

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Blacktown City Council** on **Thursday 20 August 2015 at 12.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald and Paul Mitchell

Apologies: None

Declarations of Interest: Mary-Lynne Taylor declared a non-significant non pecuniary interest in relation to this particular matter because she knows the applicant and owner (Mr Laurie Krasner), (Melaleuca Holdings Pty Ltd) of this application and she is not representing him in any capacity in relation to this application.

Determination and Statement of Reasons

2015SYW048 – Blacktown City Council, DA15/482, Residential aged care facility, Lots 10 & 11, Section 1, DP 5893 and Lot 121 DP 1047375, 12-16 Florence Street, Oakhurst.

Date of determination: 20 August 2015

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed facility will provide additional aged care facilities and services within the Central West Metropolitan Subregion and the Blacktown local government area in a well-established suburban residential locality.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 40(4)(c)-(Height of Buildings) contained in SEPP (Housing for Seniors or People With a Disability) 2004 and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the site having frontage to 2 streets, does not have a rear boundary and the variation sought will not result in a building that is inconsistent with the scale of buildings existing in and planned for this locality and the development is consistent with the underlying intent of the standard and the objectives of the Residential 2(b) zone applying to this proposal.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP (Housing for Seniors or People With a Disability) 2004, SEPP (Infrastructure) 2007 and SEPP 55 Remediation of Land.
4. The proposal adequately satisfies the provisions and objectives of Blacktown LEP 1988 and Blacktown DCP 2006.
5. The scale, architectural treatment and landscape treatment, adopted for the proposal integrate effectively with that of the surrounding locality in which the site is located.
6. The proposed development amendments will have no significant adverse impacts on the natural or built environments including the performance of the local road network or the amenity of adjoining and nearby residential premises.
7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Decision: The development application was approved subject to the conditions as agreed at the meeting between Council Assessment Staff and the Applicant.

Panel members:

SYDNEY WEST JOINT REGIONAL PLANNING PANEL



Mary-Lynne Taylor



Bruce McDonald



Paul Mitchell

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SCHEDULE 1

1	JRPP Reference – 2015SYW048, LGA – Blacktown City Council, DA15/482
2	Proposed development: Residential aged care facility.
3	Street address: Lots 10 & 11, Section 1, DP 5893 and Lot 121 DP 1047375, 12-16 Florence Street, Oakhurst.
4	Applicant: Melaleuca Ventures Pty Ltd
5	Type of Regional development: Capital Investment Value >\$20 million
6	Relevant mandatory considerations • Environmental planning instruments: ○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ○ State Environmental Planning Policy No. 1 – Development Standards ○ State Environmental Planning Policy 55 – Remediation of Land ○ State Environmental Planning Policy No. 64 – Signage and Advertising ○ Blacktown Local Environmental Plan 2015 ○ Blacktown Local Environmental Plan 1988 • Draft environmental planning instruments: Nil • Development control plans: ○ Blacktown Development Control Plan 2006 • Planning agreements: Nil • Regulations: ○ Environmental Planning and Assessment Regulation 2000 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council assessment report with draft conditions of consent, Assessment of the SEPP 1 variation to a development standard, Amended development application plans and shadow diagrams, Compliance table – Seniors Housing SEPP, Blacktown Development Control Plan 2006, Section 79C of the EP&A Act 1979, Acoustic assessment, Assessment of privacy measures, Location of the objectors and written submissions. Verbal submissions at the panel meeting: • Michael Kresner • Tony McBurney
8	Meetings and site inspections by the panel: 20 August 2015 - Site Inspection & Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report