



Our Ref: PL10/0117  
 Contact: Schandel Jefferys  
 Telephone: (02) 4732 8125

Mr Peter Goth  
 Regional Director  
 Sydney West Region  
 Locked Bag 5020  
 PARRAMATTA NSW 2124

3 February 2012

Department of Planning  
 Received  
 7 FEB 2012  
 Scanning Room

Dear Mr Goth

**Site Compatibility Certificate**  
 183-197 Boronia Road North St Marys  
 State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

Thank you for your letter of 23 January 2012 regarding the notice of intention to carry out development under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

On 25 October 2010 Council carried out a pre-lodgement meeting with the developer of this land. Attached is a copy of this advice for your reference. The key issues to be addressed for this development are:

- The provision of flood safe access for evacuation purposes.
- Given the density of development proposed and the current surrounding residential development, the potential noise and local traffic impacts.
- There are also some adjoining commercial land uses that may impact on future residents of the seniors housing development that need to be considered.

If you require any further assistance regarding the attached advice please contact me on (02) 4732 8125.

Yours faithfully

Schandel Jefferys  
 Principal Planner



**PENRITH  
CITY COUNCIL**  
Serving Our Community

Our Ref: PL10/0117  
Contact: Schandel Jefferys  
Telephone: (02) 4732 8125

25 October 2010

Thompson Health Care  
Doug Thompson  
PO Box 658  
GORDON NSW 2072

COPY

Dear Doug

**Pre-Lodgement Meeting**  
**Lot 312 DP 863203, 183-197 Boronia Road North St Marys**

We welcome your initiative to commence your project in Penrith Local Government Area.

Thank you for participating in Council's pre-lodgement meeting on 28 September 2010. We consider that the pre-lodgement process will assist both Council and yourself in determination of your proposal. The attached advice will assist you in preparing your development application.

Council provides competitive services in *Certification of Development*. If you need to enquire about *Construction Certificates* and *Principal Certifying Authority* matters please contact Colin Wood, Building Approvals Co-ordinator on (02) 4732 8083.

If you require any further assistance regarding the attached advice please contact me on (02) 4732 8125.

Yours faithfully

Schandel Jefferys  
**Principal Planner**

*\*\*\* The attached advice is to assist you with your development proposal. It is not a full assessment of the proposal. Council's full assessment and determination can only be made after lodgement of the development application. The applicant is responsible to address all Council's requirements if a development application is lodged.*

Pre – Lodgement Advice	
Date of Issue	25 October 2010
Pre- Lodgement Number	PL 10/0117
Proponent	Thompson Health Care
Proposal	Aged Care Facility
Address	Lot 312 DP 863203 183-197 Boronia Road North St Marys
Development Type	<p>Integrated – Rural Fire Service (see comments below under Key Issues heading).</p> <p>As the construction investment value is likely to be greater than \$10 million, the application would need to be reported to the Joint Regional Planning Panel (JRPP) for determination. Please provide details of construction investment value (CIV) as defined below with your application.</p> <p><i>Capital investment value of a development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile plant and equipment, other than the following costs:</i></p> <ul style="list-style-type: none"> <li><i>a. amounts payable, or the cost of land dedicated or any other benefit provided, under a condition imposed under Division 6 or 6A of Part 4 of the Environmental Planning and Assessment Act or a planning agreement under that Division</i></li> <li><i>b. costs relating to any part of the development or project that is the subject of a separate development consent or project approval</i></li> <li><i>c. land costs (including any costs of marketing and selling land)</i></li> <li><i>d. GST (as defined by A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth).</i></li> </ul>
Permissibility	<p>The land is zoned partly zoned 3d1 under Interim Development Order 81 (IDO 81) and partly zoned 2 (b) Residential under Penrith Local Environmental Plan Urban Land 1998 (LEP 1998).</p> <p>State Environmental Planning Policy Housing for Seniors or People with a Disability 2004 (SEPP 2004) states that this policy applies to land zoned primarily for urban purposes or</p>

	<p>land that adjoins land zoned primarily for urban purposes.</p> <p>As discussed with Ross Flemming (planning consultant), the part of the site zoned residential is clearly “land zoned primarily for urban purposes”, however, the land zoned under IDO 81 would be considered “land that adjoins land zoned primarily for urban purposes”. Therefore the area of land within the IDO does not appear to be excluded under SEPP 2004, specifically by clause 4(2).</p> <p>SEPP 2004 requires that a site compatibility certificate be obtained from the Department of Planning under clauses 24 and 25.</p> <p>Penrith Development Control Plan 2006 applies to the land.</p>
<b>Site Constraints</b>	<p>The site is affected by:</p> <ul style="list-style-type: none"> <li>• Easement for signage and electrical purposes 1.2m and 3.45m wide</li> <li>• Underground easement mains 1m wide</li> <li>• Right of carriage way 15.245m wide – please obtain further information about these various easements to ensure any restrictions are accommodated</li> <li>• Bushfire (within the buffer area)</li> <li>• Contaminated land</li> <li>• Flood related development controls</li> <li>• Overland flow.</li> </ul>
<b>General Requirements</b>	<p>The Statement of Environmental Effects must include:</p> <ul style="list-style-type: none"> <li>• a detailed description of the proposal</li> <li>• consideration of relevant statutory provisions, particularly, section 79C of the Environmental Planning and Assessment Act 1979</li> <li>• consideration of other relevant matters listed on the <i>Application Information Sheet</i> attached with this advice</li> <li>• detailed assessment of the key issues specified below.</li> </ul>
<b>Key Issues</b>	<p><b>Engineering</b></p> <ul style="list-style-type: none"> <li>• This land is flood affected to RL 26, floor levels are to be RL 26.5.</li> <li>• Flood safe access for evacuation purposes is required. Consider the possibility of providing flood safe access through the existing street at the rear – proponent to investigate.</li> <li>• Please refer to the NSW Floodplain Development Manual</li> <li>• The proposal is to consider overland flow paths and drainage from street at rear.</li> <li>• The proposal is also to consider impact of fill/floor levels</li> </ul>

	<p>on existing drainage.</p> <ul style="list-style-type: none"> <li>• Car parking should be in accordance with AS2890.1</li> <li>• Disabled spaces are to be provided in accordance with AS2890.6</li> <li>• Stormwater discharge – concept drainage plan required. The discharge should not have an adverse impact upon existing drainage systems – OSD is not required.</li> <li>• A traffic study is required.</li> <li>• Road pattern – please refer to section 6.40 of DCP 2006 which provides an indicative road pattern for the site. The application is to address relevant requirements.</li> </ul> <p><b>Building</b></p> <ul style="list-style-type: none"> <li>• A BCA compliance report is not required at DA stage but will be required for the CC.</li> <li>• Details of the commercial kitchen are to be provided with the development application.</li> <li>• Consideration is to be given to water recycling for use in maintaining landscaped areas.</li> <li>• An emergency response plan is required with this application.</li> <li>• A waste management plan is required which will need to have regard to construction as well as on going waste management.</li> <li>• The proposal is to comply with relevant sections of Section J of the BCA.</li> <li>• Ensure that all relevant fire safety considerations are accommodated within the design.</li> <li>• The requirements under both the Commonwealth aged care accreditation standards and the Building Code of Australia are to be complied with.</li> </ul> <p><b>Location of car park area</b></p> <ul style="list-style-type: none"> <li>• The proposed car parking area is to be designed to minimise any potential impact on adjoining residential properties.</li> <li>• Given that emergency vehicles may need access to the site outside of daylight hours, the emergency vehicle access should be located as far as possible away from adjoining residential properties.</li> </ul> <p><b>Bushfire</b></p>
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- The application will be integrated and require general terms of approval from the Rural Fire Service.
- Relevant requirements of the Rural Fire Service's Planning for Bushfire Protection are to be addressed.
- The application should be submitted along with a cheque made out to the Rural Fire Service for \$250.

#### **Flora and Fauna**

- Details of tree removal are to be provided with the development application.
- Existing trees are to be retained where appropriate.

#### **Design and relevant development controls/standards**

- Building envelope – a height plane over the site at 45° from 1.8m above natural ground level at the side boundaries is to be complied with. Please refer to the diagram provided in LEP 1998.
- The maximum external wall height should be 6.5m.
- The minimum landscaped area should be 50%. Please refer to LEP 1998 for a detailed definition of landscaped area.
- The rear boundary setback should be 6m for two storey buildings and 4m for single storey buildings.
- The rear boundary should be used for the purposes of landscaped area only.
- The development should make a positive contribution to creating an attractive streetscape through the use of diversity of building forms and landscaped areas.
- The front setback should be the average of immediate neighbours or 5.5m minimum, whichever is the greater dimension.
- Parking spaces should not be located within the front setback. Should parking be located within the front setback then landscaping is to be used to minimise the visual impact.
- A maximum of 500 mm of cut and fill.
- Extensive blank walls are not permitted. Windows, doors, projecting verandahs and the like are to be used to break up large expanses of wall.
- Bedroom windows facing onto a driveway should be screened by either landscaping or masonry walls.
- Plant and equipment should be screened away from bedroom areas as well as screened from public view.
- Landscaping should be provided in accordance with DCP

	<p>2006 to ensure that effective landscaped separation from adjacent development is achieved.</p> <ul style="list-style-type: none"> <li>• Driveways and parking areas should be located away from neighbouring residential development.</li> <li>• The proposed building is to contribute to the quality and identity of the area.</li> <li>• Building articulation should be used to minimise the apparent bulk of the building and to create visual interest.</li> <li>• The location and design of windows and balconies must consider any potential impact on adjoining residential land. The use of screening devices and landscaping is encouraged.</li> <li>• Bedrooms are to be located away from driveways, parking areas and paths. To protect acoustic privacy.</li> <li>• The use of natural ventilation, solar heating and lighting is required.</li> <li>• Obvious and safe pedestrian links are to be provided to, from and within the subject site.</li> </ul> <p>It is noted that there are a number of comments listed above however, a floor plan was only made available at the time of pre-lodgement meeting and elevations were not available.</p> <p><b>Social and Economic</b></p> <ul style="list-style-type: none"> <li>• The application is to provide details of social and economic impact. Please note that this may be both positive and negative.</li> </ul> <p><b>Landscaping</b></p> <ul style="list-style-type: none"> <li>• A minimum of 50% of the site should be landscaped.</li> <li>• A landscape plan is to be submitted with the development application.</li> </ul> <p><b>Section 94 Contributions</b></p> <p>The following Section 94 Plans will apply to the subject proposal:</p> <ul style="list-style-type: none"> <li>• City Wide Cultural facilities</li> <li>• Footpath Construction Works</li> <li>• Library Facilities</li> <li>• District Open Space &amp; Recreation Works</li> <li>• Local Open Space &amp; Recreation Works</li> </ul> <p><b>SEPP 2004</b></p>
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	<p>The proposal is to comply with all relevant requirements of SEPP 2004 including, but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Clause 26 – Location and access to facilities</li> <li>• Clause 27 – Bushfire prone land</li> <li>• Clause 28 – Water and sewer</li> <li>• Clause 29 – Site compatibility criteria</li> <li>• Clause 30 – Site analysis</li> <li>• Clause 33 – neighbourhood amenity and streetscape</li> <li>• Clause 34 – visual and acoustic privacy</li> <li>• Clause 35 – Solar access and design for climate</li> <li>• Clause 36 – Stormwater</li> <li>• Clause 37 – Crime prevention</li> <li>• Clause 38 – Accessibility</li> <li>• Clause 39 – Waste management</li> <li>• Clause 40 – Development standards</li> <li>• The floor space ratio should not exceed 1:1.</li> <li>• 25m<sup>2</sup> of landscaped area is to be provided per bed.</li> <li>• 1 parking space per 15 beds is to be provided (as care is only for persons with dementia) plus 1 space for every 2 employees plus 1 space for an ambulance.</li> </ul>
<b>References</b>	Technical and Policy Guidelines, which may be relevant to the proposal are included in the attached list.
<b>Consultation</b>	<p>Prior to lodgement of the development application you must consult with relevant government authorities, service providers, community groups and affected landowners. In particular you must consult with:</p> <ul style="list-style-type: none"> <li>• Rural Fire Service</li> <li>• Energy Provider</li> <li>• Sydney Water.</li> </ul>
<b>Application Form and Information Required</b>	The attached application form must be completed and submitted to Penrith City Council. Notes on Page 3 and matrix on Page 4 of this form provides information, which is required to be submitted with the application.
<b>Fees</b>	Please call Development Services Department's Administrative Support on (02) 4732 7991 to enquire about fees and charges.

Schandel Jefferys  
Principal Planner



**References – Technical and Policy Guidelines**

Aspect	Policy / Methodology
<b>Flora and Fauna</b>	<ul style="list-style-type: none"> <li>• <i>Draft Guidelines for Threatened Species Assessment</i> - Department of Environment and Conservation (DEC)</li> <li>• <i>Threatened Biodiversity Survey and Assessment: Guidelines for Development and Activities</i> (DEC)</li> </ul>
<b>Noise</b>	<ul style="list-style-type: none"> <li>• <i>NSW Industrial Noise Policy</i> (DEC)</li> <li>• <i>Environmental Criteria for Road Traffic Noise</i> (DEC)</li> <li>• <i>Environmental Control Manual</i> (DEC)</li> </ul>
<b>Air Quality</b>	<ul style="list-style-type: none"> <li>• <i>Approved Methods for Modelling and Assessment of Air Pollutants in NSW</i> (DEC)</li> </ul>
<b>Traffic</b>	<ul style="list-style-type: none"> <li>• <i>Guide to Traffic Generating Developments and Road Design Guide</i> – Roads and Traffic Authority (RTA)</li> <li>• Relevant Australian Standards</li> </ul>
<b>Waste</b>	<ul style="list-style-type: none"> <li>• <i>On-site Sewage Management and Greywater Reuse Policy</i> – Penrith City Council (PCC)</li> <li>• <i>Waste Management Plan</i> (PCC)</li> </ul>
<b>Flood Liable Land</b>	<ul style="list-style-type: none"> <li>• <i>Interim Policy for Development of Flood Liable Land</i> (PCC)</li> </ul>
<b>Bushfire</b>	<ul style="list-style-type: none"> <li>• <i>Planning for Bushfire Protection Guidelines</i> – NSW Rural Fire Service</li> </ul>