



Our Ref: PL19/0010  
Contact: Kathryn Saunders  
Telephone: (02) 4732 8606

27 March 2019

Willowtree Planning  
100 Walker Street  
NORTH SYDNEY NSW 2060

Dear Andrew Cowan,

**Pre-lodgement Advice  
Proposed Residential Aged Care Facility at 5-7 Floribunda Ave.  
Glenmore Park NSW 2745 (Lot 1 DP 825553)**

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

Thank you for taking part in Council's pre-lodgement meeting on 5 March 2019. The meeting was useful for Council in gaining an understanding of your proposal.

Unfortunately, the proposal in its current form is not supported. The attached advice is provided for your information and review and shall be considered in conjunction with the advice provided under cover letter dated 22 March related to the Urban Design Review Panel meeting held 20 March.

As is recommended in the above-mentioned correspondence, revised concept plans responding to the UDRP advice are to be provided for Council's electronic review to enable more targeted feedback to be provided on the various elements of the design and planning implications.

Information given by the pre-lodgement panel does not constitute a formal assessment of your proposal and at no time should comments of the officers be taken as a guarantee of approval of your proposal.

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

Yours sincerely

Kathryn Saunders  
**Senior Development Assessment Planner**

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**PENRITH**  
CITY COUNCIL

## **PRE-LODGEMENT ADVICE**

**Proposal** Residential Aged Care Facility  
**Address** Lot 1 DP 825553  
5 - 7 Floribunda Avenue Glenmore Park, NSW 2745

### **Attendees:**

#### **Applicant**

Andrew Cowan – Willlowtree Planning  
John Cole-Clarke – Opal Aged Care  
Lara Calder, Bradley Wahl - Calderflower Architects  
Adam Adair, Matthew O'Sullivan - Pure Projects  
Andrew Francis – Henry & Hymas  
Ross Nettle – Transport & Traffic Planning Association

#### **Penrith City 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  
Dean Dehghan – Senior Development Engineer  
Daniel Davidson – Senior Traffic Engineer (Apologies)  
Joshua Romeo – Senior Waste Planning Officer (Apologies)

**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 140 beds, basement and ground level parking, ancillary uses such as a hair dressers and café, an allied health facility is also proposed along the frontage of the site, 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 future development application. The onus remains on the applicant to ensure that all relevant controls and issues are considered prior to the submission of an application.

## **RELEVANT PLANS, POLICIES AND GUIDELINES**

- 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.

## **KEY ISSUES AND OUTCOMES**

The proposal is to address the following issues:

### **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 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.

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.

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.

The overall building bulk, scale and length of the 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.

### **(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.

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.

**(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 care 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.

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.

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, materials, glazing locations and room uses/layouts.

**(f) Allied health facility**

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.

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 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.

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. ENVIRONMENTAL MANAGEMENT**

**(b) Noise impacts**

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:

- 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, other plant and equipment, deliveries, and garbage removal.
- 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.'
- The 'Interim Construction Noise Guideline' in assessing the impacts associated with the construction phase of the development.

Should mitigation measures be necessary, recommendations should be included to this effect. Recommendations and mitigation measures must be shown on all architectural plans.

The location of all air conditioning unit is to be shown on plans and elevations.

**(c) Waste management**

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.

**(d) Contamination (SEPP 55)**

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.

**(e) Regulated systems**

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](http://www.health.nsw.gov.au) has an approved list for warm water systems and thermostatic mixing valves.

**(f) Fit-out details**

The plans identify a number of different uses (or 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.

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.

**(g) General environmental health impacts**

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.

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.

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.

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.

### **3. DEVELOPMENT ENGINEER**

#### **(a) General**

- Council's engineering requirements for subdivisions and developments, including policies and specifications listed herein, can be located on Council's website at the following link:  
<https://www.penrithcity.nsw.gov.au/Building-and-Development/Development-Applications/Engineering-requirements-for-developments/>
- All engineering works must be designed and constructed in accordance with Council's *Design Guidelines for Engineering Works for Subdivisions and Developments* and Council's *Engineering Construction Specification for Civil Works*.

#### **(b) Stormwater**

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.

If there is no drainage connection to an existing system. This development may require an easement to drain water over downstream properties. The easement to drain water must be registered prior to the issue of an operational consent. Contact Council Property Section for permission

For a new drainage outlet, 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 p101.

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.

#### **(c) Roadworks**



The development will require the removal of the existing redundant driveway(s).

**(d) Earthworks**

No retaining walls or filling is permitted for this development which will impede, divert or concentrate stormwater runoff passing through the site. Fill, earthworks and retaining walls must comply with the objectives and controls of the Penrith Development Control Plan 2014. Particular controls apply related to maximum levels of fill introduced to achieve building platform levels.

**4. TRAFFIC ENGINEERING**

The application is requested to be supported by a traffic & parking impact assessment report/statement addressing, although not limited to, service/waste vehicle access (indicating the largest vehicle to enter the site, swept paths and clearances to be clearly depicted on the plans), traffic generation, impact on the local road network, driveway accesses to the car parking areas, accessible pedestrian access from the carpark, car parking provision numbers (demonstrating calculations in compliance with the SEPP) and manoeuvring swept turn paths for entering/exiting car parking spaces.

- The basement car park (and associated access driveway) must demonstrate:
  - Compliance with the Seniors SEPP in terms of parking numbers/calculations (as mentioned above).
  - Safe, continuously accessible pedestrian paths of travel from/ to lifts and entrances, all accessible car spaces, and the car park in general.
  - All delivery service vehicle and waste service vehicle manoeuvring clear of car parking spaces, obstructions and pedestrian areas. Reversing of delivery/waste service vehicles within dedicated separated loading/waste collection areas must be minimal, whilst reversing of delivery/waste service vehicles within car park and pedestrian areas is not supported.
- The application (including the traffic and parking impact assessment report) is requested to demonstrate that access (including pedestrian access and access for mobility impaired), car parking, clearances from obstructions (walls, columns, light poles, utility services, etc.), ramp grades and widths, and vehicle swept path manoeuvring details comply with AS2890 Parts 1, 2 & 6 and AS1428.
- All car parking spaces should have complying additional widths and clearances from columns, walls and other obstructions; with plans provided to Council to be fully dimensioned for driveways, aisles and car parking.
- All vehicles are to enter/exit the site in a forward direction.
- Sight distance requirements and driveway widths are to be met in accordance with AS/NZS 2890.1: 2004 and Council requirements. This is to include the

requirements set out in AS 2890.1 Figure 3.2 Sight Distance Requirements at Driveways and Figure 3.3 Minimum Sight Lines for Pedestrian Safety.

- The required sight lines around the driveway entrance and exit are not to be compromised by street trees, landscaping, fencing or signposting.

## **5. BUILDING & BCA**

- 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.

## **6. WASTE MANAGEMENT**

Councils Waste Services team have reviewed the concept pre-lodgement plans. The following is raised for consideration as part of a future development application:

### **(a) Commercial Waste Management**

The commercial on-site waste infrastructure is to be built in accordance with the provisions outlined in section 2.2.1 of the 'Residential Flat Building Guideline' document (as they relate to commercial uses).

To allow for the safe and efficient collection of a various waste streams within commercial developments, on-site collection is required in accordance with section 2.2.1 and wider provisions outlined in section 2.2 of the 'Residential Flat Building Guideline' document.

### **(b) Waste Collection Infrastructure**

Commercial developments are to provide on-site collection infrastructure in accordance with section 3.5.2 Waste Collection Rooms contained within the 'Residential Flat Building Waste Management Guideline' document. Room sizes are to be constructed in accordance with generation rates outlined in the 'Commercial Waste Generation Rates Guideline' document.

### **(c) Plan of Operations**

All development applications to be submitted with an accompanying 'Plan of Operations', outlining proposed bin sizes, collection frequency, waste collection vehicle dimensions, hours of collection and details of access and manoeuvring of waste to the waste storage or collection room(s).

### **(d) Waste Infrastructure Guidelines**

For further specific waste operational and infrastructure information please see "Waste Guideline Document: Residential Flat Buildings" located at the following link: <https://www.penrithcity.nsw.gov.au/Building-and-Development/Development-Applications/Forms/>

## **7. SOCIAL PLANNING:**

Seniors housing is an important component of urban development and this proposal would increase the supply of seniors housing in the local area.

The submitted cover letter notes that “vehicular access is also proposed over the adjoining Council land, being the Community Centre (Lot 10 in DP897387). This existing driveway is proposed to be utilised for access to the rear of the proposed RACF for the purpose of some service vehicles and parking.”

The provided plans do not indicate the location of this vehicular access point.

Access via open space land is likely to negatively impact on existing and future uses related to Council’s asset. This element of the proposal is not supported. The community centre driveway and carpark is not to be utilised as a thoroughfare for access to private land. This element of the proposal is to be removed from the plans.

## **8. Documentation to be submitted with the development application**

- 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,
- 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.