

<b>DATE OF DETERMINATION</b>	Tuesday, 11 December 2018
<b>PANEL MEMBERS</b>	Bruce McDonald (Chair), Nicole Gurran, Stuart McDonald, Nadia Saleh, Bilal El-Hayek
<b>APOLOGIES</b>	Helen Lochhead
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Bankstown Knowledge and Library Centre, 80 Rickard Road, Bankstown on 11 December 2018, opened at 3.35pm and closed at 3.50pm.

#### **MATTER DETERMINED**

2017SSH040 – Canterbury-Bankstown – DA845/2017 at 10 Nelson Short Street, Potts Hill (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

1. The proposed development will provide additional seniors living housing supply, additional residential care facilities including dementia care, and associated onsite social amenities within the Canterbury -Bankstown local government area and the Sydney South District. The site has access to bus services from Bunker Road which provide access to the services and amenities available within Bankstown Central.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP (Housing for Seniors or People with a Disability) 2004, SEPP 55 -Remediation of Land, SEPP 65 Design Quality of Residential Apartment Development and its associated Apartment Design Guide and Greater Metropolitan Regional Environmental Plan No. 2- Georges River Catchment
3. The proposal adequately satisfies the applicable objectives and provisions of Bankstown Local Environmental Plan 2015 and Bankstown DCP 2015.
4. In regard to permissibility, in accordance with the provisions of clause 4 of the Seniors Living SEPP, as hospitals are permitted in the B7 zone, and none of the preclusions in subclause (6) apply, the panel accepts that the proposed development is permitted on the subject site. Legal advice has been provided by the applicant confirming this.
5. 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 due to privacy loss or overshadowing, or the utility of the local road system.






6. The proposed development is considered to be of acceptable form and scale consistent with context and character of the locality within which the site is placed. The Panel recognises that while the proposed development will present a building form substantially greater than the scale of residential housing located in Brunker Road and Graf Street it considers the residential buildings of the form and scale proposed provide a compatible interface given that the proposed development is a permitted use and commercial/industrial forms of development of similar scale are also permitted on the site.

In consideration of conclusions 1-6 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 – Nicholas will send these to me.

- 2)d) The plans shall make provision for the construction of the 'future pedestrian access' path from Graf Avenue, providing a secondary pedestrian access to the site, discharging between Buildings B and C. The provision of this secondary pedestrian access to the site shall be designed so as to not unduly reduce the amount of landscaping in this location.
- 2)e) The plans shall make provision for the removal of the existing chain wire boundary fence.
- 94) Prior to operation, an operational plan of management shall be prepared, and a copy provided to Council for Council's satisfaction. Council may request amendments prior to acknowledgement of its satisfaction. The plan of management must make specific provision for the availability of car parking at shift changeover for staff of the residential aged care facility, in order to ensure that staff do not need to park in nearby streets.

PANEL MEMBERS	
 Bruce McDonald (Chair)	 Nicole Gurran
 Stuart McDonald	 Nadia Saleh
 Bilal El-Hayek	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSH040 – Canterbury-Bankstown – DA845/2017
2	PROPOSED DEVELOPMENT	Construction of a Seniors Living Development comprising of six (6) buildings with a total of 224 dwellings and ancillary uses including a medical centre, café, retail shop, restaurant/ lounge, outdoor swimming pool, with communal landscaped areas and on-site basement car-parking.
3	STREET ADDRESS	10 Nelson Short Street, Potts Hill
4	APPLICANT/OWNER	Applicant: Mecone Owner: Potts Hill Group Pty Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million (DA lodged prior to 1 March 2018)
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ State Environmental Planning Policy No. 55 Remediation of Land</li> <li>○ State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Development</li> <li>○ Bankstown Local Environmental Plan 2015</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Bankstown Development Control Plan 2015</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</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> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 29 November 2018</li> <li>• Written submissions during public exhibition: 10</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – Nil</li> <li>○ Object – Nil</li> <li>○ Council assessment officer – Stephen Arnold, Nicholas Aley</li> <li>○ On behalf of the applicant – Adam Coburn, Jun Sakaguchi, Adam Chen</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing 8 November 2017</li> <li>• Site inspection 11 December 2018</li> <li>• Final briefing to discuss council's recommendation, 11 December 2018, 3.30pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Bruce McDonald (Chair), Nicole Gurran, Stuart McDonald, Nadia Saleh, Bilal El-Hayek</li> <li>○ <u>Council assessment staff</u>: Nicholas Aley, Stephen Arnold</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report