

20 December 2010

Sam Haddad
Director General
Department of Planning
23 – 33 Bridge Street
Sydney NSW 2000

Attention: Peter Goth

Dear Mr Haddad,

Re: Request for New of Seniors Living Site Compatibility Certificate – NERGL site

I am writing to you on behalf of NERGL Developments Pty Ltd (NERGL) in regard to the Site Compatibility Certificate (SCC) issued by the Department of Planning on 3 April 2009 (refer to **Attachment A**), in accordance with *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* (Seniors SEPP). The SCC is due to expire on 3 April 2011. We are aware that in order for a Development Application (DA) to be determined in accordance with the Seniors SEPP and the *Environmental Planning and Assessment Act 1979* (the Act) that the Certificate must be current for the duration of the DA assessment period. It is NERGL intent on lodging a development application in early 2010.

We respectfully request the Department extend the application of the Seniors SEPP by way of issuing a new certificate for a further 2 year period. As discussed with Department officers we also request a waiver of fees for the application. In our view the supporting material to the previous application remains up to date and relevant for this application. We include the following documentation in support of this application:

- Site Compatibility Certificate Application to the Department of Planning Glenmore Park, Penrith by MacroPlan Australia (refer to **Attachment B**). We note that in this report the E4 zone is identified as the zone identified under draft *Penrith Local Environmental Plan 2008*. This zone was deferred on the NERGL site under *Penrith Local Environmental Plan 2010*.
- Urban Design Principles And Design Guidelines by GMU Design and Architecture (within **Attachment B** as Appendix A to the MacroPlan report including letter outlining that report remains current)
- Landscape Character Analysis and Visual Assessment Report in Relation to "Gateway" Concept for The Northern Road, Glenmore Park (refer to **Attachment C**) by Richard Lamb and Associates.
- Letter to Council from BBC Planning in regard to the need for a detailed visual assessment to inform the development of LEP controls applying to the site (refer to **Attachment D**).

While it was the intent of NERGL to gain development approval for a seniors living development during the period of the current certificate this has not been possible for a number of reasons. These are outlined as follows:

The recent resurgence in the financial markets (coupled with the 'deferral') has led to an opportunity to progress the development of the site. As such, NERGL aim to lodge a DA for the site in the near future but it is unlikely this would allow time for the approval of an application prior to 3 April 2011.

Further SCC clarifications sought

We are also seeking to clarify some ambiguities within a new SCC as follows:

Property description

We wrote to the Department on 14 July 2010 seeking a correction of the property description in the SCC. The address referred to in the SCC is 2075 – 2113 The Northern Road and 1-29 Bradley Street, Penrith. This is incorrect, the certificate includes Lot 6 which is known as 2065 – 2071 The Northern Road. Therefore, the correct address on the SCC should be 2065 - 2113 The Northern Road and 1-29 Bradley Street, Glenmore Park.

Residential care facility

Schedule 2 of the SCC lists the uses permitted under the SCC. Macroplan's market research and further discussions with potential joint venture partners indicate a high level of need for residential care facilities in Penrith, particularly southern areas as there are presently none with very high waiting lists elsewhere in the locality. These allow residents to age in place and not move when their residential care needs change and additionally provides necessary infrastructure to supply age in place services to the surrounding community. A residential care facility could be provided within and would be entirely consistent with the framework established by GMU Design in its *Urban Design Principles and Guidelines* document supporting the original application. We therefore seek the addition of a Residential care facility in schedule 2 of the new certificate.

We do not seek to amend any other aspect of the certificate in regard to this request.

I trust this letter provides a sufficient basis for a new certificate to be issued. Please do not hesitate to contact me on 0414 236174 or at bhendriks@mecone.com.au if you require further information to this request.

Yours sincerely,



Ben Hendriks

Encl.:

Attachment A - Current Site Compatibility Certificate

Attachment B - Site Compatibility Certificate Application to the Department of Planning Glenmore Park, Penrith by MacroPlan Australia including Urban Design Principles And Design Guidelines by GMU Design and Architecture

Attachment C - Landscape Character Analysis and Visual Assessment Report in Relation to "Gateway" - Concept for The Northern Road, Glenmore Park by Richard Lamb and Associates.

Attachment D - Letter to Council from BBC Planning in regard to the need for a detailed visual assessment to inform the development of LEP controls applying to the site

