



Our Ref: PL19/0010.01
Contact: Kathryn Saunders
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30 April 2019

Willowtree Planning
100 Walker Street
NORTH SYDNEY NSW 2060

Dear Willowtree Planning

**Pre-lodgement Advice – Second Meeting
Proposed Residential Aged Care Facility at 5-7 Floribunda Avenue,
Glenmore Park 2745, (Lot 1 DP 825553)**

We welcome your initiative to undertake a project in the Penrith Area.

Thank you for taking part in a second pre-lodgement meeting on 30 April 2019. The meeting was useful for Council in gaining an understanding of your modified proposal.

Although it is acknowledged that significant amendments have been made to the design of the building since the previous pre-lodgement meeting, the overall design of the development at the site remains unsupported.

The attached advice is provided for your information and review and is provided in addition to the emailed secondary Urban Design Review Panel advice provided by Brett Newbold.

This advice is to be read in conjunction with the pre-lodgement advice issued 27 March 2019 as it relates to the amended design. Previous advice related to Environmental Management and Building and BCA matters remain relevant.

Information given by the pre-lodgement panel does not constitute a formal assessment of your proposal.

If we can help you any further regarding the attached advice, please feel free to contact me on (02) 4732 8567.

Yours sincerely

Kathryn Saunders
Senior Development Assessment Planner

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PRE-LODGEMENT ADVICE

Proposal Residential Aged Care Facility - Second Meeting
Address Lot 1 DP 825553
5-7 Floribunda Avenue GLENMORE PARK, NSW 2745

Attendees

Proponent

Bradley Wahl – Calderflower Architects
Caitlin Bailey – Calderflower Architects
John Clark – Opal Aged Care
Andrew Cowan – Willowtree Planning
Matthew O'Sullivan – Pure Projects

Penrith City 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
Joshua Romeo – Senior Waste Planning Officer

Zoning: R2 Low Density Residential zone – Penrith LEP 2010

Site Constraints: Slope of the land, existing trees and vegetation, stormwater considerations, R2 Low Density Residential zone under PLEP, impacts of privacy and amenity on existing neighbouring uses, the site is identified as bushfire prone land (the proposal is identified as a special fire protection purpose under clause 100B of the Rural Fires Act 1997 and is integrated development).

Development Type: Part 2, part 3 storey, residential aged care facility under Seniors SEPP comprising of 142 beds, lower ground and surface parking, ancillary uses such as a hair dressers and café, an allied health facility proposed with frontage to Floribunda Avenue, landscaping, fencing, tree removal and ancillary stormwater and civil works.

The pre-lodgement panel will endeavour to provide information which will enable you to identify issues that must be addressed in any application. The onus remains

on the applicant to ensure that all relevant controls and issues are considered prior to the submission of a development application.

RELEVANT EPIs, PLANS and POLICIES

- Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River,
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004,
- State Environmental Planning Policy No. 55 – Remediation of Land,
- State Environmental Planning Policy (Infrastructure) 2007,
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004,
- Penrith Local Environmental Plan 2010,
- Penrith Development Control Plan 2014.

Draft Environmental Planning Instruments

- Draft Environment State Environmental Planning Policy
- Draft State Environmental Planning Policy No. 55 – Remediation of Land and accompanying Guidelines

KEY ISSUES AND OUTCOMES

The proposal is to address the following matters:

1. PLANNING MATTERS

(a) Rural Fires Act 1997

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).

Documentation shall include a Bushfire Report for the consideration of the RFS.

(b) Design, built form, zoning and local character

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.*

The proposal remains inconsistent with the zone objectives in that negative impacts attributed the bulk and scale of the development are not adequately mitigated by the setbacks, built form, articulation, materials and finishes and landscaping proposed.

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.

It is raised for your consideration that 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.

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.

The setback to the eastern most boundary in particular, remains insufficient. Impacts of overbearing and visual and acoustic privacy on the neighbouring residential uses will result and appear, on review, to be unacceptable. It is not considered that the impact of overlooking from resident's rooms would equal or comparable to that of a bedroom attached to a dwelling house, as the nature and utilisation of these rooms and their number, differs greatly from a typical residential development type.

The UDRP advice provided related to PL19/0010 stated that some transference of floor area may be considered within the rear 25% however, this has not materialised successfully in the amended scheme. The building platform must step as the site falls to allow for a compliant building height and single storey appearance.

It was raised in the meeting that consideration may be given to inset and angled glazing to reduce privacy impacts on adjacent residential dwellings. Consideration shall be given to internal solar access and reflectivity.

Landscaping to the eastern most boundary is limited. The development must have a landscaped setting to all elevations.

The overall bulk, scale and length of the building's elevations are not supported particularly given the planar design vertically, and lack of upper level setback. The landscaped inserts between residential wings have merit. Consideration shall be given to widening the landscaped inserts as they open toward the boundaries.

Significant consideration shall be given to reducing the scale of the development overall, 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.

The scale of the porte cochere or awning 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 awning appears to span across the two-way central circulation space of the car park and is forward of the building line. The porte cochere should be better integrated into the design of the building rather than appear as a projecting element.

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 an 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.

Lighting impacts from the development (including from signage) on existing neighbouring uses are to be fully considered and addressed.

Visual impacts of the lower level parking, hard stand and waste areas are to be addressed and landscaping provided to appropriately screen lighting and provide a buffer to the adjacent sites. The full fleet of bins shall be shown in-situ.

Any amended design is to have regard to the matters raised within the UDRP advice issued 22 March 2019 and the secondary advice dated 13 May 2019 based on the amended scheme, and the accompanying sketch by Brett Newbold.

(c) Height

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. Plans shall be fully dimensioned and maximum heights are to relate to natural ground level.

A review of the submitted amended design and site particulars has been undertaken and in the context of the additional 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.

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.

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 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.

(d) State Environmental planning Policy (Housing for People with a Disability) 2004

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 and 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.

It is reiterated and 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.

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.

(e) Plans

Larger scaled plans, details and sections are to be provided to illustrate the development proposal and to articulate the edge treatments, landscaping, materials, glazing locations and room uses/layouts.

(f) Allied health facility

The proposed allied health service facility 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.

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.

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.

Larger scaled internal and external plans, sections and details are to be provided for this element of the proposal.

(a) Servicing

The location of fire hydrant boosters is to be noted on plans and consideration shall be given to the requirement to provide a stand-alone heat shield (which is to be avoided). Confirmation is to be provided as to the location of the electrical substation, should one be required to service the site.

Written confirmation should be provided from Sydney Water confirming that the existing infrastructure has capacity to service the development's waste water/sewer requirements.

2. SOCIAL PLANNING

Council's social planning team reiterate that access over the adjoining Council owned property is not supported and it appears that this element is removed from the amended proposal.

The proposed loading dock faces the adjacent community and child care centre, where it may have visual and acoustic impacts on these uses. The provided building perspective image does not provide sufficient detail to assess these impacts and whether they can be suitably managed.

Whilst the proposed hedge planting may assist in providing some visual screening of the proposed building and car parking from the street, it also reduces the opportunities for casual surveillance of the street from the proposed building. To incorporate principles of Crime Prevention Through Environmental Design, the proposal's landscaping should support casual surveillance of the street.

Provision of pedestrian access to the rear landscaped area for the proposal's residents/visitors is encouraged. Opportunities for seating should be considered within the landscaped proposal.

3. ENGINEERING

Stormwater drainage for the site must be in accordance with the following:

- Council's Development Control Plan,
- *Stormwater Drainage Specification for Building Developments* policy, and
- *Water Sensitive Urban Design Policy and Technical Guidelines*.

A stormwater concept plan, accompanied by a supporting report and calculations shall be submitted with the application.

This development will require an easement to drain water over downstream properties. Evidence of owners consent shall be provided with the application for the provision of the easement. The easement to drain water must be registered prior to the issue of an operational consent. Contact Council Property Section for permission.

If a new drainage outlet is proposed, the design should be a rock headwall to discharge to Glenmore Park Loch at an appropriate location and to ensure sufficient scour protection and that the invert level to be RL33.3m AHD. Top Water level 100 year in Loch approximately RL33.2m AHD.

On-site Stormwater Detention (OSD) is required to be provided for the site. The Site Storage Rate (SSR) is 280cbm/Ha with a Permissible Site Discharge (PSD) of 120L/s/Ha.

The on-site detention system must be within common property and accessible from the street without going through dwellings or private courtyards.

A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.

Earthworks

No retaining walls or filling is permitted for this development which will impede, divert or concentrate stormwater runoff passing through the site. Earthworks and retaining walls must comply with Council's Development Control Plan.

Proposed fill material must comply with the applicable provisions of Council's Development Control Plan.

4. TRAFFIC

The application shall be supported by a traffic assessment undertaken within the Statement of Environmental Effects addressing, but not limited to, traffic generation, access, car parking, and manoeuvring.

The application must demonstrate that access, car parking, and manoeuvring details comply with AS2890 Parts 1, 2 & 6 and Council's Development Control Plan.

The application shall be supported by turning paths in accordance with AS2890 clearly demonstrating satisfactory manoeuvring on-site and forward entry and exit to and from the public road.

5. BUILDING

Ensure accessible car parking spaces are provided to service the portion of the building which will be accessible by the general public;

Ensure any cladding used complies with the fire resisting requirements of Volume 1 of the Building Code of Australia;

Provide a BCA addressing any proposed Performance Solutions and an Access report with the application if available

Ensure construction and essential services provided comply with the provisions of Volume 1 of the Building Code of Australia with particular attention paid to the fire resisting construction used and setbacks proposed;

Ensure that any non-combustible cladding must be used complying with the relevant provisions of the BCA;

6. WASTE

(a) Waste Collection and Manoeuvring

Waste collection vehicles must be able to safely and efficiently access and manoeuvre within the site. All vehicles must enter and exit the site in a forward direction. Reverse manoeuvres are to be avoided. Vehicles are to be shown in-situ and specifications provided.

Swept path models to be provided illustrating how waste collection vehicles will enter, service and exit the site. A 0.5m clearance is to be provided from all obstructions.

For rear loaded vehicles an additional loading area of 2m is required behind the vehicle for the loading of 660L and 1,100L bins. Additionally, a 0.5m side clearance is required on either side of the vehicle for driver movements and accessibility.

A Waste Management Plan is to be submitted and is to detail the waste generation rates utilised to calculate waste capacity for the various uses within the development. The plan shall outline details of laundry areas, storage, or laundry deliveries or collections. Sharps and medical waste collection and deliveries.

A draft loading dock/area management plan may be required.

Waste storage areas are to show the full fleet of bins for each waste stream in-situ on plans. Clarification is to be provided as to how waste associated with the allied health component is to be managed and is separated waste management and storage will be required.

(b) Waste Collection Rooms

All developments are required to provide a waste collection room integrated into the design of the development. The room will need to incorporate the following into its design:

- The room is to be large enough to accommodate the full fleet of bins plus 20mm between bins to allow for manoeuvrability (refer to section 3.1 & 3.3) and shall be located adjacent to the loading area.
- The floor is to be graded to a central drainage point connected to the sewer and be provided with a hose connection for cleaning.

7. SUBMISSION REQUIREMENTS

- Survey plan,
- Statement of environmental effects,
- Site plan & site analysis plan,
- Architectural plans, elevations and detailed sections. Levels, retaining walls, cut, fill and fencing are to be clearly detailed and a set of FSR plans are to be included to address clause 48 of SEPP Seniors.
- Schedule of materials, colours and finishes,
- View analysis plans including a photomontage(s).
- Signage plans and details including illumination and/or lighting,
- Lighting, wayfinding and circulation plans,
- Concept landscape plans,
- Arborist report,
- Acoustic report,
- Quantity surveyors report for cost of works (CIV),
- Contamination report (if required),
- Shadow diagrams and solar access plans,
- Traffic and parking assessment report,
- Concept stormwater plans,
- Geotechnical report,
- BCA compliance and Access report,
- Waste management plan (construction and ongoing use),
- Water Sensitive Urban Design strategy,
- Operational plan of management,
- Integrated referral payment as separate cheque made out to RFS with additional electronic copy of plans and reports,
- Bushfire report.

9. Submission requirements

1 x hard copy and 1 x PDF digital copy (additional copies required if integrated development) of your development application.

Please refer to Council's development application checklist as attached, for further details of submission requirements and ensure that plans submitted illustrate consistent detail.

Please ensure you contact Council's duty officer on 4732 7991 to make an appointment for lodgement of this application.

10. Electronic Model Requirements

A copy of a 3D electronic model in Autodesk FBX format is required to be submitted in support of any development application for a residential flat building development or mixed use development.

Please contact Council for assistance regarding alternate file format options if this is required.

11. Fees & Charges

Please call the Development Services Department Administrative Support on

(02) 4732 7991 to enquire about fees and charges.