



<b>DATE OF DETERMINATION</b>	11 August 2016
<b>PANEL MEMBERS</b>	Bruce McDonald (Acting Chair), Stuart McDonald, Clare Brown, Peter Smith
<b>APOLOGIES</b>	Mary-Lynne Taylor, Jane Fielding
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at The City Canterbury-Bankstown Council at former Bankstown Council Chambers, on Thursday 11 August 2016, opened at 12.20 pm and closed at 12.50 pm.

#### **MATTER DETERMINED**

2016SYW020 - The City of Canterbury-Bankstown, 1476/2015 at 14-20 Eldridge Road Bankstown (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 meetings 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**





The reasons for the decision of the Panel were:

- The proposed development will add to the supply and choice of aged persons housing within the West Central Metropolitan Subregion and Canterbury-Bankstown local government area in a location with ready access to transport services and the amenities and services nearby and at the Bankstown CBD.
- The Panel considered the Applicants request to vary the development standards contained in Clause 40 (Height of Buildings) contained in SEPP (Housing for Seniors and People with a Disability) and considers that compliance with the standards is unreasonable and unnecessary in the circumstances of this case as the additional height will not result in a building that is of unacceptable form in this locality will have negligible impacts on adjoining residences will have the effect of increasing setbacks from adjoining premises and will assist in providing on site recreation areas for the aged residents. The development remains consistent with the objectives of the standard and the applicable zones applying to the site.
- The proposed development adequately satisfies the relevant State Environment Planning Policies including SEPP (Housing for Seniors or People with a Disability) and, subject to a condition requiring preparation of a Remedial Action Plan and Site Audit Statement, SEPP 55 – Remediation of Land.
- The proposal adequately satisfies the applicable provisions and objectives of the Bankstown LEP 2015 and the Bankstown DCP 2015.
- The proposed development is considered to be of an appropriate scale and form adequately consistent with the existing and planned character of the locality in which it is placed.
- 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.
- In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval is in the public interest.

**CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report with the following new conditions.

1. Prior to the issue of Construction Certificate the following conditions to be included:
  - *The service driveway along the eastern boundary of the site shall be provided with boom gates at both ends of the driveway.*
  
  - *Prior to the issue of any Construction Certificate for the development, a Remedial Action Plan (RAP) must be prepared by an appropriately qualified environmental consultant and submitted to Council. This RAP must comply with the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites, and must set the remediation objectives and determine the most appropriate remedial strategy to ensure that the site will be suitable for the proposed end use. The remediation works outlined in the RAP must be completed and, a validation report prepared by an appropriately qualified environmental consultant, outlining that the required remediation has been completed shall be submitted to the Principle Certifying Authority. This report must comply with the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites and is to be submitted to Council. The validation report must be reviewed by an EPA accredited site auditor who shall provide Council with a copy of the site audit report and site audit statement. The site audit statement must indicate that the site has been remediated to the level required for the proposed use. A Construction Certificate for any above ground building works will not be issued until these requirements have been satisfied.*
  
2. In regards to "Use of the Site" the following new condition to be included:
  - *All delivery/pick up vehicles using the service driveway shall inform the centre management of their arrivals and departures.*

PANEL MEMBERS	
 Bruce McDonald (Acting Chair)	 Stuart McDonald
 Clare Brown	 Peter Smith

<b>SCHEDULE 1</b>		
<b>1</b>	<b>PANEL REF – LGA – DA NO.</b>	2016SYW020 – The City of Canterbury-Bankstown – DA1476/2015
<b>2</b>	<b>PROPOSED DEVELOPMENT</b>	Residential Care Facility, Construction of four (4) storey 155 bed residential care facility including ground floor administration, staff, nursing and resident areas and basement car parking
<b>3</b>	<b>STREET ADDRESS</b>	14-20 Eldridge Road Bankstown
<b>4</b>	<b>APPLICANT/OWNER</b>	Applicant: Hb + B Property Pty Ltd Owners: Hansen Beslich Nominees Pty Ltd
<b>5</b>	<b>TYPE OF REGIONAL DEVELOPMENT</b>	Capital Investment Value >\$20million
<b>6</b>	<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 No. 55 -Remediation of Land</li> <li>○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment</li> <li>○ Bankstown Local Environmental Plan 2015</li> </ul> </li> <li>• Draft environmental planning instruments: none</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Bankstown Development Control Plan 2015</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 <i>Environmental Planning and Assessment Regulation 2000</i>.</li> <li>• The public interest, including the principles of ecologically sustainable development.</li> </ul>
<b>7</b>	<b>MATERIAL CONSIDERED BY THE PANEL</b>	Council Assessment Report: 28 July 2016 Written submissions during public exhibition: 3 Verbal submissions at the panel meeting: <ul style="list-style-type: none"> <li>• On behalf of the applicant – Sean Bilton, Dan Brindle, Richard Terry, Paul Huxtable, Danny Kataieh, Alex Soovonoff and Mark Lederer.</li> </ul>
<b>8</b>	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	Site Inspection & Briefing Meeting: 11 August 2016
<b>9</b>	<b>COUNCIL RECOMMENDATION</b>	<b>Approve</b>
<b>10</b>	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report