

COUNCIL ASSESSMENT REPORT

Panel Reference	2016SYW050
DA Number	DA 117.1/2016
LGA	Fairfield
Proposed Development	The proposal is for the demolition of existing structures, services diversions, excavation, remediation (if required), other preparatory site works as required, and the erection of a part two-storey, part three-storey Residential Aged Care Facility comprising two distinct sections, (each of which will be constructed in a separate stage), which together will contain 279 beds, associated basement parking and related facilities. Landscaping, drainage, signage and other related works are also proposed. The construction of the Residential Aged Care Facility will be undertaken in two stages. The proposal also involves the subdivision of the land into two lots and the dedication and construction of a public road.
Street Address	13 Booralla Road, Edensor Park
Applicant/Owner	Melaleuca Ventures Pty/Ltd.
Date of DA lodgement	1st March 2016
Number of Submissions	6
Recommendation	<p>That:</p> <ol style="list-style-type: none"> 1. The variations proposed under Clause 4.6 (exemptions to Development Standards) of Fairfield Local Environmental Plan 2013, as shown below, be supported: <ol style="list-style-type: none"> i. Clause 4.6 variation request prepared in relation to the “maximum height of all buildings” standard in Clause 40(4)(a) of the Seniors Housing SEPP ii. Clause 4.6 variation request prepared in relation to the “maximum height permitted for a building that is adjacent to a boundary of the site” standard in Clause 40(4)(b) of the Seniors Housing SEPP iii. Clause 4.6 variation request prepared in relation to the “maximum height permitted for a building located in the rear 25% of the site” standard in Clause 40(4)(c) of the Seniors Housing SEPP 2. That development application No. 117.1/2016 for the demolition of existing structures, services diversions, excavation, remediation, other preparatory site works as required, and the erection of a part two-storey, part three-storey Residential Aged Care Facility comprising two distinct sections, (each of which will be constructed in a separate stage), which together will contain 279 beds, associated basement parking, related facilities and the subdivision of the land into two lots and the dedication and construction of a public road at Lot 2 in DP 833184, known as 13 Booralla Road, Edensor Park be approved subject to conditions as outlined in Attachment I of this report.

	3. Those that made submissions are advised of the determination.
Regional Development Criteria (Schedule 4A of the EP&A Act)	>\$20,000,000
List of all relevant s79C(1)(a) matters	i.e. any: <ul style="list-style-type: none"> • relevant environmental planning instruments • proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority • relevant development control plan • relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F • coastal zone management plan • relevant regulations e.g. Regs 92, 93, 94, 94A, 288
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Site, Architectural, Landscape and Subdivision Plans • Statement of Environmental Effects • Acoustic Report • Traffic and Parking Assessment Report • Stage 2 Environmental Site Assessment (Land Contamination) • Compliance with the requirements of Housing for Seniors or People with a disability SEPP 2004 • Compliance with the requirements of State Environmental Planning Policy No 64—Advertising and Signage • Submissions from the public • Conditions
Report prepared by	Karl Berzins
Report date	25th May 2017

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **No**
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Yes**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? **No**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **No**
Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report