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| JRPP Ref. No.: | 2012SYW038 |
| DA No.: | DA12/0175 |
| PROPOSED DEVELOPMENT: | Construction of a Multideck Hospital Car Park Lot 1 DP 1114090, 35 - 65 Derby Street, Kingswood |
| APPLICANT: | NSW Health Infrastructure |
| REPORT BY: | Belinda Borg, Consultant Environmental Planner, Penrith City Council |



(Source: Fitzpatrick and Partners)

Assessment Report

Executive Summary

A Development Application has been received from NSW Health Infrastructure for the construction of a multideck hospital car park at Lot 1 DP 1114090, 35 – 65 Derby Street Kingswood. The Nepean District Hospital Campus is a major hospital servicing the Greater Western Sydney and Blue Mountains catchment area. Services provided within the hospital include emergency care, critical care, acute medicine, planned and emergency surgery, maternity and neonatal services, paediatric medicine, minor surgery, aged care, rehabilitation services, drug and alcohol services, mental health care and specialist outpatient and clinical services.

The subject site is zoned *5(a) Special Uses – Hospital* under *Penrith Local Environmental Plan 1998 (Urban Land)*. The proposed development relates to the provision of additional car parking on the site to support the range of activities provided by Nepean Hospital and is

therefore a permissible form of development with consent in the 5(a) zone.

The proposed development is Crown Development and has a capital investment value in excess of \$5 million. As such, the Sydney West Region Joint Planning Panel has the function of determining the application in accordance with Section 23G of the *Environmental Planning and Assessment Act 1979*.

In accordance with Section 2.7 (Notification and Advertising) of *Penrith Development Control Plan 2006*, the proposed development was advertised in the local newspapers and notified to the owners and occupiers of adjoining and nearby properties. A total of 81 property owners and occupiers were notified in the surrounding area. The public exhibition period for the proposal was from 19 March 2012 to 2 April 2012. One (1) submission was received from the Penrith Business Alliance generally supporting the Development Application, however requesting that the temporary loss of existing car parking spaces during the construction phase be addressed.

An assessment of the proposed development under Section 5A, Section 23G, Section 79C and Section 89 of the *Environmental Planning and Assessment Act 1979* has been undertaken and the proposal has been found to be satisfactory. The following key issues have emerged as a result of this assessment process:

- Context and Setting
- Urban Design
- Accessibility
- Replacement parking during construction phase
- Provision of staff parking versus public parking

These matters are discussed in detail in this report.

The proposed development is in accordance with the relevant provisions of the environmental planning instruments and Development Control Plan pertaining to the land. The proposed development is unlikely to have a negative impact on the surrounding environment. The site is suitable for the proposed development and the proposal is in the public interest. The proposed development seeks to increase the level of car parking available on the site without increasing the current level of services available at Nepean Hospital. The proposal is therefore worthy of support.

Section 89(1) of the Environmental Planning and Assessment Act 1979 provides that a consent authority cannot refuse a development application without the approval of the Minister, nor impose a condition of consent without the approval of the Minister or the applicant. The conditions of consent recommended as part of this report have been agreed to by the applicant.

There are six appendices to this report, as detailed below.

- *Appendix No. 1 – Location Plan*
- *Appendix No. 2 – Aerial View of Site*
- *Appendix No. 3 – Site Plans, Sections and Elevations*
- *Appendix No. 4 – SRDAC Requirements*
- *Appendix No. 5 – Landscape Plans*

Background

The Nepean District Hospital Campus has been subject to a number of recent development

proposals for a variety of development works. A number of these proposals have been subject to assessment under Part 3A of the Environmental Planning and Assessment Act 1979, and a recent proposal for an oral health facility was considered and granted consent by the Sydney West Joint Regional Planning Panel.

In consideration of the Development Application (DA10/1146) for the oral health facility at the Sydney West Joint Regional Planning Panel, it was recommended that Council write to the Minister of Health and Minister of Planning advising of the concerns relating to the provision of adequate parking on site to support the range of services offered at Nepean Hospital. The proposed development for the multideck hospital car park is considered to provide a significant increase in the availability of parking within the site to support the staff and visitors to the hospital.

The applicant attended a pre-lodgement meeting in relation to the subject proposal on 13 December 2011. The key issues identified by Penrith City Council officers at the pre-lodgement meeting have been addressed as part of the Development Application.

Site and Surrounds

The hospital precinct is contained within a large rectangular parcel of land measuring some 13.92 hectares in size. This precinct is bound by the Great Western Highway to the north, Parker Street to the west, Somerset Street to the east, and Derby Street to the south. The current proposal is located in the south eastern portion of the hospital precinct, immediately adjacent the intersection of Derby and Somerset Streets. Refer to *Appendix No. 1* and *Appendix No. 2* for a location plan and aerial view of the site.

The portion of the site associated with the proposed development is currently occupied by an at ground level car park consisting of 120 vehicle spaces for staff, which is to be removed as part of the development.

The Nepean Hospital Campus itself provides for a wide range of medical uses, and development to the south west is also characterised as predominantly medical land uses. Development to the east and south-east, which are in closest proximity to the current development site are characterised by predominantly residential land uses of varying densities.

The Proposed Development

The proposed construction of a multideck hospital car park at Nepean Hospital includes the following aspects:

- Demolition of the existing ground level car park.
- Construction of multideck car park consisting of split level design (seven and eight levels) to accommodate 660 motor vehicle parking spaces, motor cycle parking areas, bicycle parking area, office, accessible bathroom, associated car ramps, lifts and fire stairs.
- Construction of a new roundabout and service road connecting to the car park from Somerset Street.
- Construction of a new exit point to the car park from Derby Street.
- Related landscaping, stormwater drainage and utility infrastructure works.

Refer to *Appendix No. 3* for copies of the site plans, sections and elevations prepared by NSW Health Infrastructure which include details of the proposed works.

The following documents have accompanied the Development Application:

- Statement of Environmental Effects – JBA Urban Planning Consultants
- Architectural Plans and Schedule of Materials – Fitzpatrick & Partners Architects
- Landscape Architect Report - McGregor Coxall
- Landscape Architect Plan - McGregor Coxall
- Tree Inventory Report – Angophora Consulting Arborist
- Drainage Report – Taylor Thomson Whitting
- Acoustic Report – NDY
- Traffic Report - Taylor Thomson Whitting
- Waste Management Report - JBA Urban Planning Consultants
- BCA Capability Report – Vic Lilli & Partners

Planning Assessment

The proposed development has been assessed against the relevant heads of consideration contained in Section 5A, Section 23G, Section 79C and Section 89 of the *Environmental Planning and Assessment Act 1979*, and based on this assessment, the following issues have been identified for further consideration.

1. Section 23G – Joint Regional Planning Panels

Under Section 23G of the *Environmental Planning and Assessment Act 1979*, a regional panel is taken to be the Council whose functions are conferred on a regional panel.

The proposed development is Crown Development and has a capital investment value in excess of \$5 million. Under Clause 20 of *State Environmental Planning Policy (State and Regional Development) 2011*, a regional panel has the function of determining applications for Crown Development which has a capital investment value in excess of \$5 million. The Sydney West Region Joint Planning Panel therefore has the function of determining the subject Development Application in accordance with Section 23G of the *Environmental Planning and Assessment Act 1979*.

2. Section 79C(1)(a)(i) – Any Environmental Planning Instrument

Penrith Local Environmental Plan 1998 (Urban Land)

The subject site is zoned 5(a) *Special Uses – Hospital* under *Penrith Local Environmental Plan (LEP) 1998 (Urban Land)*. The proposed construction of a multideck hospital car park relates to an existing hospital buildings and is therefore a permissible form of development with consent in the 5(a) zone.

The proposed development is consistent with the aims and objectives of the LEP. The particular objective of the 5(a) zone is as follows:

To facilitate certain development on land which is, or is proposed to be, used by public authorities, institutions, organisations or the council to provide and protect services, utilities or transport facilities and associated activities.

The proposed development satisfies the objective of the 5(a) zone in that it will provide car parking to support the current services and facilities of Nepean Hospital.

There are several special provisions contained in the LEP which seek to control development on the site. These provisions are considered below.

Clause 13 – Environmental Performance

The location, siting and design of the proposed development will achieve effective environmental performance.

An Acoustic Report prepared by Acoustic Logic dated 24 February 2012 was considered and referred to Council's Environment Department for comment. Appropriate conditions of consent have been included ensure the implementation of the recommendations of the report within the design of the building and the overall management of noise within the site.

The application was also referred to Council's Engineering Department for comment regarding the management of stormwater discharge. Appropriate conditions of consent have been included ensure the management and treatment of stormwater discharge from the site.

Clause 14 – Design Principles

The proposed development is consistent with the required design principles relating to protection of local topography, streetscape and character, compatibility with the scale and design of neighbouring development and provision of contemporary standards of amenity.

An Urban Design Review Panel meeting was held on 25 January 2012 which considered the proposed and determined that the development would establish an appropriate landmark for hospital visitors, the use of landscaping and appropriate building materials would soften the scale and bulk of the development which is considered necessary in the context of the surrounding residential neighbourhoods.

Clause 28 – Tree Preservation

The proposed development necessitates the removal of 12 existing trees from the site. The application has been accompanied by a Tree Inventory Report prepared by the Angophora Consulting Arborist. The report identifies 2 of these trees as not being of good health and form. The proposed level of tree removal is considered appropriate in the circumstances of the case. The proposed landscaping works for the site will more than compensate for the removal of these trees.

Clause 32 – Flood Liable Land

The subject land is not flood liable or adjacent to flood liable land.

There are no further relevant LEP provisions due to the fact that the site is not zoned for residential purposes.

State Environmental Planning Policy (Infrastructure) 2007

Under Clause 57 of *State Environmental Planning Policy (Infrastructure) 2007*, the construction of the multideck hospital car park is permissible with consent in the *SP1 Special Activities* zone (the *SP1* zone is equivalent to the *5(a) Special Uses* zone). The proposed development is consistent with the objectives of the *SP1* zone.

A Sydney Regional Development Advisory Committee (SRDAC) meeting was held on 11 April 2012 in response to the referral to the Roads and Maritime Services (RMS) required under Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007*.

Concurrence under Section 65 of the Local Government (General) Regulations 2005 has been provided subject to conditions of consent. A copy of the Sydney Regional Development

Advisory Committee (SRDAC) requirements has been included within Appendix 4.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) aims to provide a framework for the assessment, management and remediation of contaminated land throughout the state. Clause 7(1) of SEPP 55 prevents consent authorities from consenting to a development unless it has considered whether the land is contaminated and is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

There is no evidence to suggest that the subject land has previously supported any activities which may have resulted in land contamination and no contaminating activities are currently being undertaken from the site. This information is sufficient to conclude that a Stage 1 Preliminary Site Investigation is not warranted. The provisions of SEPP 55 have therefore been satisfied.

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997)

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No. 2 – 1997) (SREP 20) integrates planning with catchment management to protect the Hawkesbury-Nepean river system, requiring the impact of future land use to be considered in a regional context. The plan covers water quality and quantity, environmentally sensitive areas, riverine scenic quality, agriculture and urban and rural-residential development. It controls development that has the potential to impact on the river environment. The plan applies to all parts of the catchment in the Sydney region (15 local government areas, including Penrith), except for land covered by *Sydney Regional Environmental Plan No. 11 – Penrith Lakes Scheme*. SREP 20 is supported by an Action Plan, which includes actions necessary to improve existing conditions.

The proposed development is in accordance with the general planning considerations set out in Clause 5 of SREP 20 and the relevant specific planning policies and related recommended strategies set out in Clause 6. In particular, provision will be made for adequate erosion and sediment control measures to ensure sediment as a result of the development is not deposited in the Hawkesbury-Nepean River via the stormwater system.

Penrith City Council's Development Engineer has reviewed the proposed development regarding stormwater quantity and stormwater quality considerations. In this regard, Council's Development Engineer is satisfied with these aspects of the proposal subject to conditions of consent.

3. Section 79C(1)(a)(ii) – Any Draft Environmental Planning Instrument

There are no draft environmental planning instruments applicable to the subject site or to the proposed development.

4. Section 79C(1)(a)(iii) – Any Development Control Plan

Penrith Development Control Plan 2006

The proposed development is in accordance with the relevant provisions of *Penrith Development Control Plan 2006*. The relevant provisions are considered in this report either in discussions relating to the applicable environmental planning instruments or in terms of the likely impacts of the proposed development.

5. Section 79C(1)(b) – The Likely Impacts of the Development

Context and Setting

The proposed development seeks to construct a multideck car park to increase the existing level of hospital car parking for staff and visitors. The additional car parking will support the current services provided within Nepean Hospital and any future expansion of facilities and services. No expansion of facilities at Nepean Hospital is proposed as a part of the Development Application.

Currently, the location of the proposed multideck car park is being utilised by an at ground car park consisting of 120 spaces available to staff. The location of the car park will increase the existing level of onsite car parking within the south-eastern area of the site and will support the new oral health and mental health facilities within the immediate locality of the car park.

The proposal is therefore compatible with the surrounding and adjacent land uses and will have no major impact on the amenity of the area. The proposal will have no adverse impacts on the natural environment.

Urban Design

The proposed multideck hospital car park has been sited at the intersection of Derby and Somerset Street within an area of the hospital grounds that are currently being used as a ground level car park. The multideck car park has been designed with a mixture of fixed louvers, masonry and tensile cable systems to provide a modern approach to multi level car parking, while complementing the design of the existing buildings within the hospital campus.

Consideration was given to increasing the setbacks of the car park from Derby and Somerset Streets, which are 2.865m and 2.95m respectively. However the location of the car park within the hospital and the vicinity of the existing hospital buildings restrict the ability to relocate the car park within the site. Alterations to the depth or width of the building would result in a reduction of 223 spaces or 34% of the overall parking to be provided within the building.

The setbacks of the building are consistent with the setbacks of adjacent buildings to the local street network and great attention has been given to landscaping the setback area and adjacent road reserve. The louvered facade of the building provides design elements that assist in reducing the bulk and scale associated with a multideck car park and provides visual interest within the street elements of the building.

The location of the car park close to the street frontages of Derby Street and Somerset Street will also provide good levels of visibility for pedestrian and ensure CPTED principles are implemented within the design of the development.

The proposed setbacks were also supported by the Urban Design Panel.

Clear pedestrian and vehicle access points have been provided within the design and resulting in no conflict between the movement of people and vehicles within the car park.

The relocation of the overhead power lines was requested as a condition of consent to ensure there is no future conflict between the existing landscaping, proposed landscaping and infrastructure within the setback areas. However Health Infrastructure did not agree with the condition of consent as further information from Endeavour Energy would impact on the ability to comply with this condition of consent. Furthermore the choice of suitable species

including *Eucalyptus molucanna* has been specified in the landscape plan to reduce conflict with the electrical infrastructure.

The application has been accompanied by landscape plans which provide for related landscaping works on the site. Refer to Appendix No. 5 for a copy of the landscape plans prepared by McGregor Coxall which includes details of the proposed works. The proposed landscape works will provide for the high-quality embellishment of the site with suitable ground covers, shrubs and trees which, at maturity, will complement the scale, design and function of the development.

Accessibility

The proposal was reported to Council's Access Committee at its meeting held on 11 April 2012. At that meeting, the Committee requested the following matters be considered in Council's assessment of the proposal:

- Greater detail is required regarding pedestrian links to and from the car park from within the site and outside the site.
- One accessible car space shall be provided for every 50 car spaces.
- The floor to ceiling height clearance requirements for accessible car spaces shall be satisfied.
- The height clearances shall make provision for service conduits and stormwater lines which may be strapped to the underside of ceilings.
- The floor to ceiling heights shown on the cross-section plan should not include the slab depth.
- One lift shall be accessible with minimum dimensions of 1.4m x 1.6m.
- Push button entries and pay booths/machines should be accessible for wheelchair users (i.e. operational buttons should be higher than 1.2m).
- If the proposed stairways are not fire escape stairs, one set of stairs must be accessible.
- Stair nosing strips and handrails shall be provided to the stairways.
- A wheelchair circulation space shall be provided for the doorway to the ground floor office (i.e. 500mm from latch side).

The applicant provided a detailed response to the concerns of the Access Committee, which included the following information:

- Additional architectural details have been prepared by McGregor Coxall clearly showing the pedestrian linkages from the proposed car park to the surround buildings and existing pedestrian linkages within the hospital.
- The ground level car parking area will be redesigned to include the provision of fourteen (14) accessible car parking spaces. Furthermore spaces adjacent to the lift core will be dedicated to car park patrons with limited mobility (such as the elderly or parents with prams).
- The floor to ceiling height of the ground floor of the car park will be 2840mm from the floor to the underside of the slab and 2625mm to the underside of the band beams.
- Floor to ceiling heights have been clearly identified on the amended architectural plans.
- The proposed lifts will have internal dimensions are 2500 x2800mm.
- Push button entries and pay booths/machines will be accessible for wheelchair users
- It has been confirmed that both sets of stairs are fire stairs.
- Stair nosing strips and handrails will be provided to the stairways.
- A wheelchair circulation space has been provided for the doorway to the ground floor office.

The proposal is therefore considered to provide appropriate levels of accessible car parking and paths of travel from the car park to the surrounding hospital buildings. A condition of consent has been included requesting details of the accessible parking spaces within the car park.

Access, Parking and Traffic

Vehicular access to the existing car parking area is currently via Derby Street. The existing vehicle access arrangements will be altered, with the Derby Street access point being an exit only. A new roundabout will be constructed within Somerset Street to provide a new driveway within the hospital grounds to access the multideck car park.

Development Control Plan 2006 provides parking rates specific to hospital developments, a rate of 1 space per 3 beds plus space 1 per 3 employees. The traffic study submitted by Taylor Thomson Whiting indicates a total bed number of 420 across the site as well as total staff numbers of 2714. This equates to a need for 1045 parking spaces. The proposed development will accommodate 660 car parking spaces and increasing the total level of car parking to 1820 car spaces within the Hospital grounds.

The application has been accompanied by a Traffic and Parking Assessment Report prepared by Taylor Thomson Whiting which concludes that the proposed vehicle access and car parking arrangements are satisfactory and that the car park will reduce the level of on street parking while utilising the existing design of the local road network.

Penrith City Council's Traffic Engineer has reviewed the proposed development with regard to access, parking and traffic considerations and has provided the following comments:

The proposal is classified as a Column 2 development under SEPP Infrastructure 2007 and has been considered at the SRDAC meeting of 11 April, 2012. Comments/conditions were received 27/4/2012.

- ***The second paragraph of RMS condition 1 is not considered necessary by Council's Traffic Section.***
- *Any vehicular queuing at the roundabout at the intersection of Derby and Somerset Streets is not expected to adversely impact on the operation of the roundabout.*
- *A full time "No Stopping" zone currently exists at the Derby Street frontage of the development site; however, the full time "No Stopping" zone in Somerset Street will need to be extended. This requires approval of LTC (see cond).*

Parking

Parking provision for this first stage of additional parking (662 of 1250 spaces) at the hospital is based on surveys of the hospital grounds and surrounding streets, visitors etc.

The existing parking demand has been estimated at 1700 vehicles (2pm weekdays) being 1850 people, (1360 staff + 490 outpatients and visitors). This does not include service vehicles, volunteers, professional related visitors etc.

Current parking spaces used are estimated to be 1200 staff (80% car usage); 320 outpatients; 80 visitors; fleet/other 100 spaces, totalling 1700 spaces.

Forecast parking spaces to be used is 1520 staff (80% car usage); 420 outpatients; 120 visitors; fleet/other 100 spaces, total 2160 spaces.

The proposed car parking is said to be the first of the multi-deck car parks, providing 662 spaces of the future demand of 2160 spaces.

There is no information as to whether the proposed car park will be open for the use of public, staff or both. Either way, given the location of the car park, being distant from the main hospital entrance, it is likely that more staff than visitors will occupy spaces.

The 662 on-site spaces will remove 662 on-street spaces from the surrounding streets, however, it is likely that the on-street spaces will be re-occupied given current parking demands in the locality.

Accessible Parking

The two accessible parking spaces at the end of the entrance driveway are not in a satisfactory location, as reversing to the car park entry is required to leave the spaces, potentially creating confusion and conflict at the car park entrance. Those drivers would also need to enter and exit the car park boom gates to leave the car park.

Additional accessible parking spaces would be appropriate given the car park is for hospital use and is likely to cater for people with a variety of accessibility issues (temporary and permanent). (SEE RMS CONDITION).

Bicycle Parking

Bike racks appear to be located near the main pedestrian entrance to the building, however, it is unclear as to how cyclists access the racks. Do they ride to the end of the entrance driveway and go between one accessible car space and the corner of the building or would they ride in from other parts of the site, or are they expected to go into the car park, boom gates and through the pedestrian foyer?

This area to the front door and the bike racks should be covered (roof structure/awning) to allow weather access and protection for bike parking.

Access and Circulation

Access and circulation in/around/out of the car park is critical to ensure that the car park is easily used, otherwise drivers will prefer to park on the street.

Access to/from the site is via Somerset Street and a new roundabout aligned with Hargrave Street, and exit will be via Derby Street.

Turning circles should be provided to demonstrate that vehicles can enter the car park, move through the boom gates then turn left down to the lower ground level. Also turning left from lower ground to the car park exit appears to be tight. (SEE RMS CONDITION re complying with Austroads).

There are two boom gates for two lanes of vehicles exiting the car park. These vehicles are required to merge into one lane prior to Derby Street. Relocation of the boom gates further to the north may assist.

A concrete median is proposed in Derby Street to prohibit vehicles turning right when exiting the car park. (SEE RMS CONDITION). Any drivers wanting to travel west will be required to make a U-turn at the roundabout of Derby/Somerset Streets, which is unlikely to create substantial issues, as the eastbound traffic on Derby Street is currently the major flow and will therefore create right of way at the roundabout.

Proposed Roundabout

No substantial objections are raised to the proposed roundabout at the intersection of Somerset and Hargrave Streets, subject to full design and approval by Council's LTC. The roundabout should be amended to provide splitter islands and parallel kerb ramps for pedestrian access on each leg. (SEE RMS CONDITION). In addition, the new driveway should be constructed, and visually appear, that it operates as a road.

Other Pedestrian Access

Some pedestrian conflict may occur where pedestrians cross from the lifts to the main door, in front of the entry boom gates and as vehicles are moving forward away from the gates, particularly those trying to turn left to access the lower ground level. Further separation of the boom gates and the pedestrian crossing may assist. (SEE RMS CONDITION re sight distances).

In summary, Council's Traffic Engineer is satisfied with the proposed access, parking and traffic related aspects of the proposal subject to the preceding condition which is recommended to be suitably conditioned.

Community Safety

The application was accompanied by a landscape architecture development application report, prepared by McGregor Coxall which considered Crime Prevention through Environmental Design (CPTED) principles of the multideck car park and associated landscaping.

Consideration of the information provided was considered by the Community Safety Coordinator and the Urban Design Review Panel.

The Community Safety Coordinator outlined that the operation hours of the car park, being 24 hours a day, 7 days a week will maximise opportunities for passive surveillance in and around the car park. The position of the car park close to street frontages will also provide good levels of visibility for pedestrians walking around the car park.

The Urban Design Review Panel considered the open stairs a positive element in terms of safety and security.

Appropriate conditions of consent have been included in relation to adequate lighting, provision of CCTV, provision and implementation of emergency management plans, landscaping and building maintenance.

Replacement Car Parking During Construction Phase

During the assessment of the Development Application, one (1) submission was received from the Penrith Business Alliance generally supporting the Development Application, however requesting that the temporary loss of existing car parking spaces during the construction phase be addressed by a condition of consent.

The location of the proposed multideck car park will replace an existing car park containing one hundred and twenty (120) spaces available to staff only. Considering the high demand on car parking within the locality, appropriate alternatives need to be provided during the construction phase.

The temporary car park established on Council land within Somerset Street will be maintained during the construction period of the multideck car park

Advice has been received from Health Infrastructure advising that a decant car park plan is to be provided detailing that 20 supplementary parking spaces will be provided to the west of the construction site and approximately 100 additional car parking spaces are provided at the corner of Somerset Street & Rodgers Street will be maintained during the construction period.

The construction period for the proposed car park will coincide with the completion of other construction works on the site. Therefore the construction of the multideck car park will not increase the level of construction personal currently working on the site. Contractors and subcontractors have been advised that parking will not be provided on site within the dedicated car parking areas. This has been reinforced within their contractual documents and is also the current arrangement of construction workers currently working on the site for other projects.

An appropriate condition of consent has been included requiring the construction management plan to detail the provision of alternative car parking spaces or alternative measures to reduce the demand for car parking during the construction of the multideck car park.

Provision of Staff Parking Versus Public Parking

The application has been accompanied by a Traffic and Parking Assessment Report prepared by Taylor Thomson Whitting which details the need for staff parking provides the greatest demand on available spaces, being approximately 70% of the overall demand on available car parking.

Health Infrastructure have advised that as a part of the construction of the multideck car park, a car parking allocation management plan is to be prepared considering the existing levels of staff and visitor car parking provided on the site, the appropriateness of the location of allocated car parking within the site and the demands of appropriate levels of car parking for outpatients, visitors and staff.

An appropriate condition of consent has been included requesting the report be submitted to Penrith Council prior to the commencement of use of the car park.

6. Section 79C(1)(c) – The Suitability of the Site for the Development

The site attributes are conducive to the proposed development. The proposal has been designed in a manner consistent with the existing character of the site.

7. Section 79C(1)(d) – Any Submissions made in relation to the Development

In accordance with Section 2.7 (Notification and Advertising) of *Penrith Development Control Plan 2006*, the proposed development was advertised in the local newspapers and notified to the owners and occupiers of adjoining and nearby properties. A total of 81 property owners and occupiers were notified in the surrounding area.

The public exhibition period for the proposal was from 19 March 2012 to 2 April 2012. One (1) submission was received from the Penrith Business Alliance generally supporting the Development Application, however requesting that the temporary loss of existing car parking spaces during the construction phase be addressed by a condition of consent.

An appropriate condition of consent has been included within the recommendations of the report.

Referral Comments

The table below summarises the results of internal Penrith City Council referrals in relation to the proposal.

| Referrals | Comments |
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| Building Surveyor | No objection, subject to conditions. |
| Development Engineer | No objection, subject to conditions. |
| Traffic Engineer | No objection, subject to conditions. |
| Environmental Management | No objection, subject to conditions. |
| Landscape Architect | No objection, subject to conditions. |
| Tree Management Officer | No objection, subject to conditions. |
| Community Safety Officer | No objection, subject to conditions. |

8. Section 79C(1)(e) – The Public Interest

The site is suitable for the proposed development. The proposed development is permissible in the 5(a) zone and the proposal meets the aims and objectives of the relevant environmental planning instruments. One (1) submission was received from the Penrith Business Alliance generally supporting the Development Application, however requesting that the temporary loss of existing car parking spaces during the construction phase be addressed by a condition of consent.

9. Section 89 – Crown Development Applications

The proposed development is Crown Development as the applicant is NSW Health Infrastructure which is a statutory state government authority. Applicants for Crown Development are exempted from the requirement to obtain Construction and Occupation Certificates.

In accordance with Section 89(1)(b) of the *Environmental Planning and Assessment Act 1979*, draft conditions of consent (as documented in this report) were forwarded to the applicant for consideration. At the time of the report, a final response to the conditions had not been provided.

Section 94 Contributions

The following Section 94 contributions plans are applicable to the subject site:

- Penrith City Kingswood Neighbourhood Centre
- Penrith City Footpath Construction Established Residential Areas
- Penrith City Local Open Space 2007
- Penrith City District Open Space Facilities Development Contributions Plan

However, as these plans only apply to residential development a contribution cannot be levied as the proposed development relates to an existing hospital.

Conclusion

The proposed development is in accordance with the relevant provisions of the

environmental planning instruments and Development Control Plan pertaining to the land. The proposed development is unlikely to have a negative impact on the surrounding environment through the appropriate conditioning of the development consent. The proposed development seeks to increase the existing level of car parking for staff and visitors of Nepean Hospital to support the existing services undertaken at the site.

The proposed development has been assessed against the relevant heads of consideration contained in Section 5A, Section 23G, Section 79C and Section 89 of the *Environmental Planning and Assessment Act 1979* and has been found to be satisfactory. The site is suitable for the proposed development and the proposal is in the public interest. The proposal is therefore worthy of support.

Recommendation

That:

1. The information contained in the report on Development Application No. DA12/0175 for the construction of a multideck car park at Lot 1 DP 1114090, 35 - 65 Derby Street, Kingswood be received.
2. Development Application No. DA12/0175 for construction of a multideck car park at Lot 1 DP 1114090, 35 - 65 Derby Street, Kingswood be approved subject to the following conditions:

Standard Conditions

2.1 A001 - Approved Plans

The development must be implemented substantially in accordance with the plans numbered DA-002, DA-003, DA-004, DA-005, DA-006, DA-007, DA-008, DA-009, DA-010, DA-011, DA-012, DA-013 drawn by Fitzpatrick and Partners and dated 16 April 2012, and stamped approved by Council, the application form and any supporting information received with the application, except as maybe amended in red on the attached plans and by the following conditions.

2.2 A038 – Lighting Location

Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 “Control of the obtrusive effects of outdoor lighting” (1997).

2.3 A039 – Graffiti

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

2.4 B001 – Demolition of existing structures

The existing car park on the subject site is to be demolished as part of the approved work.

2.5 B002 – AS for demolition and disposal to approved landfill site

All demolition works are to be conducted in accordance with the provisions of AS 2601-1991 "The Demolition of Structures". Prior to demolition, all services shall be suitably disconnected and capped off or sealed to the satisfaction of the relevant service authority requirements.

All demolition and excavated material shall be disposed of in accordance with the approved waste management plan for the development.

2.6 B004 - Dust

Dust suppression techniques are to be employed during demolition and construction to reduce any potential nuisances to surrounding properties.

2.7 B005 - Mud/ Soil

Mud and soil from vehicular movements to and from the site must not be deposited on the road.

2.8 B006 – Hours of work

Demolition works will be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm (if inaudible on neighbouring residential premises), otherwise 8am to 1pm
- No demolition work is permitted on Sundays and Public Holidays.

In the event that the demolition relates to works inside the building and do not involve external walls or the roof, and do not involve the use of equipment that emits noise then the demolition works are not restricted to the hours stated above. The provisions of the Protection of the Environment Operations Act, 1997 in regulating offensive noise also apply to all construction works.

2.9 D001 – Implement approved sediment and erosion control measures

Erosion and sediment control measures shall be installed prior to the commencement of works on site including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

(Note: To obtain a copy of the publication, you should contact Landcom on (02) 9841 8600).

The erosion and sediment control measures shall be certified (by way of a Compliance Certificate) as having been installed in accordance with the approved erosion and sediment control plan(s) for the development and "Managing Urban Stormwater: Soils and Construction" 2004. The Compliance Certificate shall be obtained and issued a minimum 2 days before any other site works are to commence, including earthworks and clearing of the site.

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

2.10 D006A – *No filling without prior approval*

No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Contaminated Land Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith City Council Contaminated Land Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Contaminated Land Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

2.11 D008 – Filling compaction

Where a building is to take place on any land that is to be filled, such filling is to be compacted in accordance with AS3798-1996. Certification is to be submitted to Penrith Council by a Geotechnical Engineer verifying that the work has been undertaken prior to the commencement of the construction of any building.

2.12 D009 – Covering of waste storage area (Applies to building works/demolition)

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

2.13 D010 - Appropriate disposal of excavated or other waste

All excavated material and other wastes generated as a result of the development are to be re-used, recycled or disposed of in accordance with the approved waste management plan. Waste materials not specified in the approved waste management plan are to be disposed of at a lawful waste management facility.

All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

2.14 D014 – Plant and equipment noise

The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

2.15 E01A – BCA compliance for Class 2-9

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

- a) complying with the deemed to satisfy provisions, or
- b) formulating an alternative solution which:
 - complies with the performance requirements, or
 - is shown to be at least equivalent to the deemed to satisfy provision, or
- c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/ statement for the building.

2.16 - E006 - Disabled access and facilities

Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility".

2.17 - E009 - Annual fire safety-essential fire safety (Class 2-9 buildings)

The owner of a building, to which an essential fire safety measure is applicable, shall provide Penrith City Council with an annual fire safety statement for the building. The annual fire safety statement for a building must:

- a) deal with each essential fire safety measure in the building premises, and
- b) be given:
 - within 12 months after the last such statement was given, or

- if no such statement has previously been given, within 12 months after a final fire safety certificate was first issued for the building.

As soon as practicable after the annual fire safety statement is issued, the owner of the building to which the statement relates:

- must also provide a copy of the statement (together with a copy of the current fire safety schedule) to the Commissioner of New South Wales Fire Brigades, and
- prominently display a copy of the statement (together with a copy of the current fire safety schedule) in the building.

2.18 G002 – Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to the “Your Business” section of Sydney Water’s website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be obtained **prior to the use of the multideck car park.**

2.19 G004 – Endeavour Energy

Prior to the commencement of construction works, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a padmounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the commencement of construction as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

2.20 H001 – Stamped plans & erection of site notice 1 (Class 2-9)

Stamped plans, specifications, a copy of the development consent and any other Certificates/ Information to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details is to be erected:

- at the commencement of, and for the full length of the, construction works onsite, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the construction and associated landscaping works have been completed.

2.21 - H002 - All forms of construction

Prior to the commencement of construction works:

- a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:
 - a standard flushing toilet connected to a public sewer, or
 - if that is not practicable, an accredited sewage management facility approved by the council, or
 - alternatively, any other sewage management facility approved by council.
- b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
- c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - must preserve and protect the building from damage, and
 - if necessary, must underpin and support the building in an approved manner, and
 - must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

- d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:
 - if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
 - the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
 - any such hoarding, fence or awning is to be removed when the work has been completed.

2.22 K101 - Works at no cost to Council

All road works, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Penrith City Council.

2.23 K202 - Roads Act

Prior to the commencement of any demolition or construction works on site a Roads Act application, including payment of application and inspection fees shall be lodged with Penrith City Council, as the Roads Authority, for the following works:

- a) Provision of a vehicular crossing/s.
- b) Provision of a heavy-duty vehicular crossing/s.

- c) Provision of path paving for the full property frontage.
- d) Provision of private drainage connections to Council's road drainage system.
- e) Removal of redundant vehicular crossings and reinstatement of kerb and gutter.
- f) Opening the road reserve for the provision of services including stormwater.
- g) Placing of hoardings, containers, waste skips, etc. in the road reserve.
- h) Replacement of damaged kerb and gutter for the full property frontage.
- i) Erection of an awning.
- j) Utility lead in works.

All works within the road reserve shall be carried out in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

Penrith City Council (being the Roads Authority under the Roads Act) shall approve the works completed on or over the road reserve. Contact Council's **City Works Department** on (02) 4732 7777 to arrange an inspection of the works (and payment of inspection fees, if required).

2.24 K203 – Section 138 Roads Act

Prior to the commencement of any demolition or construction works on site for building works the NSW Health Infrastructure shall ensure that a Roads Act application, including the payment of application and inspection fees, has been lodged with, and approved by Penrith City Council (being the Roads Authority under the Roads Act), for the following works.

- a) Provision of stormwater drainage in Derby Street and Somerset Street; and
- b) Proposed new roundabout at the intersection of Somerset Street and Hargrave Street.

Civil design drawings are to be prepared strictly in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

2.25 K207 – Road Safety Audit

A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken on the proposed road works by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans to be submitted to Penrith Council. Details are to be submitted prior to the commencement of construction works.

2.26 K209 – Stormwater Concept Plan

The stormwater drainage system shall be provided generally in accordance with the concept plan/s lodged for development approval, prepared by Taylor Thomson Whitting, reference number 111215, Drawing No. C04, revision P3 dated 15.2.2012.

The proposed development and stormwater drainage system shall be designed to ensure that stormwater runoff from upstream properties is conveyed through the site without adverse impact on the development or adjoining properties.

Engineering plans and supporting calculations for the stormwater drainage system are to be prepared by a suitably qualified person and shall be submitted to Penrith Council prior to the commencement of construction works.

Certification shall be provided to Penrith Council by a suitable qualified engineer, prior to the commencement of construction works ensuring that the stormwater drainage system has

been designed in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

2.27 K213 – Water Quality

Stormwater runoff from parking, uncovered paved areas shall be directed to a stormwater pre-treatment system. The treatment devices shall be designed to remove expected pollutant loadings in accordance with the Department of Environment, Climate Change & Water's 'Managing Urban Stormwater – Environmental Targets/ Treatment Techniques– October 2007' publications.

Specification & installation details of the stormwater pre-treatment system and an operation and maintenance manual/ schedule for the proposed device are to be submitted to Penrith City Council prior to the commencement of construction works.

2.28 K221 – Access, Car parking and Manoeuvring

Prior to the commencement of any demolition or construction works on site details are to be prepared and submitted to Penrith City Council showing vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.

2.29 K223 – Performance Bond

Prior to the commencement of any demolition or construction works on site a performance bond is to be lodged with Penrith City Council for roadwork's on Derby Street and the proposed roundabout works on Somerset and Hargrave Streets.

The value of the bond shall be determined in accordance with Penrith City Council's Bond Policy. The bond will be administered in accordance with this policy.

Note:

Contact Council's **Development Engineering Unit** on 4732 7777 for further information relating to bond requirements.

2.30 Car Parking Bay Width

Car parking bay widths are to be 2.6m wide (user class 3) to allow for full door opening in accordance with AS2890.1:2004 and Council's DCP.

2.31 K302 – Traffic Control Plan

Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note:

A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

2.32 K501 – Roads Authority Clearance

Prior to the use of the multideck car park, all works within the road reserve are to be inspection and approved by Penrith City Council.

2.33 K502 – Works as Executed

After completion of all civil works, an original set of works-as-executed drawings and compliance documentation shall be submitted to the Penrith City Council in accordance with Penrith City Council's Design Guidelines and Construction Specification for Civil Works.

2.34 K503 – Stormwater Compliance

Prior to the issue of select (an Occupation/ a Subdivision) Certificate the Principal Certifying Authority shall ensure that the:

- a) Stormwater pre-treatment system/s
 - Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
 - Have met the design intent with regard to any construction variations to the approved design.
 - Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

2.35 K504 – Restriction as to User and Positive Covenant

Prior to the commencement of use of the car park a restriction as to user and positive covenant relating to the:

- a) Stormwater pre-treatment system/s

shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

2.36 K507 – Line Marking and Signage

Prior to the completion of construction works and installation of regulatory / advisory line marking and signage, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee.

Notes:

- 1) Contact Penrith City Council's **Development Engineering Unit** on (02) 4732 7777 for further information on this process.
- 2) Allow eight (8) weeks for approval by the Local Traffic Committee.

2.37 K509 – Directional Signage

Prior to the completion of construction works directional signage and linemarking shall be installed indicating directional movements and the location of customer parking to the satisfaction of Penrith City Council.

2.38 L001 – General Landscaping

All landscape works are to be constructed in accordance with the stamped approved plans 01 Revision B, 02 Revision A, 03 Revision B, LD_CD_03 dated 20 April 2012, LD_CD_04 dated 20 April 2012 and Sections F5 “Planting Techniques”, F8 “Quality Assurance Standards”, F9 “Site Management Plan” of Penrith Council’s Landscape Development Control Plan.

Landscaping shall be maintained:

- in accordance with the approved plan, and
- in a healthy state, and
- in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity, as the vegetation which died or was removed.

2.39 L005 – Planting of plant material (Applies to most building/subdivision, not fitouts)

All plant material associated with the construction of approved landscaping is to be planted in accordance with the Tree Planting Specification prescribed in Penrith Council’s Landscape Development Control Plan.

2.40 L006 - AS requirements (Applies to most building/subdivision, not fitouts)

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

2.41 L007 - Tree Protection Measures

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in section F4 of Councils Landscape Development Control Plan.

2.42 L008 – Tree Preservation Order

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council’s Tree Preservation Order and Policy.

2.43 L012 – Existing landscaping (for existing development)

Existing landscaping is to be retained and maintained at all times.

2.44 P001 - Costs

All roadworks, dedications and drainage works are to be carried out at the applicant's cost.

2.45 P002 - Fees associated with Council land (Applies to all works, add K019)

Prior to the commencement of any works on site, all fees associated with Penrith City Council-owned land and infrastructure shall be paid to Council. These fees include Road Opening fees and Infrastructure Restoration fees.

Special Conditions

Pay Stations

2.46 The Pay Stations shall be:

- fitted with a reflected sign or mirror to allow users' surveillance of people approaching from behind, and
- be fitted with adequate lighting for night time users.

No landscaping or street furniture shall be positioned around the Pay Station. The Pay Station shall not be positioned within a recess or alcove or next to a laneway.

2.47 Graffiti resistant coatings must be applied to surfaces where possible.

2.48 The car park is to be clean and well-maintained at all times. This includes the prompt removal of litter and removal/repair of graffiti/vandalism.

2.49 Regular patrols of the car park should be conducted by the hospital security personnel/staff.

2.50 Mechanisms must be in place to ensure any crime or safety matters are reported to the police and/or relevant authorities.

2.51 A boom-gate system must be installed at entry and exits to control access to the car park and reduce the risk of motor vehicle theft.

2.52 The comms office area, fire pump room and electrical room must be kept locked at all times and accessible to authorised staff only.

2.53 The toilet must be well-lit and clearly signposted.

2.54 The toilet is to be either locked by an automated access system or installed with a hinged door, to ensure users clearly see into the cubicle prior to entering.

Lighting

2.55 Lighting provided within the car park and surrounding areas must be in accordance with Australian Standards and provide a safe, well-lit space for users. This includes entrances, exits, ramps, toilets, lifts, stairwells and pay stations.

2.56 The external areas of the car park must also be well-lit in accordance with Australian Standards. Lighting to the perimeter of the car park must take into account any proposed or existing vegetation so that lighting is not obscured.

2.57 Pedestrian walkways around the car park and linkages to the hospital buildings must also be well lit.

2.58 Lighting should have a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site being traversed.

2.59 All lighting should be vandal resistant.

2.60 All surfaces within the car park should be painted in light coloured paint or finished in light grey concrete to reflect as much light as possible.

Stairwells/Lifts

2.61 The proposed stairwells and lifts must be well lit, clearly signposted and enable good levels of passive surveillance at all times.

2.62 Stairwells must use transparent materials (e.g. glass or open style fencing) wherever possible to allow natural light into the stairwells and maximise opportunities for surveillance from outside the car park.

2.63 Where certain design features are unavoidable (eg. Blind corners, small enclosed spaces) mirrors should be used to minimise potential entrapment spots.

CCTV

2.64 CCTV must be installed to cover all levels of the car park, including all pedestrian and vehicle entrances/exits, lifts and stairwells, bike racks, paying machines and perimeter areas.

2.65 CCTV cameras shall be made of sturdy, vandal resistant materials.

2.66 Adequate lighting must be provided to enable cameras to operate effectively at night.

Emergency Management

2.67 Hospital management must develop emergency management plans for the car park and have emergency procedures displayed in areas clearly visible to car park users (including identification of appropriate areas where emergency management plans are displayed such as near stairwells/ lifts, ticket machines).

2.68 Systems must be in place to ensure all relevant staff undertake regular emergency management training and are aware of emergency management procedures.

2.69 Systems must be in place to ensure all lifts are operational and display correct signage inside, indicating location of car park and lift number.

2.70 All critical incidents must be recorded by relevant staff and should be used to review and improve emergency management and safety practices within car parks.

2.71 An emergency help point/intercom system shall be provided in a clearly visible location to assist patrons in the event of an emergency. This shall be clearly signposted and easy to locate from all levels of the car park.

Signage

2.72 Signage must be displayed to assist with way-finding around the car park. This may include the use of colours, letters and/or numbers so users are able to easily identify the level of the car park they are on and can easily locate their vehicles.

- 2.73 Signage should help direct users to the closest car park exit/entry point from each area of the car park. Lifts and stairwells shall be clearly identified and easily locatable from all sections of the car park.
- 2.74 Signage must be provided to clearly indicate that the car park operates 24 hours a day, 7 days a week.
- 2.75 Emergency contact numbers must be displayed around the car park to enable swift reporting of any crime, safety, maintenance or security related matters.
- 2.76 Signage must be installed to advise patrons to remove valuable items and personal belongings before leaving their vehicles.
- 2.77 Signage must be displayed on all levels of the car park indicating that CCTV cameras are in operation. Signage should also indicate other security measures that are in place and where to find them (i.e. Emergency help points).
- 2.78 Directional signage must also be located throughout the hospital grounds to assist visitors locating the car park and to encourage use of the safest, well-lit routes to and from the car park and other areas of the hospital.

Landscaping

- 2.79 Landscaping proposed around the perimeter of the car park and near the proposed walkway appears to promote passive surveillance. Landscaping must not obscure sightlines for pedestrians and enable passive surveillance at all times.
- 2.80 The height of vegetation immediately adjacent to the pedestrian paths should not attain a height greater 600mm and should not encroach across the path. Plants shall be maintained to ensure vegetation does not encroach upon pedestrian pathways.

Sharps

- 2.81 Safe needle disposal bins must be provided in the toilet within the car park.
- 2.82 The handling and disposal of needles and medical waste must be in accordance with NSW Health Requirements.

Parking

- 2.83 Prior to the commencement of construction works, details of the fourteen (14) accessible parking spaces to be provided within the ground floor of the multideck car park are to be prepared and submitted to Penrith City Council.
- 2.84 Prior to the commencement of construction works, a decant parking plan is to be prepared and submitted to Penrith Council detailing the management of additional parking spaces within the site and outside of the hospital campus during the construction phase of the development.
- 2.85 Prior to the commencement of construction works, a construction management plan is to be prepared and submitted to Penrith City Council for approval. The report is also to include construction traffic management plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control.

- 2.86 A car parking allocation management plan is to be prepared considering the existing levels of staff and visitor car parking provided on the site, the appropriateness of the location of allocated car parking within the site and the demands of appropriate levels of car parking for outpatients, visitors and staff.

In preparation of the car parking allocation management plan, consideration should be given to the data provided within the Traffic Report prepared by Taylor Thomson Whiting.

Details are to be provided to Penrith City Council prior to the completion of the multideck car park.

- 2.87 No speed humps are to be installed within the car park.

- 2.88 The car parking pavement shall be smooth and level to ensure minimal vertical displacement and potential for noise generated by wheel to concrete impacts. The concrete surface of the car park is to have a broom finish or similar, that minimises squealing of car tyres. Grates and any cover plated are to be fixed flush and tight.

- 2.89 Noise levels from the Multi-Deck Car Park shall not exceed the relevant noise criteria detailed in "Nepean Hospital Multi Level Car Park Noise Emission Assessment" (Doc. Ref. 20120158.1/2404A/R1/TA) prepared by Acoustic Logic dated 24 February 2012. The recommendations provided in the above-mentioned acoustic report shall be implemented and incorporated into the design and construction of the development. Detailed plans showing the implementation of the recommendations are to be submitted to Penrith City Council prior to the commencement of construction works.

A certificate is to be obtained from a qualified acoustic consultant certifying that the building has been constructed to meet the noise criteria in accordance with the approved acoustic report. This certificate is to be submitted to Penrith Council prior to the use of the car park.

- 2.90 A car parking allocation management plan is to be prepared considering the existing levels of staff and visitor car parking provided on the site, the appropriateness of the location of allocated car parking within the site and the demands of appropriate levels of car parking for outpatients, visitors and staff.

In preparation of the car parking allocation management plan, consideration should be given to the data provided within the Traffic Report prepared by Taylor Thomson Whiting.

Details are to be provided to Penrith City Council prior to the completion of the multideck car park.

- 2.91 The proposed median in Derby Street is to be a minimum of 600mm in width. Council should ensure that the median can be accommodated within the existing roadway.

- 2.92 Prior to the construction of the roundabout, the design plans for the roundabout in Somerset Street, Kingswood are to be approved by Council's Local Traffic Committee.

The new entrance to the car park at the roundabout is to be constructed such that the entrance is clearly a fourth leg to the roundabout and operates clearly as a road, rather than a driveway.

The roundabout should be amended to provide splitter islands and parallel kerb ramps

for pedestrian access on each leg.

Pedestrian facilities associated with the proposed roundabout at the intersection of Hargrave Street & Somerset Street shall be incorporated within the design of the roundabout.

- 2.93 Prior to construction of the roundabout, the full time “No Stopping” zone on the western side of Somerset Street, near the intersection with Derby Street, is to be extended along the full length Somerset Street frontage of the development site. This requires the approval of Council’s Local Traffic Committee prior to implementation of the zone.
- 2.94 All car parking and manoeuvring must be in accordance with AS 2890.1 (2004) and AS 2890.6 (2009) and Council’s requirements. Accessible parking spaces shall be provided in a suitable location. In this regard, the two proposed accessible parking spaces are not considered appropriate and should be relocated, due to the requirement for difficult manoeuvres potentially conflicting with vehicles entering the car park.
- 2.95 Prior to the commencement of construction works, adjustment to the location of the boom gates or similar design alternative is to be made to assist with merging vehicles at the exit of the car park.
- 2.96 Prior to the commencement of construction works, secure bicycle parking racks/rails are to be provided at the facility, in accordance with *AS2890.3:1993 Bicycle Parking Facilities*. A roof structure/awning is to be provided to the main pedestrian access point for weather protection for pedestrians and the bicycle parking facility.
- 2.97 Prior to the commencement of construction works, the preferred route for cyclists to access the bicycle parking facilities is to be provided and signposted.
- 2.98 All vehicles are to enter and leave the site in a forward direction.
- 2.99 All works / regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime Services of New South Wales.
- 2.100 The suggested public transport initiative nominated in the Traffic and Parking Assessment Report prepared by Taylor Thomson Whitting dated 22 February 2012 are to be implemented within the hospital precinct and at the bus stops at the perimeter of the precinct.

Construction

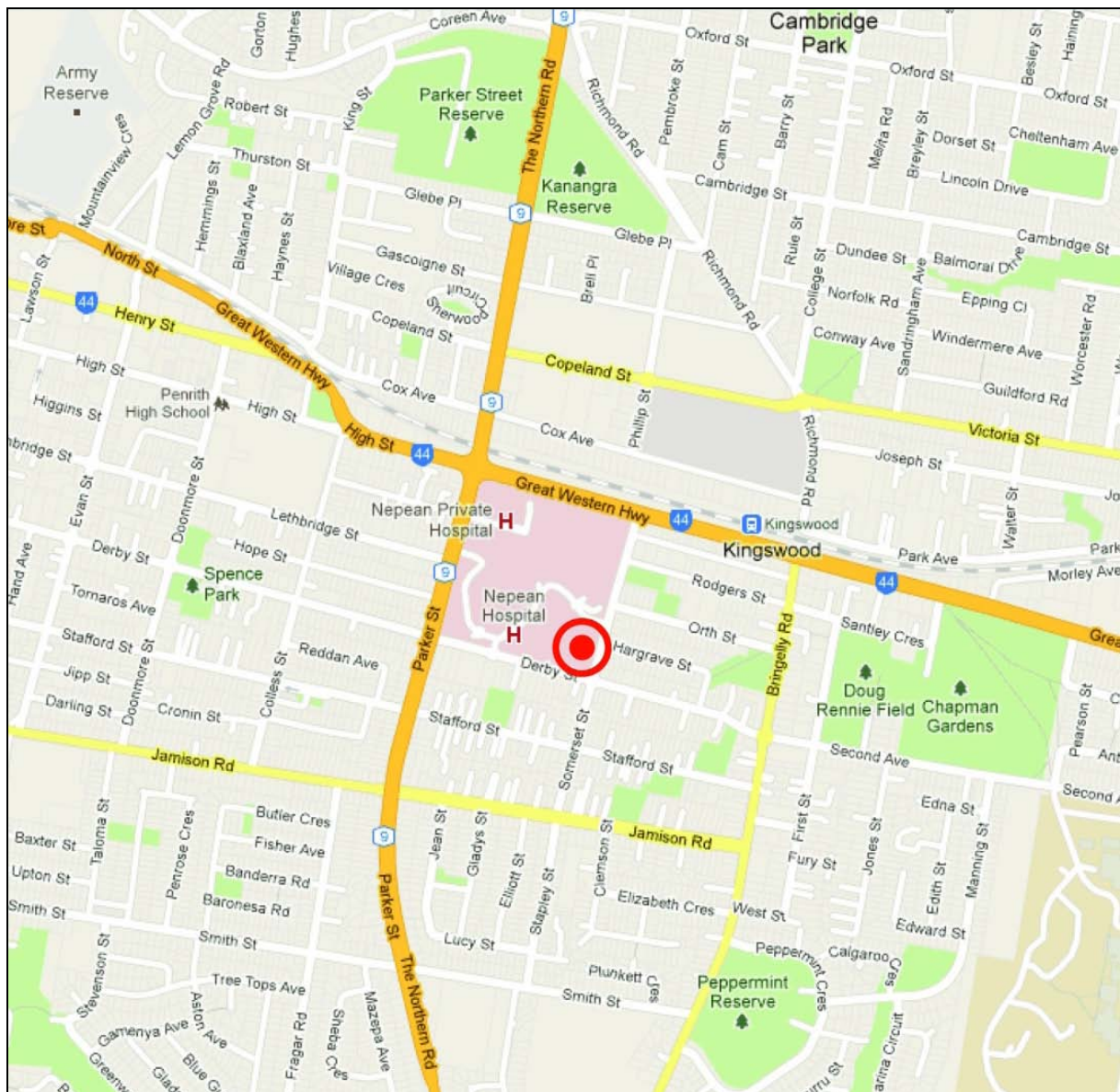
- 2.101 Construction works shall be carried out in accordance with the NSW Department of Environment and Climate Change’s (2009) “Interim Construction Noise Guideline”.
- 2.102 All construction works that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties, are restricted to the following hours in accordance with the NSW Department of Environment and Climate Change’s (2009) “Interim Construction Noise Guideline”:
- Mondays to Fridays 7am to 6pm
 - Saturdays, 7am to 1pm (if audible on neighbouring residential premises),
 - No work is permitted on Sundays and Public Holidays.

Other construction works that are carried out inside a building that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act 1997 in regulating offensive noise also apply to construction works.

Belinda Borg
Consultant Environmental Planner
Penrith City Council

Appendix No. 1 – Location Plan



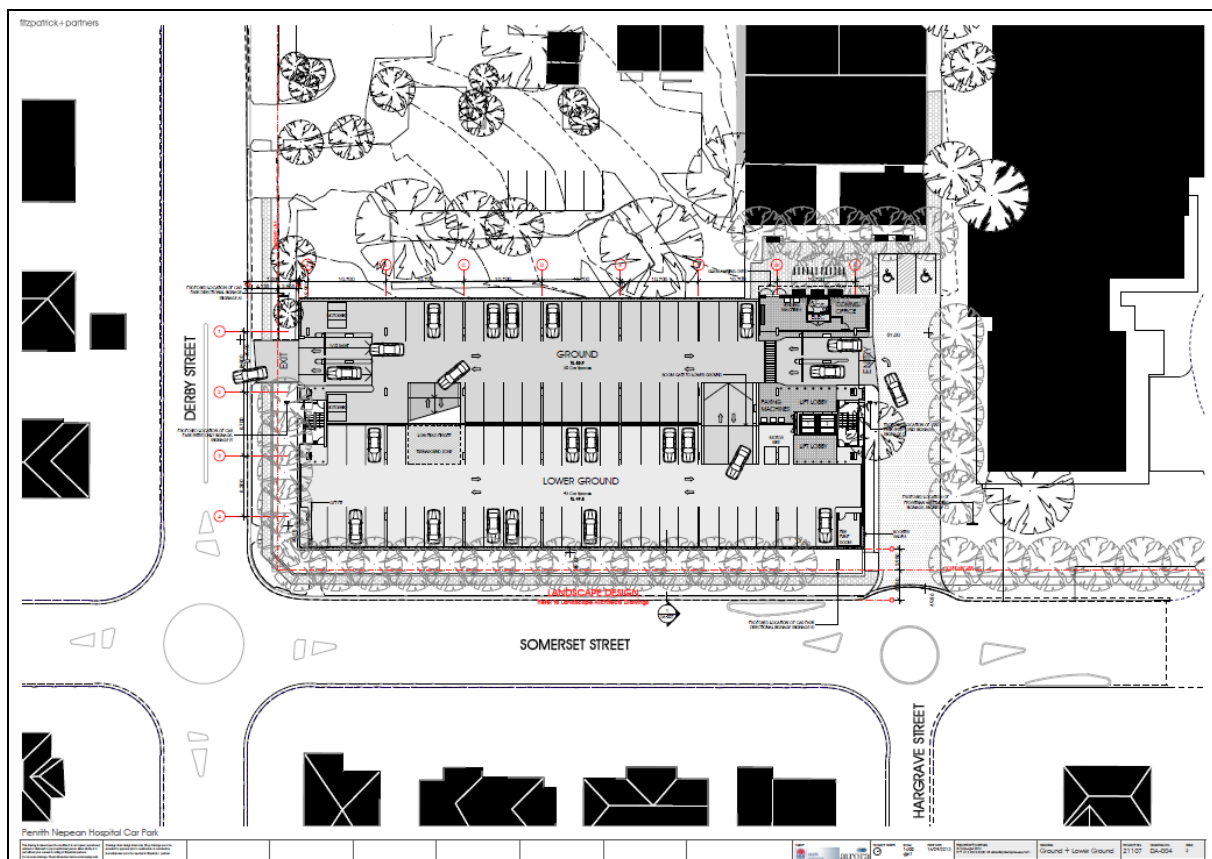
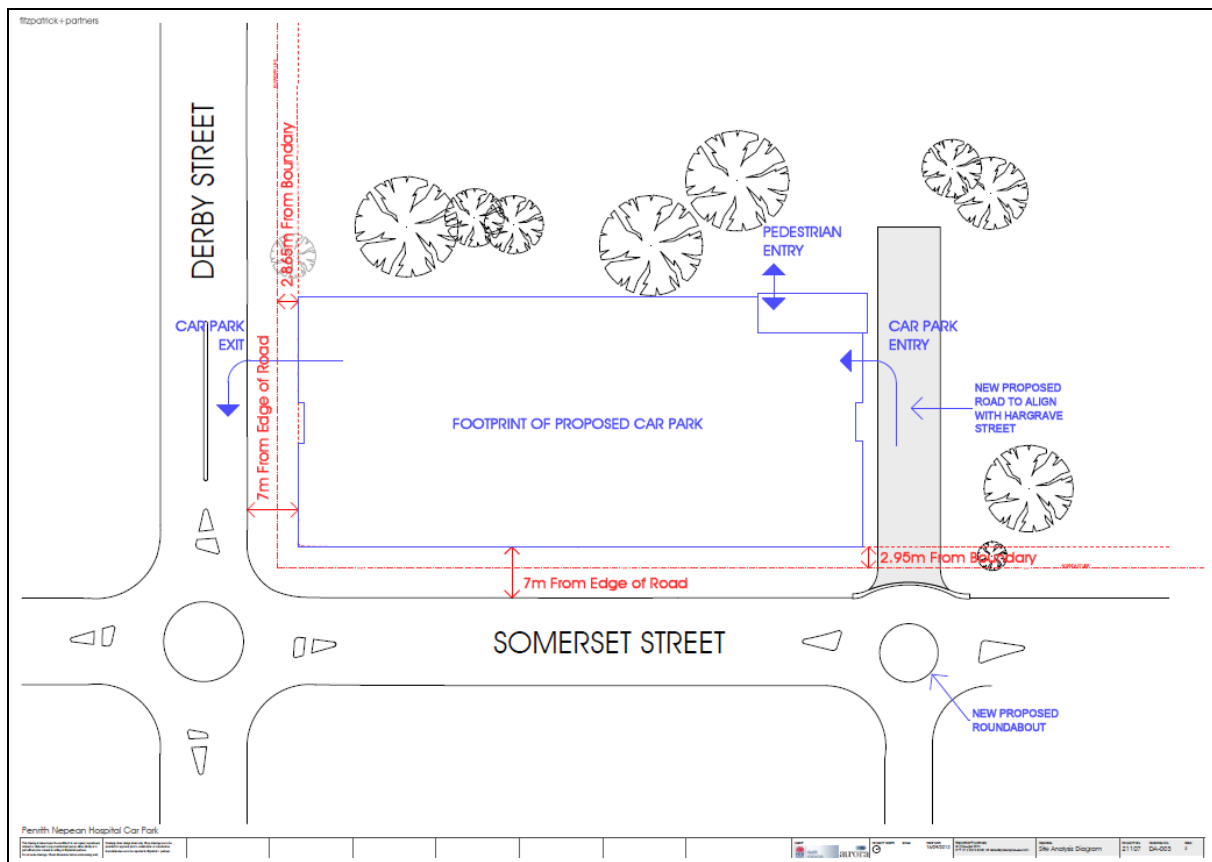
(Source: JBA Planning)

Appendix No. 2 – Aerial View of Site

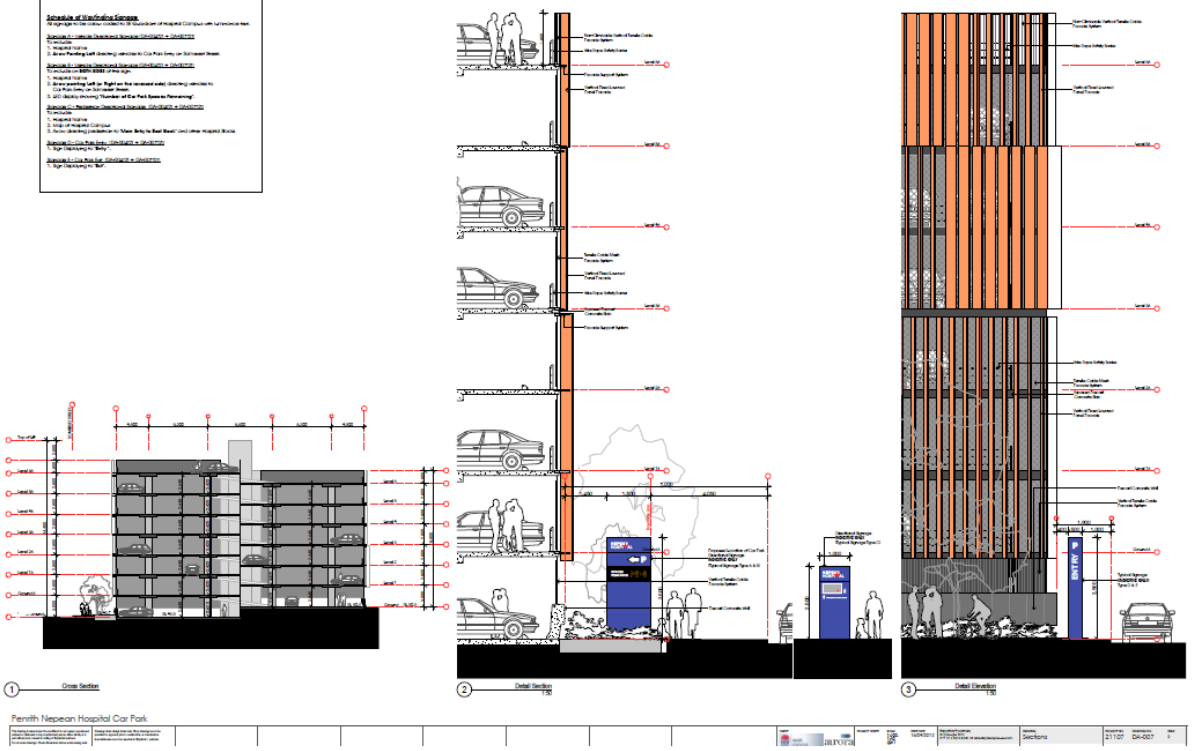


(Source: JBA Planning)

Appendix No. 3 – Site Plans, Sections and Elevations



| Schedule of Materials Table | |
|---------------------------------|-----------|
| Material | Location |
| 1. Concrete | Structure |
| 2. Steel Decking | Structure |
| 3. Glass | Structure |
| 4. Aluminium | Structure |
| 5. Timber | Structure |
| 6. Brick | Structure |
| 7. Paint | Structure |
| 8. Asphalt | Structure |
| 9. Gravel | Structure |
| 10. Sand | Structure |
| 11. Water | Structure |
| 12. Air | Structure |
| 13. Sunlight | Structure |
| 14. Moonlight | Structure |
| 15. Stars | Structure |
| 16. Planets | Structure |
| 17. Galaxies | Structure |
| 18. Universe | Structure |
| 19. Time | Structure |
| 20. Space | Structure |
| 21. Matter | Structure |
| 22. Energy | Structure |
| 23. Force | Structure |
| 24. Motion | Structure |
| 25. Change | Structure |
| 26. Growth | Structure |
| 27. Development | Structure |
| 28. Progress | Structure |
| 29. Innovation | Structure |
| 30. Creativity | Structure |
| 31. Imagination | Structure |
| 32. Inspiration | Structure |
| 33. Motivation | Structure |
| 34. Determination | Structure |
| 35. Persistence | Structure |
| 36. Perseverance | Structure |
| 37. Endurance | Structure |
| 38. Resilience | Structure |
| 39. Flexibility | Structure |
| 40. Adaptability | Structure |
| 41. Openness | Structure |
| 42. Tolerance | Structure |
| 43. Understanding | Structure |
| 44. Compassion | Structure |
| 45. Kindness | Structure |
| 46. Generosity | Structure |
| 47. Gratitude | Structure |
| 48. Optimism | Structure |
| 49. Positivity | Structure |
| 50. Hope | Structure |
| 51. Faith | Structure |
| 52. Love | Structure |
| 53. Peace | Structure |
| 54. Harmony | Structure |
| 55. Unity | Structure |
| 56. Cooperation | Structure |
| 57. Teamwork | Structure |
| 58. Collaboration | Structure |
| 59. Partnership | Structure |
| 60. Alliance | Structure |
| 61. Coalition | Structure |
| 62. Consortium | Structure |
| 63. Joint Venture | Structure |
| 64. Strategic Partnership | Structure |
| 65. Business Relationship | Structure |
| 66. Professional Relationship | Structure |
| 67. Personal Relationship | Structure |
| 68. Social Relationship | Structure |
| 69. Cultural Relationship | Structure |
| 70. Political Relationship | Structure |
| 71. Economic Relationship | Structure |
| 72. Environmental Relationship | Structure |
| 73. Technological Relationship | Structure |
| 74. Scientific Relationship | Structure |
| 75. Historical Relationship | Structure |
| 76. Geographical Relationship | Structure |
| 77. Linguistic Relationship | Structure |
| 78. Cultural Relationship | Structure |
| 79. Political Relationship | Structure |
| 80. Economic Relationship | Structure |
| 81. Environmental Relationship | Structure |
| 82. Technological Relationship | Structure |
| 83. Scientific Relationship | Structure |
| 84. Historical Relationship | Structure |
| 85. Geographical Relationship | Structure |
| 86. Linguistic Relationship | Structure |
| 87. Cultural Relationship | Structure |
| 88. Political Relationship | Structure |
| 89. Economic Relationship | Structure |
| 90. Environmental Relationship | Structure |
| 91. Technological Relationship | Structure |
| 92. Scientific Relationship | Structure |
| 93. Historical Relationship | Structure |
| 94. Geographical Relationship | Structure |
| 95. Linguistic Relationship | Structure |
| 96. Cultural Relationship | Structure |
| 97. Political Relationship | Structure |
| 98. Economic Relationship | Structure |
| 99. Environmental Relationship | Structure |
| 100. Technological Relationship | Structure |



Appendix No. 4 – SRDAC Requirements

Your Reference: DA12/0175
Our Reference: SYD12/00349
Contact: Dianne Rees
Telephone: 8849 2237

**SYDNEY
REGIONAL
DEVELOPMENT
ADVISORY
COMMITTEE**

SRDAC

The General Manager
Penrith City Council
PO Box 60
PENRITH NSW 2751

Attention: Ruth Byrnes

MULTI-STOREY CAR PARK - NEPEAN HOSPITAL AT PARKER STREET, KINGSWOOD

Dear Sir/Madam

I refer to your letter of 21 March 2012 (Council Ref: DA 12/0175), concerning the abovementioned development application which was referred to Roads and Maritime Services (RMS) for comment in accordance with Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007* and Section 65 of the Local Government (General) Regulation 2005. I wish to advise that the Sydney Regional Development Advisory Committee (SRDAC) considered the traffic impact of this application at its meeting on 11 April 2012.

RMS advises that the email dated 30 March 2012 for pre-DA advice to the proponent (Anthony Brown, Aurora Projects, North Sydney) has now been superseded.

Function of Concurrence under Section 65 of the Local Government (General) Regulation 2005

RMS grants its concurrence to the operation of the car park under Section 65 of the *Local Government (General) Regulation, 2005* having regard to RMS's functions under road transport legislation and provides the following condition for incorporation into the development consent:

1. The proposed median in Derby Street is to be a minimum of 600mm in width. Council should ensure that the median can be accommodated within the existing roadway.

Roads and Maritime Services of New South Wales

LEVEL 11, 27-31 ARGYLE STREET PARRAMATTA NSW 2150
PO BOX 973 PARRAMATTA CBD NSW 2150 DX 28555
www.rmsservices.nsw.gov.au | 13 22 13

RMS Conditions

RMS provides the following conditions for incorporation into the development consent, in addition to the condition provided above:

1. Pedestrian facilities associated with the proposed roundabout at the Hargrave Street/Somerset intersection shall be incorporated into the final design of the roundabout.

Due to the close proximity of the proposed roundabout and the existing entry/exit to the hospital, the splitter island on the eastern leg of the proposed roundabout shall be extended in an easterly direction past the existing hospital entry/access. This extension will be in the form of a 600mm median to restrict right turn movements into and out of this access point.

2. All vehicles are to enter and leave the site in a forward direction.
3. All works/regulatory signposting associated with the proposed development are to be at no cost to RMS.

Sydney Regional Advisory Committee Comments

RMS and the Committee provide the following comments for Council's consideration in the determination of the Development Application:

1. Council should ensure:
 - that the number of required accessible parking spaces within the entire Nepean Hospital Precinct is in accordance with Council's Development Control Plan 2010 – C10 Transport, Access and Parking. It may be possible to allocate the additional disabled parking spaces provided in this development to other parking areas closer to the hospital, thereby eliminating the area of vehicular conflict at the entrance to the car park and near the proposed disabled parking spaces.
 - that adequate sight distance is available to all proposed marked pedestrian paths within the car park and circulating vehicular traffic, in particular, the marked pedestrian pathway near the entry boom gates which links the pay machines and the main access to the hospital.
 - the suggested public transport initiatives nominated in Page 18 of the Traffic Report (prepared by TTW, dated 22 February 2012) are implemented within the hospital precinct and at the bus stops located at the perimeter of the precinct.
 - vehicles queuing in Derby Street do not effect the operation of the roundabout at the Derby Street/Somerset Street intersection.
2. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control, should be submitted to Council prior to the issue of the Construction Certificate.

3. If not already in place, Council should consider the implementation of full time "No Stopping" restrictions along the full Derby and Somerset Street frontages of the development site.
4. The car parking provision is to be to Council's satisfaction.
5. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004.
6. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site (particularly the circulation aisles, ramps and boom gate locations), shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

Any inquiries can be directed to Dianne Rees by telephone on 8849 2237, or facsimile 8849 2918.

Yours sincerely



Chris Goudanas
Chairman, Sydney Regional Advisory Committee

11 April 2012

[illegible]