

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

|                                 |                                                                                                  |
|---------------------------------|--------------------------------------------------------------------------------------------------|
| <b>DATE OF DETERMINATION</b>    | 22 February 2018                                                                                 |
| <b>PANEL MEMBERS</b>            | Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Lindsay Fletcher, Paul Stein and Brian McDonald |
| <b>APOLOGIES</b>                | None                                                                                             |
| <b>DECLARATIONS OF INTEREST</b> | None                                                                                             |

Public meeting held at Cumberland Council on 22 February 2018, opened at 12:30 pm and closed at 1:15pm.

#### MATTER DETERMINED

2017SWC111 – Cumberland – 2017/345/1 AT 128 Driftway Drive and 2 Newport Street, Pemulwuy (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 decision was unanimous.

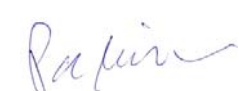
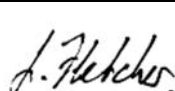
#### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- This application for seniors housing is in an area zoned to allow high density living being zoned R4 under Holroyd LEP 2013 and will supply an important type of housing in this area.
- The Panel visited the site and viewed the new and existing development in the area and found the proposal was consistent in design with the proposed future character of the suburb.
- The proposal is consistent with the aims and objectives of the various State and Local Plans and Planning policies and found to be satisfactory through the various referrals to state and council departments. There were no local objections.
- The conditions of consent prepared by the council staff were acceptable to the applicant and are adopted by the Panel.
- Accordingly the Panel finds the application is suitable for the site and is in the public interest.

#### CONDITIONS

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

| PANEL MEMBERS                                                                                                        |                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| Mary-Lynne Taylor (Acting Chair)  | Paul Mitchell OAM  |
| Lindsay Fletcher                  | Paul Stein AM       |
| Brian McDonald                    |                                                                                                         |

| SCHEDULE 1 |                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------|--------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1          | PANEL REF – LGA – DA NO.                   | 2017SWC111 – Cumberland – 2017/345/1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 2          | PROPOSED DEVELOPMENT                       | Construction of 2 x three storey residential flat buildings accommodating 72 seniors housing units over basement car parking accommodating 89 parking spaces                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 3          | STREET ADDRESS                             | 128 Driftway Drive and 2 Newport Street, Pemulwuy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 4          | APPLICANT OWNER                            | LLP RV (Nelson Grove) Pty Ltd<br>Lendlease Retirement Living Holding Pty Ltd                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 5          | TYPE OF REGIONAL DEVELOPMENT               | General development over \$20 million                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 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 (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)</li> <li>Holroyd Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Holroyd Development Control Plan 2013</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: 22 February 2018</li> <li>Written submissions during public exhibition: none</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>On behalf of the applicant – Karen Armstrong</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 8          | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>Site inspection on 22 February 2018</li> <li>Final briefing meeting to discuss council's recommendation, 22 February 2018, 12:15 pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Lindsay Fletcher, Paul Stein and Brian McDonald</li> <li><u>Council assessment staff</u>: Karl Okorn, Fay Ong, Michael Lawani, William Attard and Bala Sudarson</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 9          | COUNCIL RECOMMENDATION                     | Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 10         | DRAFT CONDITIONS                           | Attached to the council assessment report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |