

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Auburn City Council** on **Thursday 10 December 2015 at 5.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Paul Mitchell, Bruce McDonald, Councillor Ned Attie and Councillor Hicham Zraika

**Apologies:** Nil

**Declarations of Interest:** Nil

### Determination and Statement of Reasons

2015SYW096 – Auburn City Council – DA189/2014, Demolition of existing buildings and construction of a 3 storey residential aged care facility comprising 102 beds and a neighbourhood shop over one level of basement parking and associated stormwater, landscaping works and tree removal, Lot C DP 374304, Lot B DP 374304, Lot 13 DP 16298, Lot 12 DP 16298, Lot A DP 374304, Lot 11 DP 16298, Lot 10 DP 16298, 9, 11 & 13 Gelibolu Parade and 2, 2A, 4 & 6 St Hilliers Road, Auburn.

**Date of determination:** 10 December 2015

#### **Decision:**

The panel unanimously 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 the matters observed at site inspections listed at item 8 in Schedule 1.

#### **Reasons for the panel decision:**

1. The proposed development will add to the supply and choice of housing for seniors and people with a disability within the Central Metropolitan Subregion and the Auburn local government area.
2. The Panel has considered the applicant's request to vary the development standards contained on Clause 26(2) (Location and access to facilities) (Housing for Seniors and People with a disability) and considers that compliance with the standard would be unreasonable in the circumstances of this case as the variation will not deny residents reasonable access to facilities and services given the level of onsite care, onsite facilities and the dedicated bus service to be provided.

The Panel has considered the applicant's written request to vary the development standards contained on Clause 40(4)(a), Clause 40(4)(b) & Clause 40(4)(c) (Height of Buildings) SEPP (Housing for Seniors or People with a Disability) 2004 and considers that compliance with these standards would be unreasonable and unnecessary in the circumstances of this case as the variation will not result in a building that is inconsistent with the scale and pattern of buildings within this locality and the development remains consistent with the underlying intent of the standard.





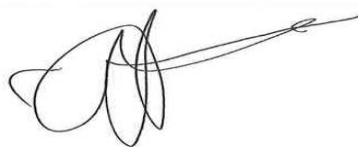
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including, SEPP (Housing for Seniors and People with a Disability) SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the applicable provisions and objectives of Auburn LEP 2010 and Auburn 2010. In this regard the Panel notes that a number of provisions contained in the Seniors Housing SEPP prevail over those contained in the ALEP.
5. The proposed development is considered to be of appropriate scale and form consistent with the character of the locality in which it is placed which comprises a widely varied range of building forms.
6. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby residential premises, or the operation of the local road system.

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7. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

**Conditions:** The development application was approved subject to the conditions in the Council Assessment Report and amendments to Condition 3, Condition 4, Condition 5, Condition 6, Condition 99 and Condition 101.(refer to conditions to consent)

**Panel members:**

 <b>Mary-Lynne Taylor</b>	 <b>Bruce McDonald</b>	 <b>Paul Mitchell</b>
 <b>Ned Attie</b>	 <b>Hicham Zraika</b>	

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### SCHEDULE 1

1	<b>JRPP Reference –</b> 2015SYW096, <b>LGA –</b> Auburn City Council, <b>DA/189/2014</b>
2	<b>Proposed development:</b> DA189/2014, Demolition of existing buildings and construction of a 3 storey residential aged care facility comprising 102 beds and a neighbourhood shop over one level of basement parking and associated stormwater, landscaping works and tree removal.
3	<b>Street address:</b> Lot C DP 374304, Lot B DP 374304, Lot 13 DP 16298, Lot 12 DP 16298, Lot A DP 374304, Lot 11 DP 16298, Lot 10 DP 16298, 9, 11 & 13 Gelibolu Parade and 2, 2A, 4 & 6 St Hilliers Road, Auburn.
4	<b>Applicant/Owner: Applicant –</b> NSW Auburn Turkish Islamic Cultural Centre Inc.
5	<b>Type of Regional development:</b> Capital Investment Value > \$20million
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy 55 – Remediation of Land</li> <li>○ SEPP (Housing for Seniors or People with a Disability) 2004</li> <li>○ SEPP (Infrastructure) 2007</li> <li>○ State Regional Environmental Policy (Sydney Harbour Catchment) 2005</li> <li>○ Auburn Local Environmental Plan 2010</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Auburn Development Control Plan 2010</li> <li>○ Auburn Development Contributions Plan 2007</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: <ul style="list-style-type: none"> <li>○ Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council assessment report with draft recommended conditions, preliminary site investigation, clause 4.6 variations and written submissions.  <b>Verbal submissions at the public meeting:</b> <ul style="list-style-type: none"> <li>• Richard Smyth</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 10 December 2015 - Final Briefing meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report