

# 35-65 Derby Street, Kingswood Nepean Hospital Campus

Statement of Environmental Effects for re-located child care centre

On behalf of  
Health infrastructure NSW  
November 2018



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27 November 2018

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# Table of Contents

1	Introduction.....	4
1.1	Background.....	4
1.2	Pre-Lodgement Meeting .....	5
2	The Site .....	5
2.1	Location and Context.....	5
2.2	Site Description .....	6
3	Proposed Development .....	7
3.1	Child Care Centre .....	7
3.2	Access and Parking.....	8
3.3	Tree Removal and Landscaping .....	9
3.4	Signage and Wayfinding.....	9
4	Planning Legislation.....	10
4.1	Sydney Regional Environmental Plan No 20—Hawkesbury Nepean River .....	10
4.2	SEPP No 55—Remediation of Land.....	10
4.3	SEPP (Infrastructure) 2007.....	10
4.4	SEPP (State and Regional Development) 2011 .....	11
4.5	SEPP (Educational Establishments and Child Care Facilities) 2017 .....	12
4.6	Penrith LEP 2010 .....	12
4.7	Penrith DCP 2014 .....	13
5	Environmental Impacts .....	13
5.1	Traffic, Parking and Access .....	13
5.2	Tree Removal .....	14
5.3	Flooding and Stormwater .....	15
5.4	Air Quality .....	15
5.5	Acoustic Impacts.....	16
5.6	Waste Management.....	17
5.7	Other Operational Matters.....	17
5.8	CPTED .....	17
5.9	BCA and Access.....	18
6	Other Considerations .....	19
6.1	Social and Economic Impacts.....	19
6.2	Site Suitability .....	19
6.3	Public Interest .....	19
7	Conclusion .....	19

## Schedule of Figures and Tables

Figure 1 – Aerial image of site .....	5
Figure 2 – Local context map .....	6
Figure 3 – Site Plan .....	8
Figure 4 – 3D Perspective (looking north) .....	8
Figure 5 – Planting Plan .....	9
Figure 5 – Tree Removal Plan .....	14
Table 1. Site Description .....	6
Table 2. Penrith LEP 2010 Assessment.....	12
Table 3. Section 4.15 Summary Assessment .....	19

## Appendices

Appendix 1 – Penrith DCP 2014 Compliance Tables
Appendix 2 – Child Care Planning Guideline Compliance Tables
Appendix 3 – Pre-Lodgment Meeting Minutes
Appendix 4 – Traffic Report
Appendix 5 – Arborist Report
Appendix 6 – Survey Plan
Appendix 7 – Air Quality Report
Appendix 8 – Acoustic Report
Appendix 9 – Waste Management Plan
Appendix 10 – BCA Report
Appendix 11 – Access Report
Appendix 12 – Operational Policies
Appendix 13 – Contamination Report
Appendix 14 – Architectural Drawings
Appendix 15 – Landscape Plan
Appendix 16 – Civil Drawings and Flood Assessment
Appendix 17 – Cost Plan and CIV Statement



# 1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of Health Infrastructure NSW (HI) to support a development application (DA) to Penrith City Council (Council) for a child care centre development on the site at 35-65 Derby Street, Kingswood (the site), also known as the Nepean Hospital Campus.

The site is zoned SP2 Health Services Facilities, and the proposed development is permitted with consent under cl. 57 of State Environmental Planning Policy (Infrastructure) 2007.

The intent of the proposed development is to replace the existing child care centre, which is to be demolished under the State significant development (SSD) application for the main hospital redevelopment currently under assessment. The child care centre is not being expanded in terms of child capacity.

The proposed development generally includes the following works:

- Construction of a single storey child care centre that caters for up to 68 children;
- 7 new at-grade parking spaces; and
- Associated tree removal and landscaping.

This SEE includes an assessment of the proposed works in terms of the matters for consideration as listed under Section 4.15 of the Environmental Planning and Assessment Act (EP&A Act) and should be read in conjunction with the appended architectural drawings and specialist reports as outlined in the Table of Contents.

## 1.1 Background

The proposed child care centre forms an integral component of the overall master planning for the Nepean Hospital redevelopment. It is intended to replace the existing child care centre along Somerset Street, which is proposed to be demolished under the SSD application for Stage 1 of the hospital redevelopment currently under assessment (SSD 17\_8766). The footprint of the 14-storey tower proposed under the SSD application encroaches upon the location of the existing child care centre, and therefore the centre needs to be re-located.

The specific location for the new the child care centre was chosen in order to minimise disruptions to ongoing hospital operations. The development area is currently unoccupied by any permanent structures and can therefore be developed without displacing another use. The location was also chosen in order to integrate with the ongoing master planning for the hospital. It is understood that a new hospital entrance will be along the Great Western Highway (under a future proposal), and the proposed child care centre will be centrally located near this new main entrance, allowing for easy access.

## 1.2 Pre-Lodgement Meeting

A pre-application meeting was held with Council on 8 November 2018. Council's feedback from the meeting has been instrumental in the preparation of this DA. A copy of Council's written advice can be found at **Appendix 3** of this SEE.

## 2 The Site

### 2.1 Location and Context

The site forms part of the Nepean Hospital Campus, which is located at 35-65 Derby Street, Kingswood, and is legally defined as Lot 1 DP1114090. The lot is shaded yellow in the figure below.

Within the hospital campus, the proposed child care centre is located at the northwestern corner of the campus along the Great Western Highway, to the northwest of the Tresillian building. The general development area is outlined in dashed black in the figure below. The location of the existing child care centre to be demolished (under the SSD application) is shown in dashed white.



Figure 1 – Aerial image of site  
Source: Nearmap, modified by Mecone

The site falls within the Penrith City Council local government area and is located to the southeast of Penrith CBD. The surrounding context is characterised by a mix of urban land uses, including medical-related uses, low- to medium-rise residential uses, and commercial uses in the Kingswood Town Centre.

The site's local context is illustrated in the figure below.





Figure 2 – Local context map  
Source: SIX Maps; modified by Mecone

## 2.2 Site Description

The table below provides a description of the site and immediate surrounding development.

Table 1. Site Description	
Item	Description
Legal description	Lot 1 DP1114090
Total site area	14.3ha
Development area	Within the hospital campus, the development area of the proposed child care centre is approximately 2,110sqm.
Current uses	The development area is currently occupied by a number of demountable buildings.

Table 1. Site Description

Vegetation	The development area is largely cleared but contains a number of trees and shrubs. Refer to the arboricultural report submitted with the DA for further information on the site's trees.
Topography	The development area is generally flat.
Street frontage	The development area fronts the Great Western Highway.
Immediate surrounding land uses	<p>The land surrounding the hospital site is urban in nature and includes a mix of hospital (Nepean Private Hospital) and low- to medium-density residential uses.</p> <p>The land immediately surrounding the development area includes:</p> <ul style="list-style-type: none"> <li>• To the north, the Great Western Highway;</li> <li>• To the south/east, the Tresillian Building including at-grade staff car park;</li> <li>• To the west, Nepean Private Hospital (separate lot).</li> </ul>

## 3 Proposed Development

Approval is sought for the following works:

- Construction of a single storey child care centre that caters for up to 68 children;
- 7 new at-grade parking spaces; and
- Associated tree removal and landscaping.

These works are described in further detail below.

### 3.1 Child Care Centre

The proposed child care centre will cater for up to 68 children (ages 0-5). The proposed building is one level and has been designed with regard to the Child Care Planning Guideline (DP&E, 2017) and in accordance with the Education and Care Services National Regulations.

The building is set back approximately 2m from the Great Western Highway and 3m from the side boundary to the Nepean Private Hospital at-grade carpark.

In addition to the main building, three small sheds are proposed along the perimeter of the outdoor play area.



The proposed site plan and a 3D perspective of the proposed are provided in the images below.

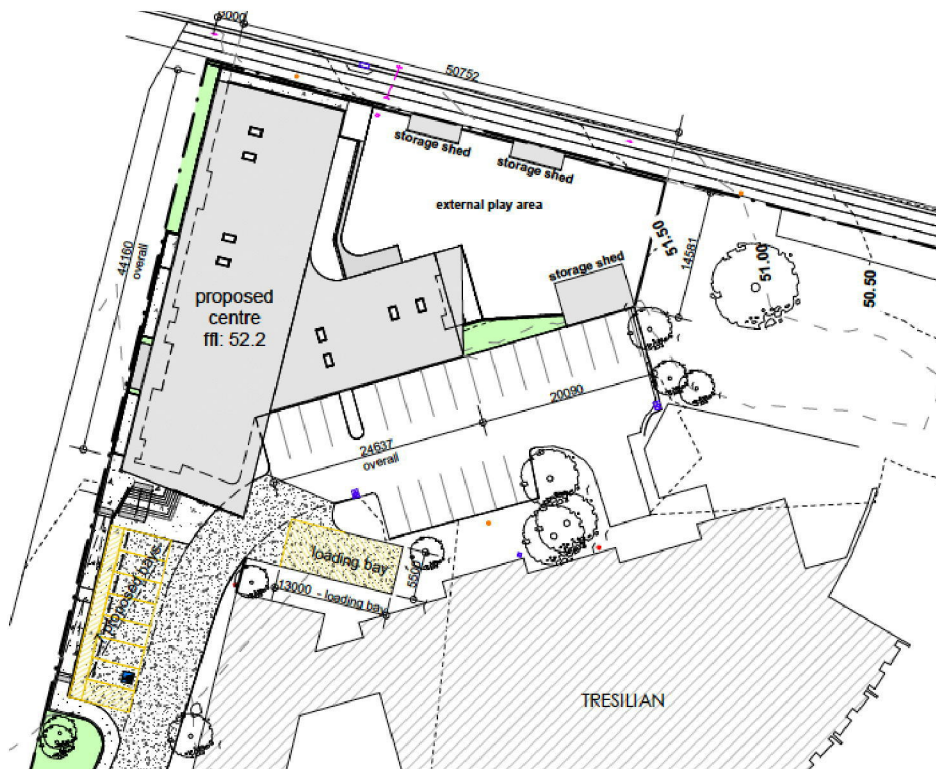


Figure 3 – Site Plan  
Source: Barnson Architects



Figure 4 – 3D Perspective (looking north)  
Source: Barnson Architects

## 3.2 Access and Parking

Vehicular access (both ingress and egress) to the child care centre will be via the existing driveway leading to the Tresillian car park. Pedestrian access will be via the existing footpath along the driveway.

Seven new at-grade vehicular parking spaces (including one disabled space) are proposed close to the main entry of the child care centre. The seven new spaces will be utilised for drop-off and pick-up purposes and will be time-limited accordingly.

A separate loading bay is also proposed. This bay will cater for a 5.2m rigid service vehicle and will accommodate waste collection, delivery and emergency services vehicles.

No existing spaces in the Tresillian staff car park will be removed as the result of the development.

### 3.3 Tree Removal and Landscaping

A total of 17 trees are proposed to be removed to facilitate the proposed development, as identified by the Aboricultural Development Assessment Report (**Appendix 5**).

The proposed landscaping includes an appropriate mix of trees, shrubs, grasses and groundcovers, which will replace the trees to be removed and provide additional landscaping to improve the appearance of the site. Tree replacement will be concentrated around the proposed outdoor play area in order to provide visual privacy. The planting plan for the outdoor play is shown below.

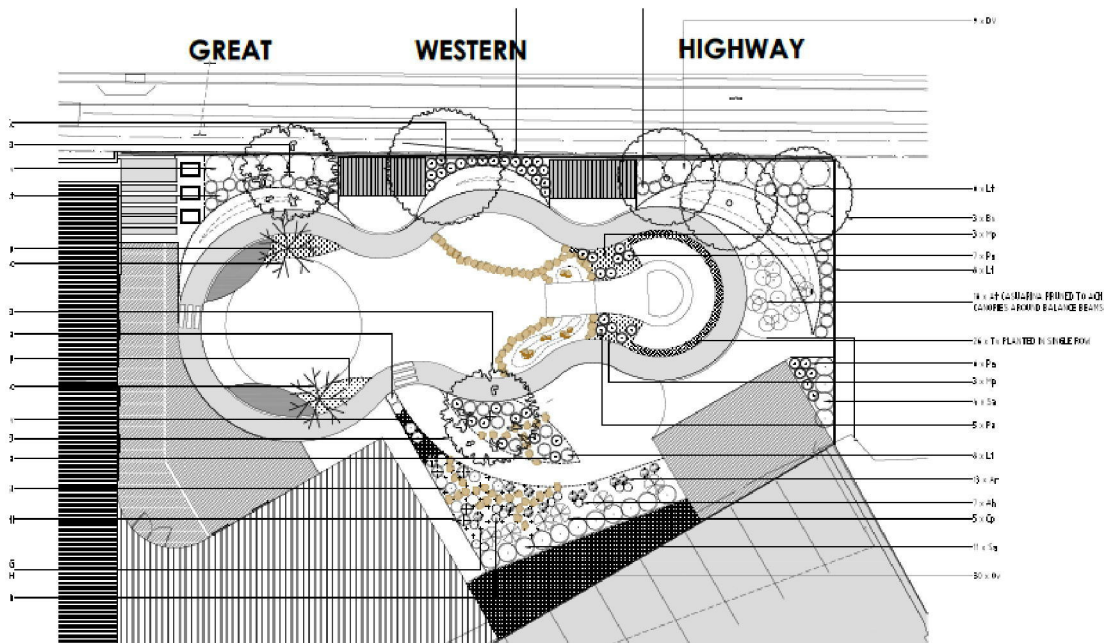


Figure 5 – Planting Plan  
Source: Barnson

### 3.4 Signage and Wayfinding

Building identification signage is proposed at the top of the child care centre in the form of cut-out block letters. This signage clearly identifies the use and is compatible with the hospital campus context.

No wayfinding signage is proposed under this DA. Appropriate wayfinding signage will be installed as exempt development pursuant Schedule 1 of the Infrastructure SEPP. The wayfinding signage will be designed in accordance with the Nepean Hospital Precinct Wayfinding Strategy.

## 4 Planning Legislation

This section provides an assessment of the proposed works against the relevant State and local planning provisions.

### 4.1 Sydney Regional Environmental Plan No 20—Hawkesbury Nepean River

The aim of the Sydney Regional Environmental Plan (REP) No 20—Hawkesbury is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

The REP does not prohibit the proposed development or apply any additional development controls. The REP does not identify the site as environmentally sensitive land or contain any specific planning provisions contrary to the proposed development.

### 4.2 SEPP No 55—Remediation of Land

State Environmental Planning Policy (SEPP) No 55—Remediation of Land provides a Statewide planning approach to the remediation of contaminated land. Clause 7 of SEPP 55 requires that the consent authority must not grant consent to a development application unless it has considered whether the land is contaminated and, if the land is contaminated, it is satisfied that the land is suitable (or will be suitable following remediation) for the proposed development.

A range of previous environmental assessments have been undertaken across the Nepean Hospital Campus to facilitate redevelopment. Most recently, a Data Gap Assessment (JBS&G, October 2018) has prepared for the Nepean Hospital redevelopment main works. Key extracts from the assessment are attached at **Appendix 13**.

The JBS&G assessment considers samples collected from five locations within the child care centre development area (i.e., HA265, BH8, TP266, TP267 and TP264).

The assessment concludes that no significant or gross contamination impacts associated with the former and current use of the overall hospital site have been identified. There are a number of smaller scale issues that will need to be addressed through preparation of a remediation action plan (RAP); however, none of these issues relate to the sample locations for the child care centre development area.

Based on the above, the consent authority can be satisfied under clause 7 of SEPP 55 that the site is suitable for the proposed development, with no further investigations or mitigation measures required.

### 4.3 SEPP (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State. Key clauses relevant to the proposed development are discussed below.



#### **Cl. 57 Development permitted with consent**

The proposed development is permitted with consent under clause 57(2)(b) of the ISEPP, as it is a centre-based child care facility that services staff of an existing health services facility (Nepean Hospital). A site compatibility certificate is not required pursuant to clause 57(3).

#### **Cl. 101 Development with frontage to a classified road**

The proposed development fronts a classified State road (Great Western Highway), and therefore the consent authority must take into account the considerations under cl. 101(2)(a-c).

Vehicular access is provided by an internal hospital road, and therefore the consent authority can be satisfied under cl. 101(2)(a) that safe and practical access is provided by a road other than a classified road.

As discussed in the Traffic Statement (**Appendix 4**), the expected traffic generation resulting from the development will be significant in the context of the hospital as a whole. Therefore, the consent authority can be satisfied under cl. 101(2)(b) that the safety efficiency and ongoing operation of the highway will not be affected.

The consent authority can be satisfied under cl. 101(2)(c) that the development includes measures to ameliorate traffic noise and vehicles emissions. These measures include an acoustic barrier on the northern boundary, appropriate glazing and an internal layout with more sensitive uses away from the highway.

#### **Cl. 102 Impact of road noise or vibration on non-road development**

The proposed child care centre is adjacent to a road with an annual average daily traffic volume of more than 20,000 vehicles (Great Western Highway), and therefore the consent authority must take into consideration "Development near Rail Corridors and Busy Roads – Interim Guideline".

In accordance with the design guidance in the Interim Guideline, the proposed child care centre has been designed to mitigate noise and air quality impacts through a number of measures (e.g., locating sleeping areas away from the highway and providing a 2.4m-high solid noise barrier wall along the northern boundary to the highway).

As confirmed in the Acoustic Assessment (**Appendix 8**), the sleeping areas and indoor play areas will achieve the relevant 40dBA noise criteria.

### **4.4 SEPP (State and Regional Development) 2011**

The proposed development is Crown Development with a capital investment value of more than \$5 million (see CIV Statement at **Appendix 17**) and is therefore classified as regionally significant development under Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011. As such, the application will be referred to the Sydney Western City Regional Panel for determination.



## 4.5 SEPP (Educational Establishments and Child Care Facilities) 2017

The aim of State Environmental Planning Policy (SEPP) (Education Establishments and Child Care Facilities) 2017 is to facilitate the effective delivery of educational establishments and early education and care facilities across the State. Key applicable provisions are discussed below.

### Cl. 23 Centre-based child care facility—matters for consideration by consent authorities

Under cl. 23, the consent authority is required to take into consideration the applicable provisions of the Child Care Planning Guideline. An assessment of against this guideline is provided at **Appendix 2**.

### Cl. 25 Centre-based child care facility—non-discretionary development standards

The proposed development meets the non-discretionary standards related to indoor and outdoor space identified under cl. 25. Specifically, the development provides:

- 232.5sqm of unencumbered indoor space (vs. 221sqm required based on rate of 3.25sqm of indoor space per child as per cl. 107 of the Education and Care Services National Regulations); and
- 545sqm of unencumbered outdoor space (vs. 476sqm required based on rate of 7sqm of outdoor space per child as per cl. 108 of the Education and Care Services National Regulations)).

### Cl. 57 Traffic-generating development

The proposed development will accommodate more than 50 students, and therefore the consent authority must refer the application to Roads and Maritime Services (RMS) for comment.

## 4.6 Penrith LEP 2010

The proposed development is subject to the provisions of Penrith Local Environmental Plan (LEP) 2010. The table below provides an assessment of the development against key relevant LEP provisions.

Table 2. Penrith LEP 2010 Assessment		
Clause	Provision	Compliance
2.3 Zone Objectives and Land Use Table	The site is zoned SP2 Infrastructure (Health Services Facility).	<b>Refer to ISEPP discussion</b>  The proposed development is best defined as a “centre based child care centre” under the LEP. It is not listed as a permissible use in the zoning table; however, it is permitted with consent pursuant to cl. 57 of the ISEPP.

Table 2. Penrith LEP 2010 Assessment

		Refer to further discussion at Section 4.3 of this SEE.
	<p>The objectives of the zone are:</p> <ul style="list-style-type: none"> <li>To provide for infrastructure and related uses.</li> <li>To prevent development that is not compatible with or that may detract from the provision of infrastructure.</li> </ul>	<p><b>Complies</b></p> <p>The proposed development complies with the zone objectives in that it provides child care services for staff of the existing hospital and will complement the ongoing operations of the hospital.</p>
4.3 Height of buildings	No height of buildings standard applies to the site.	<b>Not applicable</b>
4.4 Floor space ratio	No floor space ratio standard applies to the site.	<b>Not applicable</b>
7.11 Penrith Health and Education Precinct	The site forms part of the Penrith Health and Education Precinct. This clause allows for additional height above that shown on the Height of buildings map.	<b>Not applicable</b>

## 4.7 Penrith DCP 2014

The site is subject the controls of Penrith Development Control Plan (DCP) 2014, including the citywide controls in Part C, child care-specific controls in Part D and precinct-specific controls in Part E. An assessment against key relevant controls is provided in **Appendix 1**. Overall, it has been found that the proposed development is generally consistent with the controls, with sufficient justification provided for any variations.

## 5 Environmental Impacts

This section addresses the potential environmental impacts of the proposed development. It should be read in conjunction with the various specialist reports submitted with the DA.

### 5.1 Traffic, Parking and Access

A Traffic Impact Assessment is attached at **Appendix 4**. The report presents assessments related to the proposed development's traffic activity, parking demand, and car park design and compliance. Key points from the report are summarised below:

- The proposed child care centre involves the relocation of the existing centre within the Nepean Hospital Campus (with no increase in child capacity) and therefore will result in no increase in the overall traffic activity or parking demand compared to the current environment.
- The new location of the centre may result in the slight redistribution of vehicle activity; however, based on the worst-case scenario of all parents driving to and from the centre (which is unlikely given that parents work within the hospital campus), this will have no notable impact on the operation or safety of the road network, or campus roads.
- The proposed seven vehicular parking spaces accord with DCP requirements and are sufficient for accommodating the drop-off and pick-up activity, based on the worst-case scenario.
- Staff car parking will be accommodated by the overall campus parking, which is a continuation of the current situation. Notably, the expansion of the hospital includes the construction of a new multi-deck car park (currently under construction), which will accommodate 775 parking spaces for staff and visitors.

## 5.2 Tree Removal

The proposed development will require removal of 17 trees as identified in the Arboricultural Assessment Report at **Appendix 5**. The trees to be removed are outlined in red in the figure below.

The report identifies the species, size and condition of the site's trees; nominates which trees are proposed to be removed and which are to be retained; and provides mitigation strategies for trees to be retained.



Figure 5 – Tree Removal Plan  
Source: Moore Trees



The proposed tree removal is considered acceptable because the trees are not significant and because the removal will facilitate development for the purposes of a child care centre which is suitable for the site and is in the public interest.

The trees to be removed will be replaced by canopy trees at a rate of 1.5 new trees for each removed tree. Refer to the Landscape Plan at **Appendix 14** for details on the proposed new trees.

### 5.3 Flooding and Stormwater

Stormwater management, flood impacts and water sensitive urban design strategy (WSUD) are addressed in the civil documentation at **Appendix 16**. Key items are outlined below:

- Based on Council's adopted flood study, the subject site as a whole is within the flood planning area, but the subject development area is not identified as affected in the flood planning area mapping.
- The proposed finished floor level is above the 1:100 year annual recurrence internal (ARI) plus 0.5m freeboard.
- In terms of overland flow impacts, post development flow will not exceed pre-development flow. The site is above the 1:100 year flood level, and therefore there will be no impact on the existing overland flow path.
- In terms of WSUD, all roof areas will be directed to new rainwater tanks, and additional carpark runoff will be directed to a new stormwater pit with infiltration trench acting as outlet.

Stormwater management will occur in accordance with the stormwater concept plan attached at **Appendix 16**.

### 5.4 Air Quality

An Air Quality Report is attached at **Appendix 7**. The aim of the report is to determine if external air pollution could impact on indoor air quality at the site and to provide preliminary recommendations for the mitigation of impacts within the site arising from external pollution sources.

The report has found that indoor air quality can be mitigated subject to the following mitigation measures:

- When external air quality is poor, infiltration of air through the building may diminish indoor air quality. Therefore, it is recommended the design and construction of the building meet building air tightness standards such as Green Star, ATTMA or NIBS.
- To prevent airborne particles being entrained into the building through the mechanical ventilation system, appropriately designed particulate filters are recommended.
- The design of the main entrance should limit the flow of unfiltered air from the outside. Potential design options include revolving entrance doors or building entry vestibule with two normally closed doorways.

- Indoor air quality testing should be conducted after construction is complete and mechanical systems are operating normally to confirm indoor air quality is acceptable at the site.

We anticipate the above recommendations can be addressed during the assessment process/through conditions of consent.

In terms of outdoor air quality, the report states that it is expected that the site, including the outside play area, will comply with acceptable air quality guidelines on days of “normal” weather conditions. The report notes that the 2.4m-high acoustic barrier along the northern boundary (as recommended in the submitted acoustic report) will have a dramatic impact on reducing vehicular emissions flowing into the site. The report also states that plume modelling could be conducted at later stages of the design process to gain a better understanding of impacts.

## 5.5 Acoustic Impacts

An Acoustic Assessment is attached at **Appendix 8**. The report considers noise intrusion into the site and noise generation resulting from the proposed development. Key points from the report are summarised below.

The main noise sources impacting the site are:

- The Greater Western Highway to the north (and to a lesser extent, the Western Rail Line on the far side of the highway);
- Proposed temporary helipad to the southwest (located on the roof of multi-storey carpark); and
- Proposed permanent helipad to the southeast (on top of the new 14-storey Stage 1 tower).

Overall, it has been found that the noise impacts on the child care centre would be acceptable, subject to appropriate mitigation measures. In summary:

- Subject to installation of the recommended glazing, noise from road and rail sources will be less than the 40dBA criteria under the Association of Australian Acoustical Consultants’ “Technical Guideline Child Care Centre Noise Assessment” (which is also the criteria under “Development Near Rail Corridors and Busy Roads – Interim Guideline”).
- In order to mitigate road and rail noise impacts on the outdoor, a 2.4m-high noise barrier fence/wall is recommended along the northern boundary. (This fence has been incorporated in the submitted architectural plans.)
- Noise levels from helicopter movements is expected to exceed the relevant 50dBA indoor noise goal under AS2021. However, this is considered acceptable for the following reasons:
  - The number of helicopter movements will be very low (approximately one per day);
  - The difference between the noise goal and the predicted noise level is extremely minor and will be barely perceptible; and

- AS2021 does not strictly apply given that the noise source is for emergency patient transport rather than commercial purposes.
- The noise level in the outdoor play area is expected to reach 88dBA during a helicopter flyover. This is considered acceptable for the following reasons:
  - The noise level would occur for 3-4 seconds, once per day (on average); and
  - The predicted level is well below the World Health Organisation Guidelines recommendation for peak noise exposure for children.

Provided that the recommendations in section 4 of Acoustic Logic's report are adopted, noise generated by the site will be compliant with noise emission guidelines.

## 5.6 Waste Management

Operational waste management of the child care centre will be carried out in accordance with the Waste Management Policy Manual (Sydney West Area Health Service, 2010), which is attached at **Appendix 12**. Waste collection will occur in the proposed loading bay. Bins will be rolled down the accessible ramp to the loading bay for collection.

## 5.7 Other Operational Matters

A suite of operational policies prepared by Sydney West Area Health Service (SWAHS) are currently in place for the existing child care centre. These policies will continue to be applied at the proposed child care centre. Key policies considered relevant to this DA include:

- Food Safety Plan;
- Emergency, Evacuation, Disaster Plan;
- Delivery to and Safe Collection of Children Policy; and
- Acceptance and Refusal of Authorisations Policy.

The key policies listed above are attached at **Appendix 12**. The full suite of policies can be provided to Council upon request.

## 5.8 CPTED

The proposed development has been assessed against the four key principles of Crime Prevention Through Environmental Design (CPTED). Overall it has been found that the development achieves a design that minimises opportunity for crime.

### Surveillance

The proposed development has been designed to allow for natural surveillance of the surrounding area, namely through strategically placed glazing. The main entry



and front office, in particular, features extensive glazing, allowing reception and other staff to sight potential intruders approaching the entry.

The semi-transparent fencing surrounding the outdoor play area will be shielded by screen landscaping and is not intended to provide passive surveillance opportunities. On the contrary, the outdoor area is intended to be shielded from overlooking in accordance with the Child Care Planning Guideline (DP&E, 2017). Similarly, the solid northern boundary fence will restrict overlooking into the outdoor play area.

### **Access control**

The proposed development uses physical and symbolic barriers to attract, channel and restrict the movement of people. Visitors will be channeled to the main entry through clearly defined design elements and pathways. Clear signage will also be installed indicating the entry point.

The entry itself will be controlled with a security door requiring a key code or similar. Immediately within the entry is a foyer area with reception desk, providing another level of access control.

The outdoor play area is protected by perimeter fencing, which will effectively restrict unwanted entry to this area. The western side setback area is protected by an existing boundary fence.

Staff will be trained in the SWAHS Delivery to and Safe Collection of Children Policy and Acceptance and Refusal of Authorisations Policy, providing further access control (albeit non-design related).

### **Territorial reinforcement**

The proposed development has been designed to clearly define the development as a restricted-access building. This is primarily achieved through the use of security doors and fencing.

### **Space management**

Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting, and the removal or refurbishment of decayed physical elements. These will occur during the operation stage of the development in accordance with the various SWAHS operational policies.

## **5.9 BCA and Access**

A BCA Capability Statement is attached at **Appendix 10**. The statement concludes that the proposed development is able to satisfy the requirements of NCC-BCA2016 and Access to Premises Standards 2010 if the works are designed and constructed in accordance with the requirements of the BCA including any Performance Solution Report that may be prepared in order to demonstrate compliance.

An Accessibility Report is attached at **Appendix 11**. The report provides an assessment of the proposed child care centre against the Deemed-to-Satisfy (DTS) provisions of Part D3 of the BCA 2016. The report concludes that the proposed development is able to satisfy the requirements of BCA2016 and the Access to

Premises Standards 2010 if the works are designed and constructed in accordance with the requirements of the BCA and AS1428.1 – 2009 & AS 2890.6 – 2006 and the subsequent access reports and performance solutions.

## 6 Other Considerations

### 6.1 Social and Economic Impacts

The proposed development will result in positive social impacts in that it will provide an important social service for hospital staff. The availability of the service will also promote employment at the hospital and thereby contribute positively to overall hospital operations.

The proposed development will result in no notable economic impacts.

### 6.2 Site Suitability

The site is suitable for the proposed development in that it is an existing hospital campus, and the proposed development forms a part of the overall hospital operations. The specific development area within the campus is has been identified as an appropriate location for the child care centre through the overall master planning for the hospital.

### 6.3 Public Interest

The proposed development is in the public interest in that it is permitted with consent in the zone, is consistent with zone objectives, complies with key relevant planning provisions, will have no unacceptable environmental impacts and will provide an important service for hospital staff.

## 7 Conclusion

This SEE has provided an assessment of proposed child care centre in terms of the matters for consideration under Section 4.15 of the EP&A Act. A summary assessment against Section 4.15 is provided in the table below.

Table 3. Section 4.15 Summary Assessment

Clause No.	Clause	Assessment
(1)	Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a)(i)	The provision of: Any environmental planning instrument, and	This SEE has considered and provided an assessment against the relevant environmental planning instruments, including SEPP 55, Child Care SEPP and Penrith LEP 2010. It has been shown that the proposed development is compliant with the provisions of these instruments.



Table 3. Section 4.15 Summary Assessment

Clause No.	Clause	Assessment
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	No draft instrument applies to the development.
(iii)	Any development control plan, and	This SEE has considered the controls of Penrith DCP 2014, and it has been shown that the application generally complies with the key relevant controls, with sufficient justification provided for any variation.
(iiia)	Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4, and	Not applicable.
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	The proposal is consistent with the regulations applying to development applications.
(v)	Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,	Not applicable.
(b)	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The likely impacts of the development have been considered within this SEE, including air quality impacts, acoustic impacts, traffic impacts and tree removal impacts. The proposed development has been shown to result in minor and acceptable environmental impacts.
(c)	The suitability of the site for the development,	The development is consistent with the relevant SEPP, LEP and DCP provisions and has no unacceptable adverse environmental impacts. The site is therefore considered suitable for the development.
(d)	Any submissions made in accordance with this Act or the regulations,	This is a matter for to be addressed following the notification of the application.
(e)	The public interest.	The proposal is in the public interest as:

Table 3. Section 4.15 Summary Assessment

Clause No.	Clause	Assessment
		<ul style="list-style-type: none"> <li>• It is consistent with the relevant planning provisions;</li> <li>• The environmental impacts have been considered and have been shown to minor and acceptable subject to mitigation; and</li> <li>• The development will provide a necessary social service for Nepean Hospital staff.</li> </ul>

# Appendix 1: Penrith DCP Compliance Tables

# Appendix 2: Child Care Planning Guideline Compliance Tables

## Appendix 3: Pre-Lodgement Meeting Minutes

## Appendix 4: Traffic Report

## Appendix 5: Arborist Report

## Appendix 6: Survey Plan



## Appendix 7: Air Quality Report

## Appendix 8: Acoustic Report

## Appendix 9: Waste Management Plan

## Appendix 10: BCA Report

## Appendix 11: Access Report

## Appendix 12: Operational Policies

# Appendix 13: Contamination Report

## Appendix 14: Architectural Drawings



## Appendix 15: Landscape Plan

# Appendix 16: Civil Drawings and Flood Assessment



## Appendix 17: Cost Plan and CIV Statement