

ATTACHMENT 6 - COMPLIANCE TABLE – SECTION 79C OF THE EP&A ACT 1979

JRPP-15-482 - Assessment of a Residential Aged Care Facility (RACF)

12-16 Florence Street, Oakhurst

Consideration of the matters prescribed by Section 79C of the Environmental Planning and Assessment Act 1979 is outlined below:

Head of Consideration	Comment	Complies
<i>a. the provisions of:</i> <i>(i) any environmental planning instrument (EPI)</i> <i>(iii) any development control plan</i> <i>(iii) any planning agreement</i> <i>(iv) the regulations</i>	• Refer to Section 6 of the assessment report which addressed the EPIs which are relevant to this proposal. • The proposal is considered to be consistent with State Environmental Planning Policy (Housing for seniors or people with a disability) 2004. • The site is currently zoned R2 Low Density Residential pursuant to the Blacktown Local Environmental Plan (BLEP) 2015 (which commenced on 7 July 2015 following the lodgement of this DA) in which the proposed 'Seniors housing' development is permissible with development consent. Subject to clause 1.8A 'Savings provision relating to development applications' within BLEP 2015, as this DA was lodged before the commencement of the BLEP 2015 and was not determined before that commencement, the DA must be determined as if the BLEP 2015 has not commenced. • This DA is being assessed under the BLEP 1988, in which the site is zoned 2(b) Residential and '<i>housing for aged or disabled persons</i>' is permissible with development consent. The proposal is considered to satisfy the zone objectives of the BLEP 1988. • The Blacktown Development Control Plan 2006 applies to the subject site. Refer to the detailed assessment at Section 8 of the assessment report. • The proposed development is consistent with the existing and desired future character of the area. • A detailed assessment of the DA is provided under Section 8 of the assessment report.	Yes

<i>b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality</i>	• An assessment of the key issues is provided in Section 8 of the assessment report and it is considered that the likely impacts of the development have been satisfactorily addressed.	Yes
<i>c. the suitability of the site for the development</i>	• The subject site is zoned 2(b) Residential and permits “housing for aged or disabled persons” with consent. • The proposal has been designed taking into consideration the site’s constraints and locality. • The site is a desirable location given it is compatible with the adjoining land uses, including commercial land uses (the swim school adjoining the site to the west and the early learning centre at the corner of Florence Street and Rooty Hill Road North) and the Plumpton Rural Fire Service located to the north of the site. • The site is therefore considered suitable for the proposed development.	Yes
<i>d. any submissions made in accordance with this Act or the regulations</i>	• The proposal was publically exhibited, and an objection was received from the owner of 7 of the adjoining medium density residential units. The issues raised are addressed in detail in Section 9 of the assessment report. • As discussed in detail in Section 9 of the assessment report, the issues raised do not warrant refusal of the application, and can be suitably ameliorated via conditions of consent.	Yes
<i>e. the public interest</i>	• Overall, the proposal provides a positive public benefit in the form of Seniors Living, is compatible with the surrounding residential and non-residential land uses, is compatible with the existing and desired future character of the immediate locality and is therefore considered to be in the public interest.	Yes