

DATE OF DETERMINATION	14 September 2017
PANEL MEMBERS	Sheridan Dudley (Chair), Nicole Gurran, Bruce McDonald, Karress Rhodes and Tony Hadchiti
APOLOGY	Wendy Waller
DECLARATIONS OF INTEREST	None

Public meeting held at Casula Powerhouse on Thursday 14 September 2017 opened at 12.30 pm and closed at 2.20pm.

MATTER DETERMINED

Panel Ref – 2016SSW002 - LGA – Liverpool, DA-1183/2016, Address – DP 717956 Cnr Lot 152, 68-82 Stewart Avenue, Hammondville (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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

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*. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution. The decision was unanimous.

REASONS FOR THE DECISION

1. The proposed development will add to the provision of aged care facilities, including dementia care facilities within the Sydney South West District and the Liverpool local government area, complementing the long term provision of aged care housing on the subject site and responding to increasing demand for such facilities.
2. The proposed development adequately satisfies the relevant State Legislation and State Environmental Planning Policies including the Rural Fires Act 1977 and SEPP 55 Remediation of Land.
3. The Panel notes that the proposal relies on and satisfies the Existing Use provisions of the Environmental Planning and Assessment Act 1979 for consent permissibility. The proposal adequately satisfies the objectives and provisions of SEPP (Housing for Seniors and People with a Disability) 2004 and Liverpool LEP 2008. The proposal also adequately satisfies the provisions of Liverpool DCP 2008.
4. The development which includes a 3 storey element constitutes a built form, building scale and onsite parking and amenity arrangements that provide satisfactory integration with the existing on site development and the scale and pattern of residential development in the broader locality. It is noted the 3 storey building will facilitate effective treatment of dementia patients and is sited to moderate its visual impact.
5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the local ecology, or riparian systems, the operation of the local road system or the amenity of nearby residential premises.

6. 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 with the following amendments:






- Amend Condition 4 to now read:

Prior to the issue of any construction certificate, an amended Stage 1 car parking plan is to be submitted to and approved by the Manager Development Assessment Liverpool City Council that relocates the Stage 1 at grade car park in the same form and dimensions as indicated on the plans further to the north to coincide with the boundary of the zone of influence of the sewer pipeline. No part of the car park including any batter may intrude into the zone of influence.

The area between the relocated car park and the independent living units to the south of the car park shall be suitably landscaped with mature trees and other dense landscape plantings including the provision of an earth mound to a maximum of 1.5m high to screen the car park from the southern independent living units. Existing landscaping in this area shall be retained.

An amended landscape plan detailing the above requirements, including additional mature landscape along the western boundary of the car park is to be submitted to and approved by the Manager of Development Assessment Liverpool City Council.

- Amend conditions 16, 17, 19, 20, 21, 22, 25, 41, 103, 104, 105, 111, 114 to include reference to the “relevant stage of the development”
- Amend condition 41 to add the words “unless otherwise agreed by Council’s Environment & Health Officer” after the word development in the second sentence.
- Amend condition 16 to remove the words “rainwater tanks”
- Amend condition 19(a) to include the words “the floor level of the habitable areas”

PANEL MEMBERS	
 Sheridan Dudley (Chair)	 Bruce McDonald
 Nicole Gurran	 Tony Hadchiti
	

Karress Rhodes	
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SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2016SSW002 - LGA – Liverpool, DA-1183/2016
2	PROPOSED DEVELOPMENT	Aged care facility including partial demolition of Bond House and demolition of other aged care buildings on the site, site works including excavation and tree removal, staged construction of ten buildings providing 155 beds and communal facilities, at grade and basement car parking and site landscaping and infrastructure upgrades.
3	STREET ADDRESS	DP 717956 Cnr Lot 152, 68-82 Stewart Avenue, Hammondville
4	APPLICANT/OWNER	Hammondcare
5	TYPE OF REGIONAL DEVELOPMENT	Proposed development has a capital investment value of over \$20million.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Liverpool Local Environmental Plan 2008 Liverpool Contributions Plan 2009 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Liverpool Development Control Plan 2008 <ul style="list-style-type: none"> Part 1 – General Controls for all Development Planning agreements: Nil <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report, recommended conditions, architectural plans, architectural design statement, design excellence panel

		<p>comments, submissions lodged with the DA, statement of environmental effects, arborist report and the addendum to that report prepared by red Gum Horticultural and written submissions.</p> <ul style="list-style-type: none"> • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – John Robertson on behalf of Hammond Grove Melaleuca units ○ On behalf of the applicant – David Martin, Simon Thorne and Michael Rowe ○ On behalf of Council – Nelson Mu
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing Meeting – 22 May 2017 • Site Inspection – 22 May 2017 • Final Briefing Meeting – 14 September 2017 from 11.25 am to 12.10 pm • Public Meeting – 14 September 2017 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sheridan Dudley (Chair), Nicole Gurrán, Bruce McDonald, Karress Rhodes and Tony Hadchiti ○ <u>Council assessment staff</u>: George Nehme and Michael Oliveiro
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Submitted with report