

# HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Newcastle City Hall on Thursday 23 June 2016 at 1.00 pm

Panel Members: Garry Fielding (Chair), Kara Krason, Jason Perica, Sharon Waterhouse, Brad Luke

Apologies: **None** Declarations of Interest: **None**

## Determination and Statement of Reasons

**2016HCC012 – Newcastle City Council – DA2016/00130 [142 Cardiff Road Elmore Vale and 156 Cardiff Road Elmore Vale] as described in Schedule 1.**

**Date of determination:** 23 June 2016

### Decision:

It was resolved as follows:

- a) The panel considers the SEPP 1 objection regarding Clause 40 of SEPP (Housing for Seniors or People with Disability) 2004 to be well founded.
- b) 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*, subject to the recommended conditions of consent and the following additional conditions:
  1. The existing landscaping located to the west of the building on site that is to be demolished, and extending to the eastern boundary of Lot 26 DP 711005, is to be retained.
  2. Additional planting is to be provided between the proposed building and the site's western boundary to supplement the site's mature trees in order to provide privacy and visual screening of the dwelling house and rear yard/pool located on Lot 26 DP 711005.
  3. Appropriate provision is to be made to ensure that there is no public access between the site and Nerigai Close.
  4. Both prior to and during works, consultation shall occur with a local and recognised wildlife rescue organisation to facilitate the rescue of any native wildlife displaced by the works.






**Panel consideration:** The panel considered: the matters listed at item 6, the material listed at item 7, the material presented at the meeting and the matters observed at the site inspection listed at item 8 in Schedule 1.

**Reasons for the panel decision:** The panel adopted the assessment of those matters contained within the Council Assessment Report. The panel considered that the site was suitable for the proposed development and that the proposal was in the public interest and acceptable having regard to the relevant provisions of the Seniors Housing SEPP, Newcastle LEP 2014, and Newcastle DCP 2014. Subject to the adopted additional conditions, the proposal was also acceptable having regard to its environmental impacts.

### Conditions:

The development application was approved subject to the conditions in Appendix A of the Council Assessment Report and the additional conditions listed above.

### Panel members:

		
Garry Fielding	Kara Krason	Jason Perica
		
Sharon Waterhouse	Brad Luke	

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SCHEDULE 1	
1	<b>JRPP Reference – LGA – Council Reference:</b> 2016HCC012 – Newcastle City Council – DA2016/00130
2	<b>Proposed development:</b> Erection of an aged care facility including 120 beds in a two-storey building and boundary alignment
3	<b>Street address:</b> 142 Cardiff Road Elmore Vale and 156 Cardiff Road Elmore Vale
4	<b>Applicant:</b> RPS Australia <b>Owner:</b> R & K.L Roughley, Regis Aged Care Pty Ltd
5	<b>Type of Regional development:</b> Capital Investment Value >\$20 Million
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 (Major Development) 2005</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No.55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Housing for Seniors or people with a Disability) 2004</li> <li>○ Newcastle Local Environmental Plan (NLEP) 2012</li> </ul> </li> <li>• Draft environmental planning instruments: None</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Newcastle Development Control Plan (NDCP) 2012</li> </ul> </li> <li>• Planning agreements: None</li> <li>• Regulations: None</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 <i>Environmental Planning and Assessment Act 1979</i> and EPA Regulation.</li> <li>• The public interest, including the principles of ecologically sustainable development.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated 8 June 2016 Written submissions during public exhibition: 3 Verbal submissions at the panel meeting: Against - 1
8	<b>Meetings and site inspections by the panel:</b> Site Inspection & Briefing Meeting: 23 June 2016
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> As per Assessment Report