

DATE OF DETERMINATION	19 September 2019
PANEL MEMBERS	Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Lindsay Fletcher and Mark Colburt
APOLOGY	Peter Brennan and Chandi Saba
DECLARATIONS OF INTEREST	Nil

Public meeting held at The Hills Shire Council on Thursday 19 September 2019 opened at 3.35pm and closed at 5.15pm.

MATTER DETERMINED

2019CCI029 - The Hills Shire – DA1529/2019 AT Lot 118 DP1239618 Mackillop Drive, Norwest (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 has 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 proposal is a permissible use in the zone and is compatible with the zone objectives. The proposal satisfies all applicable development standards in the Seniors Housing SEPP and The Hills Local Environmental Plan 2012.
2. The site of the proposed development is suitable for the intended use. It is well serviced by buses and therefore has access to all necessary services. The site is not constrained by any environmental factors or natural constraints.
3. The proposed development is well designed and compatible with the planned future character of the locality. The proposal will have no material adverse impact on neighbouring and nearby properties, nor on local infrastructure and services.
4. The proposal will add to the stock and diversity of housing available in the locality, thus contributing to improved housing choice and affordability.
5. The Panel has carefully considered the matters raised in the objector's submission and considers they have either been addressed by conditions or are not of sufficient consequence to warrant refusal of the application.

6. For the reasons given above the Panel believes that approval of the application is in the public interest.

CONDITIONS

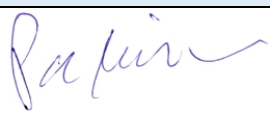
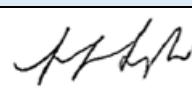
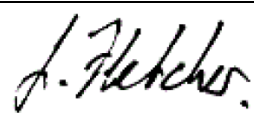

The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered all written submissions made during public exhibition. The Panel notes that issues of concern included:

- Impact of this development on parking in the area;
- Underground carpark with respect to access.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and no issues require further assessment.

PANEL MEMBERS	
 Paul Mitchell (Acting Chair)	 Mary-Lynne Taylor
 Lindsay Fletcher	 Mark Colburt

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019CCI029 - The Hills Shire – DA1529/2019
2	PROPOSED DEVELOPMENT	Residential Aged Care Facility Pursuant to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.
3	STREET ADDRESS	Lot 118 DP1239618 Mackillop Drive, Norwest
4	APPLICANT/OWNER	Applicant/Owner – Catholic Healthcare Limited
5	TYPE OF REGIONAL DEVELOPMENT	CIV exceeding \$30million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none">• Environmental planning instruments:<ul style="list-style-type: none">• State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004• State Environmental Planning Policy No. 55 – Remediation of Land• State Environmental Planning Policy No. 64 – Advertising and Signage• The Hills Local Environmental Plan 2012

		<ul style="list-style-type: none"> • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> • The Hills Development Control Plan 2012 • Planning agreements: Nil <ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report – 19 September 2019 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – Kendal Mackay and David Brandon-Cooper ○ On behalf of Council – Claro Patag and Paul Osborne
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing – 20 June 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Peter Brennan, Chandi Saba and Mark Colburt ○ <u>Council assessment staff</u>: Claro Patag and Paul Osborne • Site Inspection – 19 September 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Lindsay Fletcher and Mark Colburt ○ <u>Council assessment staff</u>: Claro Patag and Paul Osborne • Final briefing to discuss council's recommendation, 19 September 2019, 2.30pm. • Public Meeting – 19 September 2019 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Lindsay Fletcher and Mark Colburt ○ <u>Council assessment staff</u>: Claro Patag, Robert Buckham and Paul Osborne
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached with Council assessment report