be safely and effectively evacuated during a 1:100 ARI flood event. (See the Water Management section of this DCP for further details on the flood planning level and 1:100 ARI flood event).
- c) The dimensions of a site pursued for a child care centre development must be sufficient in width and depth to accommodate a sympathetic development form and arrangement having regard to the context and character of the immediate locality

Settings and Structures

- a) The bulk, scale and architectural design of the proposal must have sufficient regard to the environmental attributes of the site and surrounds, including the design of the built form spatial arrangements, location of services, and the retention and protection of existing vegetation.
- b) Child care centres generally will not be supported if the proposal has not had sufficient regard to the environmental attributes of the site and surrounds including the design of the built form, spatial arrangement of built form and services and retention and protection of existing vegetation.
- c) The scale and architectural design of the development must be sympathetic and compatible with the existing and desired future character of the immediate locality.
- d) The design and arrangement of the development is to ensure that outdoor play areas are located and orientated away from driveways or parking areas.
- e) The external façade of the development shall incorporate building materials and colours that complement the surrounding development.
- f) New buildings should show characteristics of traditional suburban development. The development must be oriented to face the street and building forms must be stepped or articulated and demonstrate integration with the established local context and character of the area
- g) Articulate all building forms and facades through design measures that cast shadows across every elevation. External walls should include windows in every elevation.
- h) Garage doors or basement entry widths (including descending driveways) must not occupy more than 50% of the building façade width to ensure that access arrangements are recessive and do not dominate the façade of the building form and the streetscape presentation of the building form.

- i) Where a basement parking arrangement is proposed, design measures are to be incorporated to reduce the visual prominence of the entry point. Such measures could include projecting upper floor areas (minimum 1.0m in depth) above the entry point and / or recessed entry behind the building line.
- j) Pitches for main roofs are to be in accordance with the following:
 - i. 12 for single-storey development: not greater than 35 degrees; or
 - ii. For two storey development: not greater than 25 degrees, in order to reduce the visual scale of buildings.

Front Set Backs

- a) The development is required to provide a front set back that is informed by the average set back of immediate adjoining development or a 5.5m minimum, whichever is the greater dimension.
- b) Permissible encroachments within the front set back are limited to verandahs and pergolas only with a maximum 1.5m encroachment.
- c) Where there are physical encumbrances such as stormwater management infrastructure, underground or above ground rainwater tanks or the like, the minimum set back is to be increased accordingly to maintain an unimpeded landscaping capability within the set back zone.
- d) The provision of car parking forward of the building line is to be set back a minimum 4.0m from the front property boundary with a combination of shrub and tree canopy planting in the set back zone to screen the visual prominence of the car parking area from the public domain and from adjoining properties.

Corner Lot Set Backs

- a) Where the site is a corner site allotment with two (2) road frontages, the set back to the primary road is to be calculated as per the above front set back requirements.
- b) Any fencing required forward of the building line to either the primary or secondary road is to be set back 2.0m from the property boundary with screen planting in front.
- c) Permissible encroachments within the front set back are verandahs and pergolas only with a maximum 1.5m encroachment.
- d) In the event of a corner site with three (3) separate street frontages, the front set back requirements are to be applied to opposing boundary conditions (front and rear), with the secondary street set back allowances limited to only one (1) street frontage.
- e) No basement encroachments are permitted within the front (primary or secondary street) set back zones.

Rear Set Backs

- a) The minimum rear set back for a single storey building (or any single storey component of a building) is 4m.
- b) The minimum rear set back for a two storey building (or any two storey component of a building) is 6m.
- c) Adopting an average 6m rear set back on irregular shaped allotments.
- d) In the event of a corner site with three (3) separate street frontages, the front set back requirements are to be applied to opposing boundary conditions (front and rear), with the secondary street set back allowances limited to only one (1) street frontage.

frontage. This means that a corner lot with three (3) street frontages does not apply a rear boundary set back condition.

- e) Within the rear boundary set back:
 - i. There shall be no building encroachments either above or below ground (eaves excepted)
 - ii. Maximise the amount of undisturbed soil, encouraging rapid growth of healthy trees and shrubs
 - iii. Where there are physical encumbrances such as stormwater management infrastructure, underground or above ground rainwater tanks or the like, the minimum set back is to be increased accordingly to maintain an unimpeded landscaping capability within the set back zone.

Building Envelope and Side Set Backs

- a) The development (including built form, basements and external car parking and driveway areas) is required to provide a minimum side boundary set back of no less than 2.0m.
- b) The side set back is required to increase where shade canopy trees are required to be provided to address urban heat management considerations. In this instance, the minimum set back is to be 4.0m for a width of at least 4.0m.
- c) Where there are physical encumbrances such as stormwater management infrastructure (including swales, pits and pipes) underground or above ground rainwater tanks or the like, the minimum set back is to be increased accordingly to maintain an unimpeded landscaping capability within the side set back zone.
- d) The following building envelopes must be complied with (see table on following page):

LAND ZONING	HEIGHT PLANE CALCULATION
R2 – Low Density Residential	Measured from 1.8m above natural ground level at the side boundaries of the site at 45 degrees.
R3 – Medium Density Residential	Measured from 5.0m above natural ground level at the side boundaries of the site at 45 degrees.
R4 – High Density Residential	If the proposal adjoins existing dwelling that is unlikely to be redeveloped in the near future (such as a strata titled dual occupancy or multi-unit housing developments), the development proposal is provide a compliant building envelope measured from 5.0m above natural ground level at the side boundaries of the site at 45 degrees.
	If the proposal adjoins a site that can be reasonably redeveloped in the foreseeable future, no building envelope applies.

- e) The building envelope, and the apparent rise in storeys and external wall heights, shall be measured relative to:
 - i. Side boundaries only; and
 - ii. Natural ground level.
- f) Only minor encroachments through the building envelope shall be permitted for eaves associated with pitched roofs.
- g) The development is required to ensure that cut and fill and finished floor levels:
 - i. Provide stepped slabs (finished floor levels) in line with existing topography with finished floor levels that are no higher than 1m above natural ground level;
 - ii. Restrict cut-and-fill to a maximum of 500mm above or below natural ground level; and
 - iii. Provide effective sub-soil drainage.

Landscape Area and Design

- a) The minimum landscape area is to be provided as follows:

LAND ZONING	MINIMUM LANDSCAPED AREA % OF THE SITE
R1 – General Residential	40
R2 – Low Density Residential	50
R3 – Medium Density Residential	40
R4 – High Density Residential	35

- b) Landscaped areas are to provide for:
 - i. Effective separation between neighbouring properties and building forms;
 - ii. Healthy growth of new trees and shrubs;
 - iii. Ensure long-term survival of existing and proposed vegetation;
 - iv. A naturalised outlook from the development into outdoor play areas; and
 - v. Contributory planting to complement or enhance the existing streetscape.
- c) Landscaped areas are required to have a minimum width and depth of 2m and serve as functional spaces. Areas with less than these dimensions are not included in the required landscape area calculation
- d) Where landscape areas are provided for along property boundaries the spaces must be capable of dense shrub screen and tree canopy planting.
- e) Landscape areas are not to include impervious areas, waste management facilities, staircases, stormwater management infrastructure or predominantly artificial / synthetic surface treatments.
- f) The majority of landscaping relied upon for landscape area compliance is to be planted at natural ground level and not within raised or sunken planters to ensure suitable growing conditions and viability.
- g) Landscaping is to accommodate water retention within the landscape design and include passive irrigation measures which also have regard to water sensitive urban design best practice.
- h) Landscaped area which is to be relied upon as outdoor play areas must provide a mix of formalised play areas and separate naturalised areas (encouraging nature play and education).
- i) Landscape planting shall complement the building(s) and the streetscape, and provide screening for car parking and outdoor playing areas.
- j) Landscaping shall be established prior to the use commencing.
- k) A Landscape Plan shall be prepared and submitted with the development application, in accordance with Chapter C6 Landscape Design of this DCP.
- l) Details of all fencing shall be included on the landscape plan. Childproof fencing and gates shall be provided around the outdoor play areas, and to the entrance of the child care centre. Landscape planting (a minimum width of 2m) shall be provided along the front boundary of the site.
- m) Additional landscape planting may be required along the side boundaries to integrate the development with neighbouring buildings and the streetscape, and to reduce the impact of vehicle lights on adjoining properties.
- n) Plant species shall be chosen to address the characteristics of the site and shall:
 - i. Consider implications of site orientation and solar access;
 - ii. Provide protection from prevailing winds;
 - iii. Provide screening to minimise impacts on privacy and/or the streetscape and adjacent buildings;
 - iv. Provide shelter and shade;
 - v. Reduce reflection from bright surfaces;
 - vi. Emphasise pedestrian and vehicular routes;

- vii. Ensure visibility of outdoor playing areas;
- viii. Not include plants which may be toxic, create allergic reactions, or which are prickly or otherwise unsafe; and
- ix. Provide interest and variety to enhance children's experience.
- o) The arrangement and design of landscape areas, including prioritised retention and protection of existing trees, must also have regard to the objectives and controls outlined in Chapter C6 Landscape Design, Chapter C2 Vegetation Management and Chapter C14 Urban Heat Management.

Outdoor Play Areas

- a) With respect to ground floor, where possible, play areas should be located away from residential dwellings and other sensitive uses unless suitable planting and fencing separation is provided.
- b) Sensitive uses are taken to include private open space areas of residential development in addition to the dwellings themselves.
- c) Split level design arrangements of outdoor play and landscaped areas must provide for functional use and accessibility to all levels, without dependency on wheel chair lifts. Accessible ramps are required which are to be excluded from the calculation of useable outdoor play area.
- d) The provision of a first floor outdoor play area is not appropriate in R2 Zoned land unless such areas are orientated away from residential development (including private open space areas) and other sensitive land uses
- e) Where a first floor play area is proposed to be orientated towards a public road or public reserve, the arrangement and design of play area must be appropriately integrated into the architectural treatment of the building so as not to compromise building form, bulk and streetscape presentation.

Fencing

- a) Fencing required for ground floor outdoor play areas is not to exceed 2.0m in height and is not to compromise the ability for screen planting to reach maturity and effective height and spread. Cantilevered fencing treatments to reduce effective fencing heights are not supported.
- b) Fencing proposed within front or corner lot setback zones to the public domain must be set back no less than 2.0m from the property boundary with shrub screen planting and canopy tree planting provided in front of the fence.
- c) First floor play areas are not to include fencing or similar acoustic mitigation measures which exceed 1.4m in height as measured from finished floor level.
- d) Fencing treatments and materiality is to have regard and compliment the architectural design of the building form and the landscape design of the site.
- e) Colorbond or metal fencing is not appropriate due to acoustic and vibratory implications.
- f) Fencing is to be located on the property boundary or where inset, sufficient opportunity for access and maintenance is required that does not compromise the objective of the planting for screening purposes. Dual layer fencing will generally not be supported.

Shade

- a) Outdoor play areas and transition areas (between indoor and outdoor areas) are to be provided with appropriate safe shade requirements. Safe shade may be created by vegetation or shade structures.
- b) All active areas containing play equipment or areas where children play for extended periods of time (such as a sand pit) are to be shaded throughout the year.
- c) Movable play equipment used for active play should be placed in the shade. (This must be a combination of built and natural shade).
- d) All shade structures in the play areas should be designed in accordance with AS/NZS 4486.1. If located over play equipment, the shade structure should not have footholds or grip surfaces that will allow for climbing.
- e) Outdoor teaching areas are to be provided with year round protective shade.
- f) Outdoor eating areas are to be provided with year round protective shade.
- g) Other open areas are to be partially shaded.
- h) Any transition zone, between indoor and outdoor areas, such as a verandah, should be permanently shaded and protected in wet weather.
- i) The minimum width of a verandah should be 4m to allow for shaded play space.

Vehicle Access, Circulation and Parking

- a) Vehicle circulation and car parking areas shall be designed to allow safe drop-off and collection of children as well as the safe movement and parking of staff, parents, visitor and service vehicles.
- b) Access driveways should not be located opposite, or in close proximity to, road intersections.
- c) Parking shall be provided in accordance with the standards in the Chapter C10 Transport, Access and Parking of this DCP.
- d) The parking area is to be designed to ensure:
- e) The safe drop off and collection of children, including direct, safe pedestrian access between the parking area and the entrance to the centre.
- f) Safe movement and parking of staff, parents, visitors and service vehicles.
- g) All vehicles can enter and exit the site in a forward direction.
- h) Layout of the parking area must allow for safe access for service and emergency vehicles, such as ambulances, delivery and maintenance vehicles. Where dual use parking and servicing utilisation is suggested, it must be demonstrated that sufficient dedicated staff and visitor parking is available at all times to cater for the parking and circulation of service vehicles.
- i) The layout of parking must provide delineation between prioritised pedestrian movements and vehicle access and circulation. This includes line marking for prioritised pedestrian paths of travel throughout the car parking area and from the public domain.
- j) A Traffic Impact Assessment is required for the development of a child care centre. The assessment should address:
 - i. Site characteristics and the surrounding area;
 - ii. Expected trip generation;

- iii. Parking requirements, including the design of parking areas, and any pick-up and drop-off facilities;
 - iv. Existing traffic conditions and any future changes expected to the traffic conditions;
 - v. Current road safety conditions, including an accident history in the locality; and
 - vi. The expected impact of the proposed development on the existing and future traffic conditions.
- k) Further guidance on traffic assessment can be found in the NSW *Child Care Planning Guideline*.

Noise Management

- a) Outdoor playing areas shall be designed and located to minimise noise impact on adjacent properties.
- b) Where there may be noise impact on adjacent properties, fencing shall be of a height, design and material (e.g. masonry) suitable to contain noise generated by the children's activities. This ensures the children may play outside without time limitations in accordance with licensing requirements. Notwithstanding, the required height and form of fencing must still be contextually appropriate.
- c) Where a site may be affected by traffic, rail or aircraft noise, the child care centre shall be designed to minimise any impact on the children and staff.
- d) An Acoustic Impact Assessment Report from an appropriately qualified acoustic consultant will be required to support the proposal. The acoustic modelling undertaken and reporting to be submitted must address and comply with the following:
 - i. The background noise level is to be measured in accordance with the methodology outlined within the NSW EPA's Noise Policy for Industry for at least 5 consecutive weekdays. If operations are proposed on weekends, then these days must be included. Meteorological data can be measured on-site or accessed from the nearest Bureau of Meteorology weather station, within 30 km.
 - ii. The noise logger is to be located at the most affected locations at surrounding sensitive receivers. This may require more than one logger to be deployed.
 - iii. The project criteria are to be set using the measured background noise level. If the measured background noise level is found to be less than 35dB(A) then a default background of 35dB(A) is to be used for setting project criteria.
 - iv. For outdoor play, the following is to be used when determining project noise criteria:
 - i. Up to 2 hours (total) per day - The Leq,15 minute noise level emitted from the outdoor play area shall not exceed the background noise level by more than 10 dB at the assessment location; or
 - ii. More than 2 hours per day - The Leq,15 minute noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dB at the assessment location.
- e) The assessment location is defined as the most affected point on or within any residential receiver property boundary. Examples of this location may be:

- i. 1.5 m above ground level;
 - ii. On a balcony at 1.5 m above floor level; and/or
 - iii. Outside a window on the ground or higher floors.
- f) For other noise sources, such as indoor play, mechanical plant and equipment, vehicles, and drop off/pick up activities, the cumulative Leq,15 minute noise emission level resulting from the operation of the child care centre shall not exceed the background noise level by more than 5 dB at the assessment location as defined above.
- g) Further guidance on acoustic assessments for childcare centres can be found in NSW EPA policies and guidelines. In addition, guidance on noise assessments for childcare centres can be found in the *Guideline for Child Care Centre Acoustic Assessment* prepared by the Association of Australasian Acoustic Consultants, noting that the above controls are not consistent with some sections of the AAAC guideline.

F. Requirements for an Additional Private Dwelling

1) Controls

- a) A dwelling may be attached to, part of, or associated with, a child care centre however the development controls that would apply to the development are those outlined for the child care centre component in addition to the following specific provisions.
- b) The dwelling shall be provided with a separate and private open space area (with minimum dimensions of 4m x 6m), which is directly accessible from the internal living areas of the dwelling and orientated to optimise solar access.
- c) The dwelling shall include a kitchen, bathroom, laundry, living area and amenities, which are separate to those for the child care centre, for the use of the residents.
- d) A minimum of one separate and covered parking space shall be provided for the residents of the dwelling.
- e) The species and location of trees and planting provided for a dwelling associated with a child care centre should ensure there is no likelihood of falling branches, and should not be toxic, create allergic reactions, or be prickly or otherwise unsafe.
- f) A swimming pool or spa pool, existing or proposed, associated with a dwelling attached to a child care centre must be securely fenced (in accordance with the requirements of the Swimming Pool Act 1992) to prohibit access to the children in care.
- g) The pool shall be suitably screened from view of the children in care.

G. Out-of-School-Hours Care (OOSH)

1) Controls

- a) Development consent is required for the operation of out-of-school hours care (OOSH) – either as part of an existing child care facility or as a separate activity.
- b) Where the operator of an existing child care centre proposes to establish an OOSH service, the centre shall provide permanent separation of the OOSH facilities. Operational elements which shall be provided separately for each service include:
 - i. Amenities;
 - ii. Playroom(s);

- iii. Outdoor play area(s); and
 - iv. Staff.
- c) Car parking spaces for the OOSH care shall be provided in accordance with the requirements of the Chapter C10- Transport, Access and Parking of this DCP and, if applicable, shall be in addition to the parking area for the childcare centre.

H. Lifting the Bar

The following represent some ways in which applicants can demonstrate additional commitment to the principles expressed in this DCP. Demonstration of this commitment may lead to Council considering variation of development controls. Applications that vary the development controls listed in this section of this Plan will need to demonstrate that the proposed development complies with the objectives relevant to the development controls it seeks to vary.

All home-based child care or family day care home services are encouraged to:

- Provide food consistent with the principles outlined in the National Quality Improvement and Accreditation System for Child Care;
- Participate in available training opportunities concerning food safety and nutrition (e.g. the 'Caring for Children' program) or other programs run by Council, TAFE, the University of Western Sydney or Sydney West Area Health Service; and
- Seek professional advice, where appropriate, from trained dietitians and/or nutritionists.

All child care centres (including centre based and home based) are encouraged to:

- Minimise waste through the use of recycling programs for paper, cardboard, aluminium, glass and PET products;
- Provide facilities/services which will satisfy identified unmet demands within the City for child care; and
- Participate in the NSW Cancer Council's SunSmart Early Childhood program.

I. Consent and Licensing Requirements

All child care centres must be approved by Council and licensed by the NSW Department of Education and Communities under the Children (Education and Care Services) National Law (NSW); Education and Care Services National Regulations and National Quality Framework prior to commencing operation.

Home-based child care may be licensed as a Family Day Care service or within the requirements of the Department of Education and Communities.

Where a child care centre for pre-school aged children and an OOSH service operate together, or from the same building, both services must be approved by Council, and the Department of Education and Communities must be notified.

Development consent is required from Council for an expansion or alteration to an existing, approved child care centre. Changes may include an increase to the approved number of children, an alteration to the hours of operation or the establishment of OOSH care.

Any application for an expansion or alteration to an existing child care centre will be considered on its merits and include an assessment of the current operation of the centre.

Any subsequent development consent issued by Council may require a new licence from the Department of Education and Communities.

5.3 Health Consulting Rooms

A. Background

Health consulting rooms are different to medical centres in that they tend to operate in residential neighbourhoods, often on the fringe of commercial centres. Although this can provide better access to health care services, it can also lead to a greater potential for negative impacts on the amenity of the surrounding area.

The provisions contained in this section apply to the establishment of new health care consulting rooms and the enlargement or expansion of existing health consulting rooms.

B. Objectives

- a) To clarify those health care services considered appropriate to be incorporated in health consulting rooms;
- b) To provide clear guidelines for the establishment of health consulting rooms within the City; and
- c) To ensure that health consulting rooms are located and designed in a manner which minimises the likely impact on the amenity of the surrounding locality.

C. Controls

1) Location

- a) Health consulting rooms in residential areas shall not include procedures such as X-rays, ultrasounds, cat-scans, radiography, pathology tests or the like. These services are to be separated from residential activities and only located either in or immediately adjacent to commercial centres or precincts established specifically for other non-residential activities.
- b) Health consulting rooms shall not be located on sites where they are likely to have a significant impact on adjoining and surrounding residences, including but not limited to traffic and noise impacts.
- c) Health consulting rooms should not be located in a cul-de-sac or on a no through road, or in a location where additional vehicles may create traffic conflict or an adverse impact on the amenity of the area.
- d) The site is to have a minimum effective lot width of 18m to provide sufficient area for parking and access, as well as achieve an appropriate separation between the development and adjoining properties.

2) Access and Parking

- a) Parking areas shall be easily accessible from the street and suitably screened by landscaping. Vehicular access into the car parking area is to include a landscaped area, which will act as a noise and visual buffer to adjoining properties. Parking areas, where possible, are to be located to the rear of sites where they do not impact on streetscape character.
- b) Parking for a health consulting room shall be provided at the rate specified in the Transport, Access and Parking section of this Plan.
- c) In instances where one practitioner is operating as a home business, the parking arrangements will be assessed on merit.

3) Visual and Noise Impact

- a) Landscaping is to be established and maintained to adequately screen the development from adjoining residential properties. Landscaping shall be established prior to the use commencing.
- b) The development is to be compatible with the existing residential streetscape. Renovations and/or additions, which seek to remove the residential character of the dwelling house, will not be supported.
- c) The scale and character of the development is to be compatible with surrounding residential development.
- d) Fencing shall be of a height, design and material suitable to contain noise generated from cars accessing and parking within the site, while being compatible with the residential environment.
- e) Business identification signs should be appropriately designed and located to ensure that it is visually compatible with the surrounding development.
- f) A standard doctors' 'cube' (having minimum dimensions of 3m by 4m) may be erected in the front boundary setback of the property.

5.4 Educational Establishments

A. Background

Given their scale, form and potential impact, there is a need to ensure educational establishments are located and designed in such a way as to minimise their impacts, particularly on surrounding areas. It is also important to ensure that nearby land uses do not have an adverse impact on children's health and learning.

B. Objectives

- a) To ensure that the design and location of educational establishments does not adversely impact on the amenity of the area or neighbouring properties, including properties used for agriculture;
- b) To ensure that educational establishments are located on sites of sufficient size to accommodate buildings, sports fields, parking areas and other associated facilities;
- c) To ensure that educational establishments are located on sites which have sufficient infrastructure and services to support the use;
- d) To ensure that the road access to educational establishments is sufficient to cater for expected traffic with minimal impact;
- e) To ensure that educational establishments do not locate near uses that will have an adverse effect on children's health or learning; and
- f) To ensure that, where they are located on a major road, the visual impact of educational establishments is consistent with the character of the area.

C. Controls

1) Location and Design

- a) Educational establishments must locate on sites which comply with the minimum areas set out in Table D5.1 below.

Table D5.1: Minimum site requirements

Type of educational establishment	Minimum area
Primary School (Kindergarten to Year 6)	3 hectares
High School (Year 7 to Year 12 OR Kindergarten to Year 12)	6 hectares
Tertiary Institution (University or TAFE College)	6 hectares

b) Educational establishments must be designed with regard to:

- i) Buffer zones to minimise impact on adjoining land uses, including agricultural uses in rural areas;
- ii) Landscaped front setbacks to reduce visual impact;
- iii) Appropriate building heights and setbacks to minimise visual intrusion in rural areas; and
- iv) Separate play areas for primary and secondary students.

2) Servicing

- a) Educational establishments catering to over 50 students must be connected to all services, including power, reticulated water and reticulated sewer.
- b) Educational establishments catering to less than 50 students must demonstrate how servicing needs will be met. Applications should also address the provision of services should growth in student numbers require it.

3) Transport, Access and Parking

- a) Schools catering to over 50 students must have access to public transport. Applications should outline measures to be taken to encourage use of public transport.
- b) Educational establishments must be designed to ensure:
 - i) Separate parking areas for staff and parents/students;
 - ii) Adequate drop off/pick up zones, separate to bus access; and
 - iii) Safe pedestrian access from bus stops and drop off/pick up zones.
- c) A traffic impact assessment may be required for the development of an educational establishment. Applicants should confirm this requirement with Council prior to lodging a development application.

D. Penrith Anglican College

The following controls apply specifically to Penrith Anglican College, Wentworth Road, Orchard Hills.

- 1) The rural viewscape and character of the site is to be protected by locating buildings, recreation areas and ancillary structures in distinct areas as follows:
 - a) School extension area – to be used for substantial structures, car parking and main access roads;
 - b) Active recreation areas – to be used for the purposes of active recreation facilities, including sports fields and minor or ancillary structures;

- c) Transmission easement – to be used primarily for passive recreation and drainage infrastructure, with some encroachment of playing fields acceptable provided that Transgrid or any other relevant authority has given written approval for the encroachment.
- 2) The proposed development is to allow the existing watercourse on the site to be relocated and rehabilitated without the use of pipes or other engineering devices:
- a) To emulate a naturally functioning stream with a minimum riparian width of 10m along both sides of the watercourse (measured from the top of bank);
 - b) To provide vegetated habitat refuges (both terrestrial and aquatic); and
 - c) To facilitate treatment of stormwater runoff outside the riparian corridor before it enters the watercourse.

5.5 Parent Friendly Amenities

A. Background

Parent friendly amenities provide facilities for the use of carers to attend to the personal needs of babies/toddlers. This includes breastfeeding, feeding fluids and solids, changing nappies, etc. These rooms need to be purpose designed by the builder/designer so that they are in an accessible location and are functional.

Council is committed to ensuring and promoting the health of its residents, with particular focus on the health and safety requirements of babies, young children and their parents.

B. Development Covered by this Section

This section applies to all new development classed as 6 or 9 under the Building Code of Australia (BCA) and may also be required to be provided as a result of substantial alterations and additions or a change of use to one of the above premises. “Class 6 or 9 of the Building Code of Australia” is defined in Appendix F1 – Definitions.

C. Objectives

- a) To ensure that all developments likely to be frequented by parents and children have suitable parenting facilities in public places that support and encourage breastfeeding;
- b) To ensure that safe and accessible toilets are provided in developments that cater for young children and their parent(s);
- c) To ensure that parent friendly amenities are suitable for use by both male and female carers;
- d) To provide parent friendly toilets that are appropriately located to minimise likelihood of embarrassment to all users;
- e) To ensure that all baby care rooms are of an adequate design and size, and are appropriately equipped.
- f) To ensure that all baby care rooms are maintained to appropriate standards.
- g) To ensure that approved baby care rooms continue to be used in accordance with development consent.

D. Controls

1) Provision of Parent Friendly Amenities

- a) Parenting rooms and parent friendly accessible toilets are to be provided for all developments classed as 6 or 9 under the BCA, including substantial alterations and

additions, and where a change of use is proposed resulting in the tenancy being classed as 6 or 9 buildings.

- b) Certain types of class 10a buildings are to be provided with parent friendly accessible toilets.
- c) Table D5.2 outlines the minimum requirements for various types of development.

Table D5.2: Minimum requirements for various types of development

Type of development	What is required
<ul style="list-style-type: none"> Community facilities (such as neighbourhood centres, community halls, other types of publicly owned facilities including temporary buildings), which are less than 300m² Gross Floor Area (GFA). Restaurants with greater than 30 seats (including any outdoor dining area). Amenity building associated with a sporting field/recreation facility less than 1,000m² GFA. All other development (classed 6, 9 and 10a buildings) covered by this section which is less than 1,000m² GFA. 	<ul style="list-style-type: none"> Change table in male, female and disabled toilets. Where public sanitary facilities are required or provided, the facilities should be designed to incorporate parent friendly accessible toilets.
Community facilities (such as neighbourhood centres, community halls, other types of publicly owned facilities including temporary buildings) and places of public worship which are 300m ² – 1,000m ² GFA	<ul style="list-style-type: none"> 10m² Parenting Room (see sections 2 and 3 below for details). Where public sanitary facilities are required or provided, the facilities should be designed to incorporate parent friendly accessible toilets.
All development covered by this section with GFA between 1,001m ² – 2,000m ² .	Parenting rooms and parent friendly accessible toilets should be incorporated, with the baby care room having a minimum 20m ² GFA (see sections 2 and 4 below for details).
All development covered by this section which is greater than 2000m ² GFA	Parenting rooms and parent friendly accessible toilets should be incorporated, with the baby care room having a minimum 30m ² GFA (see sections 2 and 5 below for details).

- d) All parent friendly accessible toilets are to be appropriately sign posted, with the signage to be approved by Council.
- e) Details of the minimum standards, as described in Table D5.2, should be shown on the plans submitted with the development application.
- f) The applicant is also required to submit a cleaning procedure, routine and schedule.

- g) Upon completion of any parenting room, an initial inspection must be made by Council's Environmental Health Officer (EHO) to ensure that the parenting room can be accredited by the Australian Breastfeeding Association. Council will conduct an annual inspection of parenting rooms to ensure the room is appropriately maintained and continues to be used in accordance with the development consent.

2) Common Requirements for All Sizes of Parenting Rooms

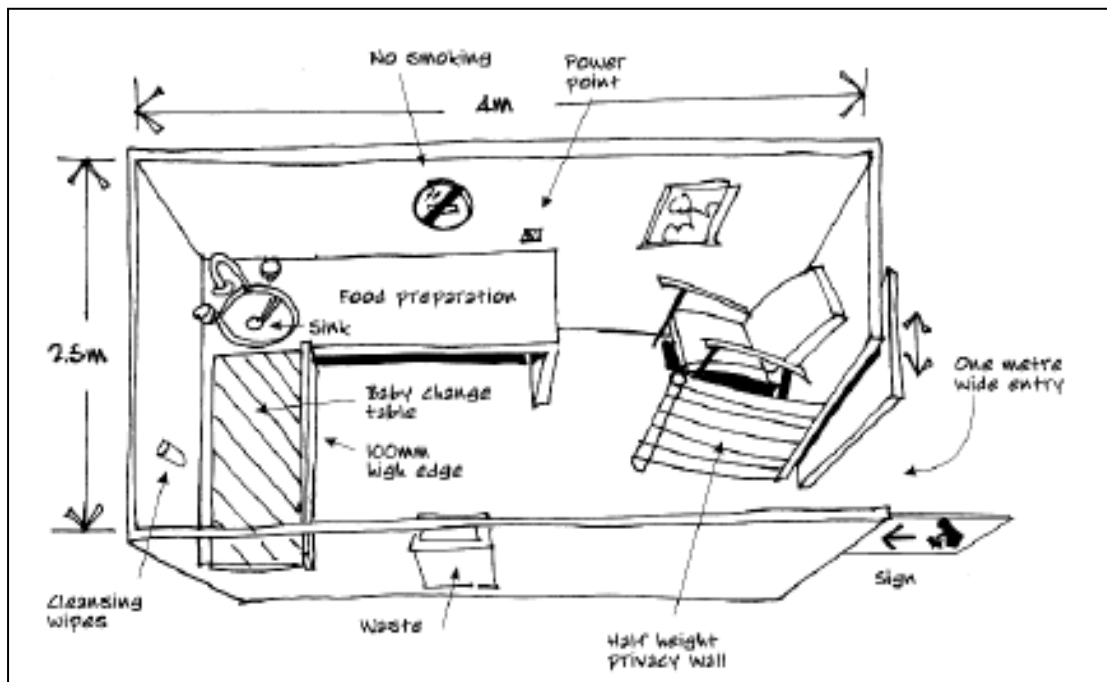
- a) The design and construction of the room must facilitate easy cleaning.
- b) The facility must be kept in a clean and tidy state at all times. A regular maintenance and cleaning program is to be implemented.
- c) A minimum of one sink with hot and cold water must be provided. All hot water is to be thermostat regulated to ensure the water temperature is not above 50 degrees Celsius. Hand drying facilities are to be provided adjacent to the sinks.
- d) Bench space to allow food preparation is to be provided. The bench space is to be a minimum 950mm wide by 1.8m long.
- e) A baby change table is to be provided, which must have either a protective side of 100mm or a belt, to prevent a baby from rolling off.
- f) Cleansing wipes are to be provided to clean the baby change table.
- g) A nappy disposal unit is to be provided.
- h) The parenting room must be a non-smoking facility and signposted as such. Signs can be obtained at <http://www.health.nsw.gov.au>.
- i) Adequate directional signage is to be provided to ensure the room is easily found. Signs should use a symbol that will be easily interpreted by people of culturally and linguistically diverse backgrounds, and will enable male parents/carers to also access and use the room.
- j) Ventilation must be provided in accordance with the AS 1668 Part 2 Acceptable indoor air qualities.
- k) A door entry of a minimum width of 1m is to be provided to allow access for single and double prams. The doors are to be manual, light to push and have the ability to be propped open for pram access.

3) Additional requirements for 10m² parenting rooms

The following controls are in addition to the general requirements listed above.

- a) The parenting room component is to have a minimum GFA 10m².
- b) Parenting rooms with a GFA of 10m² must have a minimum of one comfortable seat, a power point and a waste container with tight fitting lid. The seat should be suitably screened from the remainder of the room to ensure there is less likelihood of embarrassment should a male parent/carer also require use of the parenting room.

Figure D5.1: Example of baby care room within 10m²

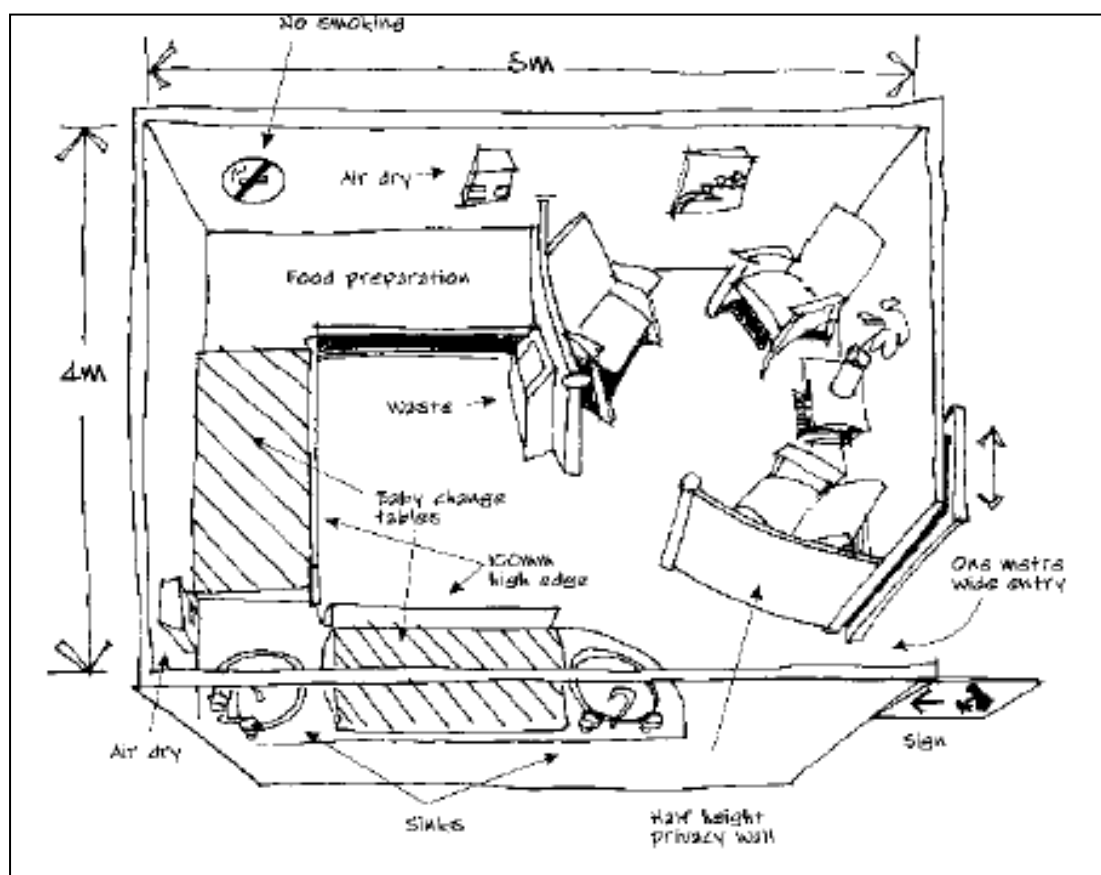


4) Additional requirements for 20m² parenting rooms

The following controls are in addition to the general requirements listed above.

- a) The parenting room component is to have a minimum GFA of 20m².
- b) Parent friendly accessible toilets are to be incorporated in parenting rooms.
- c) The parent friendly accessible toilets should include a toddler toilet and adult toilet. The toddler toilet should have a low wash basin with automatic cut off taps. The door to the toddler toilet should be able to be pushed open from the inside. Appropriate directional signage indicating the parent friendly accessible toilets and parenting rooms is to be installed.
- d) A private area should be provided for mothers breastfeeding, so that male carers can access the room without disturbing them.
- e) There should be two comfortable seats, a power point, and a waste container with tight fitting lid.
- f) The seats should be suitably screened from the remainder of the room/parent friendly accessible toilets to ensure there is less likelihood of embarrassment should a male parent/carers also require use of the parenting room.

Figure D5.2: Example of baby care room within 20m²

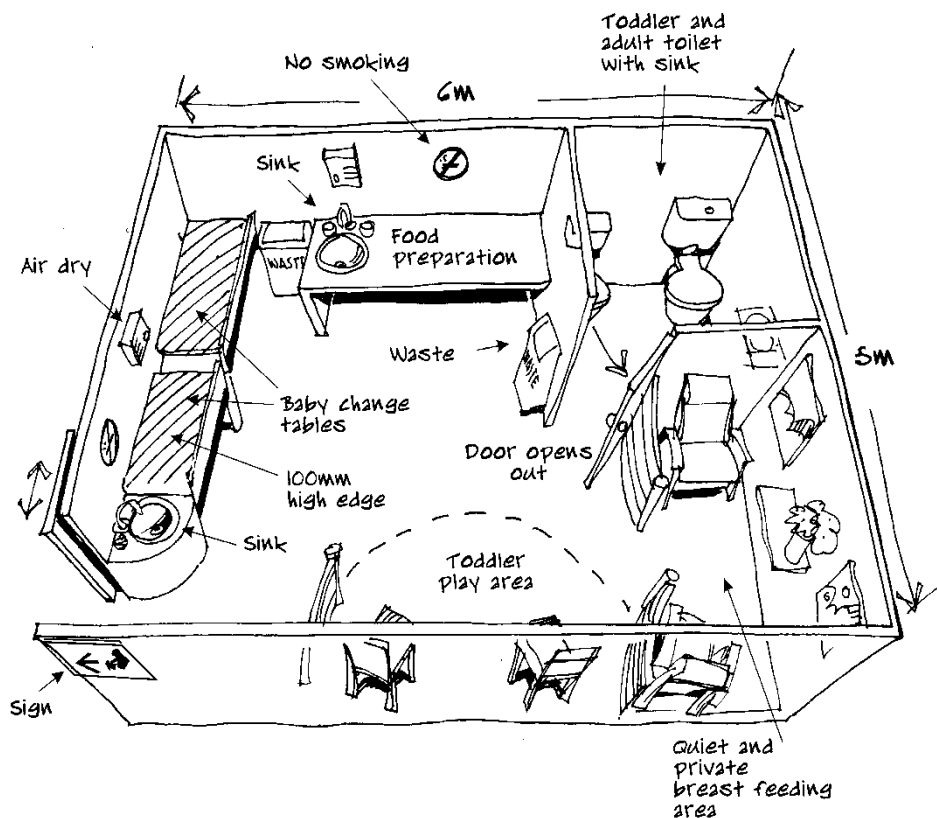


5) Additional requirements for 30m² parenting rooms

In addition to the general requirements for 20m² parenting rooms, the parenting room component with a GFA of 30m² is to provide:

- a) A minimum of 3 comfortable seats and one power point;
- b) A minimum of 2 baby change tables, which must have either a protective side of 100mm or a belt, to prevent a baby from rolling off;
- c) 2 sinks with hot and cold water;
- d) A waste container and nappy disposal units with tight fitting lids;
- e) A private area within the parenting room for breastfeeding mothers so that male carers can access the room without causing discomfort to either party;
- f) A confined and safe play area for toddlers; and
- g) Provision of a toddler toilet and adult toilet. The toddler toilet is to meet the following requirements:
 - i) Low wash basin with automatic cut off taps.
 - ii) A door able to be pushed open from the inside.

Figure D5.3: Example of baby care room within 30m²



D. Lifting the Bar

The following represents some ways in which applicants can demonstrate additional commitment to the principles for parent friendly amenities expressed in this DCP. Demonstration of this commitment may lead to Council considering variation of development controls. Applications that vary the development controls listed in this section of this Plan will need to demonstrate that the proposed development complies with the objectives relevant to the development controls it seeks to vary.

Suggested additional standards for all baby care rooms:

- Provision of a paper cup dispenser
- Provision of a dispenser machine to buy disposable nappies.
- Entry doors, if made of glass, should be safety glass.

Suggested additional features for 10m² parenting rooms

- Provision of cleansing wipes for cleaning the baby change table;
- Provision of a nappy disposal unit;
- Access for fathers and male carers who need to care for an infant without disturbing breastfeeding women;
- Provision of bench space (minimum 950mm wide and 1.8m long) to allow for food preparation; and
- Incorporation of parent friendly accessible toilets within the parenting room.

Suggested additional features for 20m² parenting rooms

- a) Provision of cleansing wipes for cleaning baby change table;
- b) Provision of a nappy disposal unit;
- c) Provision of a dispenser for disposable nappies; and
- d) Provision of bench space (minimum 950mm wide and 1.8m long) to allow for food preparation.

Suggested additional features for 30m² parenting rooms

- a) Provision of cleansing wipes for cleaning baby change table;
- b) Provision of a dispenser for paper cups;
- c) Provision of a dispenser for disposable nappies; and
- d) Entry doors, if made of glass, should be safety glass.

Other development

- a) Development that may not require provision of parent friendly amenities may still benefit from the provision of such a facility.

5.6. Places of Public Worship

A. Background

Places of public worship can vary remarkably in size and impact, from a high intensity, urban use to a small scale, low impact use.

Although small scale, traditional places of public worship may have minimal impact, it is increasingly common for this type of use to incorporate activities which operate 7 days per week, including for youth groups, community groups, parent groups, etc. This can create an essentially urban use. It is also becoming common for places of public worship to be quite large, so additional restrictions need to be placed on these larger establishments to minimise their impact on surrounding uses.

B. Objectives

- a) To ensure that the design and location of places of public worship do not adversely impact on the amenity of the area or neighbouring properties, including properties used for agriculture;
- b) To ensure that places of public worship are located on sites of sufficient size to accommodate buildings, parking areas and other associated facilities;
- c) To ensure that places of public worship are located on sites which have sufficient infrastructure and services to support the use;
- d) To ensure that the road access to places of public worship is sufficient to cater for expected traffic with minimal impact; and
- e) To ensure that, where they are located on a major road, the visual impact of places of public worship is consistent with the character of the area.

C. Controls

1. Location and Design

- a) A place of public worship with a capacity of more than 100 persons must locate on a road with sufficient capacity to accommodate likely traffic generation.

- b) Where a place of public worship will be visible from a designated road, information must be submitted with the development application to demonstrate how the visual impact of the building will be minimised.
- c) Places of public worship in rural or environmental zones must be designed to complement the character of the surrounding area.
- d) Places of public worship must be located on sites of sufficient size to accommodate all proposed buildings, parking areas, outdoor areas, etc.
- e) Where a place of public worship is to be located immediately adjacent to a property used primarily for residential purposes (including rural living or seniors living), a buffer zone of a minimum 10m in rural or environmental zones or 5m in all other zones must be provided to the side and rear boundaries. This buffer zone shall be landscaped and shall not be used for parking areas or the like.
- f) Buffer zones should also be considered to minimise the impact of places of public worship on agricultural uses in rural areas.

2. Servicing

- a) A place of public worship with a capacity of more than 100 persons must be connected to all services, including power, reticulated sewer and reticulated water.

3. Transport, Access and Parking

- a) A place of public worship with a capacity of more than 100 persons must demonstrate how sustainable modes of transport will be encouraged. This may include location close to public transport, provision of transport for worshipers (mini bus or similar) or some other means to reduce the reliance on transport by private vehicle.
- b) A traffic impact assessment may be required for the development of a place of public worship.
- c) Parking shall be provided in accordance with the standards in the Transport, Access and Parking section of this Plan.

4. Noise

- a) A noise impact assessment may be required for the development of a place of public worship and, if required, should address the provisions of the Noise and Vibration section of this Plan.

5.7. Vehicle Repair Stations

A. Background

Vehicle repair stations have particular impacts relating to the storage of chemicals, storage of vehicles awaiting repair and the parking of vehicles.

B. Objectives

- a) To ensure that satisfactory arrangements are made for landscaping, parking and disposal of wastes;
- b) In rural villages, to allow vehicle repair stations of a scale oriented to providing a local service; and
- c) To discourage developments which have an impact on rural amenity and the rural character of the villages.

C. Controls

1. General

- a) Adequate parking for employees and visitors should be provided (including cars waiting for servicing).
- b) Satisfactory arrangements should be made for the disposal of wastes including installation of a grease trap as determined necessary by Council's Health and Building Unit.

2. Rural areas

- a) Applications for vehicle repair stations which service the local community will be considered. Applicants should demonstrate the area from which customers are likely to be drawn.
- b) A maximum of two work bays will be permitted.
- c) Work bays should be screened from public view by orientation of the building or landscaping and fencing works.
- d) The building should be designed to minimise adverse visual impacts on the villages and integrate with the landscape and character of the locality.
- e) Noise generated by the development shall not adversely affect nearby properties or the rural amenity.

5.8 Cemeteries, Crematoria and Funeral Homes

A. Background

Cemeteries and crematoria can require large sites, and can have an impact on the amenity of the surrounding area, primarily due to traffic generation.

B. Objectives

- a) To ensure the operation of cemeteries, crematoria and funeral homes does not have a significant negative impact on the surrounding area, including properties used for agriculture;
- b) To ensure sufficient buffer zones are provided around the edge of sites to minimise impact on adjoining land uses; and
- c) To ensure that sites locate on roads with sufficient capacity to accommodate likely traffic generation.

C. Controls

- 1) Cemeteries, crematoria and funeral homes may not locate immediately adjacent to properties used primarily for residential development only (including rural residential/rural living or seniors housing) unless a sufficient separation can be obtained between any buildings on the site and any adjacent dwellings. The extent of the separation needed will vary with the scale of the proposed development.
- 2) Sufficient separation should also be provided to minimise potential conflicts between cemeteries and crematoria and properties used for agriculture in rural areas.
- 3) Cemeteries and crematoria must locate on a site with a minimum area of 10 hectares.
- 4) A landscaped buffer zone 15m wide must be provided to the side and rear boundaries of the site.

- 5) Cemeteries, crematoria and funeral homes must locate on a road with sufficient capacity to accommodate likely traffic generation.
- 6) A traffic impact assessment may be required for the development of a cemetery, crematorium or funeral home.
- 7) Cemeteries and crematoria must comply with relevant legislation including the *Public Health Act 1991* and *Protection of the Environment Operations Act 1997* and supporting regulations.

5.9 Extractive Industries

A. Background

Extractive industry includes the winning of sand, soil, gravel, rock or similar materials from the ground, and includes excavating, dredging, tunnelling or quarrying. It also includes the storage, stockpiling and processing of extracted materials.

B. Objectives

- a) To consider the social, economic and environmental issues in the assessment and management of extractive industries;
- b) To implement the objectives of international and nationally recognised environmental standards;
- c) To encourage community participation in all phases of extractive industry development;
- d) To provide sound technical parameters to facilitate the orderly development of extractive resources within environmentally sensitive regions; and
- e) To conserve the biological and cultural diversity and quality of the City of Penrith.

C. Controls

1) Setbacks

- a) Extractive industries including all facilities, buildings and operations should be setback no less than:
 - i) 40m from adjoining property boundaries;
 - ii) 40m from a public road;
 - iii) 40m from any boundary to a National Park or State Forest or Unalienated Crown Land;
 - iv) 40m from any site or relic of heritage, archaeological, geological, cultural significance;
 - v) 40m from the top bank of a watercourse or otherwise to the requirements of the NSW Office of Water;
 - vi) 50m from an agricultural or rural land use;
 - vii) 100m from a public or community facility; and
 - viii) 100m from a residence not associated with extraction.

2) Visual Amenity and Scenic Quality

- a) Applicants must submit a Landscape Site Analysis Plan, which identifies and assesses the scenic qualities, landscape constraints and options for landscape protection of the proposed extraction site; and demonstrates that areas of high visual sensitivity are

protected or enhanced (see Appendix F3 – DA Submission Requirements for more detail).

- b) Machinery and equipment associated with extraction should be stored in buildings and structures which are of a height, bulk and scale which is proportional to the surrounding landscape, and which are constructed of non-reflective materials;
- c) Perimeter screen planting of sufficient height to soften the visual impact of extraction sites when viewed from surrounding places must be provided;
- d) Extraction sites are to be rehabilitated to a final landform compatible with the shape, grade, level, form, land use, landscape quality and biodiversity of the surrounding terrain.

3) Dust and Noise Suppression

- a) Proponents shall submit a Noise Impact Statement which is to demonstrate that noise from the proposal will not have a significant negative impact on the surrounding area (see Appendix F3 - DA Submission Requirements for more detail).
- b) Proponents are encouraged to implement the extraction “cell” technique as a means of facilitating acoustic shielding around worked extraction sites.
- c) Proponents should ensure that road traffic noise is minimised to reduce potential impacts upon the acoustic environment of residents and community facilities within the locality.

In this regard, proponents should indicate the special transport needs of the activity, which are most likely to generate noise outside normal operating hours.

- d) The hours of operation of extraction and the transportation of materials are between 7.00am to 6.00pm Monday to Friday inclusive, and 7.00am to 4.00pm Saturday.

Variations to these hours may be justified having regard to the nature and location of a particular project.

- e) Proponents shall prepare a Dust Suppression Plan which identifies the range of measures to be used to minimise dust generation from both operations and stockpiles (see Appendix F3 – DA Submission Requirements for more detail).

4) Transport and Access

- a) All internal access roads associated with extractive industries should be at least 12m wide.
- b) Designs of internal access and intersection points will be considered by Council having regard to the requirements of the relevant road design guidelines, the specific needs of the operation and the site characteristics. Applicants should contact Council to determine the guidelines applicable to their proposal prior to lodging a development application.
- c) Internal access roads associated with extractive industries should be set back no less than:
 - i) 10m from adjoining property boundaries;
 - ii) 50m from environmentally sensitive areas including creek lines and habitats of threatened species; and
 - iii) 100m from residences not associated with extraction.

5) Other Impacts

- a) A truck wash down area shall be provided at the exit to the site.

- b) All wastewater or runoff exiting the site shall be treated to ensure that there is no detrimental impact on receiving waters through sedimentation or pollution. Means to achieve this shall be submitted with the development application.

5.10 Telecommunication Facilities

A. Background

This section is intended to be considered by the telecommunication carriers when looking for site facilities within the City of Penrith and undertaking the consultation process required under Commonwealth legislation.

B. Objectives

- a) To apply a precautionary approach to the deployment of radio communications infrastructure, by minimising Electro Magnetic Radiation (EMR) exposure to the public and avoiding sensitive locations;
- b) To achieve equity for the various stakeholders by endeavouring to balance their various needs;
- c) To promote good industrial design of infrastructure;
- d) To design and site telecommunications facilities to minimise visual impact;
- e) To provide infrastructure that is visually compatible with the surrounding character and visual context of the locality, with particular regard to heritage items, conservation areas and cultural icons;
- f) To minimise adverse impacts on the natural environment;
- g) To assess whether the proposed infrastructure is consistent with the amenity of the area and with permitted development in adjacent areas;
- h) To restore the site after discontinuation or removal of infrastructure;
- i) To identify the type of land use areas suitable for infrastructure;
- j) To accommodate the planning requirements of new technology;
- k) To provide equitable availability of locations to carriers; and
- l) To provide certainty for stakeholders and a consistent approach to the implementation/assessment of telecommunications infrastructure.

C. Controls

1) Siting

- a) In selecting a site, the proponent should demonstrate that it has adopted a 'precautionary principle' approach in terms of minimising the Electro Magnetic Radiation (EMR) exposure.
- b) Towers, structures and sites for telecommunications services should be co-located with other facilities or towers that supply or are proposed to supply telecommunications services or facilities, wherever possible. In this regard, a carrier should either co-locate antennas on an existing tower that has been established by a previous carrier, or as close as practicable to an existing tower that facilitates telecommunication services.

Where co-location is proposed, the assessment should address the cumulative emissions of all co-located telecommunications facilities.

If facilities are not co-located, details of the process employed in identifying opportunities for co-locating and reasons why this was unsuitable or inappropriate should be included in the assessment.

- c) Where possible, telecommunications facilities should not be located:
 - i) Close to possibly vulnerable populations (including the elderly, children and hospitals or nursing homes);
 - ii) Close to heavily populated sites;
 - iii) Within or at the termination of a significant vista or focal point of a streetscape;
 - iv) Within a visually sensitive area or at a 'gateway' site (see the Site Planning and Design Principles section of this Plan); or
 - v) Within a streetscape or landscape dominated by its heritage significance and identified in Schedule 5 Environmental heritage of Penrith LEP 2010.
- d) Carriers should take into consideration the proximity of a potential site to the following land uses:
 - i) Residential;
 - ii) Seniors housing;
 - iii) Hospitals;
 - iv) Schools;
 - v) Child care centres; and
 - vi) Heritage items.
- e) Wherever possible, facilities should be located outside of residential zones. Preferred locations include industrial areas, low use open space areas and commercial centres.
- f) Consideration of the proposed or future use of land, as well as its existing use, should be included in any assessment.

2) Visual Impact

- a) Towers should be located where possible to minimise visual impact. Assessments should outline screening measures considered, including painting and finishes of towers and ground level structures, and site landscaping. Location of towers at the rear of buildings should also be considered, rather than on street frontages, impacting on the streetscape.

3) Notification and consultation

- a) Carriers must comply with the relevant sections of the ACIF (Australian Communications Industry Forum) code in relation to:
 - i) Installing low RF (radiofrequency) Power Infrastructure and Fixed Radio links;
 - ii) Communicating with Council when no development application is required; and
 - iii) Consulting with the local community when no development application is required.

5.11 Boarding Houses

A. Background

The following developments are covered by this section:

- a) boarding houses; and
- b) alterations and additions to existing boarding houses.

This section provides supplementary directions for Boarding Houses in addition to those contained within State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP) and the general controls elsewhere in this DCP.

Where controls specified elsewhere in the DCP are inconsistent with this section and would otherwise apply, this section prevails.

Boarding house developments should be compatible with local character and provide suitable amenity for tenants and the community.

B. Objectives

- 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.
- c) To ensure boarding house premises are designed to be safe and accessible.
- 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.

C. Controls

1) Local Character

- a) Boarding house development applications shall be accompanied by detailed site analyses to assist with the determination of local character.
- b) A neighbourhood analysis must be completed to identify the desired future character of the neighbourhood. It is recommended that community consultation be undertaken as part of the analysis to determine aspirations for the future character.
- c) Key elements that contribute to consideration of local and neighbourhood character include:
 - Surrounding land uses
 - Social and Historic Context
 - Scale
 - Built Form
 - Natural Environment
 - Density
 - Amenity
 - Safety and Security
 - Social dimensions and housing affordability
 - Aesthetics

2) Built Form, Street Impact and Appearance

- a) The entrance to the boarding house must be in a prominent position addressing the street.

- b) New boarding houses must not reduce the achievement of access to a minimum of 3 hours sunlight in the main living area and in at least 50% of private open space between 9am and 3pm on 21 June for adjoining properties.
- c) Boarding houses must be designed to have a sympathetic relationship with adjoining development.
- d) Proposals must demonstrate that neighbourhood amenity will not be adversely impacted by factors such as noise and privacy.
- e) There must be no basement encroachments to setbacks either above or below ground.
- f) Minimum setbacks for boarding houses in R2 and R3 Zones are provided in table D5.3. The intent of this control is to ensure consistency with local character by replicating streetscape patterns of buildings and private gardens in established neighbourhoods, which have visual and symbolic richness that are valued by their community.

Table D5.3: Minimum setback and building envelope requirements for boarding houses in R2, R3 and R4 Zones, and residential flat buildings or high density mixed use development. Where controls specified elsewhere in this part of the DCP are inconsistent with this table and would otherwise apply, the controls in this table prevail.

Setbacks	Minimums in R2 and R3 Zones	Minimums for Multi dwelling housing scale development in an R4 zone	Minimums for Residential flat building or high density mixed use development
Front	a) average setbacks of the adjoining neighbours; or b) a 5.5m minimum setback, whichever is the greater.	a) average setbacks of the adjoining neighbours; or b) a 5.5m minimum setback, whichever is the greater.	a) average setbacks of the adjoining neighbours; or b) a 5.5m minimum setback, whichever is the greater.
Side	2m along not more than 50% of the building length. The remaining 50% is to achieve a minimum setback of 3m, these areas are to be a minimum of 1.5m wide.	2m along not more than 50% of the building length. The remaining 50% is to achieve a minimum setback of 3m, these areas are to be a minimum of 1.5m wide.	Zero setbacks from the side boundary are not permissible.
Rear	4m for a single storey building (or any single storey component of a building) 6m for a two storey building (or any two storey component of a building)	4m for a single storey building (or any single storey component of a building) 6m for a two storey building (or any two storey component of a building)	4m for a single storey building (or any single storey component of a building) 6m for a two storey building (or any two storey component of a building)

Secondary Street Frontages	3m In an R3 Zone, 5.5m with a 3m minimum setback for single storey verandahs	5.5m 3m minimum setback for single storey verandahs	Zero setbacks from the side boundary are not permissible, other than awnings to main building entrances.
Building Envelope	Refer to Figures D5.4 and D5.5 below.	Comply with controls for <i>Multi Dwelling Housing</i> in this DCP	Comply with controls for <i>Residential Flat Buildings</i> in this DCP
Compatibility of Landscaping with Streetscape in the Front Setback	In an R2 Zone 50% landscaped area In an R3 Zone 40% landscaped area	40% landscaped area	40% landscaped area

Figure D5.4: Building Envelope for Boarding Houses in R2 Zones, for consistency with desired local character.

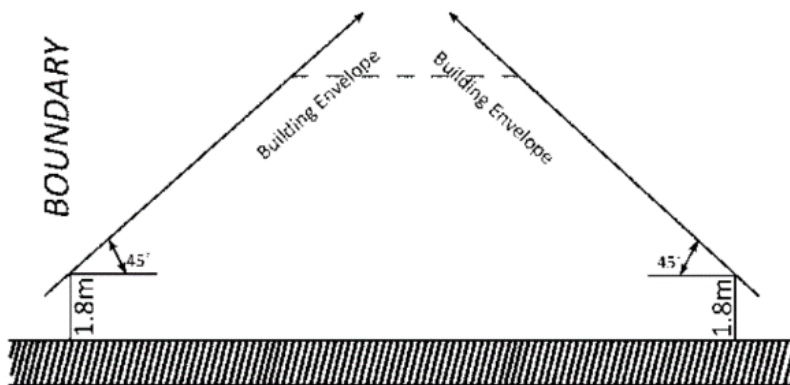
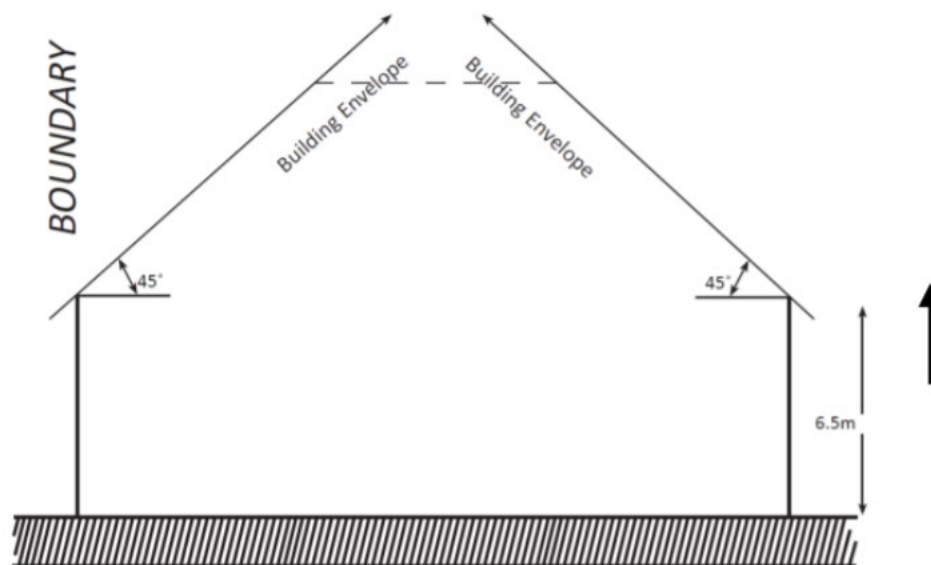


Figure D5.5: Building Envelope for Boarding Houses in R3 Zones, for consistency with desired local character.



- g) In an R2 or R3 Zone, boarding houses should comply with controls for *Single Dwellings* where these controls do not conflict with the requirements of the SEPP.
- h) A boarding house proposal of a scale similar to a multi dwelling housing development should comply with the controls and objectives for *Multi Dwelling Housing* within this DCP, where they are not in conflict with the requirements of the SEPP and the objectives of the zone.
- i) A boarding house proposal of a scale similar to a residential flat building or high density mixed use development should comply with the controls and objectives for *Residential Flat Buildings* within this DCP, where they are not in conflict with the requirements of the SEPP, and the objectives of the zone.

3) Compatibility with Streetscape in the Front Setback

In order to be compatible with the streetscape, boarding houses must supply the following elements within the front setback, in addition to complying with other relevant *Landscape Design* controls in this DCP and *Built form, streetscape impact and appearance* controls in this section:

- a) A minimum of 18m² deep soil area must be provided to support larger plants and trees used to soften the form of the building and provide shade. Deep soil areas are to be a minimum width and length of 3m. Deep soil zone may form part of the landscaped area calculation.
- b) A watering system that does not rely on lodgers to maintain plantings.

4) Tenant Amenity, Safety and Privacy

Boarding houses are to maintain a high level of resident amenity, safety and privacy by ensuring:

- a) communal spaces including laundry, bathroom, waste facilities, private open space, kitchen and living areas are accessible to all lodgers;
- b) if over 10 boarding rooms are supplied, 10% of the total number of dwellings (rounded up) must be accessible;
- c) cross ventilation should be achieved in common areas including corridors, common kitchen areas, living areas, laundry, waste and kitchen facilities;
- d) all opening windows are to be provided with fly screens; and
- e) secure mailboxes shall be provided on the property allowing resident only access.

- f) Communal kitchen facilities must be provided with a minimum area of:
 - a. 7m² for up to 6 lodgers,
 - b. or 11m² for more than 6, up to 12 lodgers.
 - c. A minimum of 15m² will be provided above 12 lodgers, plus 1m² for each additional lodger over 12; or all bedrooms shall contain kitchenette facilities with a fridge, adequate cupboards and shelves and a microwave. For fire safety reasons no other cooking appliances are permitted.
- g) Common rooms must be provided at a minimum rate of 2m² per lodger, or a minimum of 13m² where there are fewer than 6 lodgers. Common rooms do not include circulation space or laundry, bathroom, waste and kitchen facilities.

5) Visual and Acoustic Amenity Impacts

Boarding houses are to provide:

- a) bedrooms separate from significant noise sources;
- b) sound insulation between bedrooms to provide reasonable amenity;
- c) communal areas and bedroom windows away from the main living area or bedroom windows of any adjacent buildings; and
- d) screen fencing, plantings, and acoustic barriers in appropriate locations.

6) Location

Boarding Houses shall not be located in cul-de-sacs.

7) Plan of Management

An operating 'Plan of Management' is to be submitted with each development application for a boarding house (including new and existing boarding houses). The Plan of Management is to include, but is not limited to:

- a. boarding house staffing arrangements, including the location of 24/7 contact details for any on-site manager or resident caretaker, who has overall responsibility for the operation, administration, cleanliness, maintenance and fire safety of the premises;
- b. house rules and how they will be publicised to residents, including details of:
 - i. guest behaviour;
 - ii. activities and noise;
 - iii. visitor policy;
 - iv. the use of alcohol and/or drugs;
 - v. cleaning of communal spaces following use, and
 - vi. location of smoking area.
- c. plans outlining the occupancy rate for each sleeping room, room furnishings, provisions of communal areas and facilities, and access and facilities for people with disabilities;
- d. measures to minimise unreasonable impact to the habitable areas of adjoining properties, including the management of communal open spaces, which, for boarding houses within residential areas or where adjoining sites contain residential activities, should be restricted to 10pm;
- e. waste minimisation, recycling and collection arrangements are to be identified;
- f. maintenance strategy including, but not limited to:
 - i. monthly gardening and pruning of vegetation;
 - ii. pest management plan;
 - iii. cleaning and sanitation program including end of lease arrangements;
 - iv. quarterly external clean and graffiti removal;
 - v. waste management plan; and

- vi. indicative arrangements for council officer's 12 month inspection, required under the Boarding House Act 2012.
- g. internal signage arrangements, including:
 - i. the name and contact number of the property caretaker or manager;
 - ii. emergency contact numbers for essential services;
 - iii. house rules;
 - iv. a copy of the annual fire safety statement and current fire safety schedule;
 - v. floor plans that will be permanently fixed to the inside of the door of each sleeping room which indicate the available emergency egress routes from the respective sleeping room; and
 - vi. information on local social services.
- h. minimum lease period with conditions including:
 - i. resident agreement to comply with boarding house rules;
 - ii. minimum lease period of 3 months; and
 - iii. 6 and 12 month rental terms available.
- i. a social impact assessment;
- j. a complaint register that is available for inspection by Council;
- k. indicative arrangements for Council monitoring and review of required management actions; and
- l. any further relevant considerations. Council may request further information to be provided.