

Supplementary report to Sydney Central City Planning Panel

Panel reference: 2017SWC025

Development Application

DA number	SPP-16-04468	Date of lodgement	23 December 2016
Applicant	Idraft Group Pty Ltd		
Owner	Western Sydney Parklands Trust		
Proposed development	Construction of a community support centre for children of homicide victims (known as Grace's Place)		
Street address	Reserve 770 Kareela Street, Doonside (corner of Doonside Road and Eastern Road)		
Notification period	11 July – 10 August 2018	Number of submissions	10

Assessment

Panel criteria

Section 7, SEPP
(State and Regional
Development) 2011

Capital investment value (CIV) over \$5 million – Council interest, as the subject Council leased site is being sublet to the homicide support centre's group by Council.

Relevant section 4.15(1)(a) matters

Environmental Planning and Assessment Act 1979
State Environmental Planning Policy (State and Regional Development) 2011
State Environmental Planning Policy No. 55 (Remediation of Land)
State Environmental Planning Policy (Infrastructure) 2007
State Environmental Planning Policy (Western Sydney Parklands) 2009 (WSP SEPP)

Report prepared by Bertha Gunawan

Original report date 10 September 2018

Panel meeting date and deferral The Panel met on 26 September 2018 and deferred determination to enable the provision of further details itemised in the Council Assessment Report, including the submission of a revised stormwater plan, landscape plan and a revised Plan of Management to address the lack of operational details.

This report date 23 November 2018

Recommendation Deferred Commencement approval, subject to the conditions listed in attachment 2.

Attachments

- 1 Applicant's revised plans, Plan of Management, signage and lux report certification
- 2 Draft conditions of consent (as now amended)
- 3 Copy of the original report
- 4 A summary of the Applicant's amendments in compliance with the Panel's issues

Checklist

Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 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 summarised in the Executive Summary of the assessment report? **Yes**

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? **Not applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (section 7.24)? **No**

Conditions

Have draft conditions been provided to the Applicant for comment? **Yes**

Contents

1	Executive summary.....	4
2	Previous Panel consideration of DA.....	4
3	Assessment of Applicant's revised plans	5
4	Conclusion	6
5	Recommendation.....	7

1 Executive summary

- 1.1 This supplementary report is the second report on this proposal. This report considers additional information submitted by the Applicant in response to the Panel's deferral of the Development Application at its meeting on 26 September 2018. The key issues that need to be considered by the Panel related to the matters raised in its deferral and these are covered in Section 3 of this report.
- 1.2 Assessment of the Applicant's revised plans and documentation against the relevant planning framework has not identified any issues of concern that cannot be dealt with by conditions of consent. The draft conditions presented with the original report have been amended in line with the updated material received.
- 1.3 A public meeting was held by Council with the residents of the area in the evening of 16 November 2018, to discuss the proposal. Residents attended to listen and ask questions about the DA process and the proposed development. Representatives of the Applicant made a presentation and answered questions.
- 1.4 The application is still satisfactory when evaluated against section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act).
- 1.5 This report recommends that the Panel approve the application subject to the amended consent conditions at attachment 2, still by way of deferred commencement to address the drainage issues.

2 Previous Panel consideration of DA

- 2.1 At its meeting held on 10 September 2018 the Panel determined that:

"The Panel will defer the application. The Panel requires various amendments and additional information as follows:

 1. Relocation of the outdoor exercise area in the North West corner away from the residential areas.
 2. The waste storage area on the North West boundary to be moved to an area not close to the residences; the bins to be of domestic size only and to be collected on street.
 3. Lighting plan proposal to be submitted with lux report.
 4. On-site detention to be placed on site in accordance with the requirements of Council engineers.
 5. A barrier to be placed so as to contain overnight parking area.
 6. A sign designed for the front of the site showing an emergency telephone number.
 7. Landscaping plan to be redesigned to accommodate the council drainage swale at the North West boundary and to show all gates.
 8. The Plan of Management to be completed to the satisfaction of the Council's Manager Community Services, and to include the details required by Council in its assessment report and in condition 15.10. All details of all security measures, the details of the 24 hour caretaker, hours of operation, car park management and day to day arrangements of the office and the children must be provided.
 9. Upon receipt of the above information and a further report from Council, the panel will hold another public determination meeting."
- 2.2 A copy of the original Assessment Report is at attachment 3.

3 Assessment of Applicant's revised plans

3.1 The Applicant has submitted the following information (refer to attachment 1):

- Revised architectural, landscape and stormwater plans
- Revised operational plan of management
- An outdoor lighting plan, lighting model and a design certification letter for outdoor lighting
- Emergency signage details.

The above information responds to the Panel's reasons for deferral as follows:

3.2 Relocation of the outdoor exercise area in the North West corner away from the residential areas

- 3.2.1 The outdoor exercise area previously intended for the north-west corner of the site is now shown on the plans as being relocated to the south-west corner of the site, some 75 m away from the neighbouring properties.
- 3.2.2 The proposed outdoor recreation furniture is now to be relocated away from the neighbours as shown on the amended plans - over 30 m for the barbeque area and over 65 m for the children's play area.
- 3.2.3 The raised sensory garden is outside the 10 m buffer. But with the likelihood of people congregating around it, a consent condition is proposed to relocate the sensory garden outside of the on-site stormwater detention system (OSD) area, 17 m away from the north-western boundary.

3.3 The waste storage area on the North West boundary to be moved to an area not close to the residences; the bins to be of domestic size only and to be collected on street

- 3.3.1 The waste storage area is now located adjoining the visitor's accommodation on the south-eastern corner of the site, over 75 m away from the existing residential properties along the north-western boundary.
- 3.3.2 The Applicant has changed the commercial collection to a Council service and is now proposing domestic sized bins and kerbside collection.
- 3.3.3 The proposed waste management arrangements are satisfactory subject to the operational conditions from our Sustainable Resources Team.

3.4 Lighting plan proposal to be submitted with lux report

- 3.4.1 An outdoor lighting plan has been submitted, along with a lux report. The lighting plan shows the location of lights surrounding the main entry and car parking area. The lights consist of bollards and floodlights (refer to attachment 1 for details). 3 flood lights near the main entry will be fixed at a height of 3.5 m above ground level. All other lights are bollard lights at 380 mm in height when attached to a wall/fence, or 600 mm high when attached to the ground. These lights are located along the ancillary accommodation and car parking areas as detailed in the outdoor lighting plan.
- 3.4.2 The lux report confirms that proposed lighting will be installed in accordance with standard engineering practice, consistent with the requirements of Sections E, F and J of the Building Code of Australia and the relevant Australian Standard AS1158.3.1. Accordingly, the outdoor lighting plan will not result in offensive glare to the surrounding neighbouring properties.

3.5 On-site detention to be placed on site in accordance with the requirements of Council engineers

- 3.5.1 Location of the OSD system is shown on the civil plans to the satisfaction of Council's Drainage Engineers. According to the stormwater plan in attachment 1, this OSD system will be located in the north-western corner of the site.
- 3.6 A barrier to be placed so as to contain overnight parking area**
- 3.6.1 A boom gate is now proposed to prevent cars parking along the north-western boundary adjoining the existing residential properties. The boom gate will be located in the car parking area, between the office meeting room and the office arm buildings, approximately 25 m away from the residential boundary to ensure the noise from cars is reduced.
- 3.7 A sign designed for the front of the site showing an emergency telephone number**
- 3.7.1 A sign is now proposed to be located on the front entry gate. It will be a metal sign of 190 mm x 185 mm dimensions to be fixed onto the sandstone pier of the front gate facing Doonside Road.
- 3.7.2 The sign will be white with black lettering and include the key contact persons and their mobile numbers, as well as other phone numbers in the case of an emergency. The signage is detailed at attachment 1.
- 3.8 Landscaping plan to be redesigned to accommodate the council drainage swale at the North West boundary and to show all gates**
- 3.8.1 The revised landscape plan now submitted denotes that no trees will be proposed along the proposed drainage swale along the north-western boundary. All proposed gates are shown on the submitted plans and will not obstruct stormwater infrastructure on the site.
- 3.9 The Plan of Management to be completed to the satisfaction of the Council's Manager Community Services, and to include the details required by Council in its assessment report and in condition 15.10. All details of all security measures, the details of the 24 hour caretaker, hours of operation, car park management and day to day arrangements of the office and the children must be provided**
- 3.9.1 A revised Plan of Management now includes the details required by the Panel's decision and has been assessed as satisfactory by Council's Manager Community Services.
- 3.9.2 A copy of the updated Plan of Management is included at attachment 1.
- 3.9.3 This Plan of Management has been conditioned to be implemented by the operator upon commencement of the use.
- 3.10 The Applicant's changes in response to the Panel's issues are summarised in an illustrated table at attachment 4.

4 Conclusion

- 4.1 The proposed development has been satisfactorily amended to reflect the Panel's deferral issues. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions of consent, including a Deferred Commencement condition to address stormwater management.
- 4.2 Conditions of consent have been updated to ensure that waste storage and collection is managed to Council's requirements, and that maximum privacy and acoustic treatment is provided to neighbouring residents.
- 4.3 The application in its amended form is supported and recommended for approval.

5 Recommendation

- 1 Approve Development Application SPP-16-04468 subject to the amended conditions at attachment 2 as a Deferred Commencement consent.
- 2 Council officers notify the Applicant and the submitters of the Panel's decision.



Judith Portelli
Manager Development Assessment



Glennys James
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