

## ASSESSMENT OF COMPLIANCE TABLE WITH BLACKTOWN DEVELOPMENT CONTROL PLAN 2015

JRPP-15-02700 - Assessment of a Residential Care Facility (RCF)

Proposed Lot 2 in Nos. 37-43 Kildare Road, Blacktown

The provisions of the Development Control Plan 2015 (BDCP) including Part C, Section 8 – Housing for Aged or Disabled Persons and Part O – Site Waste Management & Minimisation are relevant to the proposal. The following table outlines that the application is compliant with the relevant provisions of the BDCP.

Section	Comment	Complies
<b>Part A INTRODUCTION AND GENERAL GUIDELINES</b>		
<b>1. Introduction</b>		
<b>1.1 Land to which this DCP applies</b>	Site is located on land to which this DCP applies, being land that is zoned under BLEP 2015.	Yes
<b>1.2 Relationship of this DCP to other Acts etc.</b>	DCP relates to EPA Act 1979, EPAR 2000, SEPPs, LGA 1993, BCA, and LEC Planning Principles. If there are any inconsistencies the Acts, SEPPs and EPIs prevail over the DCP.	Yes
<b>3. Notification</b>	DA has been notified in accordance with Table 3.1.  One submission was received which did not comment on the proposal, but was an enquiry re a potential drainage easement.	Yes
<b>4. Environmental Protection</b>		
<b>4.2 Areas requiring fill</b>	<b>Conditions</b> of consent will be imposed re type of fill and compaction of soil.	Yes
<b>4.3 Tree preservation</b>	Tree removal of some of the remnant vegetation is proposed. Arboricultural reports and a 7 Part Test have been tendered. There are no trees on the site listed in Council's Register of Significant Vegetation. Where possible trees will be retained. Replacement trees are proposed.	Yes
<b>4.5 Pollution control</b>	4.5.1 Air pollution: <b>conditions</b> of consent have been provided in relation to ventilation for indoor air contaminant control.  4.5.2 Water pollution: <b>conditions</b> of consent relating to a grease arrestor have been imposed, and relating to compliance with PEO Act 1997.  4.5.3 Noise pollution: potential for noise pollution has been addressed via <b>conditions</b> of consent for plant and equipment. Operation of plant and equipment is unlikely to cause disturbance to surrounding residents.  Traffic movements in and around the site are	Yes  Yes  Yes

	<p>expected to be the greatest contributor to ambient noise levels. Review of the traffic report confirms a traffic generation at the rate of 0.2 vehicles per hour per bed, or approximately 30 vehicles per hour (two-way) during the morning and afternoon peak periods, which is a low generation. The main access way is adjacent to residential properties, and additional landscaping has been provided in the access handle to further screen the development from neighbours and from Kildare Road. Such a contribution to traffic volume is not expected to cause noticeable effects on the operation of the surrounding road network.</p> <p>4.5.4 Waste storage and removal: waste generated is to be stored, handled and disposed of in compliance with the PEO Act 1997. Sydney Water may require a Trade Waste Agreement.</p>	<p>Yes</p> <p>Yes</p>
<b>4.6 Noise reduction</b>	Land is not located adjacent to a designated road. It is located adjacent to a railway corridor. See comments against 4.8 below; and against Infrastructure SEPP in the JRPP Report.	Yes
<b>4.8 Development adjoining rail corridors and high volume roads</b>	<p>The application is supported by an Acoustic Assessment Report prepared by Acoustic Logic Consultancy Pty Ltd, which examined the conditions of the site. The report contained a noise intrusion assessment and a noise emission assessment, which is required given the development's location immediately adjacent to a transport noise corridor, namely the Main Western railway line.</p> <p>The report also identifies the potential noise sources which will be generated by plant and equipment used at the site. It provides recommended acoustic treatments to ensure that compliance is achieved with the requirements of SEPP Infrastructure 2007 for mitigation of noise impacts in relation to sleeping areas and living areas, to provide for adequate ventilation within the RCF, and to address vibration impacts from the railway corridor. The report confirms that the development will comply with the Department of Planning's 'Development Near Rail Corridors and Busy Roads – Interim Guideline'. It also provides recommendations for noise emission goals for plant and equipment within the development, to ensure that nearby residential and educational buildings are not adversely affected.</p> <p>This report states that the operation of the development will be in accordance with the NSW Environment Protection Authority (EPA) noise criteria in its Industrial Noise Policy (INP), being a maximum noise emission of 55dB(A) during the day, 45dB(A) during the evening period and 40dB(A) during the night period. The Acoustic Report confirms that noise amelioration treatments will be incorporated in the design to ensure that noise levels comply with the recommended EPA INP noise emission criteria and the Regulation to the Protection of the Environment Operations (POEO) Act. Recommendations have been provided with respect to the acoustic treatments</p>	Yes



	necessary to achieve internal noise levels that comply with the Infrastructure SEPP, BDCP 2015, the 'Development Near Rail Corridors and Busy Roads' Guideline, and the non-mandatory Department of Environment and Climate Change (DECC) (now EPA) Road Traffic Noise Policy (Sleep Disturbance Guidelines). The recommendations of this Acoustic Report will be included as conditions of consent.	
<b>6. Car parking</b> <b>6.1 Objectives</b>	<p>The development is compliant with the parking provisions of the Seniors Living SEPP, Clause 48, which overrides any requirements set by the DCP. See <b>Attachment 4 SEPP Seniors Assessment</b>.</p> <p>The SEPP requires 1 car space per 10 beds, and 1 car space per employees at any time; and 1 car space for ambulance/emergency vehicle. Thus 33 car spaces plus one ambulance car space is required – the proposal complies. There is also a loading dock. A Traffic Report has been provided.</p> <p>Using the Roads and Maritime Services development criteria for aged persons housing of 0.1 to 0.2 vehicle trips per hour in the evening peak, it is identified that, based on 149 beds, the development is anticipated to have a peak traffic generation of 30 vehicle trips per hour (two-way) during the morning and afternoon peak periods, which is a low generation rate. Car parking provision for staff will be provided in a stacked configuration, and will accommodate shift changeover. The access handle and loading bay area will be able to accommodate up to an 8.8 m long medium rigid truck, service vehicles and mini-buses. All vehicles will be able to enter and exit the site in a forward direction.</p> <p>The submitted Traffic Report concludes that the proposed parking provision is appropriate and that the low traffic generation would not have noticeable effects on the operation of the surrounding road network. An amended carpark design has been provided which meets the 5.8 m aisle width requirement of the Australian Standard. This is to ensure that there is 5.8 m of free aisle space for manoeuvring between car space 17 and car spaces 18, 19 and 20. A condition will be included to modify the planter box near the loading area and to alter the workshop door location, in order to improve manoeuvrability on the site for waste collection vehicles and increase pedestrian safety in the loading area. This will reduce risks to staff entering or exiting by the workshop door, which will be set back, given its location adjacent to the loading area and where larger vehicles manoeuvre.</p>	Yes, complies with the Seniors Housing SEPP.
<b>6.2 General principles</b>	As part of the assessment, factors including size and type of the development, its traffic generation, availability and accessibility of other public parking, traffic volumes, and hours of operation have been considered in determining car parking provision.	Yes
<b>6.3 Specific land use requirements</b>	Proposal complies with car parking requirement.	Yes

<b>6.4 Design</b>	6.4.1 Location of parking area: the proposal has regard to slope, drainage, visual amenity; proximity to neighbouring residential areas; relationship of building to parking area; relationship of the parking area to the street. There will be a stacked parking arrangement for staff. We note that the DCP does not favour use of stack parking, and only permits it in small quantities under special circumstances, such as parking for employees.	Yes <b>Conditions</b> also provided.
	To increase perviousness on the site, spaces 18-33 will be of pervious material.	Yes
	Two way aisles and adequate turning areas have been provided, with one access point.	
	6.4.2 Access: car parking areas are designed to enable vehicles to enter and leave the site in a forward direction, along the battle-axe access handle. There is a two way driveway, with suitable turning areas.	Yes
	6.4.3 Manoeuvring: Two special <b>conditions</b> will be imposed in relation to the loading/unloading area, to amend the planter box outside the workshop area, and improve safety for persons entering and exiting the workshop door which will be required to be recessed. CAD turning paths have been provided which demonstrate adequate manoeuvring for delivery and waste vehicles on site.	Yes
	6.4.4 Bay and aisle dimensions: The DCP requires car parking spaces to have minimum dimensions of 2.5 m x 5.2 m. The development complies. Compliance with AS 2890.1 will be <b>conditioned</b> with regard to sight lines.	Yes
	The amended car park design complies with the minimum aisle dimensions, and design requirements of the DCP and Australian Standards.	Yes
	6.4.5 Service vehicle areas: see comments above against Manoeuvrability. A dedicated loading facility is provided.	
	6.4.6 Pedestrians – there is a safe path of travel, along a level pathway in the access handle, which is separated from the vehicular access, which connects the facility to the local pedestrian environment. An additional locked side gate access has been approved by Council in case of any emergency when additional access is required off the site into Gribble Place.	Yes
	6.4.7 Bicycle parking and facilities – there is sufficient room within the hardstand area for a bicycle to be parked. A staff change room and an area for staff bicycle storage has been provided.	Yes
	6.4.8 Parking or persons with a disability: two disabled car parking spaces have been provided. There is an area to drop-off the disabled near the entry.	
	6.4.9 Landscaping: The battle-axe access handle and car parking area have been landscaped to screen the vehicular access activity from residents within the	Yes



	complex, and from adjoining buildings, and also to provide a sense of entry from Kildare Road. An amended landscape plan has been provided.	
<b>6.5 Materials</b>	The proposal is for road construction of hard-standing, all-weather material, with wheel stops, and appropriate landscaping. Pervious materials have also been used within the access handle and car parking area to improve drainage off the site.	Yes
<b>6.6 Signs</b>	The proposal includes signage in the parking areas relating to traffic flow, disabled parking, loading areas etc.	Yes
<b>7. Services</b> <b>7.1 Water</b> <b>7.2 Sewerage</b> <b>7.3 Electricity</b> <b>7.4 Telephone</b> <b>7.5 Gas</b> <b>7.6 Postal services</b>	The site has all services available to it, and these are suitable for the form of development proposed. Existing infrastructure services also includes stormwater. These services will be extended and adapted, and augmented where necessary in order to meet the requirements of the development under this application. This will be <b>conditioned</b> on the consent.	Yes
<b>8. Special considerations</b>  <b>8.1 Solar Access</b>	Shadow diagrams have been provided which show that the proposal retains reasonable levels of solar access to neighbouring properties and the public domain. Suitable setbacks from southern neighbours have been provided to ensure acceptable solar impacts on these sites, which may be redeveloped in future for high density residential purposes. The Solar Access provisions and building separation requirements within SEPP No 65 have been considered in <b>Attachment 4</b> SEPP Seniors Assessment. This control is further addressed below against the DCP Parts C Seniors Housing.	Yes
<b>8.2 Downstream owner's consent</b>	All stormwater shall be piped to a suitable location approved by Council. The proposal also includes a suitable drainage solution which includes interallotment drainage via a proposed drainage easement across the site, into Gribble Place drainage reserve. Consent to the proposal has been given by Council's Property section, as Council is the downstream owner, and recommendations and <b>conditions</b> have been provided by the Drainage Engineering section.	Yes, subject to <b>conditions</b> .
<b>8.3 Traffic generating development</b>	The proposal was referred to RMS who has no objection to the development.	Yes
<b>8.4 Crime prevention through environmental design</b>	The proposal together with CPTED documentation was referred to Blacktown Police Local Area Command, who has provided recommendations. These will be <b>conditioned</b> on the consent.	Yes
<b>9.0 Development on flood prone</b>	The north-east portion of the site is identified as flood prone, being within the 1 in 100 year flood extent. It is	Yes

<b>land</b>	<p>located adjacent to Council's drainage reserve and drainage culvert in Gribble Place, and the rear boundary abuts the railway corridor. The building has been designed with appropriate freeboard levels. Chain mesh fencing along the rear boundary will enable flow through of floodwater so that it can equalise.</p> <p>The existing sewer main is to be relocated.</p> <p>A rainwater tank will be installed, for reuse, with a minimum 60,000 litre capacity</p> <p>Amended drainage engineering plans show a future drainage easement, 1.5m wide, along the rear boundary, adjacent to the railway corridor. They also show that drainage from the adjoining site (proposed Lot 1) is provided with access to interallotment drainage, via a 1.5m drainage easement on part of the southern boundary and eastern side boundary.</p> <p><b>Conditions</b> have been provided by Drainage Engineering to provide for restriction to user, and positive covenant in relation to: the swale and pit and pipe system collecting upstream flows; the on-site detention system; the stormwater quality improvement devices and rainwater tanks; and the full extent of the peak 1 in 100 ARI event (which is also to have a drainage easement). A flood management plan including signage and notices is required as a <b>condition</b> of consent. These <b>conditions</b> have been imposed to ensure compliance with the requirements of Council's Engineering Guide for Development 2005. It is noted that an area in the north-east corner of the site is the location for possible future culvert duplication by Council.</p>	
-------------	--	--

## Part C DEVELOPMENT IN RESIDENTIAL AREAS

<b>1.8 Demolition of buildings</b>	The application has been amended to include demolition of one dwelling at 37 Kildare Road and one swimming pool at 39 Kildare Road. A demolition work plan has been provided. A waste management plan has been provided. <b>Conditions</b> in relation to compliance with EPA requirements relating to demolition will be imposed.	Yes
<b>7. Seniors Housing</b>		
<b>7.1 Permissibility</b>	Seniors housing is permissible with development consent in the four residential zones in Blacktown, and compliance with development standards identified in the Seniors Housing SEPP is required in addition to the following additional requirements.	Yes
<b>7.2 Additional requirements</b>	Additional Council requirements does not apply, as the Seniors housing proposed, being a residential care facility, is of a form that is not listed in 7.2, not	Yes



	<p>being a dwelling house, multi dwelling housing, attached dwellings or residential flat building. Notwithstanding this, the following development standards identified in 7.2 will be required to be complied with:</p> <p><i>Minimum Room Sizes</i></p> <p>Room sizes shall comply with the provisions of the Building Code of Australia/National Construction Code</p> <p><i>Design for the Disabled</i></p> <p>Appropriate access is achieved throughout the levels of the development to suit the needs of the staff and occupants via stairs and lifts to all levels. The building and surrounds are accessible and allows persons with disability ease of access and movement. Suitable paths of travel and lifts are provided throughout. The proposal is supported by a BCA / Accessibility Compliance Statement which confirms that the development is capable of satisfying the BCA with regard to access for people with disabilities.</p> <p><i>Wheelchair Access</i></p> <p>Wheelchair access shall be in accordance with AS 1428 – 2003 Design for Access and Mobility and the requirements of the Building Code of Australia, and compliance is required with the provisions of the Seniors Housing SEPP. This is contained in the recommendations of the Access Report.</p> <p><i>Solar Amenity</i></p> <p>The proposal provides habitable rooms which receive direct sunlight during winter months.</p> <p>Balconies are provided which afford views from a sitting position. However this is balanced with screening devices (e.g. landscaping, trees, hedges, timber fencing) to protect the visual amenity of neighbouring properties. The recommendations of the Access Report which outline the requirements of persons with specific disabilities shall be complied with, to ensure compliance with Australian Standards.</p> <p><i>Laundries</i></p> <p>Laundries for washing and drying, and provision of a small workbench and gardening equipment shall be provided for; these are shown on the ground floor plan. Linen is to be laundered to AS 4146: <i>Laundry Practice</i> (operational <b>condition</b> included).</p> <p><i>Facilities for Nursing and Convalescent Homes and Hostels</i></p> <p>The RCF shall contain facilities including medical consulting rooms, caretaker's office, kitchen area, craft/communal activities room, reading library area, TV viewing area, dining room, small canteen</p> <p>Community facilities – suitable indoor and outdoor facilities for use of residents and visitors shall be</p>	<p>Yes</p> <p>Yes, subject to <b>conditions.</b></p> <p>Yes, subject to <b>conditions.</b></p> <p>Yes</p> <p>Yes, subject to <b>conditions.</b></p> <p>Yes</p> <p>Yes</p>
--	---	---

	<p>provided.</p> <p><i>Common rooms</i></p> <p>Common rooms have been provided in a central location, and are located on each level and are easily accessible, and provided with heating and cross ventilation, access to winter sunshine and shade from summer sun. The building provides for adequate communal areas for residents and staff. This includes kitchen and dining areas, communal lounges and sitting areas, activity areas, theatre lounge, hair salon, outdoor courtyard and garden areas, outdoor covered terrace areas, and staff rooms, staff amenities and administration areas.</p> <p><i>Chemical storage and workshop</i></p> <p>A chemical storage area and workshop is located on the ground floor. Hazardous goods will be stored within bunded areas (operational <b>condition</b> is included).</p> <p><i>Commercial kitchen</i></p> <p>A commercial kitchen will operate on site to provide a food service for the residents. This is to be licensed with the NSW Food Authority who administer and regulate Food Standards Code 3.3.1 <i>Food Safety Programs for Food Service to Vulnerable Persons</i>.</p> <p>Cooling Tower: there is no indication that a cooling tower is required. To be confirmed at detailed design phase.</p>	<p>Yes, subject to <b>conditions</b>.</p> <p>Yes, subject to <b>conditions</b>.</p> <p>N/A</p>
<b>Part G SITE WASTE MANAGEMENT AND MINIMISATION</b>		
	<p>A Waste Management Plan (WMP) has been prepared and submitted as part of the DA. It has been identified that the site will be serviced by a private waste contractor. Amended plans have been provided which address concerns around manoeuvrability, loading and unloading, and safety with respect to the workshop door location, and a planter in the location of the loading area. Council's Waste Management Officer has reviewed the proposed waste storage and collection arrangements and no objection is raised subject to <b>conditions</b> of consent. An appropriate <b>condition</b> has been included requiring suitable arrangements to be made for a private waste contractor to service the site.</p>	<p>Yes</p>
<b>Part I CONTAMINATED LAND GUIDELINES</b>		



	There has been opportunistic dumping of asbestos in the rear of the site. See discussion against SEPP No. 55 Contamination of Land, in JRPP Report.	Yes
<b>Part J WATER SENSITIVE URBAN DESIGN AND INTEGRATED WATER CYCLE MANAGEMENT</b>		
<b>3.2 Matters for consideration:</b> <b>(a) WSUD;</b> <b>(c) Safety;</b> <b>(d) Operation and maintenance;</b> <b>(e) Flooding</b>	<p>(a) WSUD: refer to discussion under 4.4. The development is considered to be environmentally sustainable development, achieved through building design and proposed landscaping, together with drainage infrastructure.</p> <p>(c) Safety – standard <b>conditions</b> will be imposed in relation to construction and operation of the facility.</p> <p>(d) this was considered under 4.4 below.</p> <p>(e) Flooding: addressed against Part A, 9.0 Development in Flood prone land above. Note in relation to chemicals and poisons, a chemical storage area and workshop is located on the ground floor. Hazardous goods will be stored within bunded areas (operational <b>condition</b> is included).</p>	Yes
<b>4.3 Water conservation</b>	Buildings not subject to BASIX that are installing any water use fittings must demonstrate compliance with the minimum standards defined by the Water Efficiency Labelling and Standards (WELS) Scheme. Industry standard water efficient appliances and procedures are to be used within the development. Non-potable demand has been provided for to 80% of the demand, with the installation of a rainwater tank with a 60,000 litre capacity, and a proportion of the proposed roof area will be directed to a rainwater tank.	Yes
<b>4.4 On-site stormwater detention and waterway stability</b>	<p>A 235 cubic metre on-site detention (OSD) tank is to be provided in the north-east corner of the site, and drainage easements in favour of the site and adjoining properties are to be provided to the west and south side of the site. The proposed drainage infrastructure is to drain to the existing stormwater culvert in Gribble Reserve.</p> <p>Council's Engineers have undertaken an assessment of the proposal in accordance with the requirements of BDCP 2015 Part J, WSUD Handbook, Council's Engineering Guide to Development 2005, and Civil Works specification. The applicant has provided amended drainage plans. Drainage easements and interallotment drainage has been provided: refer to discussion under Part A 9.0 above.</p> <p>An on-site detention system is required, and a positive covenant for an overland flowpath over the swale and pit and pipe system. A positive covenant is also required over stormwater quality improvement devices and rainwater tanks to comply with Council's Engineering Guide.</p> <p>A drainage quality contribution will apply to the development, and a gross pollutant and hydrocarbon</p>	Yes

	<p>trap will be fitted to the stormwater system.</p> <p>No further objection is raised subject to <b>conditions</b> of consent.</p>	
<b>4.5 Erosion, sediment and pollution control</b>	<p>A 235 cubic metre on-site detention tank is proposed, which will allow for moderation of development peak flows into the adjoining stormwater system.</p> <p>The proposed development is not expected to have an adverse impact in regard to soil erosion or sedimentation. A <b>condition</b> of consent will require the applicant to ensure the proposal is carried out in compliance with erosion and sedimentation controls.</p>	Yes