



WILLOW TREE
PLANNING

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park
(Lot 1 DP 825553)

Prepared by Willowtree Planning on behalf of Opal
Aged Care

June 2019



Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

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PART A PRELIMINARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning on behalf of the Proponent, Opal Aged Care, and is submitted to Penrith City Council to support a proposed Residential Aged Care Home (RACH). The proposed development concerns the land portion identified as 5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553).

The proposed development entails the following key components, including:

- Demolition of existing buildings;
- Removal of some existing vegetation within the front of the Site;
- Earthworks to establish building pads;
- Augmentation of existing infrastructure to service the Site;
- Construction and operation of a 142 bed RACH over two (2) storeys;
- Construction and operation of an Allied Health Facility;
- Associated car parking, comprising 42 car parking spaces (including two (2) accessible car parking spaces;
- Construction of vehicular access; and
- Proposed landscaping across the Site.

The proposed development is consistent with surrounding land uses and provisions of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (SEPP (HSPD) 2004); and *Penrith Local Environmental Plan 2010* (PLEP2010). Additionally, the Allied Health Facility is permissible under the provisions of *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP). The proposed development is located on land that is zoned R2 Low Density Residential under PLEP2010 within the Penrith Local Government Area (LGA). The proposed development is considered to be Regionally Significant Development, and will therefore be determined by the Sydney Western City Planning Panel.

This SEE provides a comprehensive assessment concerning the proposed development against relevant legislative matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979); and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation 2000). The prevailing Environmental Planning Instrument (EPI) applicable to the proposed development is SEPP (HSPD) 2004.

Based on the assessment undertaken, it is recommended that Council's favourable consideration be given.

The structure of this SEE is as follows:

- **Part A** Preliminary
- **Part B** Site Analysis
- **Part C** Proposed Development
- **Part D** Legislative and Policy Framework
- **Part E** Environmental Assessment
- **Part F** Conclusion

PART B SITE ANALYSIS

2.1 SITE LOCATION & CHARACTERISTICS

The identified portion of land, that is the subject of this DA is legally defined as 5-7 Floribunda Avenue, Glenmore Park. The Subject Site comprises one (1) allotment, as described in **Table 1** below.

| Table 1: Site Identification | |
|--------------------------------------|--------------------------|
| Street Address | Legal Description |
| 5-7 Floribunda Avenue, Glenmore Park | Lot 1 DP 825553 |

The entire Site comprises a total area of approximately 10,000 m² and affords the benefits of the provisions outlined within SEPP (HSPD) 2004 and PLEP2010. Access to the Subject Site is obtained via Floribunda Avenue, which comprises two (2) driveway crossings, linking to Lady Jamison Drive and Glenmore Parkway. Access into the Site is made possible via a designated entry and exit along the street frontage of Floribunda Avenue, accompanied by a car parking area, within the front of the Site.

The Site is situated approximately 51.02 km west of the Sydney CBD, 32.06 km west of Parramatta and 4.31 km south of Penrith and is within close proximity of major transport infrastructure routes (including the bus network) along Floribunda Avenue. Additionally, the Site shares direct links with the wider regional road network, including Glenmore Parkway and the closely linked M4 Motorway, providing enhanced connectivity to the Subject Site and immediate vicinity, as well as the wider locality.

It is noted, that the Floribunda Community Centre directly adjoins the Subject Site, to the north; Glenmore Park Town Centre is located to the South; Rotary Park is located to the Site's east; and the surrounding land uses comprise Low Density Residential dwellings comprising a mix of 1-2 storey dwellings.

In its existing state, the Site comprises two (2) separate buildings, currently being utilised as an Early Learning Centre for the Royal Institute for Deaf and Blind Children. Additionally, the Subject Site contains existing vegetation, for which an arborist report has been prepared. Recommendations and mitigation measures are provided within the reports, with the results and conclusions drawn in **Part E** of this SEE.

It should be noted, that the public domain adjacent to the Subject Site (southern aspect), comprises concrete footpaths along the northern interface of Floribunda Avenue, as well as on-street parking traversing the southern boundary of the Site.

The nearest public open space is located directly to the north along with Rotary Park, directly to the east; and R2 Low Density Residential zone comprising residential dwellings to the Site's south and west. Pursuant to the future development of the Subject Site, for the purposes of a proposed RACH, it is recommended, that the mitigation and protection measures stipulated within the consultant reports, are adhered to accordingly, with regard to traffic, noise, access, bushfire and compliance with the Building Code of Australia (BCA).

The proposed development is reliant on PLEP2010 with regard to the Site's zoning, as it is zoned as R2 Low Density Residential, as displayed in **Figure 1** below. The Site and surrounding context are shown in **Figures 2 & 3** below.

Statement of Environmental Effects Proposed Residential Aged Care Home 5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

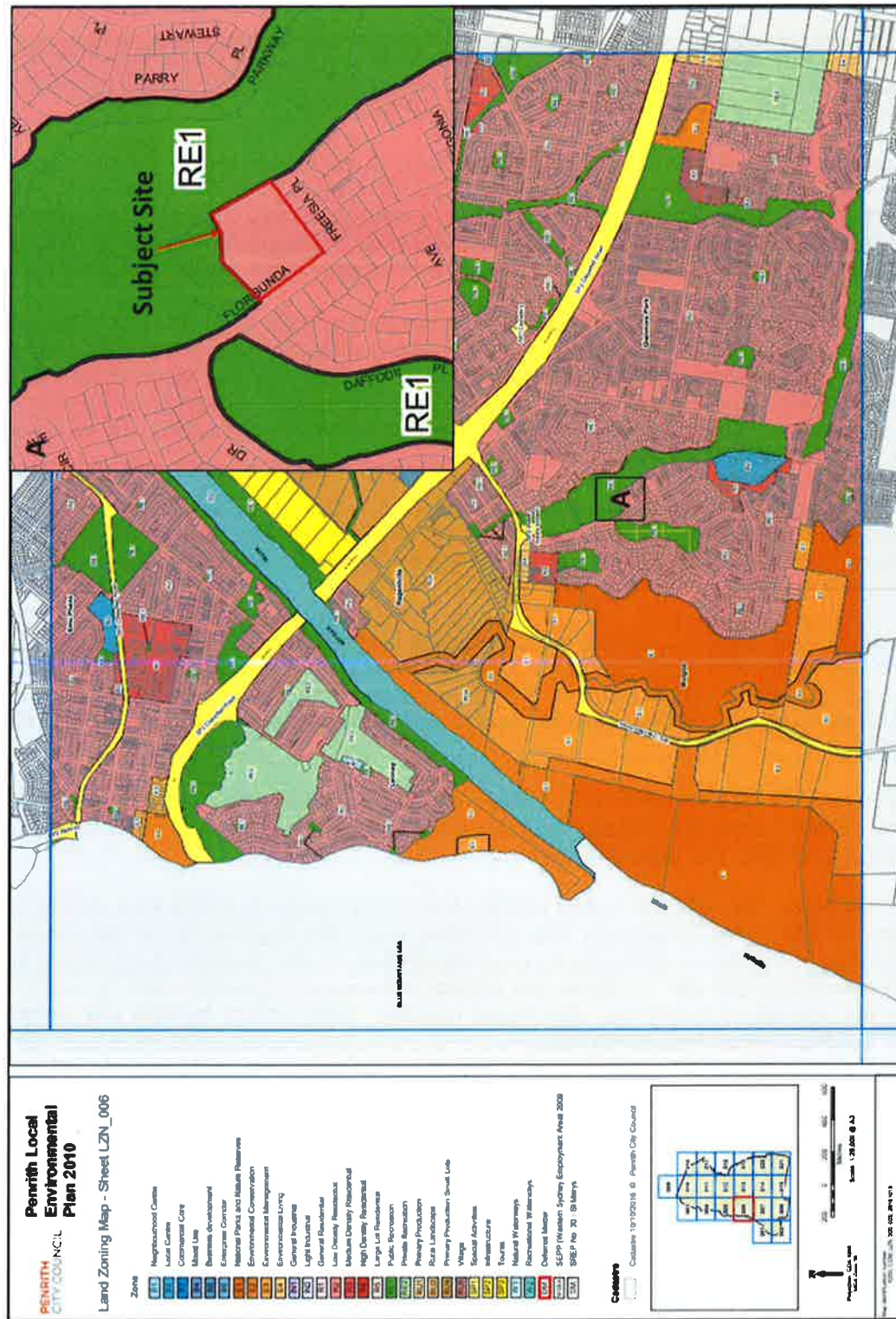


Figure 1 Land Zoning Applicable to the Subject Site and Surrounding Area Pursuant to Penrith Local Environmental Plan 2010 (Source: NSW Legislation, 2019)

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Figure 2 Existing Site Development (Source: Nearmaps, 2019)

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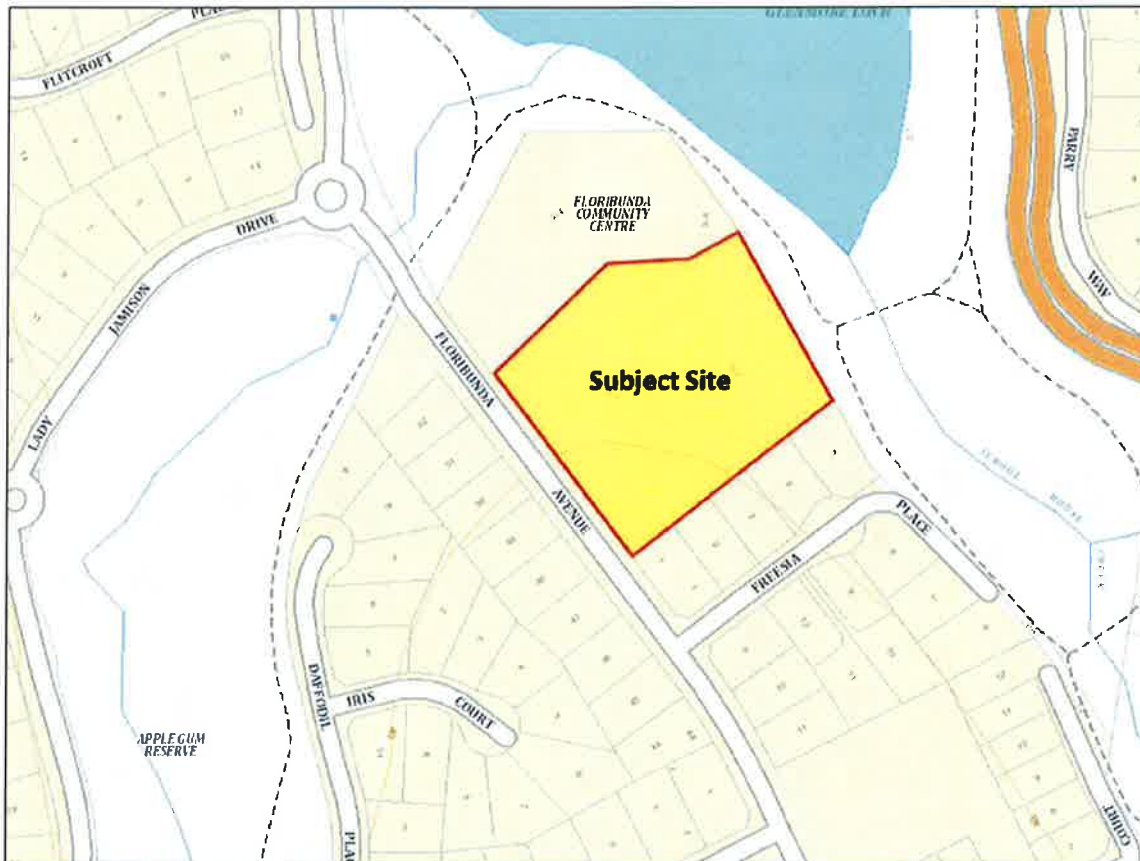


Figure 3 Cadastral Map of the Subject Site and Surrounding Area (Source: SIX Maps, 2019)

2.2 LOCAL AND REGIONAL CONTEXT

The Subject Site is located in the suburb of Glenmore Park, which forms part of the Penrith LGA.

The immediate Site context exhibits a residential character, being defined by low density residential dwellings, generally ranging from 1-2 storeys, and open space landforms, designated for public recreation.

Other land uses in the vicinity of the Site include:

- Floribunda Community Centre, directly adjacent to the north;
- Glenmore Loch, directly adjacent to the north;
- Rotary Park, directly adjacent to the east;
- Apple Gum Reserve, approximately 140 m to the west; and
- Regentville Public School, approximately 530 m to the north.

The nearest local and commercial centres include:

- Glenmore Park Town Centre, approximately 630 m to the south; and
- Westfield Penrith, approximately 4.1 km to the north.

The Subject Site is accessible by public transport, with bus stops located along Floribunda Avenue (within 400 m of the Site in accordance with AS 1428), in the immediate vicinity of the Site, providing services and enhanced connectivity to nearby commercial centres, which would service the day-to-day needs of future residents. The area is also serviced by major road infrastructure.

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It is noted, that bus stops situated along Floribunda Avenue provide direct connections to Lapstone Train Station, which is located approximately 6.3 km by road, north of the Site allowing passage by rail to the Blue Mountains; and Penrith Train Station, which is located approximately 5.2 km northeast of the Site, providing connections to the wider Sydney Metropolitan Area. Notwithstanding, the regional road network, comprising major arterial roads, such as Glenmore Parkway, Mulgoa Road and the M4 Motorway, serves as being ideal, by providing enhanced connectivity to the Subject Site and the surrounding area.

The Site context is shown in **Figure 4** below.

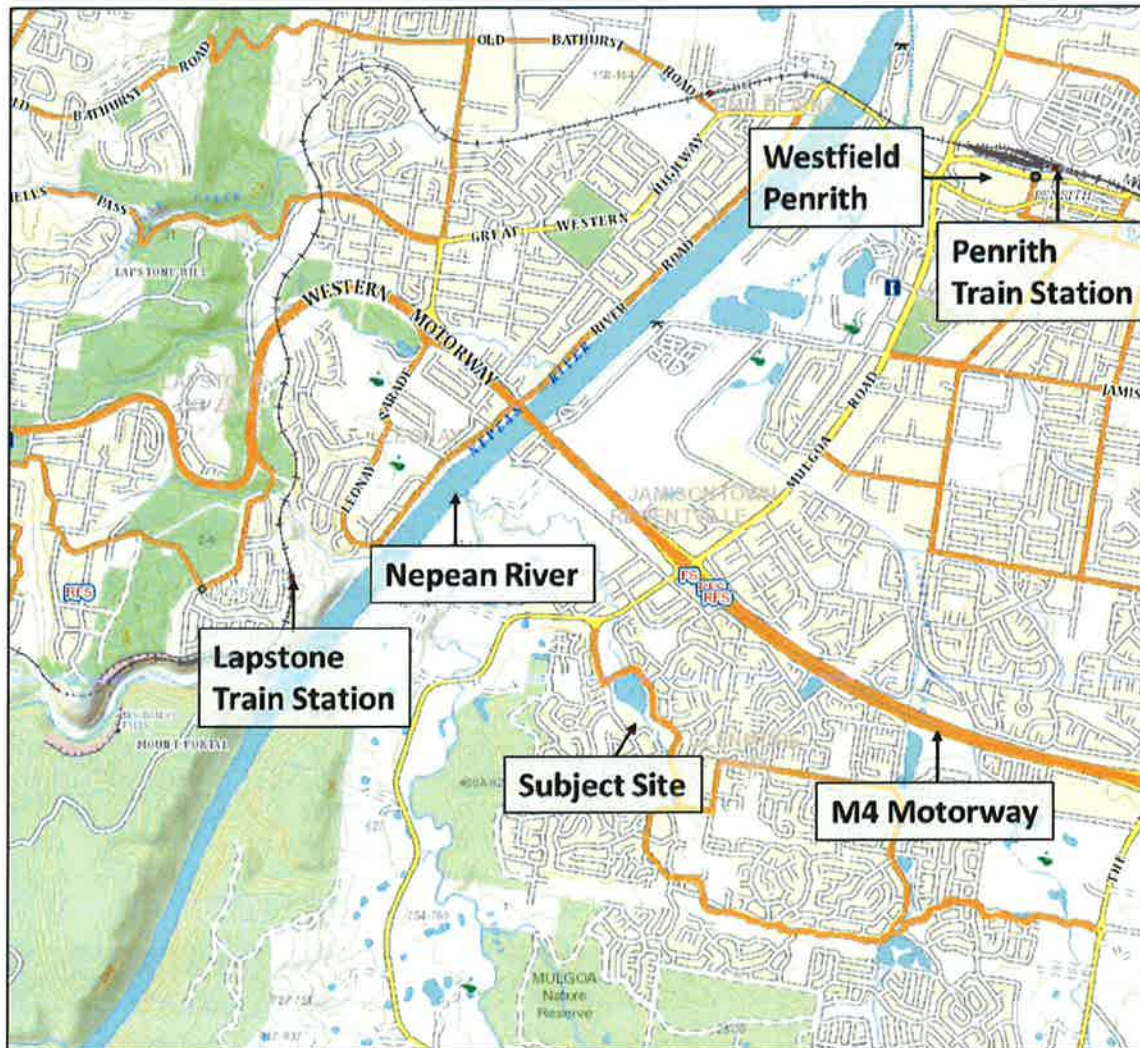


Figure 4 Site Context and Surrounding Area (Source: SIX Maps, 2019)

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PART C PROPOSED DEVELOPMENT

3.1 AIMS AND OBJECTIVES OF THE PROPOSAL

The subject proposal seeks development consent for the construction and operational use of a proposed RACH. The following objectives have been identified as forming the basis of the proposed development, as well as being consistent with the aims set out with SEPP (HSPD) 2004 and PLEP2010, including:

- Promote an employment-generating development with provisions for 140 new jobs throughout the construction and operational phases of development;
- Promoting an economically and ecologically sustainable development, that reinforces the aims and objectives of SEPP (HSPD) 2004 and PLEP2010, as well as positively contribute to the objectives set out in the R2 Low Density Residential zone, particularly by providing a land use that provides a facility that meets the day-to-day needs of its future residents;
- Providing a new, state-of-the-art RACH;
- Make use of a Site, which is suitably located in close proximity to commercial, medical and public transport land uses and infrastructure;
- Provide an additional 142 beds for the purposes of an RACH, that meets the needs of the growing and aging population, within the Western City District;
- Revitalise a land portion pursuant to demolition being undertaken;
- Make use of a Site, which creates the potential for a streetscape that is complementary to the surrounding residential character;
- Encourages assurance for the coordinated planning and development of land within the Penrith LGA;
- Ensures minimal environmental and amenity impacts; and,
- Ensures development is compatible with surrounding development and the local context.

The proposed development would meet the objectives identified above as it enables development (RACH) on land that has been zoned for such permissible development.

3.2 DESCRIPTION OF THE PROPOSAL

Consent is sought to develop the Subject Site for the purposes a RACH. Accordingly, demolition is proposed across the Subject Site, for which earthworks would be undertaken to establish suitable levels and the building pads for the proposed development to be undertaken in accordance with the Architectural Plans prepared by Calderflower Architecture (refer to **Appendix 3**).

The proposed development particulars are outlined in **Table 2** as follows:

| Table 2: Proposed Development Particulars | | | |
|-------------------------------------------|-----------------------------------------|--|------------------------------------------------------------------------------|
| Project Element | | | Development Particular |
| Site Area | | | Total Site Area: 10,014 m ² |
| Residential Aged Care Home | | | Total Gross Floor Area (GFA): 8,183 m ² |
| | | | Lower Ground Floor (excluding parking, lifts and stairs): 633 m ² |
| | | | Ground Floor: 4,000 m ² |
| | | | First Floor (Level 1): 3,550 m ² |
| Floor Space Ratio (FSR) | 0.82:1 (complies with SEPP (HSPD) 2004. | | |
| Car Parking | | | - 41 Car Parking Spaces required. - 42 Car Parking Spaces provided. |

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| | |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Building Height | - 8.2 m in accordance with SEPP (HSPD) 2004. |
| Primary Land Use | - Residential Care Facilities, per the Standard Instrument definition. |
| Demolition | - Demolition of all structures. The existing development on the Subject Site, which is proposed to be demolished includes the Royal Institute for Deaf and Blind Children. |
| Bulk Earthworks | - Earthworks are proposed to be carried out, to establish the appropriate levels on the Subject Site, as-well-as balance any required cut/fill accordingly for the proposed RACH. |
| Site Access | <ul style="list-style-type: none"> - Access to the Subject Site would be obtained via Floribunda Avenue, which runs off Lady Jamison Drive and Glenmore Parkway to the north and Acacia Avenue to the south. - The Subject Site includes car parking and turning loops to accommodate compliant vehicular movements in accordance with Council's requirements and relevant Australian Standards. |
| Landscaping | Landscaped Area: <ul style="list-style-type: none"> - 3,902 m² (or 39% of the Site area). |
| Infrastructure and Services | - Services to the Site are able to be successfully augmented where necessary. |
| Hours of Operation | - The Site would be operational 24/7. |

Figure 5 below illustrates the proposed site layout for the proposed development. The indicative Architectural Plans prepared by Calderflower Architecture (2019), for the proposed development works are demonstrated within **Appendix 3**.



Figure 5 Proposed Site Plan (Source: Calderflower Architecture, 2019)

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3.2.1 Demolition

Existing structures at the Site would be demolished and 29 mature trees would be removed to facilitate the proposed development, as shown in **Figure 6** below.

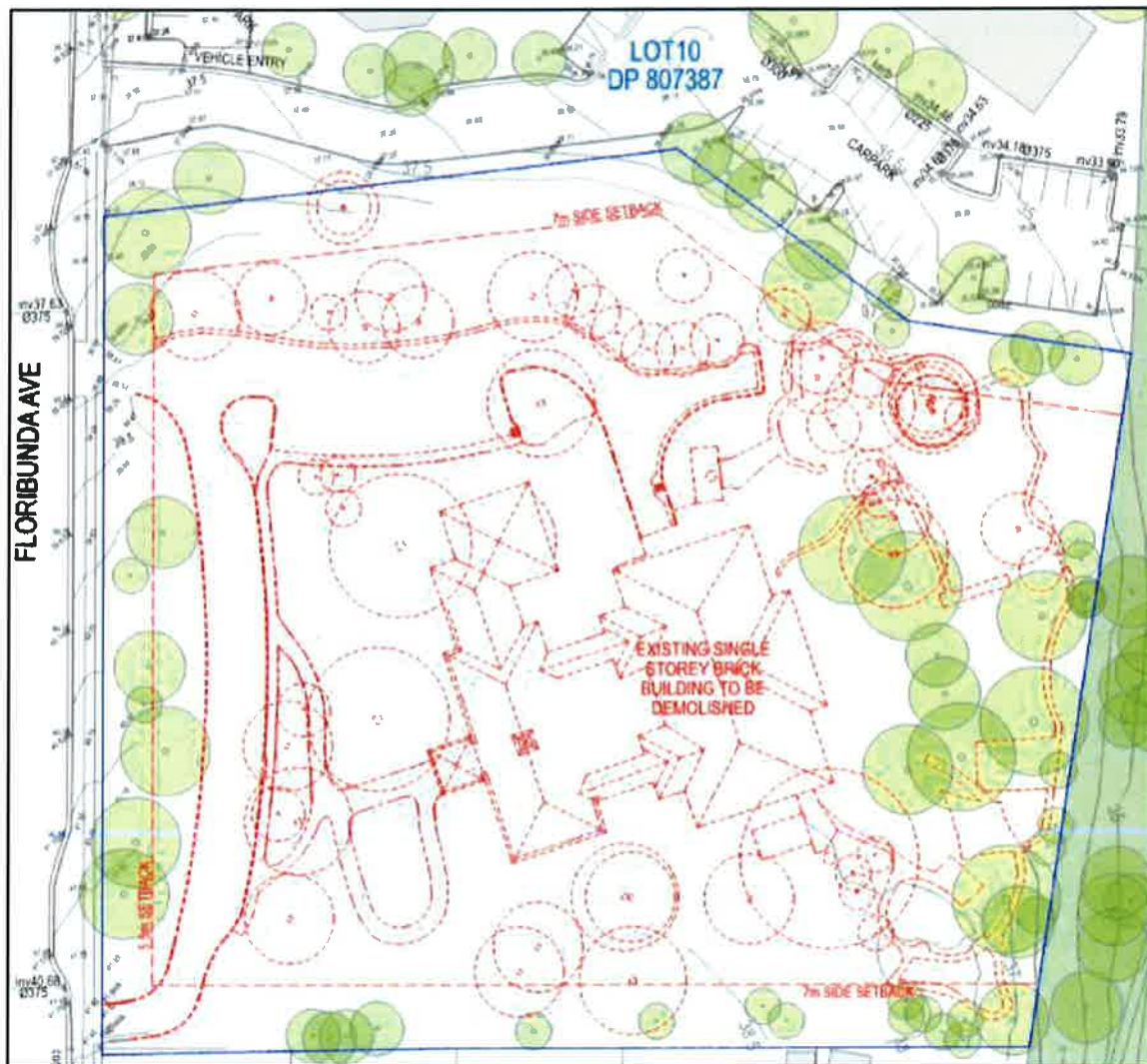


Figure 6 Demolition Plan for the Subject Site (Source: Calderflower Architecture, 2019)

**Proposed Residential Aged Care Home
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3.2.2 Lower Ground Level

Figure 7 below demonstrates the components of the proposed basement level (lower ground level) of the RACH, that would be constructed as a result of the proposed development. The basement level would include the following key components:

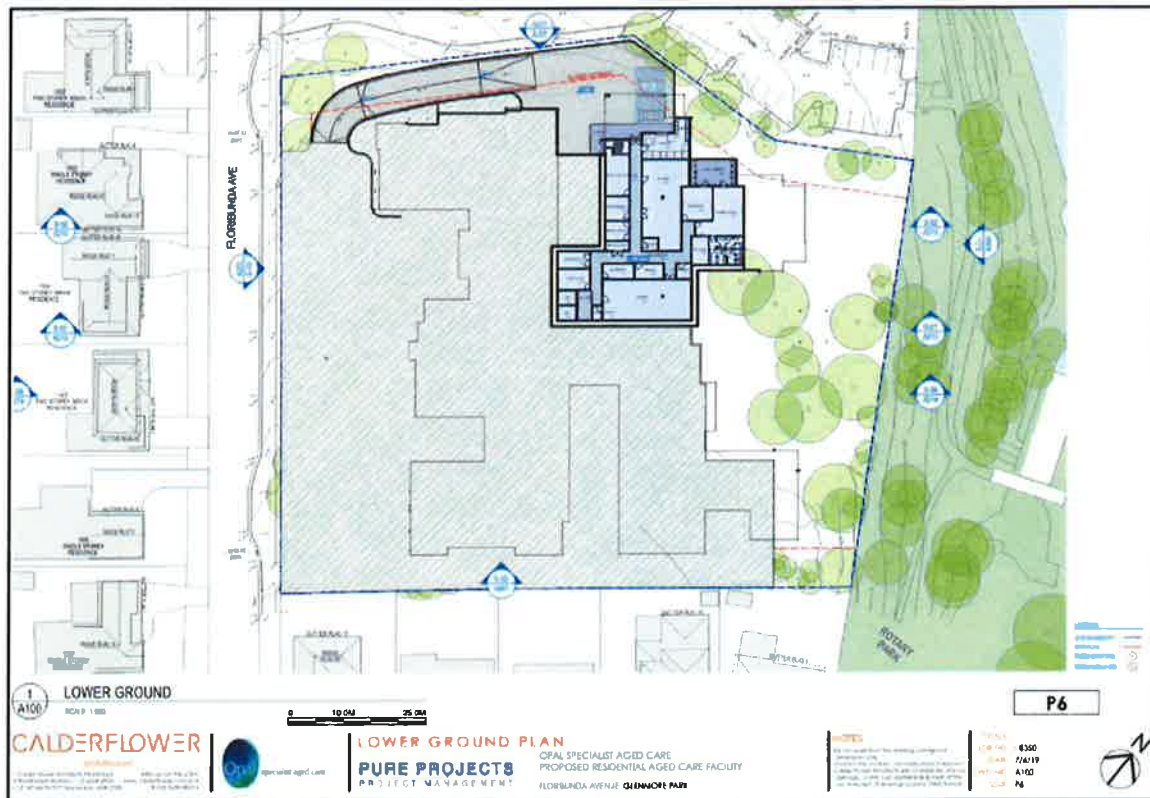
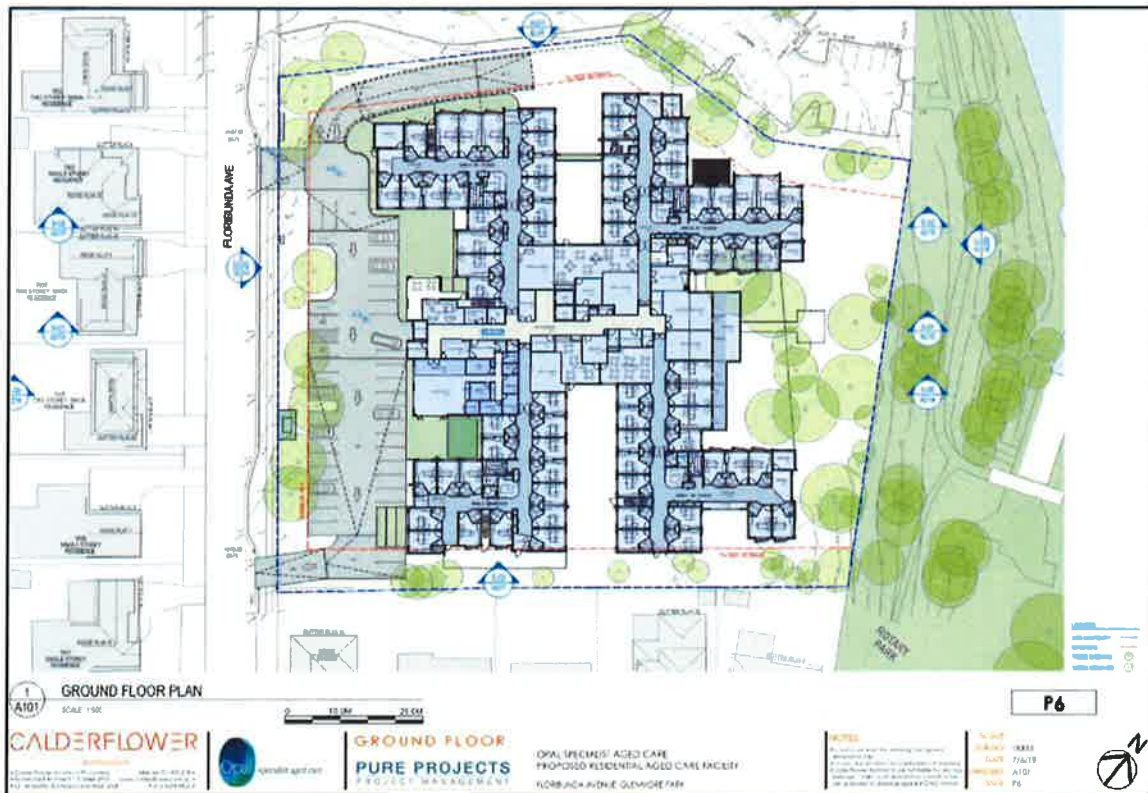


Figure 7 Proposed Lower Ground Level (Source: Calderflower Architecture, 2019)

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Figure 8 below demonstrates the components of the proposed Ground Floor level of the RACH, that would be constructed as a result of the proposed development. The ground floor level would include the following key components:



15

3.2.4 Level One (First Floor)

Figure 9 below demonstrates the components of proposed Level 1 of the RACH, that would be constructed as a result of the proposed development. Level 1 would include the following key components:

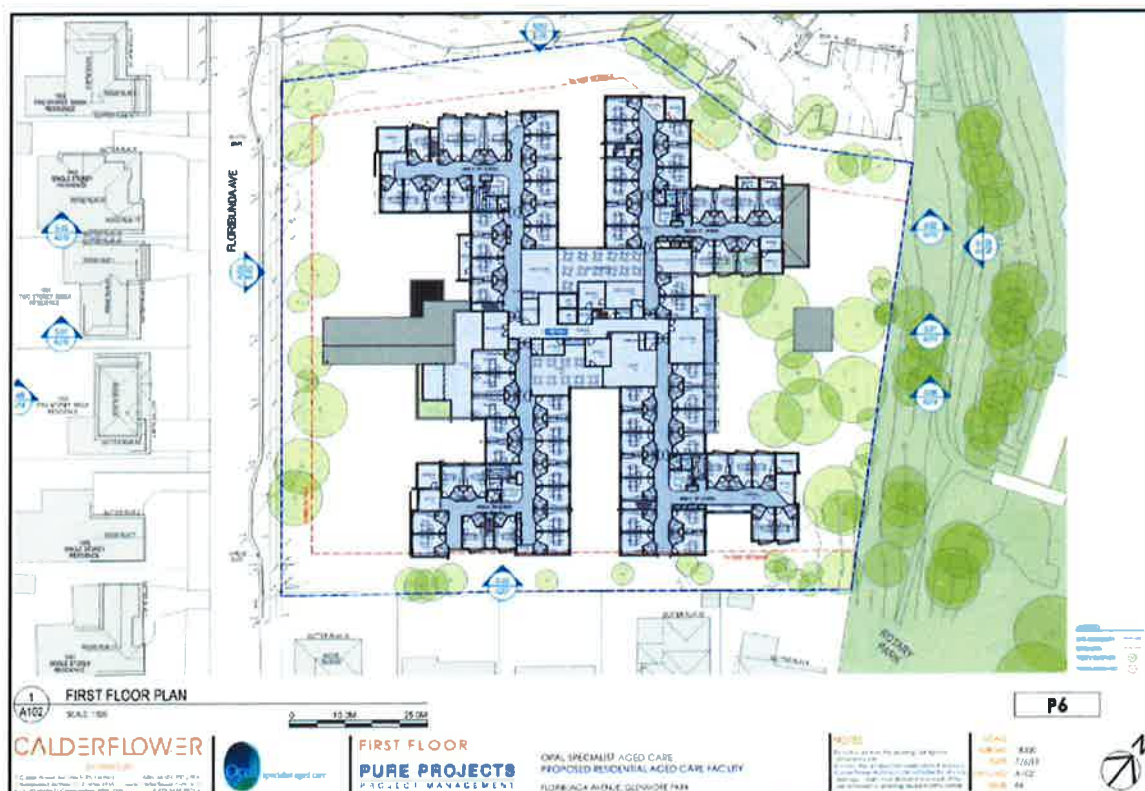


Figure 9 Proposed First Floor Plan (Source: Calderflower Architecture, 2019)

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3.2.5 Roof Plan

Figure 10 below demonstrates the components of the proposed Roof Plan of the RACH, that would be constructed as a result of the proposed development. The roof would provide for mechanical plant and the lift overrun.

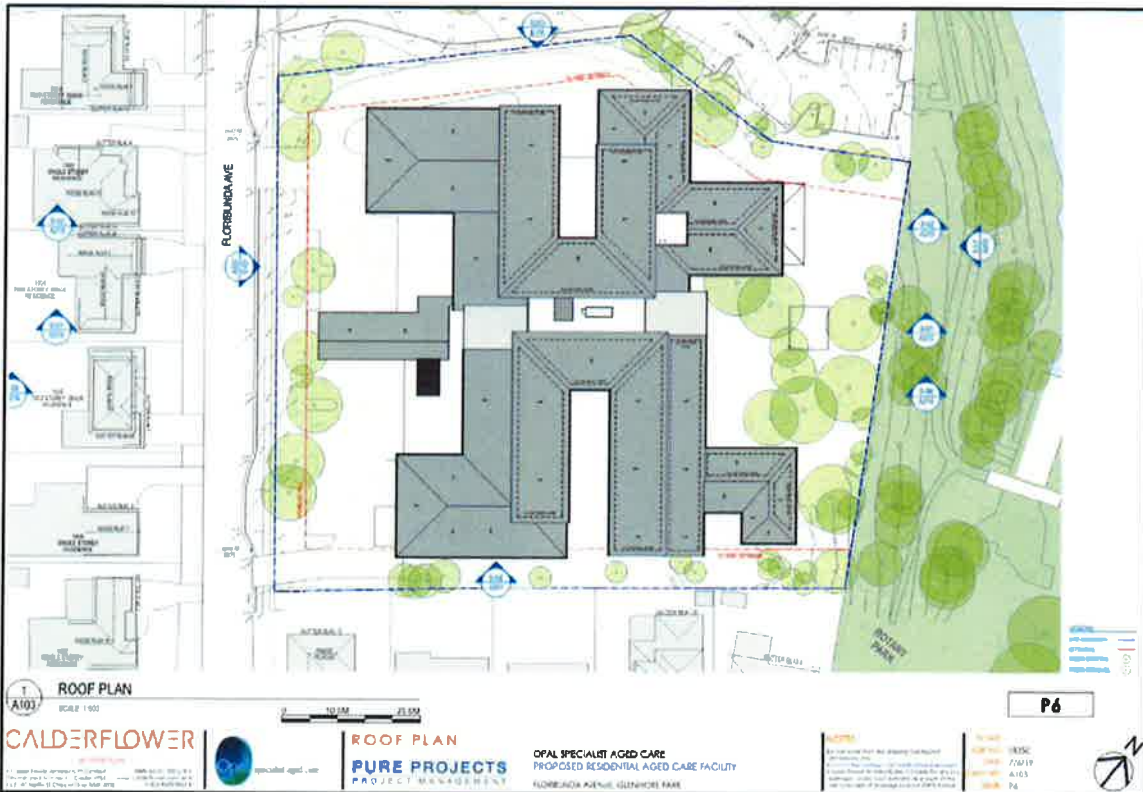


Figure 10 Proposed Roof Plan (Source: Calderflower Architecture, 2019)

3.2.6 Elevations

Figures 11 & 12 below demonstrate the elevations for the proposed development.

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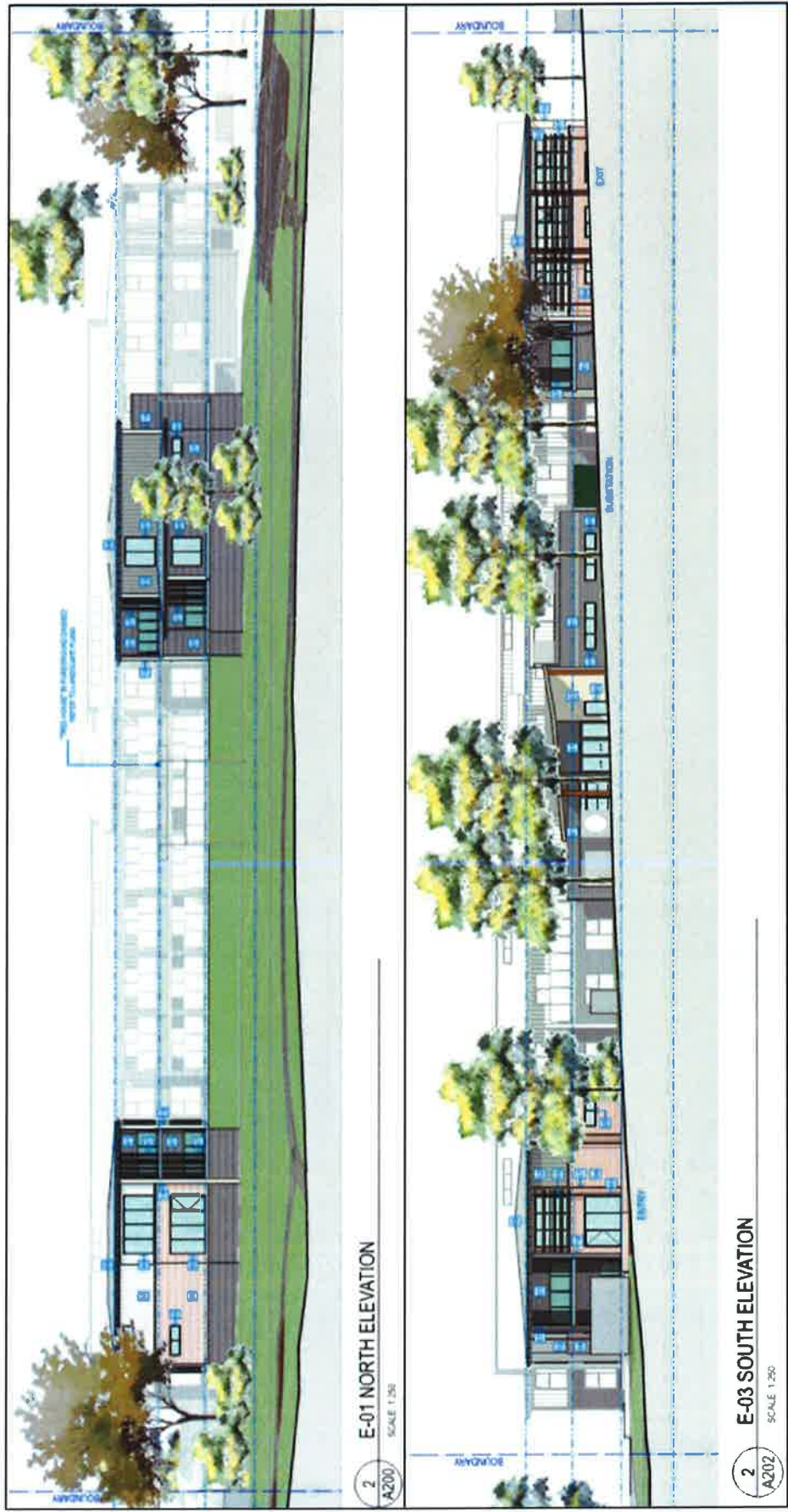


Figure 11 Proposed North and South Elevation Plans (Source: Calderflower Architecture, 2019)

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Figure 12 Proposed East and West Elevation Plans (Source: Calderflower Architecture, 2019)

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3.3 CONSULTATION

3.3.1 Pre-DA Meeting #1

On 5 March 2019, a Pre-Lodgement Meeting was held with Penrith City Council to discuss the proposed development. The attendees at the meeting included the following:

Visitors:

- Andrew Cowan (Willowtree Planning);
- John Cole-Clark (Opal Aged Care);
- Lara Calder & Bradley Wahl (Calderflower Architects);
- Adam Adair & Matthew O'Sullivan (Pure Projects);
- Andrew Francis (Henry & Hymas); and
- Ross Nettle (Transport & Traffic Planning Association).

Council:

- Kathryn Saunders (Senior Development Assessment Planner);
- Abby Younan (Planning Administration Officer);
- David Durie (Senior Environmental Health Officer);
- Craig Squires (Building Certification & Fire Safety Coordinator);
- Dea Dehghan (Senior Development Engineer);
- Daniel Davidson (Senior Traffic Engineer) (Apologies); and
- Joshua Romeo (Senior Waste Planning Officer) (Apologies).

The items (key issues) discussed at the meeting and further addressed throughout the contents of this SEE and relevant appendices included:

- Site Constraints, including Integrated Development;
- Development Type;
- Planning Matters:
 - *Rural Fires Act 1997*;
 - Design, built-form, zoning and local character;
 - Height;
 - SEPP (HSPD) 2004;
 - Plans;
 - Allied Health Facility; and
 - Servicing.
- Environmental Management:
 - Noise impacts;
 - Waste Management;
 - Contamination – *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55);
 - Regulated systems;
 - Fitout details; and
 - General environmental health impacts.
- Development Engineer:
 - General;
 - Stormwater;
 - Roadworks; and
 - Earthworks.
- Traffic Engineering;
- Building & BCA;
- Waste Management:
 - Commercial Waste Management;

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- Waste Collection Infrastructure;
- Plan of Operations; and
- Waste Infrastructure Guidelines.
- Social Planning.

The key issues identified within the meeting and outcomes reached for the proposal are outlined in **Table 3** below.

| Table 3: Pre-DA Meeting #1 – Key Issues for Consideration and Outcomes | |
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| Council's Comments | Response (Outcomes) |
| <p>Rural Fires Act 1997</p> <p><i>The site is bushfire prone and the proposal is identified as a special fire protection purpose and is integrated under the Rural Fires Act 1997. An additional electronic copy of the plans and documents and a separate cheque for \$320 is to accompany the application (made out to the NSW Rural Fire Service).</i></p> <p><i>Documentation shall include a Bushfire Report for the consideration of the RFS.</i></p> | <p>A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions Pty Ltd in accordance with Section 100B of the <i>Rural Fires Act 1997</i> and the <i>Planning for Bushfire Protection 2006</i> document.</p> <p>A cheque for \$320 will be issued as part of the submission package to the attention of the NSW Rural Fire Service for their assessment, with respect to the proposed development.</p> |
| <p>Design, Built Form, Zoning and Local Character</p> <p><i>The land is zoned R2 Low Density Residential under PLEP and in this respect, the proposal shall have regard to the objectives of the zone which include; to promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens, to enhance the essential character and identity of established residential areas and to ensure a high level of residential amenity is achieved and maintained.</i></p> <p><i>The proposal is not considered to align itself with the above-mentioned objectives in that negative impacts attributed the overall bulk and scale of the development are not adequately mitigated by the setbacks, built form, articulation, materials and finishes and landscaping proposed.</i></p> <p><i>The proposal for parking within the front setback and the extent of cut and fill are not site responsive and result in a 3 storey development at the northern building edge.</i></p> <p><i>The setback to the eastern boundary in particular is considered to be insufficient and is further reduced towards north, such that impacts of overbearing and privacy on the neighbouring residential uses will result.</i></p> <p><i>The overall building bulk, scale and length of the</i></p> | <p>As outlined within the Clause 4.6 Variation located within Appendix 19 of this SEE, the intent of the proposed development is to contribute to the existing character of the immediate locality in a complementary manner, consistent with SEPP (HSPD) 2004, PLEP2010 and PDCP2014.</p> <p>The design approach of the proposal has evolved in a considerate relationship to the adjoining residential properties along the southeastern and southern boundaries of the Subject Site, whilst also being sympathetic to the community centre along the northwestern boundary. Through strategies, such as integrating a conducive architectural treatment and landscape design, the current and future amenity experienced by adjoining land uses would not be compromised</p> <p>By noting the proposal's overall site configuration; a well resolved built-form; and potential public realm benefits, the proposed development can create a high quality built-form, which is considered complementary toward street character of the Floribunda Avenue frontage and quality contribution to the urban built-form of the immediate locality. Through generous landscaping and peripheral amenities to assist in activating the Floribunda Avenue street frontage, the proposed development could achieve a suitable fit within the existing public realm, adjoining the noting R2 Low Density Residential and RE1 Public Recreation land uses. As a result, the proposed development would contribute to</p> |

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building elevations is not Supported particularly given the planar design and lack of upper level setback.

Significant consideration shall be given to reducing the scale of the development, breaking up the building form in plan and in elevation to add articulation, and to the provision of increased landscaped setbacks to the side boundaries in particular. This would also assist in reducing the bulk of the roof form which is provided in an unbroken form across each elevation.

The scale of the porte cochere is not representative of the scale of development in the vicinity of the site and does not complement the low-density residential character of the zone.

The design of the car parking is to consider user safety, separation of waste collection trucks and visitor and staff parking areas and manoeuvring areas and the incorporation of a possible ambulance bay and practical wayfinding across the site attached to the various uses and activities.

The extent of cut and fill is to be addressed and top of wall heights for all retaining structures and fencing are to be noted on plans and elevations. The development appears to be 3 storeys in height at the western side of the building which is contextually in appropriate.

Lighting impacts from the development on existing residential uses are to be fully considered and addressed.

Visual impacts of the basement entry and associated hard stand areas are to be addressed and landscaping provided to appropriately screen lighting and provide a buffer to the adjacent site.

Use of the neighbouring land for vehicle access is not supported.

The amended design is to have regard to the matters raised within the UDRP advice issued 22 March 2019.

positive social and environmental benefits for the immediate vicinity, as well as the broader community.

In order to facilitate high quality resolution of the proposed building envelope and to enable the best outcome for relationships with adjoining sites, the proposed development comprises legible and efficient floor plans, that integrate with the topography of the Site, with scope for wall modulation; material and finishes selection; and balcony or terrace expression. Underpinned by the subtly expressive architectural language, the building articulation transitions well, both horizontally and vertically in its streetscape relationships. Scope for the inclusion of light wells and green walls would add to the envisaged 'green' and 'biophilic' architectural landscape design character intended for the proposal.

It is noted, that the proposed development comprises a built-form, which is larger than the dominant residential typologies experienced within the immediate proximity of the Subject Site and surrounding area. Notwithstanding, the design approach for the proposed development considers the Site and its contextual relationships with the adjoining and surrounding land uses.

Adherence to the objective of enhancing the identity of the established residential area would be achieved through articulation of the building envelopes, which has been strategically designed to create well-modelled architectural forms, with a rhythm that reflects the scale of nearby houses and landscaped open spaces between, with scope for setbacks and high quality architectural design, that could mitigate against any concerns about appropriate streetscape character and / or neighbouring amenity.

Furthermore, the residential amenity with respect to the immediate neighbouring properties would be satisfactorily addressed through integrating appropriate floor layouts into the overall design, that would minimise any direct overlooking, as well as provide extensive landscaping that would further screen any possible visual intrusions. While it is not anticipated, that any significant noise generation issues would occur as a result of the proposed development's operation, there are also provisions to include perimeter acoustic screening, if required. Provisions for deep-soil landscape planting would reinforce the private nature of residential areas within the adjoining properties. Additionally, private area within the

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| | Subject Site would be separated by a landscape buffer from the public domain. |
| <p>Height</p> <p><i>The maximum permissible height for the site under PLEP is identified as 8.5m to the ridge. The maximum permissible height for the site under the Seniors SEPP is 8m to the underside of ceiling. Should the proposal seek to exceed the applicable height, a written request to vary the development standard under clause 4.6 of PLEP is required.</i></p> <p><i>A review of the submitted design and site particulars has been undertaken and in the context of the UDRP advice, it is recommended that the development proposal be modified to comply with the applicable permissible height to better address impacts on local character and amenity.</i></p> | <p>A Clause 4.6 Variation has been prepared in Appendix 19 of this SEE, which considers the minor height contravention with respect to Clause 40 of SEPP (HSPD) 2004. The height contravention is experienced in the northernmost point of the proposed building by approximately 200 mm, which is considered to be significantly justified.</p> |
| <p>State Environmental Planning Policy (Housing for People with a Disability) 2004</p> <p><i>The development application shall address the applicable provisions of the Policy including those related to Seniors development, residential aged car facilities, bush fire prone land, water and sewer, the Development standards to be complied with under Part 4. The development application shall specifically address the matters for consideration under Part 3 Design requirements.</i></p> <p><i>It is essential that the development proposal be amended to better align itself with the Division 1 General and Division 2 Design principles, outlined under Part 3 of the Policy.</i></p> <p><i>The proposal as lodged for the consideration of the pre-lodgement panel is not considered to demonstrate an acceptable level of compliance with these clauses and would not be supported in this regard. The development proposal is to demonstrate an acceptable level of compatibility with clause 33 Neighbourhood amenity and streetscape, clause 34 Visual and acoustic privacy and clause 38 Accessibility in particular.</i></p> | <p>The Architectural Plans and relevant consultant reports satisfactorily address the adjacent listed provisions for considerations. Furthermore, an assessment table against SEPP (HSPD) 2004 is located within Appendix 20, which considers each respective section of the SEPP.</p> |
| <p>Plans</p> <p><i>Larger scaled plans, details and sections are to be provided to illustrate the development proposal and to articulate the edge treatments, materials, glazing locations and room uses/layouts.</i></p> | <p>The Architectural Plans prepared by Calderflower Architecture (2019) satisfactorily respond to and address Council's comments (refer to Appendix 3).</p> |
| <p>Allied Health Facility</p> | <p>The proposed Allied Health Facility is permissible with consent under <i>State Environmental Planning</i></p> |

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| <p><i>The proposed allied health service facility at the frontage of the site is not considered to be an ancillary use and, is considered to be a dominant use in its own right. In this respect, the proposal is for a mixed-use development. It is noted that development for the purposes of a health services facility is permissible within the zone under State Environmental Planning Policy (Infrastructure) 2007.</i></p> <p><i>Information is to accompany the application which details the proposed services or professions that will operate out of this tenancy including employee numbers, hours of operation, waste management, parking, deliveries, visitors/customers and how these will be accommodated on the site.</i></p> <p><i>All signage, lighting and operational requirements related to this component of the proposal are to be outlined. Details of how this use is integrated with the residential aged care facility and its patients is also to be provided.</i></p> <p><i>Larger scaled internal and external plans, sections and details are to be provided for this element of the proposal.</i></p> | <p><i>Policy (Infrastructure) 2007 (ISEPP), as Section 4.15 of this SEE articulates. The proposed building component will predominantly service the residents of the RACH; however, will be able to be utilised by members of the wider community. Part E of this SEE considers the likely impacts of the proposed building component furthermore.</i></p> |
| <p>Servicing</p> <p><i>The location of Fire Hydrant Boosters are to be noted on plans and are to be positioned such that the requirement to provide a stand-alone heat shield is avoided. Confirmation is to be provided as to the location of the electrical substation, should one be required to service the site.</i></p> <p><i>Written confirmation should be provided from Sydney Water confirming that the existing infrastructure has capacity to service the development's waste water/sewer requirements.</i></p> | <p>The location of Fire Hydrant Boosters is assessed and found to be compliant in the BCA Report, which is located within Appendix 18 of this SEE.</p> |
| <p>Noise Impacts</p> <p><i>An Acoustic Report is required to be submitted as a part of the development application to demonstrate that the proposal will not result in any detrimental or unacceptable impacts on adjoining land uses. This report is to be prepared by a suitably qualified acoustic consultant and is to consider:</i></p> <ul style="list-style-type: none"> ▪ <i>The NSW 'Industrial Noise Policy' in terms of assessing the noise impacts associated with development, including noise from car parking areas, vehicle manoeuvring, mechanical ventilation,</i> | <p>The Noise Impact Assessment prepared for the proposed development has considered:</p> <ul style="list-style-type: none"> ▪ Noise generated during earthworks, construction and operation; ▪ The location of sensitive noise receivers; ▪ Potential noise sources; ▪ Relevant acoustic criteria from PCC and the NSW EPA; and ▪ Controls necessary to ensure compliance with noise emission goals. <p>Acoustic Logic recommend the following:</p> <ul style="list-style-type: none"> ▪ On completion of the construction |

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| <p><i>other plant and equipment, deliveries, and garbage removal.</i></p> <ul style="list-style-type: none"> ▪ <i>The potential impact from road traffic noise resulting from vehicles entering and exiting site as well as the potential impact from the local traffic demonstrating compliance with NSW 'Road Noise Policy.'</i> ▪ <i>The 'Interim Construction Noise Guideline' in assessing the impacts associated with the construction phase of the development.</i> <p><i>Should mitigation measures be necessary, recommendations should be included to this effect. Recommendations and mitigation measures must be shown on all architectural plans.</i></p> <p><i>The location of all air conditioning unit is to be shown on plans and elevations.</i></p> | <p>program, an acoustic review of proposed construction activities and plant / methods should be undertaken to identify work items likely to exceed NSW EPA guidelines;</p> <ul style="list-style-type: none"> ▪ For those activities likely to generate high noise levels, the analysis should identify where on the Site are the areas likely to result in high noise levels. This will then assist in determining the likely time period for which high noise levels will occur; ▪ Identify feasible acoustic controls or management techniques (use of screens, scheduling of noisy works, notification of adjoining land users, respite periods) when excessive levels may occur; and ▪ For activities where acoustic controls and management techniques still cannot guarantee compliant noise levels, implement a notification process, whereby nearby developments and sensitive receivers are made aware of the time and duration of noise intensive construction processes. <p>Through adoption of the above, noise impacts on nearby development can be suitably managed to prevent excessive impact.</p> <p>Notwithstanding, Acoustic Logic confirm, that acoustic treatments have been formulated to ensure, that internal noise levels comply with the requirements of Council and the AS/NZS 2107-2016 "Recommended Design Sound Levels and Reverberation Times for Building Interiors".</p> <p>The complete Noise Impact Assessment is located within Appendix 11.</p> |
| <p>Waste Management</p> <p><i>A Waste Management Plan is to be provided addressing waste produced during both the construction and operational phases of the development. The Plan shall address waste quantities, storage locations and removal for all streams. Vehicular access for collection also needs to be addressed. Given the types of waste that are likely to be generated during the operation of the premises, details in relation to the management of clinical and other associated wastes demonstrating compliance with the NSW Health Guidelines: Clinical and Related Waste Management for Health Services is to be provided.</i></p> | <p>A Waste Management Plan (WMP) has been prepared by Universal Foodservice Designs (2019) in support of the operational phase of the proposed development and is located within Appendix 14. It is noted, that a WMP for anticipated construction waste will be provided prior to the issue of a Construction Certificate.</p> <p>Section 5.12 of this SEE considers waste provisions for the proposed development.</p> |
| <p>Contamination (SEPP 55)</p> | <p>Results of the field observations, subsurface</p> |

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| <p><i>The application is to address all relevant requirements under State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55). Council cannot consent to any development unless these requirements have been satisfied. Category 1 remediation works within the Penrith LGA require development consent. The application is to demonstrate that the land is suitable for the proposed purpose either by the submission of a Phase 1 Preliminary Site Investigation or Phase 2 Detailed Site Investigation.</i></p> | <p>investigation and laboratory testing undertaken by Martens, revealed that the fill material (AEC) was free of anthropogenic material and COPC, which was tested at either below laboratory detection limits (for hydrocarbons and pesticides), or at natural background levels for heavy metals.</p> <p>Prior to the proposed development, further assessment is recommended to be undertaken with regard to any data gaps following the demolition of the existing building on the Subject Site to further validate the Site free from being declared an AEC or demonstrating any COPCs requiring further testing.</p> <p>Due to the low likelihood of contamination and the difficulty in assessing under existing infrastructure, Martens recommend that further intrusive soil sampling investigations be conditioned as part of the Development Consent and be undertaken following the demolition of the existing building on-site (before the issue of a Construction Certificate).</p> <p>Provided the above recommendations are adhered to, Martens consider, that the Site should be able to be made suitable for the proposed development.</p> <p>Martens conclude, that the Site is considered to have a low risk of contamination and is expected to be suitable for the proposed land use.</p> <p>The complete Contamination Report is located within Appendix 9 of this SEE.</p> |
| <p>Regulated Systems</p> <p><i>Development for the proposed purpose are likely to include either a water cooled or warm water regulated system. These systems are regulated under the Public Health Act and Regulations made thereunder and have specific installation, operation and maintenance requirements. Should the proposal include a regulated system as defined under the Public Health Act, details should be submitted to Council including, but not limited to, the number of systems, type of systems, system details and location of system. Note that the NSW Health website www.health.nsw.gov.au has an approved list for warm water systems and thermostatic mixing valves.</i></p> | <p>Noted.</p> |
| <p>Fit-out Details</p> <p><i>The plans identify a number of different uses (or</i></p> | <p>The Architectural Plans located within Appendix 3 outline the different uses for each room. Accordingly, the BCA Report confirms compliance</p> |



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| <p><i>possible uses) including aged care, medical/consultation rooms/day surgeries, café, kitchens and a hair salon. These uses have different construction requirements. As such, Council requests a copy of the fit-out plans for each different use referring to the Construction/Australian Standards/Guidelines that each use has been designed in accordance with.</i></p> <p><i>Specifically, in relation to the kitchens and café, the plans and design should be in accordance with AS4674 and Food Safety Standard 3.2.3. In relation to the hair salon, depending on the proposed procedures that may be undertaken, the plans and design should be in accordance with Local Government General Regulation and Public Health Act and Regulations.</i></p> | <p>can be achieved with regard to the proposed development. Where non-compliances are noted, performance solutions have been recommended to be managed by the detailed-design stage.</p> |
| <p>General Environmental Health Impacts</p> <p><i>The environmental impacts associated with the construction phase of the development will also need to be addressed in any future application, such as water quality, noise, dust, air quality and sediment and erosion control. This can be included in a Statement of Environmental Effects.</i></p> <p><i>Information should be submitted to Council in relation to management of the deceased, demonstrating compliance with the Public Health Act 2010 and Public Health Regulation 2012.</i></p> <p><i>Details of the laundry operation including cleaning and sanitising of laundry and processes used for sanitising and control of lice, mites and bedbugs should also be submitted as part of the development application process.</i></p> <p><i>Finally, the information submitted in support of the application should also include details regarding a loading dock for the deliveries of the ancillary uses on the ground floor and collection of waste.</i></p> | <p>Part E of this SEE considers the relevant parameters requiring consideration with regard to water quality, noise, dust, air quality and sediment and erosion control. Recommendations and mitigation measures to be implemented provided within the respective sections within Part E of this SEE.</p> |
| <p>Development Engineering</p> | <p>It is noted, that the Civil Engineering Report prepared by Henry & Hymas (refer to Appendix 6) satisfactorily addresses all of Council's engineering (including earthworks) and stormwater management requirements. Section 5.5 of this SEE addresses these outcomes.</p> |
| <p>Traffic Engineering</p> | <p>The <i>Assessment of Traffic and Parking Implications</i> prepared by Transport and Traffic Planning Associates (TTPA) considers the potential traffic and parking impacts as a result of the proposed development (refer to Appendix 10).</p> <p>The traffic, transport and parking assessment</p> |

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| | <p>undertaken and prepared by TTPA for the proposed development concludes, that the proposed development will:</p> <ul style="list-style-type: none">▪ Not present any unsatisfactory traffic capacity, safety or environmental related implications;▪ Incorporate a suitable and appropriate parking provision for the nature of the proposed development; and▪ Incorporate suitable vehicle access, internal circulation and servicing arrangements. |
| <p>Building & BCA</p> <ul style="list-style-type: none">▪ <i>Ensure accessible car parking spaces are provided to service the portion of the building which will be accessible by the general public;</i>▪ <i>Ensure any cladding used complies with the fire resisting requirements of Volume 1 of the Building Code of Australia;</i>▪ <i>Provide a BCA addressing any proposed Performance Solutions and an Access report with the application if available.</i> | <p>The BCA Report confirms compliance with the BCA. Where non-compliances are confirmed, performance solutions would be implemented accordingly throughout the detailed design stage to ensure compliance is maintained (refer to Appendix 18).</p> |

3.3.2 Urban Design Review Panel

On 20 March 2019, an Urban Design Review Panel Meeting was held with Penrith City Council to discuss the proposed development, specifically, the proposed architectural treatment for the Subject Site, for the purposes of a RACH.

It is noted that the proposal as submitted responds to the Urban Design Review Panel comments as follows:

- Provision of high quality landscaping within all setbacks;
- Modulated roof forms;
- Articulation of façade elements;
- varied material palette;
- Breaking the building up into pavilion elements; and
- Stepping the side elevation to reduce the impact on the neighbouring residential properties.

In addition to the above, the proposal achieves a FSR of 0.82:1 which is below the standard under Clause 48 of SEPP (2004) HSPD.

The proposal is considered to respond to the comments from the Urban Design review Panel accordingly.

3.3.3 Pre-DA Meeting #2

On 30 April 2019, a second Pre-Lodgement Meeting was held with Penrith City Council to discuss the proposed development. The attendees at the meeting included the following:

Visitors:

- Andrew Cowan (Willowtree Planning);

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- John Cole-Clarke (Opal Aged Care);
- Caitlin Bailey & Bradley Wahl (Calderflower Architects); and
- Matthew O'Sullivan (Pure Projects).

Council:

- Kathryn Saunders (Senior Development Assessment Planner);
- Lauren Forrest Martin (Administration Officer);
- Alana Frank (Administration Officer);
- Daniel Davidson (Senior Traffic Engineer);
- Kexin Ran (Senior Development Engineer); and
- Joshua Romeo (Senior Waste Planning Officer).

The items (key issues) discussed at the meeting and further addressed throughout the contents of this SEE and relevant appendices included:

- Site Constraints;
- Development Type;
- Planning Matters:
 - *Rural Fires Act 1997*;
 - Design, built-form, zoning and local character;
 - Height;
 - SEPP (HSPD) 2004;
 - Plans;
 - Allied Health Facility; and
 - Servicing.
- Social Planning;
- Engineering:
 - Earthworks.
- Traffic;
- Building; and
- Waste:
 - Waste collection and manoeuvring; and
 - Waste collection rooms.

The key issues identified within the meeting and outcomes reached for the proposal are outlined in **Table 4** below. It is noted, that **Table 3** above has considered the bulk on considerations outlined by Council to be addressed as part of the Submission. Notwithstanding, matters that weren't addressed in the original Pre-DA Meeting are outlined below.

| Table 4: Pre-DA Meeting #2 – Key Issues for Consideration and Outcomes | |
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| Council's Comments | Response (Outcomes) |
| Design, Built Form, Zoning and Local Character <i>Due to the slope of the land and the extent of each building platform, the development presents as three storey to a large proportion of the site, which is not comparable or complementary to the site's context. Boundary setbacks to the two and three storey elements are insufficient in providing adequate separation to neighbouring residential uses which will result in privacy and overbearing impacts.</i> <i>It is raised for your consideration that</i> | <p>The proposed development responds to the existing residential and recreational developments surrounding the Site, for which the protection of amenity would be ensured accordingly, through strategic architectural treatment and an aesthetically pleasing landscaped design. Furthermore, consideration for solar access, privacy, overshadowing and view / outlook has been considered (where possible).</p> <p>With respect to privacy and overbearing impacts, the residential amenity with respect to the immediate neighbouring properties would be</p> |

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| <p><i>landscaping should not be relied upon in isolation, as a single mitigating element to address negative impacts resulting from the bulk and scale of the development, and to a certain extent impacts on privacy. The NSW Land and Environment Court has developed planning principles which relate to the use of landscaping to screen privacy impacts and it is held that although landscaping may assist in reducing visual privacy impacts, this depends on a variety of environmental factors and is impractical in operation.</i></p> <p><i>The proposal for parking within the front setback and the extent of cut and fill are not site responsive. It is recommended that parking be predominantly provided within a full basement (PLEP defines basement and provides that the floor of the level of the storey immediately above is less than 1 metre above natural ground level). Should surface parking be provided it is to be limited, heavily landscaped and be provided with generous landscaped buffers to buildings and boundaries.</i></p> | <p>satisfactorily addressed through integrating appropriate floor layouts into the overall design, that would minimise any direct overlooking, as well as provide extensive landscaping that would further screen any possible visual intrusions. While it is not anticipated, that any significant noise generation issues would occur as a result of the proposed development's operation, there are also provisions to include perimeter acoustic screening, if required. Provisions for deep-soil landscape planting would reinforce the private nature of residential areas within the adjoining properties. Additionally, private area within the Subject Site would be separated by a landscape buffer from the public domain.</p> <p>It is noted, that significant landscaping planting along the Floribunda Avenue street frontage would provide conducive visual screening with respect to the proposed car parking area. Appropriate setback controls to be implemented would ensure the utmost compliance can be achieved and not detract from the visual amenity of adjoining properties and passersby along Floribunda Avenue.</p> |
| <p>Height</p> <p><i>The maximum permissible height for the site under PLEP is identified as 8.5m to the ridge. The maximum permissible height for the site under the Seniors SEPP is 8m to the underside of ceiling. Should the proposal seek to exceed the applicable height, a written request to vary the development standard under clause 4.6 of PLEP is required.</i></p> <p><i>A review of the submitted design and site particulars has been undertaken and in the context of the UDRP advice, it is recommended that the development proposal be modified to comply with the applicable permissible height to better address impacts on local character and amenity.</i></p> <p><i>Signage details must accompany any future development application and are to include signage locations, materials and finishes, illumination or lighting, colours/design, dimensions including overall height, and wayfinding and directional signage.</i></p> <p><i>The selected materials and finishes pallet shall complement the predominantly residential location of the site and are to be of general high quality and articulate the building's design. Selected materials must provide visual relief and</i></p> | <p>A Clause 4.6 Variation has been prepared in Appendix 19 of this SEE, which considers the minor height contravention with respect to Clause 40 of SEPP (HSPD) 2004. The height contravention is experienced in the northernmost point of the proposed building by approximately 200 mm, which is considered to be significantly justified.</p> <p>It is noted, that any future DA would include provisions for any signage proposed.</p> <p>Furthermore, a materials and finishes schedule has been provided as part of the Architectural Plans, which are located within Appendix 3 of this SEE. The Architectural Plans contain a drawing, which articulates the total Gross Floor Area (GFA) proposed across the Site, which allows for an accurate calculation of the Floor Space Ratio (FSR). The FSR for the proposed development is 0.82:1, which complies with the 1:1 requirement under SEPP (HSPD) 2004.</p> |



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break up bulk and scale and may be utilised to ground the lower level and recess the upper floor.

Consideration shall be given to utilising face brickwork with natural tones at the ground floor rather than commercial cladding and render.

Documentation submitted in support of any development application shall fully detail the areas of each floor utilised to calculate FSR and shall have regard to PLEP definition of basement and gross floor area. Plans must be to scale.

3.4 PROJECT NEED

The aged care sector in Australia is undergoing massive and rapid change, involving a necessary rethink of existing models and modes of delivery, that have dominated the sector for years. Specifically, moving from an 'institutional' model to a more refined 'home-like' model.

In response to the operational needs of Opal, it has been determined that there is significant market demand for an increase in available RACH beds within the wider Sydney Metropolitan Area, particularly within Western Sydney, to accommodate a growing and ageing population. The proposed development is considered necessary to improve the operational efficiencies of the aged care industry and continue to support and facilitate its improved and continued future growth.

The changing demographics of our ageing population is placing increasing pressure on the Aged Care sector, with the number of Australians over the age of 85 set to double by 2066 to 2.2 million people. It is noted, that most people who enter residential aged care, are averaged at approximately 85 years and older.

There is a noted generational shift, for which Australia and global trends are moving away from the silent generation into the 'Baby Boomer' generation, which means that residents entering residential aged care today have high expectations around lifestyle, independence and choice.

Furthermore, aged care providers can expect to care for many more residents, with increasing proportions of residents being older and more susceptible to sickness, with a lot more people living with dementia. It is noted, that there are currently approximately 376,000 people living with dementia, a number that is projected to almost triple to 900,000 by 2050 (refer to **Figure 13**). According to epidemiology data collated by the Australian Bureau of Statistics (ABS), dementia is likely to be the leading cause of death for all Australian in the 2020's and is already the leading cause of death for women.

There is currently little scope for residents and their families to purchase additional care services from their residential aged care providers, for which the proposed development would be able to provide.

There are currently just over 200,000 operating beds across the Aged Care sector with more than 88,000 needed over the next decade, for which the proposed development includes provisions for an additional 142 RACH beds.

There is currently little scope for residents and their families to purchase additional care services from their residential aged care providers, for which the proposed development would be able to provide.

Additionally, the proposed development is essential in ensuring that the attributing characteristics of the R2 Low Density Residential zone are considered throughout both the construction and operational phases of development, by providing a facility and service, that meets the day-to-day needs of

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residents, including the provision of increasing the yield of RACH beds for the aging community, whilst not detracting from the amenity of an identified low density residential environment.

The environmental risk assessment undertaken in **Part E** concludes, that the proposed development is consistent and commensurate with State, Regional and Local planning objectives; the environmental characteristics of the Site; the surrounding context; and the principles of Ecologically Sustainable Development (ESD).

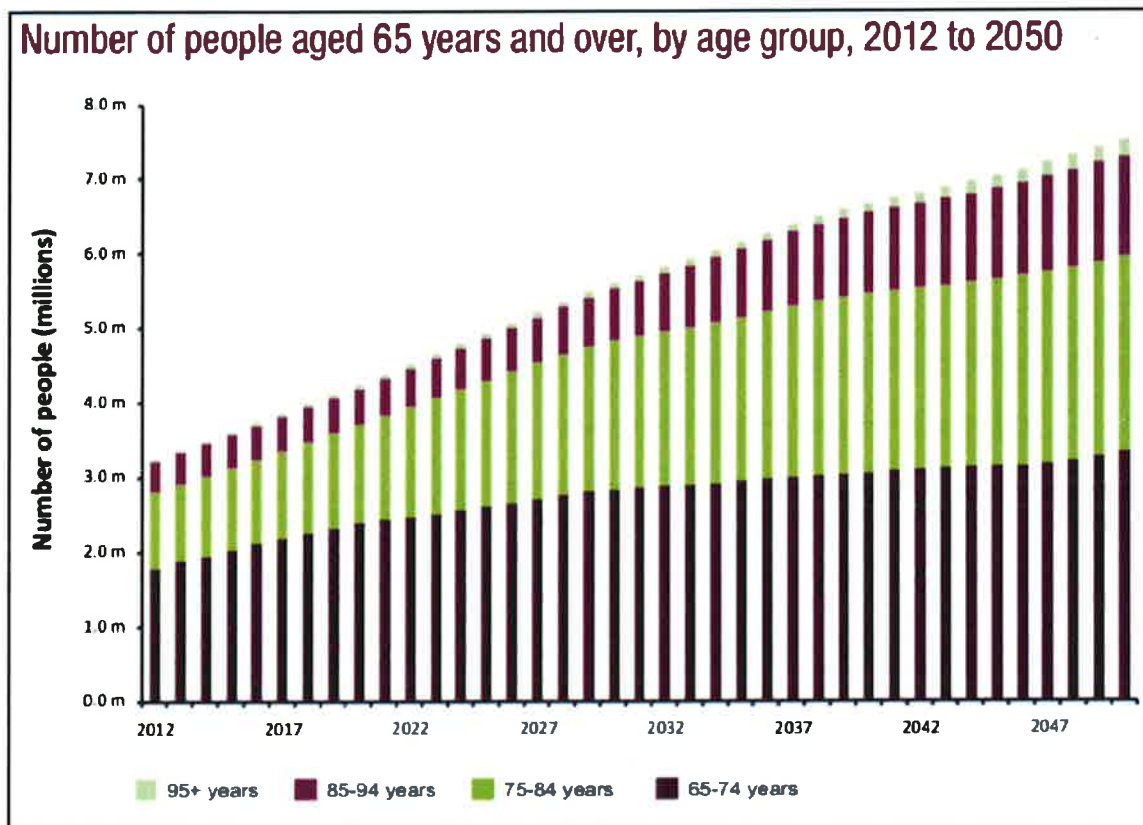


Figure 13 Number of People Aged 65 Years and Over, by Age Group, 2012 to 2050
(Source: Opal Specialist Aged Care, 2019)

3.5 CONSIDERATION OF ALTERNATIVES

The purpose of the proposed development is to contribute to the existing character of the R2 Low Density Residential zone and provide a RACH, that would meet the operational needs and requirements of Opal, consistent with relevant legislative and planning framework, including SEPP (HSPD) 2004. The proposed development would create a new 142 bed RACH at the Subject Site. The proposed development is justified on the following basis:

1. It would assist in meeting the increased demand for Seniors Housing in accordance with the aims and objectives of the following State and Regional strategies, by providing a 142 bed RACH. Strategies include:
 - *A Metropolis of Three Cities – Greater Sydney Region Plan;*
 - *Western City District Plan;* and
 - *NSW Ageing Strategy 2016 to 2020.*
2. Create positive social benefits to immediate community within Glenmore Park and the wider locality located within the Penrith LGA, by providing a development that meets the social and

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- health needs and requirements for ageing residents, as well as being positioned within their local community.
3. The Site is considered contextually suitable as it is located in close proximity to a range of road and public transport networks, promoting the overall site access.
 4. The proposed development would make use of a site, that is currently not occupied and subject to prior development, being previously utilised for the Royal Institute for Deaf and Blind Children. The proposed development is considered to encompass an orderly and economic outcome.
 5. Ensure the Site is compatible with the desired future local context and character.
 6. The proposed development would take into consideration the nature of the surrounding R2 Low Density Residential environment and adjoining neighbourhood.
 7. The proposed development would not distribute any adverse and / or unacceptable economic, environmental or social impacts.

The options considered and subsequently dismissed, in arriving to the current proposal with regard to the proposed development included:

(a) 'Do Nothing' Scenario

This option was dismissed, as the proposed development objectives, including the objective of providing an 142 bed RACH for the locality would not be met.

(b) Development on an Alternative Site

Due consideration with regard to alternative sites was given; however, these were dismissed as the Site resulted in the most beneficial outcomes for the proposed development as:

- It is located subject to the provisions of the R2 Low Density Residential, which seeks to enable land uses, such as that of the proposed development;
- The Site is suitably located with respect to sensitive land activities, including adjoining residential development;
- All potential environmental impacts as a result of the proposed development can be suitably mitigated within the Subject Site boundaries;
- The proximity to the regional road network provides accessibility and linkages to the wider Sydney Metropolitan Region and regional areas of NSW;
- The proposed development makes provisions for employment generation, during both the construction and operational phases of development;
- Sufficient setbacks and separation distances are maintained to the interfaces of adjoining RE1 Public Recreation and R2 Low Density Residential zones;
- The proposed development has not been identified as containing any items of Heritage significance, including Aboriginal Cultural Heritage and State or Local Heritage items, that require further consideration; and
- The proposed development could be development with appropriate visual amenity achieved given its surrounding context.

(c) Different Site Configuration

The configuration of the proposed development was chosen based on the Site's topography; street access; existing mature vegetation (which will be retained where practicable); and as well as the need to respond to the character of the surrounding RE1 Public Recreation and R2 Low Density Residential zones. It is noted, that a different site configuration would not have been able to respond to the abovementioned site opportunities and constraints. This option was therefore not considered appropriate.

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Notwithstanding, the proposed development is justified on the basis, that it is compatible with the locality in which it is proposed, resulting in positive social and economic benefits, whilst appropriately managing and mitigating any potential environmental impacts requiring further consideration.

In relation to locating the parking within the rear of the site and basement, this was considered, however not adopted for the following reasons:

- a) The extensive paths of travel from the car park to reception for visiting families (and sometimes residents) are highly undesirable;
- b) Potential clashes between the back of house uses and visiting families (and sometimes residents);
- c) Visitors arriving via lift to the ground level will exit the lift in the middle of the facility amongst staff and resident areas without first arriving at reception. This will create operational and security management risks and a poor sense of arrival for families which is undesirable;
- d) The undercroft car parking area has been discounted due to the operational inconsistencies and associated budget constraints;
- e) The high volume of visiting vehicles driving past the loading dock and waste areas would create potential on site vehicle management issues which causes safety concerns.
- f) When visitors arrive, they will see the main entry but be led to the other side of the facility to first park then enter via a completely different route. This is an undesirable outcome in terms of general way finding within the site.

3.6 OPAL AGED CARE

Opal Aged Care are one of the leading privately owned aged care providers in Australia. Opal have 74 homes located across four (4) states in Australia, for which they provide specialist aged care services for a range of needs including dementia and respite care services.

Opal provide care to more than 6,000 vulnerable Australian, for which they employ more than 8,000 team members dispersed across the varied homes. 54% of Opal's residents are high-need residents and 45% are living with some form of dementia.

It is noted, that Opal are moving away from the traditional institutional model of aged care towards a much more customer-centric model, where their residents are at the centre of everything they do. A key focal point and abiding principle of Opal's workplace includes, "we are guided by the principle that we work in their homes, they don't live in our workplace."

Furthermore, whilst the clinical care of Opal's residents will always be a primary role, they have began to focus much more heavily and intently on their hospitality programs, by learning from other service provider industries and introducing new people to their respective teams for assistance. Provisions for increased hospitality include a larger variety of excursions outside respective homes; premium food and beverage options; increased lifestyle choices; and more allied care opportunities, such as physiotherapy, occupational therapy and rehabilitation services.

With the number of Australians living with dementia set to almost triple to nearly a million people by 2050 (refer to **Figure 13** above), Opal are training each of their team members in the fundamentals of best-practice dementia care. Additionally, Opal are constantly improving their memory support units to ensure their residents live as comfortably and independently as possible, whilst being within a safe environment.

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PART D LEGISLATIVE AND POLICY FRAMEWORK

This Part of the SEE assesses and responds to the legislative and policy requirements for the proposed development in accordance with the EP&A Act 1979.

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this Application:

Commonwealth Planning Context

- *Environment Protection and Biodiversity Conservation Act 1999*

State & Regional Planning Context

- *A Metropolis of Three Cities – Greater Sydney Region Plan;*
- *Western City District Plan;*
- *NSW Ageing Strategy 2016 to 2020;*
- *Environmental Planning and Assessment Act 1979;*
- *Environmental Planning and Assessment Regulation 2000;*
- *Protection of Environment & Operations Act 1997;*
- *Biodiversity Conservation Act 2016;*
- *Water Management Act 2000;*
- *Rural Fires Act 1997;*
- *Roads Act 1993;*
- *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004;*
- *State Environmental Planning Policy No 19 – Bushland in Urban Areas;*
- *State Environmental Planning Policy No.33 – Hazardous and Offensive Development;*
- *State Environmental Planning Policy No. 55 – Remediation of Land; and*
- *State Environmental Planning Policy (Infrastructure) 2007.*

Local Planning Context

- *Penrith Local Environmental Plan 2010;*
- *Penrith Development Control Plan 2014; and,*

This planning framework is considered in detail in the following sections.

4.1 ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

Under the *Commonwealth Environment Protection and Biodiversity Act 1999* (EPBC Act 1999), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities and species and listed migratory species) must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made whether an action requires approval on a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a "controlled action" and formal Commonwealth approval is required.

The proposed development is not considered to have a significant impact constituting a MNES; therefore, further consideration is not required in this respect.

4.2 A METROPOLIS OF THREE CITIES – GREATER SYDNEY REGION PLAN

A Metropolis of Three Cities – Greater Sydney Region Plan (Greater Sydney Commission, 2019) (refer to **Figure 14**) aims to meet and recognise the warranted needs of an accelerated and vastly

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changing population. The overall vision pursues an objective of transforming 'Greater Sydney' into a "Metropolis of Three Cities", including:

- The Western Parkland City;
- The Central River City; and,
- The Eastern Harbour City

The division into three (3) cities puts workers and the wider community closer to an array of characteristics such as, intensive jobs, 'city-scale' infrastructure & services, entertainment and cultural facilities. By managing and retaining residential land close to city centres and transport, this will ensure critical and essential services are readily available to support local businesses and community members and residents. The proposed development would ultimately serve for an additional infrastructure upgrade that is considered relatively close in conjunction with residential communities.

The proposed development also contributes to the four (4) standardised elements communicated across for all three (3) cities, including:

- Infrastructure and collaboration – once in operation, the proposed development, for the purposes of a RACH would influence the timely delivery of a facility, that would service the day-to-day needs of its residents, for the purposes of Residential Aged Care. Additionally, a collaborative approach has been taken to locate the proposed development as close to a commercial centre as possible, including the Glenmore Park Town Centre.
- Liveability – the proposed development would provide a RACH, which would have positive influences on the wider locality by promoting a sense of community engagement through increased aged care housing stock, ultimately influencing housing choice in the immediate community for the ageing community;
- Productivity – the proposed development would be situated within the *Western City District Plan (Section 5.3)*; and,
- Sustainability – the proposed development would not cause any detrimental impacts to its wider ecological surroundings as identified in **Part F** of this EIS.

In summary, the proposed development would contribute to the objectives set out in *A Metropolis of Three Cities – Greater Sydney Region Plan* by providing a RACH, that positively impacts the immediate local community the wider locality by being positioned within the Penrith LGA.

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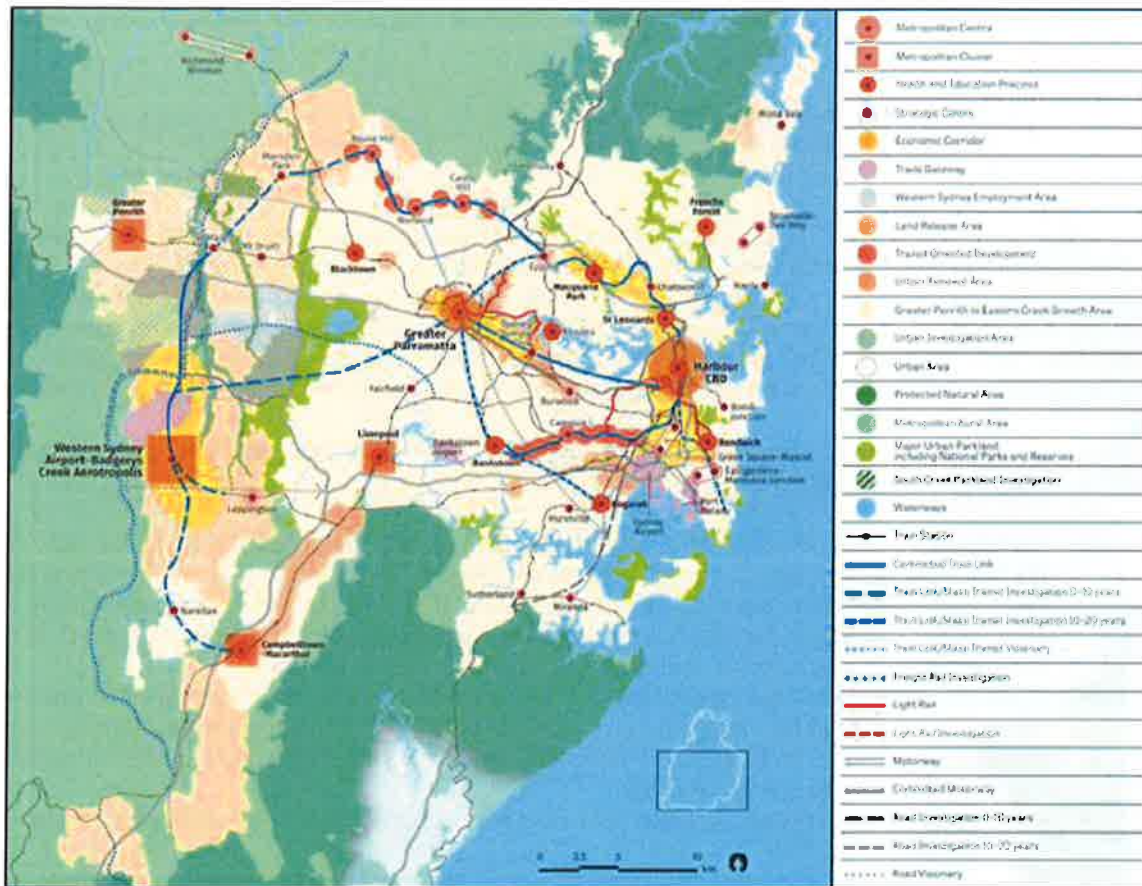


Figure 14 Metropolis of Three Cities A Vision to 2056 (Source: Greater Sydney Commission: Greater Sydney Region Plan, 2019)

4.3 WESTERN CITY DISTRICT PLAN

Glenmore Park is situated within the Western City District, which falls within the Western Parkland City (refer to **Figure 15** below).

The Plan reinforces the four (4) planning priorities and action items for concern, as previously mentioned in **Section 5.2**. The Plan establishes a number of priorities and actions to guide growth, development and change, relating to infrastructure & collaboration, liveability, productivity and sustainability.

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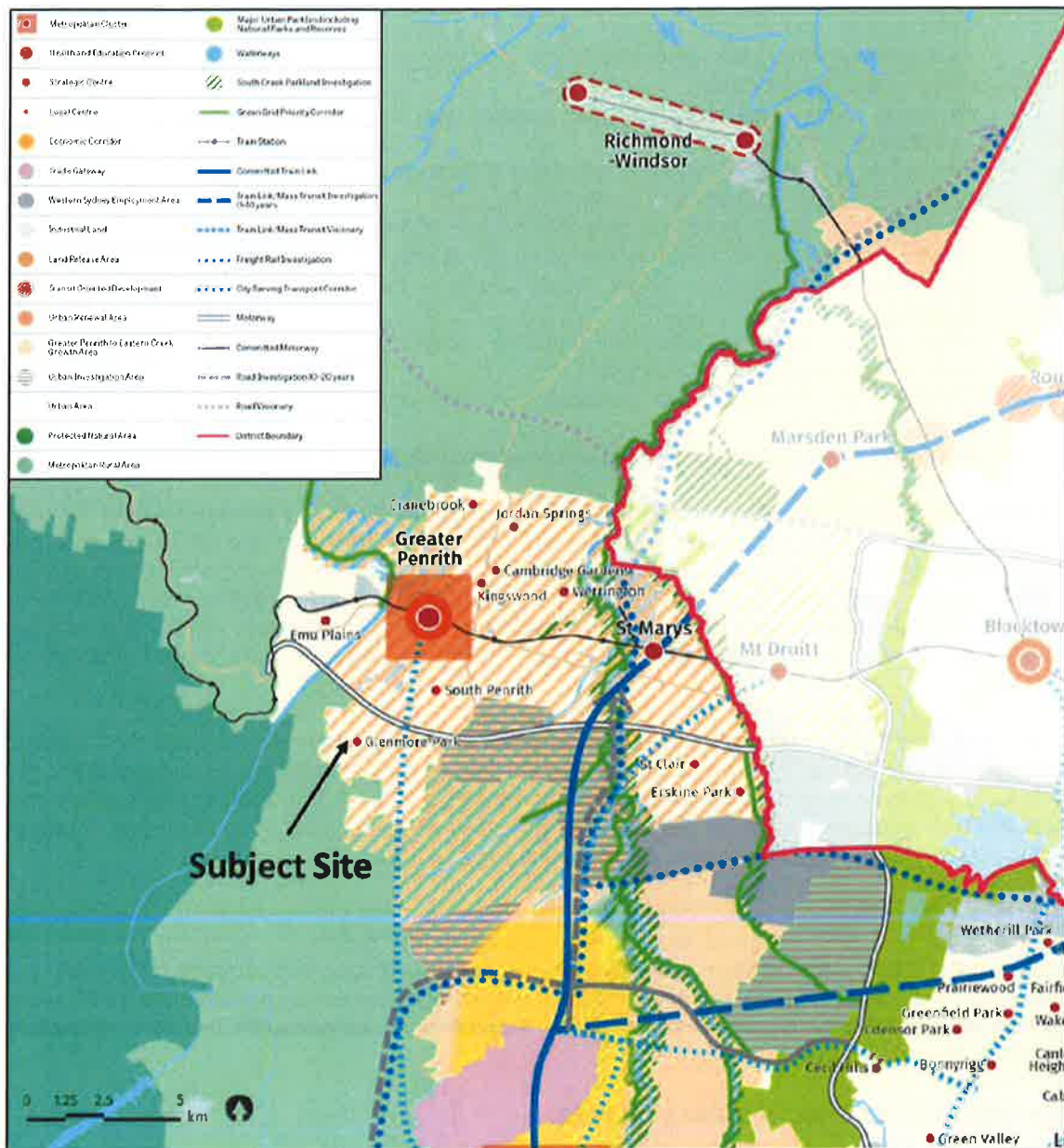


Figure 15 Western City District Plan Structure Plan (Source: Greater Sydney Commission, 2019)

The Greater Sydney Commission (GSC) further reinforce the Plans potential for achievement by outlining the following strategies, including:

- *Creating a once-in-a-generation economic boom with the Western Sydney Airport and Badgerys Creek Aerotropolis bringing together infrastructure, businesses and knowledge intensive jobs;*
- *Building on the Western Sydney City Deal to transform the Western City District over the next 20 to 40 years by building on natural and community assets and developing a more contained Western City District with a greater choice of jobs, transport and services aligned with growth;*
- *Delivering the first stage of the North South Rail Link;*

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- *Collaborating and building strong relationships between Liverpool, Greater Penrith and Campbelltown-Macarthur reinforced by the emerging Badgerys Creek Aerotropolis forming a unique metropolitan cluster;*
- *Providing major transport links for people and freight by unprecedented transport investments;*
- *Developing a range of housing, providing access to public transport and infrastructure including schools, hospitals and community facilities;*
- *Linking walking and cycling paths, bushland and a green urban landscape framed by the Greater Blue Mountains World Heritage Area, the Scenic Hills and Western Sydney Parklands;*
- *Enhancing and protecting South Creek, Georges River and Hawkesbury-Nepean river systems;*
- *Mitigating the heat island effect and providing cooler places by extending urban tree canopy and retaining water in the landscape;*
- *Protecting the District's natural landscapes, heritage and tourism assets, unique rural areas and villages; and,*
- *Protecting the environmental, social and economic values of the Metropolitan Rural Area.*

The *Western City District Plan* outlines, that the Western City District is expected to see a 206% proportional increase in people aged 85 and over, and a 93% increase in the 65-84 age group by 2036 (Greater Sydney Commission, 2019). As a direct result in accordance with these statistics, more diverse housing types (including RACH), as well as the design of walkable neighbourhoods, will create opportunities to enable elderly people to continue living in their community, whilst being close to family, friends and established health and support networks, improving the overall wellbeing of residents.

It is noted, that coordinated and additional health, social and aged care services and facilities, and collaborative approaches from the NSW Government and industry sectors are required to meet the anticipated increase in demand for local aged care facilities and respite services, including home care options (with associated visitor car parking). This approach will be required to address care for people with special needs, such as those with dementia and the frail aged.

The proposed development would contribute to the objectives set out in the *Western City District Plan* by promoting a greater range of land uses of benefit to the community including the proposed development (RACH) and other commensurate land uses; facilitating the provision of greater and improved infrastructure; and, promoting additional employment-generating opportunities to the wider locality and community closer to home, whilst supporting an economically and environmentally sustainable proposed development.

4.4 NSW AGEING STRATEGY 2016 TO 2020

The *NSW Ageing Strategy 2016 to 2020* (Ageing Strategy) recognises how the number of older people in NSW is increasing and the proportion of older people within the total population is also growing. In 1991, there were almost 700,000 people aged 65 and over in NSW, and more than 800,000 aged 50 to 64.2 In 2011, more than one million people in NSW were aged 65 and over, and more than 1.3 million were aged between 50 to 64.3 By 2031, around 20 per cent of NSW, or 1.8 million people, will be aged 65 and over, and more than 1.5 million will be aged 50 to 64. Together, more than one in three NSW residents will be aged 50 or above by 2031.

It is noted, that there has also been a proportionate increase in the number of year spent with a core disability.

Under the Ageing Strategy, the NSW Government aims to:

- Plan health services and infrastructure in light of NSW's ageing population; and
- Encourage private sector partners to provide services for older people.

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The proposed development comprises the provision of aged care services through a private provider, for the purposes of a RACH. The proposed development is furthermore aligned with the following objectives of the Ageing Strategy:

- Older people in NSW live in affordable, accessible, adaptable and stable housing; and
- Older people in NSW travel safely and appropriately to participate in social and economic life and access services.

The proposed development would provide a form of Residential Care Facility, permitted with consent pursuant to the R2 Low Density Residential zone, in close proximity to an extensive road and public transport network.

4.5 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act 1979 is the overarching governing statute for all development in NSW and pursuant to Part 4, the proposed development is considered Regionally Significant Development, for which the DA would be submitted to and determined by Penrith City Council.

4.6 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

In accordance with the EP&A Regulation 2000, the proposed development is not classified as Designated Development.

Section 4(1) – Designated Development

Section 4(1) of the EP&A Regulation 2000 states that development described in Part 1 of Schedule 3 is declared to be Designated Development for the purposes of the Act.

Therefore, the proposed development, being for a proposed RACH, does not trigger the Designated Development thresholds under Part 1 of Schedule 3 of the EP&A Regulation 2000.

4.7 RURAL FIRES ACT 1997

Given the proposal is deemed a Special Fire Protection Purpose, the proposed development triggers Integrated Development under Section 4.46 of the EP&A Act 1997 and Section 100B of the *Rural Fires Act 1997*. A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited to identify the bushfire protection measures for the proposal, under the provisions of *Planning for Bushfire Protection 2006* (PBP 2006), which have been considered in the design of the facility.

The following recommendations are provided as the minimum necessary for compliance with the PBP:

Asset Protections Zones

1. All grounds within the Subject Site continue to be maintained as an APZ (Inner Protection Area) in accordance with Appendix 2 of PBP and the NSW RFS publication, 'Standards for Asset Protection Zones.'

Landscaping

2. Any new landscaping proposed is to comply with Appendix 5 'Landscaping and Property Maintenance' under PBP.

Emergency Management

3. A Bushfire Emergency / Evacuation Management Plan is to be prepared in line with the NSW RFS Guidelines for the *Preparation of Emergency / Evacuation Plan*.

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Access

4. The proposed new access roads comply with the Architectural Plans prepared by Calder Flower (2019).
5. The proposed new access road should comply with the following requirements for internal roads as detailed within Section 4.2.7 of the PBP:
 - Internal roads are two-wheel drive, sealed, all-weather roads;
 - Dead-end roads are clearly sign posted;
 - Traffic management devices are constructed to facilitate access by emergency service vehicles;
 - A minimum vertical clearance of four (4) metres to any overhanging obstructions is provided;
 - Curves have a minimum inner radius of six (6) metres and are minimal in number to allow for rapid access and egress
 - The minimum distance between inner and outer curves is six (6) metres;
 - Roads are clearly sign posted;
 - The internal road surfaces have a capacity to carry fully-loaded firefighting vehicles (15 tonnes).

Services

6. New water, electricity and gas are to comply with Section 4.2.7 of PBP. The following are the requirements for relevant services:

Electricity:

- Electrical transmission lines are underground.

Water:

- New hydrant sizing, spacing and pressures must comply with AS 2419.1-2005.

Gas:

- Reticulated or bottled gas is installed and maintained in accordance with AS 1596-2002 and the requirements of relevant authorities. Metal piping is to be utilised.
- All fixed LPG tanks are kept clear of all flammable materials and located on the non-hazard side of the proposed development.
- If gas cylinders need to be kept close to the building, the release valves must be directed away from the building and away from any combustible material, so that they do not act as catalysts to combustion.
- Polymer sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used.

The Bushfire Assessment Report concludes, that in accordance with the bushfire safety measures contained within the Report, and consideration of the site-specific bushfire risk assessment, it is the opinion of Building Code & Bushfire Hazard Solution Pty Ltd (that when combined), the recommendations provided, will provide a reasonable and satisfactory level of bushfire protection to the subject proposal, for which the proposed development is considered to be supported on the grounds of anticipated bushfire impacts.

The Bushfire Assessment Report is further assessed in **Section 5.9** of this SEE.

4.8 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016* (BC Act 2016) seeks to ensure the protection and management of biodiversity and threatened species. The purpose of the BC Act 2016 is to maintain a healthy, productive and resilient environment for the greatest wellbeing of the community, now and into the future, consistent with the principles of ESD. The BC Act 2016 is supported by a number of regulations, including the *Biodiversity Conservation Regulation 2017* (BC Regulation 2017).

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It is noted, that the Subject Site has been previously developed, for which it does not contain any species protected and listed under the EPBC Act and BC Act. Further, the proposed development would not impose an impact on MNES and / or ecological impact in any such way.

4.9 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1997

Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act 1997) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act 1997 is:

"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."

The proposed development would not involve any activity that would require the issuance of an Environmental Protection Licence (EPL).

4.10 ROADS ACT 1993

The proposed development includes provisions to construct new driveway crossings over Floribunda Avenue, for which the proposed development would require approval from Penrith City Council under Section 138 of the *Roads Act 1993* for works undertaken over a public road.

4.11 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

The subject proposal is lodged pursuant to the provisions stipulated within SEPP (HSPD) 2004. It is noted, that **Appendix 20** of this Report contains a comprehensive assessment of the proposed development against the provisions of SEPP (HSPD) 2004. Overall, the proposed development is considered to satisfactorily address and exemplify the key provisions of SEPP (HSPD) 2004.

In legal advice prepared by Mills Oakley (28 May 2019), they outline the following with regard to obtaining Development Consent pursuant to SEPP (HSPD) 2004:

"Development consent may be granted for the Proposed Development even though the development contravenes the development standards in clause 40 of the Seniors SEPP. Clause 4.6 of the Penrith LEP applies to the Proposed Development and allows for consent to be granted even where development standards are contravened. The NSW Land and Environment Court has considered this issue and has found that clause 40 of the Seniors SEPP is a development standard, not a strict prohibition, and that clause 4.6 can be utilised to approve a development that exceeds a development standard in clause 40 of the Seniors SEPP."

The complete legal advice document is located within **Appendix 23**.

4.12 STATE ENVIRONMENTAL PLANNING POLICY NO 19 – BUSHLAND IN URBAN AREAS

State Environmental Planning Policy No 19 – Bushland in Urban Areas (SEPP 19) aims to protect and preserve bushland within urban areas owing to its community; aesthetic; recreational; educational; and scientific values. SEPP 19 applies to the Penrith LGA.

It is noted, the northern (including northwest and northeast) boundaries of the Site are adjoined by RE1 Public Recreation zoned land. The bushland within this zone would not be compromised by the proposal, rather the landscape treatment offered for the Site would be considered conducive and completely consistent with the Clause 9 of SEPP 19, with respect to land adjoining land zoned for public open space. Further consideration is not considered to be warranted in this respect.

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4.13 STATE ENVIRONMENTAL PLANNING POLICY NO 33 - HAZARDOUS AND OFFENSIVE DEVELOPMENT

No Dangerous Goods are proposed to be stored on-site during construction, thus the triggers under *State Environmental Planning Policy No 33 – Hazardous and Offensive Development* **would not** warrant further consideration in this respect.

4.14 STATE ENVIRONMENTAL PLANNING POLICY NO 55 - REMEDIATION OF LAND

Under the provisions of *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55), where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it 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, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The *Preliminary Site Contamination Assessment* prepared by Martens (2019) considers the presence of any Contaminants of Potential Concern (COPC) across the Subject Site, and whether the Subject Site is suitable for the proposed development with respect to contamination (refer to **Appendix 9**).

4.14.1 Groundwater

Martens suggest, that groundwater inflow was not encountered to a depth of 5.5 m Below Ground Level (BGL) the site survey, which included drilling ten (10) boreholes. Martens note, that given the proximity of the Site to Glenmore Loch (north), it can be expected, that groundwater would be controlled by (and no lower than) the levels in the Loch.

4.14.2 Areas of Environmental Concern / Contaminants of Potential Concern

Martens assessment of site Areas of Environmental Concern (AECs) and COPCs (refer to **Table 5** below) for the Subject Site was based on available site history, aerial photograph interpretation and desktop visual inspection.

| Table 5: Areas of Environmental Concern and Contaminants of Potential Concern within the Investigation Area | | |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| AEC | Potential for Contamination | COPC |
| AEC A – Building and sheds including 1 m curtilage | Pesticides and heavy metals may have been used underneath buildings for pest control. Building construction may have included Asbestos Containing Material (ACM), zinc treated (galvanised) metals, and / or lead based paints. Fuels and pesticides may have been stored in the shed. | HM, OCP / OPP and asbestos. |
| AEC B – Fill Material | Fill material from unknown sources may have been used for levelling and / or site landscaping purposes. | HM, TRH, BTEXN, PAH, OCP / OPP and asbestos. |

Given the Site is an urban area, risk of contamination associated with groundwater is considered to be low.

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4.14.3 Sensitive Receptors and Exposure Pathways

Table 6 below provides a summary of identified sensitive receptors and potential exposure pathways connecting receptors to identified AECs and COPCs outlined in **Table 5** above.

| Table 6: Summary of Receptors and Potential Pathways | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Receptor | Pathway |
| <u>Human Receptors:</u> <ul style="list-style-type: none">▪ Future site visitors, residents and workers.▪ Site workers during future construction works.▪ Surrounding residential / commercial occupants. | <ul style="list-style-type: none">▪ Dermal contact.▪ Oral ingestion of potentially contaminated soil.▪ Inhalation. |
| <u>Environmental Receptors:</u> <ul style="list-style-type: none">▪ Site drainage is via overland flow to the north and Council stormwater network to the south west.▪ Existing site flora and fauna. | <ul style="list-style-type: none">▪ Migration of contaminated runoff.▪ Direct contact with site flora and fauna. |

Based on **Tables 5 & 6** above and the Site's historical context, potential contamination sources are summarised below:

- Building construction and maintenance may have had the potential to introduce contaminants, such as asbestos (as a construction material albeit unlikely given the age of the structure), pesticides (pest control) and heavy metals (paints, pest control, use of galvanised materials).
- Storage of pesticides or fuel (hydrocarbons) may have occurred in site shed.
- Fill material of unknown origin and quality may have been used across the Site.

Furthermore, results of the field observations, subsurface investigation and laboratory testing undertaken by Martens, revealed that the fill material (AEC) was free of anthropogenic material and COPC, which was tested at either below laboratory detection limits (for hydrocarbons and pesticides), or at natural background levels for heavy metals.

Prior to the proposed development, further assessment is recommended to be undertaken with regard to any data gaps following the demolition of the existing building on the Subject Site to further validate the Site free from being declared an AEC or demonstrating any COPCs requiring further testing.

Due to the low likelihood of contamination and the difficulty in assessing under existing infrastructure, Martens recommend that further intrusive soil sampling investigations be conditioned as part of the Development Consent and be undertaken following the demolition of the existing building on-site (before the issue of a Construction Certificate).

Provided the above recommendations are adhered to, Martens consider, that the Site should be able to be made suitable for the proposed development.

Martens conclude, that the Site is considered to have a low risk of contamination and is expected to be suitable for the proposed land use. Risks that have not been assessed, include the potential fill material quality underneath, or impacts from, the existing building and shed. A further detailed Environmental Site Assessment is not considered to be required.

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4.15 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) provides for the development of certain activities for a range of infrastructure types. The ISEPP indicates whether an activity is permissible with or without consent on what land the activity is permissible.

The proposed development includes provision for an Allied Health Service Facility within the Subject Site, which is defined as a Health Services Facility in accordance with the meaning bestowed by the ISEPP. It is noted, that the R2 Low Density Residential zone, is identified as a Prescribed Zone pursuant to Part 3, Division 10, Clause 56(d1) of the ISEPP.

Pursuant to Clause 57(1), development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone.

As mentioned above, the proposed development to be undertaken by the Proponent includes provisions for a Health Services Facility, for the purposes of an Allied Health Services Facility. Accordingly, this component of the proposed development achieves the criteria specified in Clause 57 of the ISEPP, that may be undertaken with Development Consent.

Furthermore, the ISEPP repeals the former *State Environmental Planning Policy No. 11 – Traffic Generating Development* and, pursuant to Clause 104, provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Schedule 3 lists the types of development that are defined as Traffic Generating Development. It is noted, that the proposed development does not meet any of the referral threshold requirements for Traffic Generating Development under the ISEPP.

Therefore, the proposed development does not require referral to the NSW Roads and Maritime Services (RMS).

4.16 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

PLEP2010 is the principal EPI, for which the Subject Site is zoned. The Site is zoned as follows:

- R2 Low Density Residential.

Table 7 below, outlines the relevant planning controls applicable to the Site, as stated within PLEP2010. It is noted, that this DA is lodged pursuant to the provisions of SEPP (HSPD) 2004. Notwithstanding, the LEP provisions have been adhered to below.

| Table 7: Penrith Local Environmental Plan 2010 (PLEP2010) – General LEP Clauses | |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requirement | Application to Proposed Development |
| Clause 2.3 – Zone Objectives and Land Use Table | <i>(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</i> |
| R2 Low Density Residential Zone | |
| R2 Low Density Residential – Objectives of Zone | <ul style="list-style-type: none">- <i>To provide for the housing needs of the community within a low density residential environment.</i>- <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i>- <i>To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.</i>- <i>To enhance the essential character and identity of established residential areas.</i> |

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| | |
|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | - To ensure a high level of residential amenity is achieved and maintained. |
| Permitted without Consent | Home occupations. |
| Permitted with Consent | Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Information and education facilities; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Residential care facilities ; Respite day care centres; Roads; Secondary dwellings; Shop top housing; Tank-based aquaculture. |
| Prohibited | Any development not specified in item 2 or 3. |
| LEP Clauses | |
| Clause 4.1 – Minimum Lot Size | The Site is subject to a minimum lot size of 550 m ² under Clause 4.1 of PLEP2010 (refer to Figure 16). No subdivision is proposed. |
| Clause 4.3 – Height of Buildings | The Site is subject to a maximum building height of approximately 8.5 m under Clause 4.3 of PLEP2010 (refer to Figure 17). The proposed development is lodged pursuant to SEPP (HSPD) 2004; therefore, further consideration is not required to the Clause 4.3 of PLEP2010. |
| Clause 4.4 – Floor Space Ratio | The Site is not subject to a maximum Floor Space Ratio (FSR) under Clause 4.4 of PLEP2010. |
| Clause 5.10 – Heritage Conservation | The Subject Site has not been identified as containing any Heritage items of significance. Additionally, there are no impacts anticipated to Aboriginal and / or Historic Heritage items in close proximity to the Subject Site. |
| Clause 5.11 – Bush Fire Hazard Reduction | The Site is identified as bushfire prone land (Vegetation Buffer). Given the proposal is identified as a special fire protection purpose, the proposed development triggers Integrated Development under Section 4.46 of the EP&A Act 1997 and Section 100B of the <i>Rural Fires Act 1997</i> . A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited to identify the bushfire protection measures for the proposal, for which the provisions of <i>Planning for Bushfire Protection 2006</i> (PBP 2006) has been considered. |
| Clause 7.1 – Earthworks | Earthworks are proposed to be carried out, to establish the building pads on the Subject Site for the relevant components of the Proposed Development. Additionally, proposed earthworks would balance any cut and fill accordingly. |
| Clause 7.2 – Flood Planning | The Site is not impact by flood constraints or inundation to any extent during the 100-year ARI and 5-year ARI events. |
| Clause 7.4 – Sustainable Development | The principles of Ecologically Sustainable Development (ESD) have been considered throughout this Report for the proposed development. |
| Clause 7.6 – Salinity | Laboratory test results undertaken by Martens indicate, that subsurface materials at tested locations are categorised as non-saline (refer to Appendix 8). |
| Clause 7.7 – Servicing | Existing services could be successfully augmented to satisfactorily service the Site. |

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4.17 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the proposed development.

4.18 PENRITH DEVELOPMENT CONTROL PLAN 2014

The PDCP2014 was formally adopted by Council on 23 March 2015 and came into regulatory effect as of 17 April 2015. The PDCP2014 is to be read and applied in retrospect to PLEP2010, for which, if there is any inconsistency between the two (2), the LEP would prevail over the DCP.

The objectives of the PDCP2014 are as follows:

- *To provide guidance to people wishing to carry out development within the City of Penrith;*
- *To promote development which is consistent with Council's vision for the City of Penrith, namely, one of a sustainable and prosperous region with a harmony of urban and rural qualities with a strong commitment to environmental protection and enhancement;*
- *To ensure development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes;*
- *To encourage development which 'lifts the bar' in terms of delivering sustainable and healthy communities in the long term;*
- *To foster development that responds appropriately to the natural and built environment, in particular, vegetation, biodiversity corridors, significant waterways, riparian land, significant buildings and gardens, and scenic landscapes and views;*
- *To provide for an urban environment that is active, attractive and safe for residents and visitors; and,*
- *To ensure the quality of development in the City of Penrith is of a high standard.*

A review of the core controls applicable to the proposed development concerning the proposed RACH, with regard to the Subject Site can be found in **Appendix 21** of this Report. Again, it is noted, that the controls are non-binding in the context of the proposal, given the DA is lodged pursuant to SEPP (HSPD) 2004.

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PART E ENVIRONMENTAL ASSESSMENT

Pursuant to Section 4.15(1) of the EP&A Act, the following matters have been addressed.

5.1 CONTEXT & SETTING

The proposed development for the purposes of a proposed RACH is considered consistent with the intended development of land within the Penrith LGA. The proposed development would enable the efficient and sustainable use of such residential land via adherence to the provisions and overarching aims and objectives set out within the R2 Low Density Residential zone of PLEP2010, that allows for the construction and operation of RACH (pursuant to SEPP (HSPD) 2004. Accordingly, the proposed development would beneficially contribute to the regional and local economies, and population groups positioned in the wider locality.

The proposed development is compatible with surrounding residential and recreational land uses, including low density residential dwellings, as well as an identified community centre adjoining the Subject Site to the north. The proposed development has satisfactorily considered its proximity toward sensitive receiving environments, including parameters for noise, traffic and ecological surrounding, for which it would not exhibit any adverse environmental or amenity impacts (refer to **Section 6.3** of this Report).

With regard to the overall configuration of the Site, a well resolved built-form and indicative public domain benefits, the proposed development would create a high quality built-form dynamic, which is considered complementary to the street character and frontage of Floribunda Avenue; and a quality contribution toward the urban built-form character of the surrounding area. Furthermore, through generous landscape planting and peripheral amenities to assist in activating the street frontage, the proposed development would achieve a suitable fit within the existing public domain, with positive social and environmental benefits for the immediate community, as well as the wider locality.

An Architectural Design Statement has been prepared by Calderflower Architecture in support of the proposed development and is included in **Appendix 4** of this Report. Notwithstanding, specific matters of the proposed development's urban design context are considered in further detail below.

5.1.1 Street Address & Character

The Site exhibits significant beneficial characteristics it can offer for the proposed development, including the potential for a streetscape, that is considered complementary to the character of the surrounding environment, including both residential properties and adjoining recreational land uses.

It is noted, that attention has been given toward the layout of the main entry. Well-defined and equitable at-grade access for pedestrians would be achieved from Floribunda Avenue with distinct separation between pedestrian and vehicular movement paths. The lower ground level for both staff and visitors would be accessible via Floribunda Avenue along the western boundary of the Subject Site. Similarly, service vehicles would utilise this access path for waste collection and any deliveries to the Site. Accordingly, this access path has been positioned away from sensitive residential receivers to minimise any environmental and amenity impacts.

Notwithstanding, in order to facilitate high quality resolution of the building envelopes, and to enable the best outcome for relationships with adjoining sites, the proposed development comprises legible and efficient floor plans with scope for additional wall modulation; material selection; and balcony or terrace expression. Underpinned by the subtly expressive architectural language, the articulation of the building transitions well, both horizontally and vertically in its streetscape relationships. Additional scope for the inclusions of light wells and green walls would add to the envisaged green and biophilic character of the building.

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5.1.2 Edge Treatments

Site configuration of the buildings proposed has been planned for the indicative floor layouts to maximise solar access to resident rooms, and enable views into the existing tree canopy and landscape elements, that would remain a major feature of the Subject Site, improving the overall wellbeing of residents. The potential for natural cross ventilation is also an important consideration to help minimise reliance upon mechanical ventilation across the Site. The strategic separation of the buildings would allow the benefit of breezes to move through the vegetated courtyards and perimeter landscaped areas.

To complement the appearance of lower terraces and balconies when viewed from above, landscaped rooftops would be incorporated into the proposed design. Additionally, this would significantly contribute toward achieving the principles of ESD, as well as aid the proposed development's overall environmental performance. Further, the scope for attractive communal open space, inclusive of shade and amenities would be incorporated into the proposed scheme, for which minimal (if any) environmental impacts would be generated.

The lift core would be centrally located on all floors of the two-to-three storey building wings. Efficient circulation would minimise excessive built-form, whilst ensuring there is sufficient scope for natural light and ventilation to these common areas. It is noted, that green roofs would enhance the immediate outlook from rooms, and provide increased thermal insulation capability.

With regard to the adjoining and neighbouring properties, issues of privacy are satisfactorily considered through the indicative floor layouts, that minimise any direct overlooking, and extensive landscaping that would further screen any possible visual intrusions.

5.1.3 Accessibility to Open Areas

The proposed development has been designed to maximise the potential for indoor-outdoor relationships, that would enhance the environment for occupants, staff and visitors. Extensive retention of existing trees and landscape treatment in the boundary setbacks, together with internal courtyards and communal open spaces, along with deep-soil plantings, would help contribute to the visually pleasing aesthetic of both public and private green and open space areas.

It is noted, that the rear 25% of the Site is predominantly comprised of open and green spaces, providing access and amenities for the occupants. This landscaped open space would be overlooked by upper levels of the building providing an attractive and active feature to complement social interaction around the Site.

5.1.4 Scale of Development

The proposed development comprises a built-form, which is larger than the dominant residential typologies surrounding the Subject Site in the immediate area. Notwithstanding, the design approach for the proposed RACH has given due consideration to the Site and its contextual relationships. Articulation of the building envelopes has been carefully developed to create well modelled forms, with a rhythm reflecting the scale of nearby low density residential dwellings, integrated with landscaped open space between, with scope for setbacks and a high-quality architectural treatment, that can mitigate against any concerns about appropriate streetscape character.

The Site arrangement would facilitate the evolution of an intimate village character, with scope for social interaction in the generous internal communal open spaces, and at the public interfaces where peripheral activities would be located. Security would be of utmost importance, and the strategy to oversee and manage the movement of both residents and visitors has been given primary importance in the manner, that sight lines are configured for discrete surveillance of resident and communal areas.

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The public domain frontages would provide good access and surveillance of the adjacent streets, and care has been taken to minimise adverse impacts on the local community through careful integration of traffic and service entries, and to complement the quality of the surrounding public domain.

5.1.5 Limits of Height

The proposed built-form would be configured to locate its highest parts away from adjacent sites, with scaling down towards the lower density residential to the east and south. As the proposed development would exceed the maximum 8 m height limit under SEPP (HSPD) 2004, a Clause 4.6 Variation has been provided (refer to **Appendix 19**). This demonstrates that any impacts from the additional height are minimised accordingly, in a manner that would not cause any adverse conditions for neighbouring properties.

The well configured floor plates facilitate efficient room layouts with generous circulation and environmental amenity for occupants. Compliant setbacks and articulation of the building envelopes would minimise impacts of height on adjacent sites. The articulation of facades has been undertaken to provide a break-up of elevations that relate to the size and rhythm of adjoining residential properties.

The legible configuration of circulation areas would provide clear sight lines to pedestrian and lift lobby entries, access to both natural daylight and ventilation and would also allow good visual surveillance of the adjacent communal and public areas to enhance the means of addressing CPTED principles.

5.1.6 SEPP 65 Principles

The proposed development has been assessed against the principles of *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65). The findings are as follows:

- **Principle 1: Context and Neighbourhood Character** – The intent of the proposed development is to contribute to the existing character of Glenmore Park in a complementary manner, consistent with SEPP (HSPD) 2004, PLEP2010 and the PDCP2014.
- **Principle 2: Built Form and Scale** – The proposed development comprises a 142 single occupancy unit in four (4) wings over two (2) levels, as well as an Allied Health Facility to serve both the residents of the Site and the wider community. It is noted 'Back of House' services have been placed on the lower ground floor. The building is well articulated to break down bulk and scale and to reflect the surrounding neighbourhood character.

Furthermore, the proposed height of the building is consistent with the neighbouring houses adjacent to the Site (to the east), as well as the residential properties along the southern boundary of Floribunda Avenue. Each wing extends off an efficient services corridor forming the spine of the building, and maintains an outlook to the natural landscape of Glenmore Loch and its surrounds. The proposal will maintain the original locations of the driveways, whilst ensuring that all units within the Site have a visual outlook onto green and open space, which have been oriented away and screened from existing residential properties where necessary.

- **Principle 3: Density** – In the configuration of the proposed development there is a combination of building wings, open spaces and landscaping that helps to disperse the impacts of the built form, and there is available infrastructure to support the density proposed that meets the FSR control.
- **Principle 4: Sustainability** – The proposed development will comply with Section 5 of the Building Code of Australia, including the provision of solar panels, smart densification of the

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Site, reduction of the urban heat island effect with light coloured roofs and an ample landscaped area (39% deep-soil) and retention of significant trees (where practicable).

- **Principle 5: Landscape** – The landscape design proposed will provide privacy and amenity for the residents of the proposed development, as well as offer amenity attributes towards neighbouring properties. Additionally, the landscape design has been developed with a thoughtful and proactive approach to the retention of the existing site vegetation where possible and supplementing to this benefit both the private and public realms with potential social and community opportunities.

Existing vegetation will be retained where possible, particularly the significant trees (4-20 m tall) along the northern boundary of the Site, adjacent to Rotary Park and Glenmore Loch, as well as the southern boundary within the front setback of the Site, which will have dense planting to shield the building's entrance from Floribunda Avenue.

In accordance with Subclause 48(c) of SEPP (HSPD) 2004, the landscaping requirements for a minimum of 25 m² per bed are adhered to, for which this proposal achieves 27 m² per bed of landscaping across the Site.

- **Principle 6: Amenity** – The suites are also efficiently designed with contemporary unit layouts, which combined with the quality of finish prescribed by Opal, will enhance residents' well-being, as well as improve building amenity across the Site. The central 'spine' of the building provides amenity, such as a hairdresser for residents, a small café for visiting friends and family, multipurpose rooms, a private dining area, as well as a fully equipped Allied Health Facility, that will be available to both residents and the local community. The rear of the Site is to be conserved as the primary natural amenity of the Site.
- **Principle 7: Safety** – The design of the building and landscaping provides clearly defined public, communal and private space, with passive surveillance of the communal areas from living spaces and staffed areas. The proposal includes no on-grade ramps or threshold stops, and provides safe movement from the parking area to the building.
- **Principle 8: Housing Diversity and Social Interaction** – It is noted, that fostering a sense of community within the proposed development is important to the overall scheme of the proposal. In addition to the Allied Health Facility proposed, communal terraces will be provided adjacent to the common circulation areas along the central spine of each level, with an outlook toward Glenmore Loch. Common outdoor gardens are provided to the north of the building, accessed by a looped pathway. Further, the proposed development provides accommodation and amenity to the growing aging population of the Penrith LGA, and welcomes the local community to take advantage of various community programs and job opportunities borne by this development.
- **Principle 9: Aesthetics** – The building massing has been considered to the terrain of the Site; the height plane; and to reduce the built-form and bulk of the building by articulating smaller sections of the facades. These smaller sections of the building are articulated with different materials and screens to create the impression of a cluster of smaller buildings, rather than a single large building. The building wings are also arranged to allow the form to be punctuated by landscaped courtyards and landscaping will be placed along the Site boundaries to soften the building edges. The colours and texture of the façade materials are generally recessive colours, which will blend smoothly into the urban environment (brick and lightweight claddings). Further, the roof will be a light grey metal and is a modern interpretation of the local built environment, allowing natural daylight to penetrate the building via high level windows.

In the Architectural Design Statement prepared by Calderflower Architecture (refer to **Appendix 4**), it is concluded, that the proposed development will provide an efficient contemporary RACH that will

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contribute to the streetscape of Floribunda Avenue and the surrounding community. The articulated built-form; preservation of significant trees; extensive greenspace and landscaping; as well as the conservation of public amenity are consistent with the future urban development of the neighbourhood.

5.2 TRAFFIC & TRANSPORT

The *Assessment of Traffic and Parking Implications* prepared by Transport and Traffic Planning Associates (TTPA) considers the potential traffic and parking impacts as a result of the proposed development (refer to **Appendix 10**).

The Site has frontages to Floribunda Avenue (local road) to the southwest. Nearby key roads include (refer to **Figure 18** below):

- M4 Motorway – a State Road and arterial route;
- Mulgoa Road – a State Road and sub-arterial route;
- Glenmore Parkway – a major collector road route; and
- Lady Jamison Drive – part of a collector road route.



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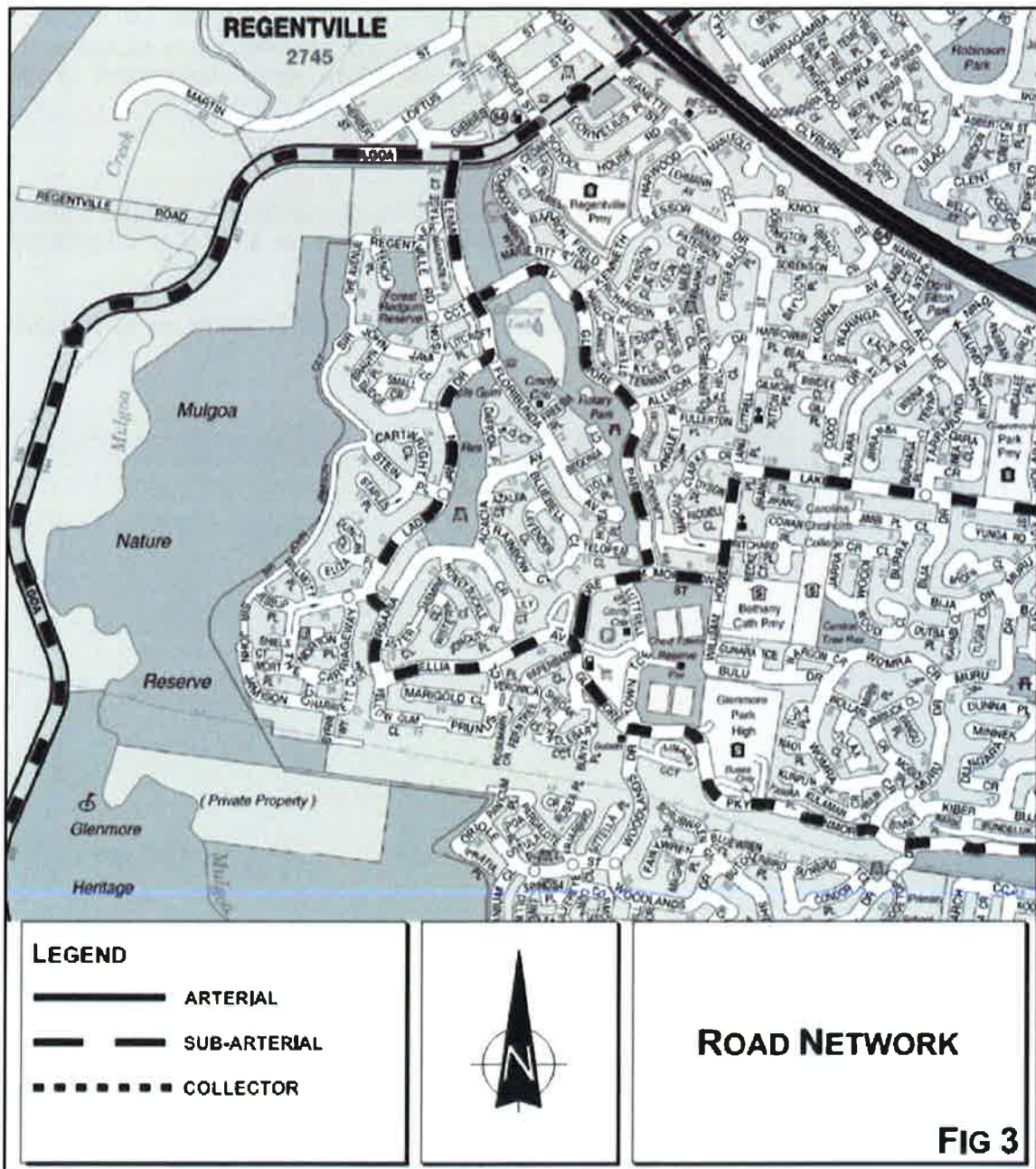


Figure 18 Road Network Surrounding the Subject Site (Source: TTPA, 2019)

The Traffic Impact Assessment notes, that traffic flows along Floribunda Avenue are rather minor, being largely limited to local access movements and that there is no undue difficulty for vehicles to gain access to their respective driveways during the peak periods.

Further, the Site is serviced by the local bus service route 797, which provides an interconnecting service between the Subject Site, the wider community around Glenmore Park, as well as into the Penrith CBD, being highly accessible north of the Subject Site along Floribunda Avenue.

5.2.1 Car Parking

The parking provisions to be included for the proposed development, is to be made in accordance with the SEPP (HSPD) 2004 Guidelines and Council's PDCP2014 rates, as follows:

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- SEPP (HSPD) 2004 parking provisions:
 - One (1) space per ten (10) beds;
 - One (1) space per 15 dementia beds;
 - One (1) space per two (2) staff; and
 - One (1) space for an ambulance.
- PDCP2014 parking provisions (consulting rooms):
 - Three (3) spaces per room; and
 - One (1) space per consultant and staff.

Assessment of the relevant parking provisions in relation to the proposed development, would include the requirement for the following:

- 126 beds – 13 spaces;
- 16 beds (dementia) – one (1) space;
- 40 staff – 20 spaces;
- Three (3) consultants – three (3) spaces;
- Three (3) consulting rooms – five (5) spaces¹;
- Ambulance – one (1) space.

Total Carparking Required: 41 car parking spaces.

Accordingly, it is proposed to provide a total of 42 car parking spaces, including two (2) accessible spaces in the basement and ground level areas with provision for an ambulance to stand in the porte cochere. This provision complies with the criteria of SEPP (HSPD) 2004.

It is proposed that the management would (as part of their induction process), provide appropriate information in relation to available transport services and accessibility with respect to the Site to continue to encourage the uptake of transport services available to the vicinity of the Site. An example of this initiative could take the form of a Workplace Travel Plan.

5.2.2 Traffic Impact Assessment

It is important to note, that the RMS Development Guidelines do not specify a generation rate for RACH use and the sites surveyed for the RMS Technical Direction – TDT 2013-4 – do not provide details for residential aged care use. Notwithstanding, TTPA have undertaken surveys at a number of existing RACH sites in assisting with amplification schemes. The results of recent surveys at the Anglicare Kingswood RACH, which has 102 beds indicate the following traffic generation during the morning and afternoon peak periods:

- **AM:** 0.17 vtph; and
- **PM:** 0.22 vtph.

Dementia patients have fewer visitors and that would be reflected in the peak generation rates; however, application of the TTPA survey rates to the proposed development would indicate the following for a 142 bed RACH:

- **AM:** 25 vtph; and
- **PM:** 31 vtph.

The proposed Allied Health Facility, which is proposed to be integrated with the proposed development and it is conservatively assumed, that four (4) vehicle trip per hour (i.e. 100%) will be

¹ A 50% downward adjustment has been applied to the standard DCP requirement for a standalone health consulting room facility. This is due to the nature of this Allied Health Facility, which is 'in-house' being largely intended to serve the RAC residents with only limited exposure to the wider community.

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generated during the peak periods, then it is anticipated that there will be a total post-development peak traffic outcome of approximately 29-35 vtpd.

It is noted, that the former peak hour traffic activity was between 13-16 vtpd and on this basis, the proposed development would result in a net additional traffic generation of between 17-19 vtpd during the peak periods.

Notwithstanding, additional traffic of this order of magnitude being equivalent to some vehicle movement every 3-4 minutes is not significant in the context of the existing traffic circumstances. Having regard to the abovementioned, TTPA assume, that the proposed uses on the Subject Site will have no undue traffic implications on the surrounding road network operations.

5.2.3 Access, Internal Circulation and Servicing

Vehicle access will involve a 7.5 m combined driveway and a 5 m egress only driveway on the Floribunda Avenue frontage. The design of these driveways complies with the requirements of AS 2890.1 and this particular section of Floribunda Avenue is straight and level and there is good sight distances available.

The proposed internal circulation arrangements accord with the requirements of AS 2890.1 & 6 and will ensure satisfactory access, manoeuvring and turning within the parking area. It is noted, that sweepth path analysis for the Site is located within Appendix C of **Appendix 10**. Garbage removal and deliveries (up to a 10.8 m long rigid vehicle) will be undertaken using the proposed loading dock area, while small service vehicles (service personnel, cleaners etc.) will also be able to use this area.

The traffic, transport and parking assessment undertaken and prepared by TTPA for the proposed development concludes, that the proposed development will:

- Not present any unsatisfactory traffic capacity, safety or environmental related implications;
- Incorporate a suitable and appropriate parking provision for the nature of the proposed development; and
- Incorporate suitable vehicle access, internal circulation and servicing arrangements.

5.3 DESIGN AND APPEARANCE

The proposed development would be complemented by a high quality engineered design that is considered compliant in accordance with the relevant Council requirements and Australian Standards; and, construction in order to positively reflect and contribute to the aesthetically pleasing characteristics set out in the aims and objectives of PLEP2010 with regard to the Penrith LGA.

The proposed RACH would display the appropriate scale and visual appearance that is consistent with the existing built-form and surrounding developments within the immediate vicinity, as well as the wider locality and would reinforce the residential and urban character of the area.

Additionally, the proposed development has been designed to address the Floribunda Avenue street frontage in order to achieve a positive visual outcome and contribute to pleasant view toward the Site from the public domain. Façade articulation would create visual interest and the siting of the Allied Health Service Facility to address the street frontage would provide additional modulation and opportunities for passive surveillance.

Furthermore, this would also be complemented via the aesthetically pleasing architectural landscaped design with regard to the proposed development, which would contribute to enhancing the vegetated character intended for the Site – and, be further visually pleasing for passersby. Combined with significant building setbacks, deep-soil landscaping within all setbacks would soften the appearance of the built-form and hard surfaces of the Site. This would introduce a human-scale to the Site and

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prevent the dominance of the built-form furthermore. Deep soil landscaping would also screen all car parking from the street accordingly.

5.4 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The principles of Crime Prevention Through Environmental Design (CPTED) have been considered in the design of the proposed development.

The CPTED guidelines were prepared by the NSW Police in conjunction with the Department of Planning. CPTED provides a clear approach to crime prevention and focuses on the 'planning, design and structure of cities and neighbourhoods'. The main aim of the policy is to:

- Limit opportunities for crime;
- Manage space to create a safe environment through common ownership and the encouraging the general public to become active guardians; and,
- Increase the perceived risk involved in committing crime.

The guidelines provide four (4) key principles to limit crime, including:

- Natural Surveillance;
- Access Control;
- Territorial Reinforcement; and,
- Space Management.

Principle 1 - Surveillance:

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical. The legible configuration of circulation areas would provide clear sight lines to pedestrian and lift lobby entries, access to both natural daylight and ventilation, and would also allow good visual surveillance of the adjacent communal and public areas to enhance the means of addressing CPTED principles. Passive surveillance over the public domain would be afforded over the streetscape. There would also be appropriate lighting to all exterior areas, both public and communal, which would be strategically implemented not to cause any light pollution or disturbance to adjoining residential properties.

Principle 2 – Access Control

Access Control can be defined as physical and symbolic barriers that are used to 'attract, channel or restrict the movement of people'. Access to the non-communal areas of the RACH would be controlled, with a security system employed at all entry points and within elevators.

Principle 3 - Territorial Reinforcement

Territorial reinforcement prevents anti-social and criminal behaviour through informal means. The proposed development would include the following territorial reinforcement principles and methods:

- Signage (including security system signage where required) would be used to control activities and movements throughout the Site;
- Some target hardening techniques such as access control to certain areas of the Site would be installed where appropriate to ensure a safe environment for users of the Site;
- Well maintained planters, gardens and pavers would continue to indicate the proposed development is well-used and cared for to reduce criminal activity at the Site;
- The residential entry lobby would be clearly defined as private space, to separate itself from the public domain; and
- Private areas would be separated by a landscape buffer from the public domain.

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Overall, the Site would be reinforced as a site which does not tolerate anti-social or criminal behaviours.

Principle 4 - Space Management

Space management can reduce opportunities for anti-social and criminal behaviour. The proposed development would incorporate the following space management principles and methods:

- On the Ground Level, pathways and planters would continue to be well maintained by a landscape contractor. Continued repairs and maintenance would discourage anti-social behaviour, including vandalism, as well as ensuring that the site retains its character;
- High quality materials used at the Site as well as boundary landscaping would assist in discouraging vandalism and graffiti;
- Vandalism or graffiti would be managed promptly; and
- Some target hardening techniques as access control to certain areas of the Site would be installed where appropriate to ensure a safe environment for users of the Site.

The proposed development would successfully integrate the four (4) principles outlined to limit crime outlined in the CPTED guidelines, which, are adopted into the PDCP2014.

5.5 SOILS AND WATER

The *Civil Engineering Report* prepared by Henry & Hymas (2019) considers the overall stormwater management, water quantity management, stormwater quality controls and erosion and sediment controls, formulating the overall Water Sensitive Urban Design (WSUD) strategy for the proposed development in accordance with Penrith City Council's specific engineering requirements (refer to **Appendix 6**).

It is noted, that one the engineering objectives for the proposed development is to provide a safe and efficient road and pedestrian footpath network for the future residents and visitors to the Subject Site. Additionally, proposed access roads and footpath grades must be sympathetic to the needs of the users of the network.

The Site has been designed such that the grades are sympathetic to the end users, whilst giving due consideration for required earthworks quantities proposed across the Site. As a result of the earthworks proposed, retaining walls will be required throughout the Site.

Further, the stormwater network must be designed to safely convey minor storm events via a pit and pipe stormwater system, which includes provisions for larger, more infrequent storm events and overland flow via the associated road network. Another aspect of the stormwater system is to ensure that the design takes in account any required WSUD measures, for which Henry & Hymas have satisfactorily taken into consideration.

5.5.1 Stormwater Management

It is noted, that stormwater controls would be implemented across the Site, that ensure the proposed development does not adversely impact on stormwater flows and water quality of the stormwater system downstream of the Subject Site.

The key issues to consider and the proposed mitigation measures to be implemented as part of the proposed development include:

- **Stormwater Quantity:** The increased impervious surfaces (such as roads, roofs, driveways, etc) associated with the proposed development will result in an increase in peak stormwater flows from the Site during storm events. On-site Stormwater Detention (OSD) will be proposed as part of the overall proposed scheme to ensure that runoff from the proposed

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development is captured and appropriately managed in accordance with Council's requirements.

The Site stormwater system has been designed to safely convey the flows through the Site and within the capacity of the downstream system.

- **Water Quality:** Urban developments have the potential to increase gross pollutants, sediments, hydrocarbons and nutrient concentrations in stormwater runoff. To limit any impacts on the downstream water quality, Stormwater Treatment Measures (STMs) would be implemented accordingly.

5.5.2 Stormwater Quantity

In accordance with Council's requirements, OSD will be required to be implemented for the Subject Site to ensure post-developed flows are reduced to pre-developed flows for the 5 year and 100 year ARI storm events.

A combined OSD and bio-retention basin has been proposed within the rear 25% of the Site as part of the proposed development. It is noted, that the above-ground basin provides a storage volume of approximately 40 m³, with the basin having a surface area of approximately 110 m². **Table 8** outlines the pre and post development flows for the relevant storm events.

| Table 8: Catchment 1 Flows | | |
|-----------------------------------|----------------------------------------------|-----------------------------------------------|
| Storm Event | Pre-Developed Flows (m³/s) | Post-Developed Flows (m³/s) |
| 5-year ARI Event | 0.204 | 0.201 |
| 100-year ARI Event | 0.386 | 0.371 |

It is noted, that the proposed development would meet Council's stormwater detention requirements, as outlined above in **Table 6**.

5.5.3 Water Quality

To further comply with Council's engineering requirements, stormwater must be treated prior to being discharged from the Subject Site. The requirements stipulate, that the post-developed pollutants are to be reduced by the following factors, when compared to the pre-developed pollutant generation:

- Total Nitrogen to be reduced by 45%;
- Total Phosphorus to be reduced by 60%; and
- Total Suspended Solids to be reduced by 85%.

Henry & Hymas have prepared a MUSIC model, which has influenced the overall design of the stormwater quality system (refer to **Table 9** below). The Civil Engineering Report notes, that stormwater from the Subject Site is proposed to be treated by a combination of a bio-retention basin and enviropod pit baskets.

| Table 9: Catchment 1 Pollutant Loads | | | | |
|---------------------------------------------|----------------------------------------------|-----------------------------------------------|-------------------------|----------------------------|
| Pollutant | Pre-Developed Pollutant Loads (kg/yr) | Post-Developed Pollutant Loads (kg/yr) | Target Reduction | Pollutant Reduction |
| Nitrogen | 9.6 | 4.85 | 45% | 49.5% |
| Phosphorus | 1.41 | 0.503 | 60% | 64.4% |
| Suspended Solids | 690 | 62.6 | 85% | 90.9% |

Further to the abovementioned in **Table 7**, the proposed development is considered to meet Council's water quality requirements.

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The Civil Engineering Report concludes, that the proposed design is in accordance with both Council's requirements and best practice principles; hence, it can be ensured that there will be minimal impact on the existing environment as a result of the proposed development.

5.5.4 Geotechnical Assessment

A preliminary geotechnical assessment was carried out by Martens in September 2018. The investigation included ten (10) boreholes (BH101 to BH110) and ten (10) Dynamic Cone Penetrometer (DCP) tests (DCP101 to DCP110).

In addition to the preliminary geotechnical assessment undertaken, the *Supplementary Geotechnical Assessment: Proposed Opal Aged Care Facility – 5-7 Floribunda Avenue, Glenmore Park, NSW* (Martens, 2018) provides a comprehensive geotechnical assessment of the Subject Site, through analysis of four (4) boreholes (BH201 to BH204), using a 4WD ute-mounted hydraulic rig between 2.1 m Below Ground Level (BGL) and 5.8 m BGL, that were undertaken during the Site survey on 20 May 2019 (refer to **Appendix 8**). Additionally, four (4) DCP tests (DCP201 to DCP204) were undertaken between 1.35 m BGL and 3.95 m BGL (refer to **Figure 19** below).

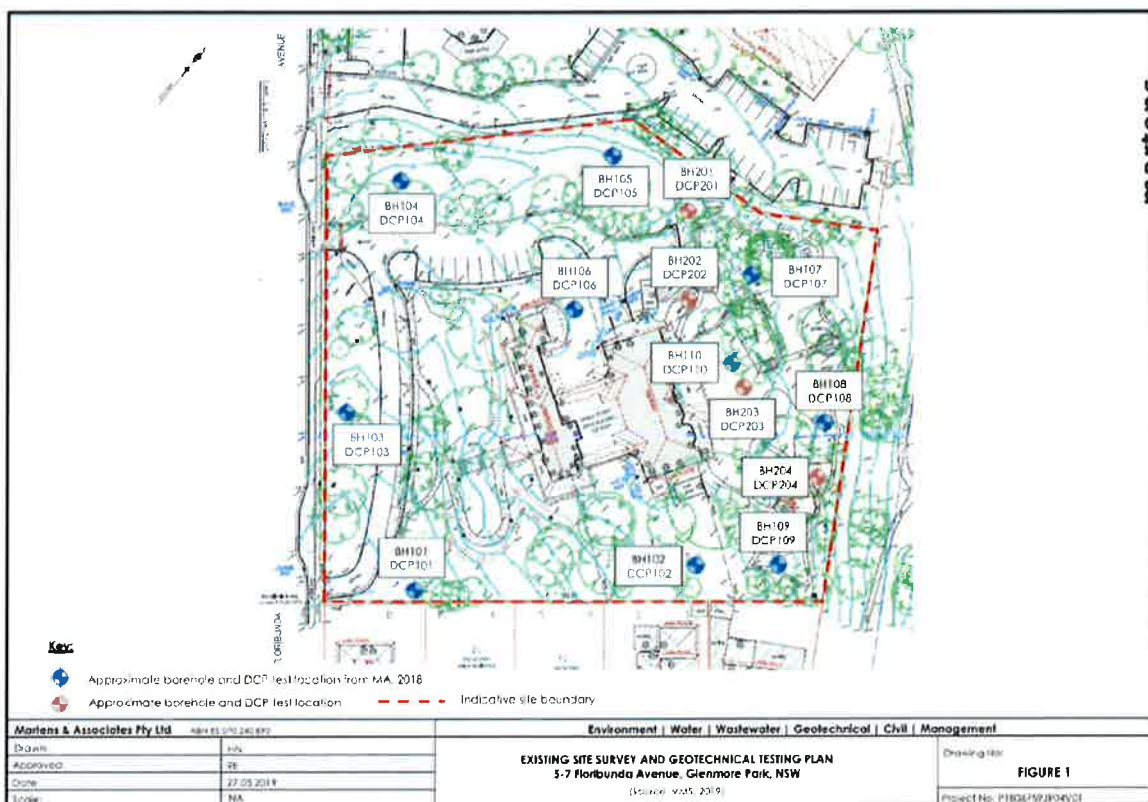


Figure 19 Existing Site Survey and Geotechnical Testing Plan (Source: Martens, 2019)

Pursuant to the Site survey undertaken, the following geotechnical parameters were analysed, which include:

- Soil Reactivity;
- Salinity Classification; and
- Foundation Exposure Classification.

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5.5.4.1 Soil Reactivity

Soil reactivity testing was undertaken by Resource Laboratories for two (2) soil samples, which were considered representative of site soils. A summary of the test results is presented in **Table 10** below.

Table 10: Soil Reactivity Test Results

| BH ID / Depth | Material | Atterberg Limits (%) | | | | Plasticity Classification | Potential Volume Change ² |
|-----------------|------------|----------------------|-----------------|-----------------|-----------------|---------------------------|--------------------------------------|
| | | LL ¹ | PL ¹ | PI ¹ | LS ¹ | | |
| BH108 / 0.6-0.8 | Silty Clay | 67 | 21 | 46 | 19.5 | High | High |
| BH108 / 1.1-1.3 | Silty Clay | 57 | 14 | 43 | 16.0 | High | Medium to High |

Note:

1. LL = Liquid Limit; PL = Plastic Limit; PI = Plasticity Index; and LS = Linear Shrinkage.
2. Based on Hazelton and Murphy, 2016.

Based on **Table 10** outlined above, the tested soil samples are of high plasticity, with a marginal to critical degree of reactivity, which may result in moderate to high ground movement due to soil moisture changes.

5.5.4.2 Salinity Classification

Soil salinity classification testing was carried out by Envirolab Services. A summary of the salinity classification test results is provided in **Table 11** below.

Table 11: Salinity Classification Test Results

| Sample ID ¹ | Material | EC _(1:5) (dS/m) | EC _e (dS/m) ² | Salinity Classification ³ |
|------------------------|-----------------------|----------------------------|-------------------------------------|--------------------------------------|
| 6759 / BH102 / 0.0-0.2 | Clayey Silt (Topsoil) | 0.078 | 0.70 | Non-Saline |
| 6759 / BH102 / 0.8-1.0 | Silty Clay | 0.092 | 0.60 | Non-Saline |
| 6759 / BH102 / 1.8-2.0 | Silty Clay | 0.200 | 1.20 | Non-Saline |
| 6759 / BH103 / 0.5-0.6 | Silty Clay | 0.041 | 0.27 | Non-Saline |
| 6759 / BH103 / 0.7-0.9 | Silty Clay | 0.071 | 0.46 | Non-Saline |
| 6759 / BH105 / 0.0-0.2 | Clayey Silt (Fill) | 0.097 | 0.87 | Non-Saline |
| 6759 / BH105 / 0.6-0.7 | Clay | 0.067 | 0.44 | Non-Saline |
| 6759 / BH105 / 1.4-1.5 | Clay | 0.065 | 0.42 | Non-Saline |
| 6759 / BH110 / 1.3-1.6 | Silty Clay | 0.160 | 1.04 | Non-Saline |

Note:

1. Project # / Borehole # / Depth (m BGL).
2. Based on EC to EC_e multiplication factors from Table 6.1 in DLWC (2002).
3. Based on Table 6.2 of DLWC (2002) where EC_e < 2 dS/m = non-saline; EC_e of 2-4 dS/m = slightly saline; EC_e of 4-8 dS/m = moderately saline; EC_e of 8-16 dS/m = very saline; and EC_e of >16 dS/m = highly saline.

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The test results outlined in **Table 11** indicate, that subsurface materials at test locations are categorised as non-saline.

5.5.4.3 Foundation Exposure Classification

A summary of exposure classification test results are summarised in **Table 12** below.

| Table 12: Exposure Classification Test Results | | | | | | | |
|------------------------------------------------|-----------------------|-------------------------------------|-----|-------------------------------------|-------------------------|----------------------|----------------------|
| Sample ID ¹ | Material | EC _e (dS/m) ² | pH | Sulphate (SO ₄) (mg/kg) | Exposure Classification | | |
| | | | | | AS 2159 ³ | AS 2159 ⁴ | AS 3600 ⁵ |
| 6759 / BH102 / 0.0-0.2 | Clayey Silt (Topsoil) | 0.70 | 6.3 | 20 | Non-Aggressive | Non-Aggressive | A1 |
| 6759 / BH105 / 0.0-0.2 | Clayey Silt (Fill) | 0.87 | 6.2 | 23 | Non-Aggressive | Non-Aggressive | A1 |
| 6759 / BH103 / 0.5-0.6 | Silty Clay | 0.27 | 5.3 | 51 | Mild | Non-Aggressive | A2 |
| 6759 / BH105 / 0.6-0.7 | Clay | 0.44 | 5.3 | 96 | Mild | Non-Aggressive | A2 |
| 6759 / BH103 / 0.7-0.9 | Silty Clay | 0.46 | 5.4 | 79 | Mild | Non-Aggressive | A2 |
| 6759 / BH102 / 0.8-1.0 | Silty Clay | 0.60 | 5.5 | 78 | Mild | Non-Aggressive | A2 |
| 6759 / BH110 / 1.3-1.6 | Silty Clay | 1.04 | 5.5 | 230 | Mild | Non-Aggressive | A2 |
| 6759 / BH105 / 1.4-1.5 | Clay | 0.42 | 5.4 | 92 | Mild | Non-Aggressive | A2 |
| 6759 / BH102 / 1.8-2.0 | Silty Clay | 1.20 | 5.3 | 57 | Mild | Non-Aggressive | A2 |

Note:

1. Project # / Borehole # / Depth (m BGL).
2. Based on EC to EC_e multiplication factors from Table 6.1 in *Site Investigations for Urban Salinity* (2002) Guidelines.
3. Exposure classification for concrete piles in soil based on Table 6.4.2(C) of AS 2159 (2009).
4. Exposure classification for steel piles in soil based on Table 6.5.2(C) of AS 2159 (2009).
5. Exposure classification for buried reinforced concrete based on Tables 4.8.1 and 4.8.2 of AS 3600 (2018).

In accordance with AS2159 (2009), exposure classifications of 'Mild' and 'Non-aggressive' should be adopted for buried concrete and steel piles respectively. Additionally, in accordance with AS 3600 (2018), an exposure classification of 'A2' should be adopted for shallow concrete footings founding in residual soil.

Martens note, that no evidence of former or current slope movement was observed at the Site. The risk of slope instability was considered to be very low, subject to the recommendations provided below being adhered to accordingly. The preliminary geotechnical recommendations for the proposed development are provided below.

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1. **Excavation:** It is noted, that proposed lower ground floor excavations will encounter fill / residual soils over weathered rock. It is expected, that the following excavation equipment will be required:
 - Conventional earthmoving equipment should be used for soils and very low to low strength rock.
 - Hydraulic earthmoving equipment (with ripper tyne attachment) should be used for medium and higher strength rock.
2. **Excavation Support:** Proposed excavation works must be temporarily and permanently battered back / shored / retained to maintain excavation stability. Appropriate support and / or excavation methodologies should be adopted by the excavation contractor and design engineer and approved by a geotechnical engineer.

Excavations in soils and weathered rock may be temporarily battered back at:

- 1V:2H for soil and 1V:1.5H for rock, or
- 1V:1H, if covered with an appropriate protection facing, e.g. by shotcrete and soil nails.

The abovementioned is provided, that temporary batters are subject to inspection and approval by a geotechnical engineer on-site. Additionally, permanent batter slopes should not exceed 1V:3H.

Temporary shoring may include cantilevered or anchored soldier pile walls with shotcrete infill panels. For cantilevered pile retaining structures, a triangular lateral earth pressure distribution should be adopted behind cantilevered retaining walls. If no movements of retaining walls are tolerated, at rest earth pressure coefficient (k_0) should be considered. Alternatively, where some minor movements of retaining walls may be tolerated, e.g. landscape walls, active earth pressure coefficient (k_a) may be adopted. If piles are tied back using anchors or bracing, the rigid structures should be designed using a rectangular earth pressure distribution and considering a maximum pressure of 6H or 8H kPa depending on the amount of movement that can be tolerated, where 'H' is the effective vertical height of the wall in metres.

Retaining wall design may adopt active (k_a), at rest (k_0) and passive (k_p) earth pressure coefficients of 0.4, 0.55 and 2.5, respectively, for soils and 0.33, 0.50 and 3.0, respectively, for weathered rock.

Tieback anchors must not be installed across site boundaries unless written confirmation of acceptance is obtained from neighbouring property / asset owners.

Retaining wall design should consider additional surcharge loading from live loads, new structures, construction equipment, backfill compaction and static water pressures unless subsoil drainage is provided behind retaining walls.

3. **Footings and Foundations:** Allowable end bearing capacities for the design of shallow and deepended footings are presented in **Table 13** below. The foundations design should consider potential deeper rock levels in the central eastern portion of the Site. Individual pad footings and all footings within building footprints should not span the interface between different foundation materials. Alternatively, inclusion of movement joints may mitigate impacts of differential movements.

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| Table 13: Allowable Bearing Capacities | | | |
|------------------------------------------------------------------------------------|----------------------------------------|--------------------|--------------------|
| Unit | Shallow Footings ABC ^{2,4} | Piles ¹ | |
| | | ABC ^{2,4} | ASF ^{3,4} |
| Residual: Silty Clay / Clay (stiff to very stiff) / 'Engineered' Fill ⁵ | 100 | NA ⁸ | 5 |
| Residual: Silty Clay / Clay (hard) | 250 | 450 | 20 |
| Weathered Rock: Siltstone / Shale (very low to low strength) | 350 | 700 | 60 |
| Weathered Rock: Siltstone / Shale (low strength) | 500 | 1,000 | 150 |
| Weathered Rock: Siltstone / Shale (medium strength) | 1,000 | 1,500 | 250 |

Note:

1. Assuming bored cast in-situ pile.
2. Allowable end bearing capacity (kPa) for shallow footings embedded at least 0.3 m and piles embedded at least 0.5 m into design material type, subject to confirmation on-site by a geotechnical engineer or inferred foundation conditions.
3. Allowable skin friction (kPa) below 1 m depth for bored pile in compression, assuming intimate contact between pile and foundation material. For up lift resistance, we recommend reducing ASF by 50% and checking against 'piston' and 'cone' pull-out mechanisms in accordance with AS2159 (2009).
4. ABC and ASF are given with estimated factors of safety of 3 and 2 respectively, generally adopted in geotechnical practice to limit settlement to an acceptable level for conventional building structures (<1% of minimum footing width).
5. Refer to earthworks recommendation below.

Footings should be designed by a suitably qualified and experienced structural or geotechnical engineer. Consideration should be given to the potential ground surface movement associated with highly reactive soil during design of at grade structures (e.g. pavement, footpath) and shallow footings.

All foundation excavations should be inspected by a geotechnical engineer to confirm encountered conditions satisfy design assumptions.

4. **Earthworks:** All earthworks should be carried out in accordance with AS3798 (2007) and Council requirements, following removal of topsoil and other unsuitable materials, such as uncontrolled fill and soft soils. A qualified geotechnical engineer should inspect the condition of the exposed material to assess suitability of the prepared surface as foundation for footings or fill placement. Should re-use of excavated materials be considered for site filling, Martens recommend limiting material re-use to general fill areas, given the medium to high plasticity of the clays. Where site-won material is used as structural fill, stringent placement specifications are to be developed to ensure adequate compaction, including moisture conditioning of material and controls to limit overcompaction. Martens recommend the use of low plasticity clay or granular material as structural fill. Further geotechnical advice can be provided by MA, dependent on final design and proposed construction methodologies.
5. **Exposure Classification:** In accordance with AS2159 (2009), exposure classifications of 'Mild' and 'Non-aggressive' should be adopted for buried concrete and steel piles, respectively. In accordance with AS3600 (2018), an exposure classification of 'A2' should be adopted for shallow concrete footings founding on residual soil.

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6. **Soil Salinity:** Subsurface materials at the site are categorised as non-saline. No specific saline soil management strategies are expected to be required.
7. **Drainage Requirements:** Appropriate drainage measures should be provided behind the retaining walls to divert ephemeral seepage water away from structures and discharge into council approved discharge points downslope.

For soldier pile walls and shotcrete facing, strip drains with a non-woven geotextile filter fabric should be installed behind the shotcrete to dissipate the pore pressure build up behind the walls.

8. **Site Classification:** The Site is classified as a class 'P' site in accordance with AS 2870 (2011), due to presence of 'uncontrolled' fill across the Site. A reclassification to "H1" and "A" may be possible for lightly loaded shallow footings founding on engineered fill or residual soil and rock, respectively.

This site classification is subject to the recommendations presented in this report, the design of footings in accordance with the relevant Australian Standards and guidelines and the following conditions:

- Requirement for only minor changes to current site levels.
- Provision of adequate drainage of surface and sub-surface water to limit soil moisture variations impacting on foundation conditions.
- Footings are unlikely being impacted by the presence of environments that could lead to exceptional foundation material movements, such as existing or future trees or surface water accumulation.

5.6 NOISE

The Noise Impact Assessment prepared for the proposed development has considered:

- Noise generated during earthworks, construction and operation;
- The location of sensitive noise receivers;
- Potential noise sources;
- Relevant acoustic criteria from PCC and the NSW EPA; and
- Controls necessary to ensure compliance with noise emission goals.

The nearest sensitive receiver locations are identified as follows and can be best illustrated graphically in **Figure 20** below.

1. R1: Single and double storey residential dwellings to the south at 47, 48, 49, 50, 51, 52 and 53A Floribunda Avenue.
2. R2: Double storey residential dwellings attached to the southeast at 1, 2, 3, 4 and 5 Freesia Place.
3. R3: Single and double storey residential dwellings at approximately 130 m to the northeast of the Site at 4, 5 and 6 Parry Way.
4. R4 Floribunda Community Centre attached to the northwest.

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Figure 20 Receiver and Noise Monitoring Locations (Source: Acoustic Logic, 2019)

5.6.1 Traffic Noise Measurements

The Noise Impact Assessment notes, to accurately determine the environmental noise, a 15-20 minute measurement interval is utilised. Over this period, noise levels are monitored on a continuous basis and statistical and integrating techniques are used to determine noise description parameters. With regard to this, noise monitoring / logging (unattended and attended) was undertaken between the 11th and 18th April 2019 to measure background noise levels (refer to **Tables 14 – 16**).

Table 14: Mannned Measurements of Road Traffic Noise

| Location | Time Period | Traffic Noise Level dB(A) _{Leq(15 min)} |
|------------------------------------------------------------|-----------------------|-----------------------------------------------------|
| Floribunda Avenue (approximately 3 m from road kerb) | Day (1:15pm – 1:30pm) | 57 |
| Glenmore Parkway (approximately 3 m from road kerb) | Day (1:30pm – 1:45pm) | 68 |

Table 15: Traffic / Background Noise Monitoring

| Location | Time Period | Traffic Noise Level dB(A) _{Leq(1 hour)} |
|------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-----------------------------------------------------|
| 5/6 Floribunda Avenue, Glenmore Park, at the southeastern corner of the Site (approximately 95 m from Glenmore Parkway kerb) | Day (7am – 10pm) | 53 |
| | Night (10pm – 7am) | 47 |

Table 16: Measured Background Noise Levels

| Location | Time Period | Traffic Noise Level dB(A) _{Leq(1 hour)} |
|-----------------------------------------|----------------------|-----------------------------------------------------|
| 5/6 Floribunda Avenue, Glenmore Park | Day (7am – 6pm) | 44 |
| | Evening (6pm – 10pm) | 44 |

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| | | |
|--|--------------------|----|
| | Night (10pm – 7am) | 32 |
|--|--------------------|----|

Notwithstanding the above, the traffic noise levels listed in **Table 17** below were determined based on the traffic noise levels measured around the Subject Site. It is noted, that in determining the appropriate acoustic treatments at each façade, the measured level is adjusted accordingly for both distance and orientation.

| Table 17: External Noise Levels | | |
|-----------------------------------------------|--------------------|--------------------------------|
| Façade | Time Period | Predicted Traffic Noise Levels |
| Southwest façade (facing Floribunda Avenue) | Day (7am – 10pm) | 54 dB(A) L_{Aeq} (15 hour) |
| | Night (10pm – 7am) | 48 dB(A) L_{Aeq} (9 hour) |
| Northeastern façade (facing Glenmore Parkway) | Day (7am – 10pm) | 56 dB(A) L_{Aeq} (15 hour) |
| | Night (10pm – 7am) | 50 dB(A) L_{Aeq} (9 hour) |
| Northwest façade | Day (7am – 10pm) | 54 dB(A) L_{Aeq} (15 hour) |
| | Night (10pm – 7am) | 48 dB(A) L_{Aeq} (9 hour) |
| Southeastern facade | Day (7am – 10pm) | 54 dB(A) L_{Aeq} (15 hour) |
| | Night (10pm – 7am) | 48 dB(A) L_{Aeq} (9 hour) |

For non-residential spaces, AS/NZS 2107-2016: Recommended design sound levels and reverberation times for building interiors specifies allowable internal noise levels for internal spaces. It is noted, that Table 1, in Section 5 of AS 2107-2016 provides the following maximum internal noise levels for areas other than residential, as outlined in **Table 18** below.

| Table 18: Recommended Design Sound Level | |
|------------------------------------------------------------------------------------|--------------------------------------------------------|
| Space / Activity Type | Recommended Maximum Design Sound Level dB(A) L_{Aeq} |
| Health Buildings – Consulting Rooms (criteria used for Allied Health) | 45 dB(A) L_{Aeq} |
| Health Buildings – Ward Bedrooms | 35 dB(A) L_{Aeq} |
| Waiting Rooms / Reception Area | 40 dB(A) L_{Aeq} |
| Residential Buildings – Dining Rooms | 40 dB(A) L_{Aeq} |
| Residential Buildings – Cafeterias | 45 dB(A) L_{Aeq} |
| Residential Buildings – Games Rooms (criteria used for proposed multipurpose room) | 45 dB(A) L_{Aeq} |

The governing project criteria are outlined in **Table 19** below.

| Table 19: Internal Noise Level Criteria | |
|-----------------------------------------|----------------------------------|
| Location | Criteria |
| | Traffic Noise Intrusion |
| Bedroom | 35 dB(A) L_{Aeq} (9hr) |
| Living Area | 40 dB(A) L_{Aeq} (15hr) |
| Allied Health | 45 dB(A) L_{Aeq} (when in use) |
| Cafeterias | 45 dB(A) L_{Aeq} (when in use) |
| Multipurpose Room | 45 dB(A) L_{Aeq} (when in use) |
| Reception | 40 dB(A) L_{Aeq} (when in use) |
| Dining | 40 dB(A) L_{Aeq} (when in use) |

It is noted, that compliance with the criteria outlined above in **Table 19** will result in compliance with the PDCP2014; ISEPP and AS/NZS 2107-2016.

Internal noise levels will primarily be as a result of noise transfer through the windows and doors as these are relatively light building elements that offer less resistance to the transmission of sound.

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Noise transfer through the masonry elements will not be significant, for which it has not been considered in the Noise Impact Assessment.

The predicted noise levels have been based on the expected level and spectral characteristics of the external noise; the area of building elements exposed to traffic noise; the absorption characteristics of the rooms; and the noise reduction performance of the building elements.

5.6.2 Glazing Windows and Doors

The window glazing proposed for this project is listed below in **Table 20**.

| Table 20: Recommended Glazing Construction | | | |
|--------------------------------------------|------------------------------|-------------------|----------------|
| Type of Room | Element | Glazing Thickness | Acoustic Seals |
| All | All glazed doors and windows | 6 mm float | Yes |

In addition to complying with the minimum scheduled glazing thickness, the R_w rating of the glazing fitted into operable frames and fixed into the building opening should not be lower than the values listed in **Table 21** below in all areas.

Note: the glazing recommendations in **Table 20** above are indicative and further acoustic assessment should be undertaken at a later stage.

| Table 21: Minimum R_w of Glazing | | |
|------------------------------------|-----------------------------------|----------------|
| Glazing Assembly | Minimum R_w of Installed Window | Acoustic Seals |
| 6 mm float | 29 | Yes |

5.6.3 External Walls

For external walls of masonry construction, no acoustic upgrade is required. There should be no vents on the internal skin of external walls. All penetrations in the internal skin of external walls should be acoustically sealed. In the event, that lightweight external constructions are used, these are to be reviewed at the Construction Certificate stage of development.

5.6.4 Roof / Ceiling Construction

The roof of the proposed development is anticipated to be constructed of metal sheeting / colorbond. The recommended roof / ceiling construction is presented in **Table 22** below. Penetrations in all ceilings (such as for light fittings etc.) must be acoustically treated and sealed gap free with a flexible sealant.

| Table 22: Roof / Ceiling Construction | |
|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| Area | Construction |
| All | Metal sheet + large airgap with 75 mm thick glasswool (11 kg/m^3) or equal insulation + 1 x 13 mm plasterboard. |

5.6.5 Acoustic Objectives

Intrusiveness criteria requires that noise from the Site not exceed a background noise level by more than 5 dB(A) $L_{eq}(15 \text{ min})$. For the proposed development, the following goals outlined in **Table 23** will apply:

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Table 23: Intrusiveness Criteria

| Time of Day | Background Noise Level (Measured) dB(A) _{L₉₀} | Intrusiveness Noise Emission Objective dB(A) _{L_{eq}(15min)} |
|----------------------|-------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Day (7am – 6pm) | 44 | 49 |
| Evening (6pm – 10pm) | 44 | 49 |
| Night (10pm – 7am) | 32 | 37 |

Additionally, project amenity criteria are determined based on the land use in the area (residential / commercial / industrial). The residential land use is then further categorised into rural, sub-urban and urban areas. For the purposes of the Noise Impact Assessment undertaken, the proposed RACH (residential dwellings) will be considered as suburban (refer to **Table 24** below).

Table 24: Project Amenity Criteria

| Noise Receiver | Amenity Noise Level – dB(A) _{L_{eq}(15min)} | | |
|-------------------------|--------------------------------------------------------------|----------------------|--------------------|
| | Daytime (7am-6pm) | Evening (6pm – 10pm) | Night (10pm – 7am) |
| Neighbouring Residences | 53 | 43 | 38 |

5.6.6 Traffic Generated by Proposed Carpark / Driveway

Being private property (as opposed to a dedicated road), noise on the proposed driveway and carpark is assessed with reference to the NSW EPA Industrial Noise Policy. Noise emissions are predicted to the closest affected receivers and compared against the acoustic criteria set out above. The closest affected areas are:

1. The façade of the SOU facing the carpark.
2. The building façade of the residence to the southwest of the Site.
3. The building façade of Floribunda Community Centre to the northwest of the Site. On the north of the driveway, as it is the closest affected receiver.

The predicted noise levels are outlined in **Table 25** below.

Table 25: Cumulative Noise Level (Driveway and Noise Emitted from the Car Park)

| Time of Day | Receiver Location | Predicted Noise Level – dB(A) _{L_{eq}} | Compliance |
|----------------------|-------------------------------------------------------------------|---------------------------------------------------------|-----------------------------------------------------------------|
| Day (7am – 6pm) | SOU Facade | <40 dB(A) _{L_{eq}(Day)} | Complies with 49 dB(A) _{L_{eq}(15hr)} criteria |
| Evening (6pm – 10pm) | | <40 dB(A) _{L_{eq}(Night)} | Complies with 43 dB(A) _{L_{eq}(15hr)} criteria |
| Day (7am – 6pm) | Façade of closest residential receiver opposite Floribunda Avenue | <40 dB(A) _{L_{eq}(Day)} | Complies with 49 dB(A) _{L_{eq}(15hr)} criteria |
| Evening (6pm – 10pm) | | <40 dB(A) _{L_{eq}(Night)} | Complies with 43 dB(A) _{L_{eq}(15hr)} criteria |
| When in use | Façade of Floribunda Community Centre | <45 dB(A) _{L_{eq}(Day)} | Complies with 63 dB(A) _{L_{eq}(15hr)} criteria |

5.6.7 Construction Noise and Vibration

It is noted, that a detailed Construction Noise and Vibration Management Plan will be prepared at the Construction Certificate stage of the proposed development. If required, noise impacts will be minimised using the following recommendations:

- Selection of equipment and process;

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- Location of static plant (particularly concrete pumps);
- Use of screens or enclosures (typically only feasible for static plant); and
- Scheduling of noisy activities and provision of respite periods.

In light of the abovementioned, Acoustic Logic recommend the following:

- On completion of the construction program, an acoustic review of proposed construction activities and plant / methods should be undertaken to identify work items likely to exceed NSW EPA guidelines;
- For those activities likely to generate high noise levels, the analysis should identify where on the Site are the areas likely to result in high noise levels. This will then assist in determining the likely time period for which high noise levels will occur;
- Identify feasible acoustic controls or management techniques (use of screens, scheduling of noisy works, notification of adjoining land users, respite periods) when excessive levels may occur; and
- For activities where acoustic controls and management techniques still cannot guarantee compliant noise levels, implement a notification process, whereby nearby developments and sensitive receivers are made aware of the time and duration of noise intensive construction processes.

Through adoption of the above, noise impacts on nearby development can be suitably managed to prevent excessive impact.

Notwithstanding, Acoustic Logic confirm, that acoustic treatments have been formulated to ensure, that internal noise levels comply with the requirements of Council and the AS/NZS 2107-2016 "Recommended Design Sound Levels and Reverberation Times for Building Interiors".

The complete Noise Impact Assessment is located within **Appendix 11**.

5.7 FLORA AND FAUNA

An *Arborist Impact Assessment* (AIA) was prepared by McArdle Arboricultural Consultancy (2019), to consider the ecological value and significance of existing vegetation on-site, which would be required to be treated, as a result of the proposed development (refer to **Appendix 12**). The aim of the investigations undertaken by McArdle Arboricultural Consultancy was to provide recommendations for the management and protection of tree species during the proposed developments construction phase. Any protection measures provided, have been referenced from the Australian Standards AS4970 2009: 'Tree Protection on Development Sites'.

The AIA uses a ground Visual Tree Assessment (VTA) method for its assessment, for which the collection of data is performed in the field by an AQF Level 5 arborist. The assessment undertaken summarises the species; height and diameter; the trees health and structural condition for each tree; hazards; and retention categories, which are assigned to each tree.

36 trees within the Subject Site were assessed (refer to Tree Survey Table within **Appendix 12**). The retention value of these 36 trees have been assessed to be:

- Eight (8) trees are of high retention value, these trees are numbered 4, 11, 14b, 17, 25, 26, 28, 30;
- Ten (10) trees are of moderate to high retention value, these trees are numbered 1, 2, 5, 7, 10, 13, 18, 19, 20 and 22;
- 15 trees are of moderate retention value, these trees are numbered 6, 8, 9, 11a, 12, 15, 16, 21a, 21b, 24, 31, 32, 33, 34 and 35;
- Seven (7) trees are of low to moderate retention value, these trees are numbered 13a, 13b, 13c, 14, 14a, 23 and 24a; and

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- Twelve (12) trees are of low retention value, these trees are numbered 3, 4a, 4b, 20a, 27, 27a, 27b, 29, 29a, 29b, 29c and 36.

Table 26 below outlines the impacts to trees on the Subject Site anticipated as a result of the proposed development.

| Tree No. | Impact | Works Required |
|-----------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1, 2, 7, 9, 10, 11, 11a, 12, 13c, 14, 14a, 20a. | 0% | Retain & Protect: Tree trunk protection and mulch 75 mm depth over TPZ. |
| 18, 27 | 10% | Retain & Protect: Tree trunk protection and mulch 75 mm depth over TPZ. |
| 28 | 10% | Retain & Protect Sensitive Construction: Tree trunk protection & mulch 75 mm depth over TPZ. Minor controlled excavations within TPZ and if any works are required in the TPZ it must be supervised by an AQF Level 5 Arborist. |
| 17 | 20% | Retain & Protect Sensitive Construction: Tree trunk protection & mulch 75 mm depth over TPZ. Minor controlled excavations within TPZ and if any works are required in the TPZ it must be supervised by an AQF Level 5 Arborist. |
| 4b, 13, 16 | 20% | Remove & Replenish: Replenish with 50 L pot. |
| 19 | 25% | Retain & Protect Sensitive Construction: Tree trunk protection & mulch 75 mm depth over TPZ. No excavations within TPZ and if any works are required in the TPZ it must be supervised by an AQF Level 5 Arborist. |
| 13b | 25% | Remove & Replenish: Replenish with 50 L pot. |
| 4 | 30% | Remove & Replenish: Replenish with 50 L pot. |
| 21b | 30% | Retain & Protect Sensitive Construction: Tree trunk protection & mulch 75 mm depth over TPZ. No excavations within TPZ and if any works are required in the TPZ it must be supervised by an AQF Level 5 Arborist. |
| 3, 5, 6, 30, 21a, 27b, 29b, 30, 31, 35. | 50-60% | Remove & Replenish: Replenish with 50 L pot. |
| 14b, 27a, 29, 33 | 70-80% | Remove & Replenish: Replenish with 50 L pot. |
| 4a, 13a, 15, 22, 23, 24, 24a, 25, 26, 29a, 29c, 32 and 34 | 100% | Remove & Replenish: Replenish with 50 L pot. |
| 8, 36 | SRZ Impact | Remove & Replenish: Replenish with 50 L pot. |

To assist in competent removal of trees, contractors must be AQF Level 3 Licensed Arborists and must work in accordance with Australian Standards AS 4743-2007: 'Pruning of Amenity Trees' and 'Safework NSW Guide to Managing Risks Tree Trimming Removal'. An AQF Level 5 Arborist must supervise all works within the TPZ of any of the retained trees and if the proposed development plans are altered than a new impact assessment must be conducted for those affected trees.

Notwithstanding, McArdle Arboricultural Consultancy provide the following recommendations based on the AIA undertaken:

- The removal of 29 trees as stated includes tree numbers 3, 4, 4a, 5, 6, 13a, 13b, 14b, 15, 20, 21a, 22, 23, 24, 24a, 25, 26, 27a, 27b, 29, 29a, 29b, 29c, 30, 31, 32, 33, 34 and 35;

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- Any clearance pruning required for trees for clearance must be supervised by an AQF Level 5 Arborist ensuring pruning is done in accordance to Australian Standards AS 4373 2007: 'Pruning of Amenity Trees';
- Retained trees will require Tree Trunk Protection or Tree Protection Fencing, which utilises steel mesh construction style fencing of 1.8 m to be positioned outside of the TPZ of each tree;
- To assist in competent pruning and removal of trees, contractors must be AQF Level 3 Licensed Arborists and must work in accordance with Australian Standards AS 4790-2009: 'Protection of Trees in Development Sites and Australian Standards AS 4743-2007: 'Pruning of Amenity Trees' and SafeWork NSW Guide to Managing Risks Tree Trimming Removal. A registered AQF Level 3 Arborist with current membership of Tree Contractors Association Australia (TCAA) or Arborists Australia (AA) must complete the works;
- Replenishment of 28 new stock trees of 50 L pots and added according to schedule of the landscape plan (refer to **Appendix 5**). Including canopy and moderate sized trees, with shrubs of suitable species and potted volume. Compliant prior to occupation;
- Holding points 1-10 will be compliant by an AQF Level 5 Arborist;
- Sensitive Construction is required for trees numbered 13, 17, 19, 21b. All work within the TPZ of these trees must be under the supervision of an AQF Level 5 Arborist;
- To reduce the compaction of the soil around the retained trees, it is recommended the addition of clean *Eucalyptus sp.* Mulch at 75 mm depth over the TPZ of each tree; and
- It is recommended that design alterations are considered to retain moderate to high valued trees, specifically trees numbered 4, 14b, 20, 21a, 22, 25, 26 and 30.

It is noted, that the Subject Site has been previously developed, for which it does not contain any species protected and listed under the EPBC Act and BC Act. Further, the proposed development would not impose an impact on MNES and / or ecological impact in any such way.

5.8 HERITAGE

There are no items of heritage significance (including Aboriginal or Historic (European) Heritage items) identified as being within or within close proximity to the Subject Site. No further consideration is considered warranted in this regard.

5.9 BUSHFIRE

A *Bushfire Assessment Report* has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited in relation to the Proposed Development (refer to **Appendix 13**).

Penrith City Council's Bushfire Prone Land Map (BPLM) identifies the Subject Site as being within the 100 m Buffer Zone from Category 1 Vegetation (refer to **Figure 21**); therefore, the proposed development must consider the provisions outlined within the *Planning for Bushfire Protection 2006* (PBP) document. Additionally, in accordance with Section 100B of the *Rural Fires Act 1997*, the proposed development is considered a Special Fire Protection Purpose and as such requires referral to the NSW Rural Fire Service for a Bushfire Safety Authority.

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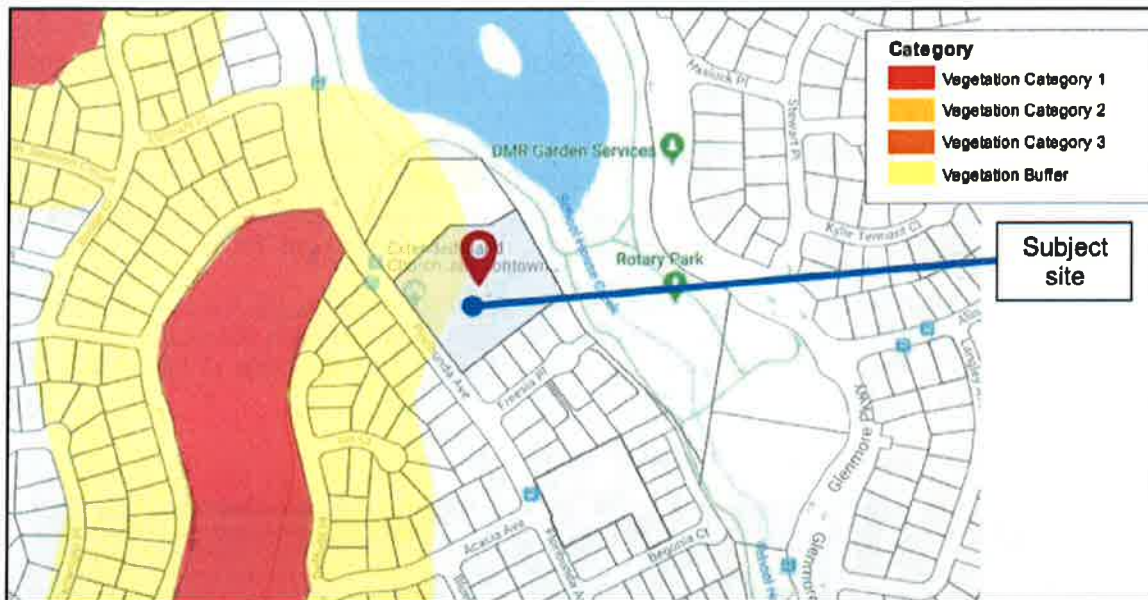


Figure 21 Bushfire Prone Land Mapping Concerning the Subject Site and Surrounding Area (Source: Building Code & Bushfire Hazard Solutions Pty Limited, 2019)

Table 27 outlined below, demonstrates the proposed development's compliance with the PBP.

| Table 27: Compliance with <i>Planning for Bushfire Protection 2006</i> | | | | |
|-------------------------------------------------------------------------------|------------------------|-----------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------------|
| | Northeast | Northwest | Southwest | West |
| Vegetation Structure | Maintained curtilages | Maintained curtilages | Maintained curtilages | Forest |
| Slope | N/A | N/A | N/A | 0 degrees & up |
| Required Asset Protection Zone | N/A | N/A | N/A | 60 m |
| Proposed Asset Protection Zone | N/A | N/A | N/A | >100 m |
| Significant Environmental Features | Maintained Rotary Park | Floribunda Community Centre | Floribunda Avenue / Maintained neighbouring residential allotments | Floribunda Avenue / mown lawns and drainage swale within Apple Gum Reserve |
| Threatened Species | APZ Existing | APZ Existing | APZ Existing | APZ Existing |
| Aboriginal Object / Places | APZ Existing | APZ Existing | APZ Existing | APZ Existing |
| Bushfire Attack Level | BAL Low | BAL Low | BAL Low | BAL Low |
| Required Construction Level | BAL Low | BAL Low | BAL Low | BAL Low |

It is noted, that the available Asset Protection Zone (APZ) from the proposed development to any hazard were measured to be greater than 100 m. The Busfire Assessment Report recommends, that all grounds within the Site continue to be maintained as an APZ.

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Further, the highest Bushfire Attack Level (BAL) potentially impacting the Subject Site, was determined to be BAL Low and therefore, there are no specific requirements for construction under AS 3959-2009 'Construction of Buildings in Bushfire Prone Areas'.

The vegetation posing a hazard to the Subject Site is located to the west within Apple Gum Reserve. The vegetation posing a hazard was found to consist of trees 10-30 m in height with between 30-70% foliage cover, for which the understorey consists of low trees and grasses. Apple Gum Reserve has a >30 m wide mown corridor / drainage swale and footpath along its eastern side.

The slope that would most significantly affect bushfire behaviour, must be assessed for at least 100 m from within the bushfire hazard. The most significant bushfire impact from the hazard to the west is expected to be a bushfire travelling down slope toward the Subject Site (refer to **Figure 22**). The slope included the following:

- 0 degrees & up-slope within the hazard to the west.

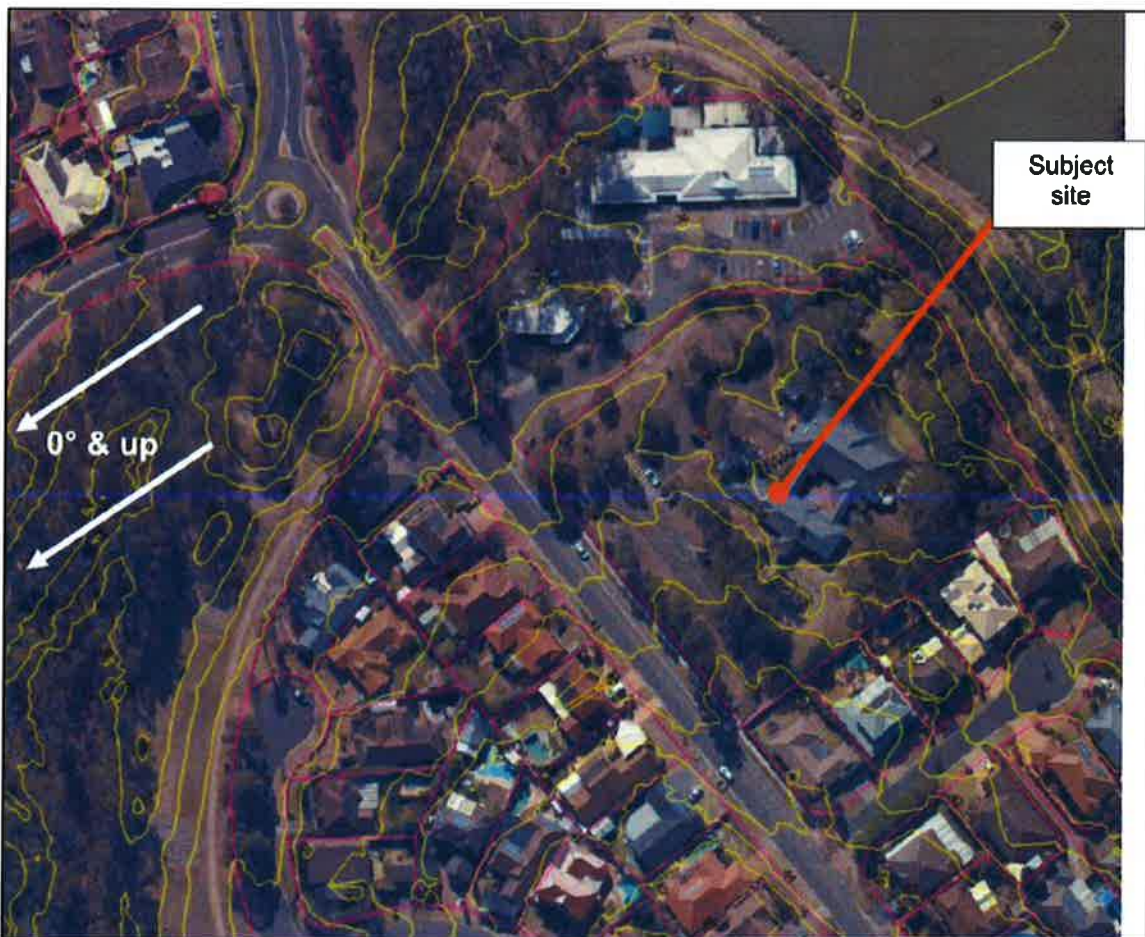


Figure 22 Extract from QGIS Demonstrating 1 m Contours (Source: Building Code & Bushfire Hazard Solutions Pty Limited, 2019)

It is noted, that the minimum APZ required for the proposed development was determined to be 60 m (determined from Table A2.6 of PBP). The available APZ from any bushfire hazard was measured to be greater than 100 m (108 m to be exact). The APZs measured, were described as consisting of maintained grounds within the subject property and land 'equivalent to an APZ' within Floribunda Avenue, which neighbours residential development and mown lawns / drainage swale within Apple Gum Reserve.

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Accordingly, the proposed development building footprint exceeds the minimum required APZ from Appendix 2 of the PBP document, for which all grounds within the Subject Site must be maintained in accordance with an Inner Protection Area.

With regard to access, the Subject Site contains a street frontage to Floribunda Avenue to the southwest. The proposed access drive to the subject building would provide a one-way turning loop, having a >5 m wide carriageway. It should be noted, that the proposed access road exceeds the minimum carriageway requirements for internal one-way roads under Section 4.2.7 of the PBP. The proposed access provisions via Floribunda Avenue, Lady Jamison Drive, Daffodil Place and Acacia Avenue are considered adequate for fire suppression or hazard reduction activities. However, it is recommended, that a Bushfire Emergency Evacuation Management Plan is prepared in accordance with the NSW Rural Fire Service (RFS) Guidelines for the *Preparation of Emergency / Evacuation Plan*.

The proposed development was assessed against the requirements of the PBP document, noting the following:

1. Proposed water supplies are considered adequate for firefighting purposes.
2. The building footprint exceeds the minimum required APZs.
3. The proposed access is considered satisfactory for the operational use of fire appliances.
4. Access to the hazard is available without the need to enter the Subject Site.
5. Recommendations to maintain the APZs within the Subject Site will be included.

It has been demonstrated, that the subject proposal exceeds the minimum required APZs. The highest BAL to the proposed RACH within the Subject Site was determined to be BAL LOW and therefore no construction provisions are required under AS 3959-2009 'Construction of Buildings in Bushfire Prone Areas.'

The following recommendations are provided as the minimum necessary for compliance with the PBP:

Asset Protections Zones

7. All grounds within the Subject Site continue to be maintained as an APZ (Inner Protection Area) in accordance with Appendix 2 of PBP and the NSW RFS publication, 'Standards for Asset Protection Zones.'

Landscaping

8. Any new landscaping proposed is to comply with Appendix 5 'Landscaping and Property Maintenance' under PBP.

Emergency Management

9. A Bushfire Emergency / Evacuation Management Plan is to be prepared in line with the NSW RFS Guidelines for the *Preparation of Emergency / Evacuation Plan*.

Access

10. The proposed new access roads comply with the Architectural Plans prepared by Calder Flower (2019).
11. The proposed new access road should comply with the following requirements for internal roads as detailed within Section 4.2.7 of the PBP:
 - Internal roads are two-wheel drive, sealed, all-weather roads;
 - Dead-end roads are clearly sign posted;
 - Traffic management devices are constructed to facilitate access by emergency service vehicles;
 - A minimum vertical clearance of four (4) metres to any overhanging obstructions is provided;
 - Curves have a minimum inner radius of six (6) metres and are minimal in number to allow for rapid access and egress
 - The minimum distance between inner and outer curves is six (6) metres;

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- Roads are clearly sign posted;
- The internal road surfaces have a capacity to carry fully-loaded firefighting vehicles (15 tonnes).

Services

12. New water, electricity and gas are to comply with Section 4.2.7 of PBP. The following are the requirements for relevant services:

Electricity:

- Electrical transmission lines are underground.

Water:

- New hydrant sizing, spacing and pressures must comply with AS 2419.1-2005.

Gas:

- Reticulated or bottled gas is installed and maintained in accordance with AS 1596-2002 and the requirements of relevant authorities. Metal piping is to be utilised.
- All fixed LPG tanks are kept clear of all flammable materials and located on the non-hazard side of the proposed development.
- If gas cylinders need to be kept close to the building, the release valves must be directed away from the building and away from any combustible material, so that they do not act as catalysts to combustion.
- Polymer sheathed flexible gas supply lines to gas meters adjacent to buildings are not to be used.

The Bushfire Assessment Report concludes, that in accordance with the bushfire safety measures contained within the Report, and consideration of the site-specific bushfire risk assessment, it is the opinion of Building Code & Bushfire Hazard Solution Pty Ltd (that when combined), the recommendations provided, will provide a reasonable and satisfactory level of bushfire protection to the subject proposal, for which the proposed development is considered to be supported on the grounds of anticipated bushfire impacts.

5.10 SOCIO-ECONOMIC IMPACTS

The intent of the proposed development is to contribute to the existing character of the wider Penrith LGA, specifically the suburb of Glenmore Park, in a complementary manner, which is considered consistent with SEPP (HSPD) 2004; PLEP2010; and the PDCP2014. Furthermore, the proposed development would assist in meeting the increased demand for Seniors Housing, as identified within the Ageing Strategy; *A Metropolis of Three Cities*; and the *Western City District Plan*, by providing a 142 bed RACH and Allied Health Facility for the immediate area and the wider locality within the Penrith LGA.

This would be considered a significant social benefit toward the immediate community within Glenmore Park, as it would allow residents of the Subject Site to age in a place, which is in close proximity to their local community, being highly accessible to public transport infrastructures and services, that would meet the day-to-day needs of the the development's future residents, visitors and workers.

Additionally, the Site arrangement would facilitate the evolution of an intimate village character, with provisional scope included for social interaction in the generous internal communal open spaces and at the public interfaces of the Site, where peripheral activities would be located. The public domain frontages would provide good access and surveillance of the adjoining properties and views towards the Site and has been taken into consideration to minimise any adverse impacts on the local community, through careful integration of traffic and service entries into the Site, whilst complementing the quality of the surrounding public domain. This is considered to be both a direct

social benefit to the immediate population located within the Subject Site, as well as an indirect social benefit, for the adjoining residential community and any passersby.

5.11 UTILITIES

All utility infrastructure and essential services could be successfully augmented to the Site.

5.12 WASTE

A Waste Management Plan (WMP) has been prepared by Universal Foodservice Designs (2019) in support of the operational phase of the proposed development and is located within **Appendix 14**. It is noted, that a WMP for anticipated construction waste will be provided prior to the issue of a Construction Certificate.

Accordingly, it should be noted, that most of the materials to be demolished and excavated at the Site would be removed offsite by the appointed civil works contractor and taken to an approved landfill site. Excavated materials would be stored on-site for backfilling. Any asbestos containing materials would be removed and transported by an appropriately licensed contractor and disposed of at an appropriately licenced facility. These activities will be carried out in accordance with the requirements of SafeWork NSW, the *Protection of the Environment Operations (Waste) Regulation 2005* and NSW EPA *Waste Classification Guidelines 2008*.

Cleared trees and vegetation would be recycled and used for woodchip / mulch where possible.

Rubbish skips/bins would be used during demolition and construction works for the collection of general construction waste and material packaging. All rubbish placed in skips would be removed from site by a designated waste removal contractor and taken to an approved and licensed waste disposal and recycling facility. At no time would rubbish skips/bins be stored on the footpath or roadway during the course of construction.

Perishable wastes would be stored on site during construction works in appropriate receptacles with lids to minimise vermin attraction. All waste would be dealt with and disposed of in accordance with Penrith City Council's waste management requirements.

Once operational, the Site would be serviced by a private waste contractor. A central waste storage area would be provided in the basement to service the RACH. The waste storage area would be sized to cater for the required number of waste bins, recycle bins and medical waste bins. The room has also been designed to allow for easy manoeuvrability of bins.

The waste storage area would be constructed in accordance with relevant codes and guidelines, including; a concrete sealed floor, solid masonry walls, mechanical ventilation, wash down taps and drainage. General waste, recyclables, green waste and medical waste would be collected by a private contractor. Collections for the various types of garbage and recyclables would occur separately. An average of three waste collections are anticipated on a weekly basis.

Access for waste collection vehicles would be off Floribunda Avenue via a new designated service vehicle driveway. Waste vehicles would collect waste from the loading dock area which is wholly with the basement area. Waste vehicles would manoeuvre using the turning bay area and would exit from the Site using the same designated driveway. Waste collection vehicles would enter and leave the Site in a forward direction at all times.

5.13 BUILDING CODE OF AUSTRALIA & FIRE ENGINEERING

As demonstrated in the *Schematic Design Report* (BCA Report) prepared by Formiga1 (2019), the proposed development must be designed to comply with the Building Code of Australia (BCA) (refer

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to **Appendix 18**). Furthermore, the detailed design of the proposed RACH would be in accordance with the BCA and would be further assessed prior to the issuance of a Construction Certificate.

The BCA Report identifies key compliance issues in **Table 28** below that require adherence and resolution prior to the approval stage, by means of performance solutions, altered design documentation or clarification of information on building plans.

| Table 28: Building Code of Australia Assessment | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| Comments | Consider / Action / Note |
| BCA Section B – Structure | |
| The building is to be designed to an importance level of 3 as the building is not considered a low rise residential building. | Action |
| The Structural Engineer is to provide a Design Certificate prior to the approval stage certifying that the building has been designed to the above requirements. | |
| BCA Section C – Fire Resistance | |
| Generally, the FRL's required by Table 3 of Spec C1.1 are 120 minutes for the building. Particular note should be paid to the following elements: <ul style="list-style-type: none"> ▪ Lift and stair shafts; ▪ Firewalls; ▪ Internal loadbearing walls on the lower floors (concession for first floor); ▪ Floors; and ▪ Risers. | Note |
| As the external wall elements are greater than 3 m from a fire source feature, an FRL is not required. | Note |
| Please note, that other elements of this building are still required to maintain the 120 minute FRL and the 'support of another part' requirements of Clause 2.2 of Specification C1.1 will mean that elements using the concession are not permitted to support the other building elements requiring an FRL. | Action |
| The total floor area of the two RACH floors is approximately 6,800 m ² and whilst this is less than the max fire compartment of 8,000 m ² under Table C2.2, the BCA has numerous limitations on the connection of multiple storeys, e.g. stair / lift shafts, risers chutes etc. | Action |
| The MSB will require fire separation. The main Comms room may also, depending on the equipment installed. | Action |
| Penetrations to fire rated barriers (shafts, walls, floors) are required to be in accordance with BCA Clause C3.15. | Action |
| Windows in external walls do not require spandrel separation in a sprinkler protected building. | Note |
| Smoke walls are required to comply with Spec C2.5. The stepped line of smoke walls in central part of the building will result in the roofspace smoke barriers being difficult to construct. Further, smoke dampers are required where ventilation passes through smoke walls and through the floor between different smoke compartments. It is suggested, that the ventilation design should take this into account. | Action |
| BCA Section D – Access and Egress | |
| Exits are required to be fire isolated in this building. | Note |

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| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Please consider the layout and protection of the discharge path in conjunction with these requirements. Fire isolated stairs are required to have a fire resistant enclosure to the top. | Action |
| Exit travel is generally 20 m to a point of choice and 40 m to the first exit. Distance between alternative exits is limited to 60 m. Plans show non-compliances in several areas and a lack of egress in the central part of the RACH. An additional stair in the central area is required to be fire-isolated and to discharge directly to the outside. | Action |
| Corridors are required to be min 1500mm wide and 1800mm at the entry to the SOU's. | Note |
| Minimum dimensions for exits (clear width) are 1 m though the minimum width for the stairs. Please note the comments in D3 regarding requirements for two (2) handrails which may result in minimum widths of 1,200 mm between walls. | Action |
| Discharge and protection of people egressing from the fire isolated stairs will require minimum 60/60/60 FRL and the openings are to be protected IAQ D1.7 or a Fire Engineered approach developed. | Action |
| Where openable windows with falls of >4 m occur, a minimum height of 865 mm is required, ensuring that no horizontal elements (including window sills and the like) are located between 150 mm and 760 mm. | Action |
| Where building entrances are also exits, consideration should be given to compliance with D2.19-D2.21, including door swing, sliding doors and the like. | Action |
| The building is required to be accessible from the principal pedestrian entrance at the boundary and throughout all common areas. A minimum of seven (7) accessible SOU's are required or a performance solution developed to address this requirement. | Action |
| The lifts will serve not only for access within the building and will require accessible facilities. | Action |
| Most entrances to the building will be required to be accessible, though some doors are not considered entrances as their purpose is only as exits. This applies particularly to discharge from stairs. | Note |
| Please note, that all stairs (and ramps) used for circulation will be required to comply with Clause 11 (and Clause 10 respectively) of AS 1428.1. This means minimum widths are generally 1200 mm between walls. | Action |
| Accessible facilities are shown in the common areas as per OPAL's specification. | Note |
| PWD including ambulant facilities, are required for staff. Details for these facilities are assumed compliant at this time. | Action |
| BCA Section E – Services and Equipment | |
| Fire Hydrants coverage is required to all areas in accordance with AS 2419.1. Other aspects of compliance (flows and pressures) are assumed at this time. The booster is shown adjacent to the northwestern driveway to Floribunda Avenue. This may not be the "principal vehicular entrance to the Site" and may need to have a Fire Engineer Solution developed that forms part of the referral to NSW Fire and Rescue. | Action |
| Fire hose reels are not required. | Note |
| Portable fire extinguishers are required and the installation shall be in accordance with | Consider |



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| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| AS 2441 with locations within 4 m of an exit. Fire extinguishers will be required in accordance with Table E1.6 of the BCA. | |
| Sprinklers are required for this building. The sprinkler valve room is required to have direct access from the street. | Action |
| A fire control room is not required for this building. | Note |
| Smoke detection and alarms are required for this building in accordance with E2.2 of the BCA. | Consider |
| As the building has a rise in storeys of 3, stair pressurisation is required. | Action |
| At least one (1) lift will need to comply with AS 1735.12 for accessibility. Similarly, at least one (1) lift will need to comply as a stretcher lift. | Action |
| Emergency lighting and illuminated exit signage is required for this building. Compliance has been assumed at this time. | Note |
| BCA Section F – Health and Amenity | |
| Wet areas are required to be waterproofed with AS 3740. | Note |
| Occupant numbers are required to be established prior to facility calculations. The numbers provided will be assessed further but are assumed to be compliant at this time. Some WC's may require lift off hinges. | Action |
| It is assumed, that a mobile bath will be provided F2.1. | Consider |
| Room sizes have been assumed compliant. Ceiling heights are not confirmed at this time. Minimum heights are generally 2.1 and 2.4 m. | Consider |
| Natural light is required to all SOU's at a minimum of 10% of the floor area. Ventilation may be achieved by natural or mechanical means. Compliance is assumed at this time. | Consider |
| Sound transmission and insulation is assumed to be compliant. | Consider |
| BCA Section G – Ancillary Provisions | |
| The Site is bushfire prone and will require compliance with the NSW Part G and also the NSW Rural Fires Act Section 100B as the building is a Special Fire Fighting Purpose. | |
| BCA Section J – Energy Efficiency | |
| Please note, that from the 1 May 2020, BCA 2019 Part J must be satisfied. An application prior to this date can utilise the option of BCA 2016 amendment 1 or BCA 2019. | Consider |
| The building assumed to be subject to a JV3 analysis. | Note |

Formiga1 conclude, that compliance with the provisions of the BCA is readily achievable, provided the above matters are appropriately addressed.

5.14 CONSTRUCTION

All works on the Subject Site would be carried out in accordance with the conditional requirements of any consent issued with the DA. Appropriate measures would be undertaken to mitigate potential impacts from the proposed development including dust, noise, odours, traffic impact and erosion.

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5.15 CUMULATIVE IMPACTS

No foreseeable cumulative impacts would be anticipated to result from the proposed development. Rather the proposed development provides a proposed RACH within an area zoned R2 Low Density Residential – which, is commensurate with the intended and permissible development of the Site and its surrounds.

5.16 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is located within a residential area and is zoned for R2 Low Density Residential use under PLEP2010. The proposed development would facilitate the use of the Subject Site for the purposes of a RACH, which would support the surrounding residential / urban area in the immediate vicinity, as well as the wider locality. The proximity of the Site to major arterial roads and available public transport serves as being ideal for the Site's intended uses.

Additionally, the Site is considered to be suitable for the development and is consistent with the aims and objectives of the R2 Low Density Residential zone, in that it seeks to provide a development, that responds to the characteristics of the land and is compatible with surrounding land uses.

5.17 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THE ACT

No submissions have been received in relation to the proposed development; however, the applicant is willing to address any submissions, should they be received by Council.

5.18 THE PUBLIC INTEREST

The proposed development would have no adverse impact on the public interest.

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PART F CONCLUSION

The proposed development for the purposes of a RACH on the Subject Site identified as 5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553), is permissible with consent pursuant to SEPP (HSPD) 2004. The proposal would facilitate development of the Subject Site in accordance with the intended use of land within the Penrith LGA.

This SEE provides an assessment of the proposed development against the relevant environmental planning framework, including SEPP (HSPD) 2004; ISEPP; and PLEP2010. The assessment undertaken finds that the proposed development is consistent with the objectives and controls of the relevant instruments and policies in place. It is noted, that significant adverse environmental, economic or social impacts have been identified as likely to arise from the proposed development. Rather, the proposed development would provide for positive impacts, including the efficient and suitable development of residential zoned land and the generation of a state-of-the-art RACH, that would further service the day-to-day needs for the ageing population and the wider market demand experienced within the aged care sector.

Via means of conclusion, it is considered that the proposed development would warrant a positive assessment for the following compelling reasons:

- The proposed development facilitates the development of the Site for Aged Care purposes through the provision of a state-of-the-art RACH;
- The proposed development would result in significant economic benefit deriving from the provision of jobs during the construction and operational phases of the development;
- The proposed development's built-form and operational use are highly compatible with surrounding residential land uses set out within the Penrith LGA, and positively contributes to the emerging character of this urbanised land portion;
- The proposed development is permitted with consent pursuant to SEPP (HSPD) 2004;
- The proposed development is consistent with the relevant provisions of SEPP (HSPD) 2004;
- The proposed development – Residential Aged Care Home – is permitted with consent in the R2 Low Density Residential zone pursuant to PLEP2010;
- The proposed development is consistent with the relevant provisions of PLEP2010
- The Allied Health Services Facility proposed along the Floribunda Avenue street frontage is permitted with consent pursuant to the ISEPP;
- The proposed development is supportable in terms of acoustic emissions, as confirmed by the Noise Impact Assessment, prepared by Acoustic Logic; and
- The proposed development is supportable on traffic and parking ground as confirmed by the Traffic Impact Assessment prepared by TTPA.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the EP&A Act 1979 have been satisfactorily addressed demonstrating the built-form and use is compatible with the surrounding environment.

Therefore, it is recommended that Council support the proposal for a favourable determination.

Appendix 1 QS Report

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 2
Survey Plan

Appendix 3

Architectural Plans

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 4
Architectural Design Statement

Appendix 5

Landscape Plans



Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix6

Civil Engineering Report and Drawings



Appendix 7
Driveway Construction Compliance Letter

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 8
Geotechnical Report

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 9
Contamination Report – Preliminary Site Investigation

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 10

Traffic Impact Assessment

Appendix 11

Noise Impact Assessment

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 12
Arborist Impact Assessment

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 13
Bushfire Assessment Report

Appendix 14

Waste Management Plan

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 15
Waste Management Design Documentation



Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 16

Laundry Design Documentation

Appendix 17

Food Service Documentation

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 18
BCA Report

Appendix 19
Clause 4.6 Variation

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 20

SEPP (HSPD) 2004 Compliance Table

Appendix 21
PDCP2014 Compliance Table

Statement of Environmental Effects

Proposed Residential Aged Care Home

5-7 Floribunda Avenue, Glenmore Park (Lot 1 DP 825553)

Appendix 22
Urban Design Review Panel Assessment

Appendix 23

Legal Advice

Appendix 24

Operational Plan of Management