

DATE OF DETERMINATION	30 May 2019
PANEL MEMBERS	Paul Mitchell (Acting Chair), Stuart McDonald, Lindsay Fletcher, Kathie Collins and Chris Quilkey
APOLOGIES	Mary-Lynne Taylor
DECLARATIONS OF INTEREST	Nil

Public meeting held at Blacktown City Council on Thursday, 30 May 2019, opened 12.00pm and closed at 1.40pm.

MATTER DEFERRED

Panel Ref – 2019CCI030 – LGA – Blacktown – DA18/00567 at 30 Frank Street, Mount Druitt (as described in Schedule 1)

REASONS FOR DEFERRAL

The Panel is minded to approve the application subject to provision of amended plans including a revised landscape plan showing how lost trees will be replaced and providing for continuous planting along the street frontage by removing the currently proposed ramp and showing associated finished level adjustments.

The Panel's reasons are as follows

1. The public interest is served by timely provision of special needs housing and this factor distinguishes the present application from those for other forms of residential development in terms of any precedent.
2. Seniors housing is permissible under R2 Low Density Residential zone and satisfies the zone objectives outlined under Blacktown Local Environmental Plan 2015.
3. The proposed development will add to the supply and choice of housing within the Sydney Central City Planning District and the Blacktown local government area in a location with good access to services and amenities.
4. The proposed development adequately satisfies the relevant State and Regional Environmental Planning Policies including SEPP 55 - Remediation of Land, SEPP (BASIX) 2004 and SEPP (Housing for Seniors or People with a Disability) 2004.
5. The proposal generally complies with Blacktown Local Environmental Plan 2015 and Blacktown Development Control Plan 2015 and to the extent that it does not, the variations are acceptable.
6. The proposed development is consistent with the desired future character of the area and is compatible with the surrounding properties.
7. The likely impacts of the development, including traffic, access, parking, noise, siting, design, bulk and scale, overshadowing, visual and acoustic privacy, contamination, waste

management have been satisfactorily addressed, so that the proposed development will not result in unfavourable social, economic or environmental impacts.

8. Whilst the proposed stormwater management arrangement is not in accordance with Council's DCP, the Panel is satisfied that the alternative arrangement proposed will operate satisfactorily and not impose any significant burden on Council for its future maintenance. The Panel notes the difficulty of obtaining the easement through downstream properties in circumstances where all those properties have objected to the proposal.
9. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the local ecology, the amenity of adjacent and nearby premises and the operation of the local road system.
10. In consideration of conclusions 1-9 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

The Panel deferred its determination of the matter until a draft set of conditions have been prepared by Council and submitted to the applicant for their agreement. The matter is to then be reported back to the Panel for determination. The draft conditions shall include a condition requiring the preparation of amended plans including removal of the ramp, adjustment of finished levels and a revised landscape plan to replace the loss of trees.





When this information has been received, the panel will hold another meeting.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

CONSIDERATION OF COMMUNITY VIEWS

- In coming to its decision, the Panel considered written submissions made during public exhibition and heard from those wishing to address the panel as listed at item 7 in Schedule 1. The Panel notes that issues of concern included:
 - Changing character of the area
 - Opposition to multiple dwellings

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no further new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Paul Mitchell (Acting Chair)	 Stuart McDonald
 Lindsay Fletcher	 Kathie Collins



Chris Quilkey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2019CCI030 – LGA – Blacktown – DA18/00567
2	PROPOSED DEVELOPMENT	Seniors housing development comprising 4 dwellings, car parking and landscaping.
3	STREET ADDRESS	30 Frank Street, Mount Druitt
4	APPLICANT/OWNER	Applicant – Creative Planning Solutions Pty Ltd Owner – Aboriginal Housing Office
5	TYPE OF REGIONAL DEVELOPMENT	Crown Development
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none">• Environmental planning instruments:<ul style="list-style-type: none">○ State Environmental Planning Policy No. 55 – Remediation of Land○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004○ Blacktown Local Environmental Plan (BLEP) 2015• Draft environmental planning instruments: Nil• Development control plans:<ul style="list-style-type: none">○ Blacktown Development Control Plan 2015• Planning agreements: Nil• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil• Coastal zone management plan: 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: 15 May 2019• Written submissions during public exhibition: 1 and a petition with 21 signatures

		<ul style="list-style-type: none"> • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Sara Smith, David Yee and Perri Bezzina ○ On behalf of the applicant – Naef Qassis, Simon Newport, Ben Tesoriero and Stefan Koebisch
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection: 30 May 2019 • Final briefing to discuss council's recommendation, 30 May 2019, time 11.30am. • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Stuart McDonald, Lindsay Fletcher, Kathie Collins and Chris Quilkey ○ <u>Council assessment staff</u>: Sara Smith, David Yee and Perri Bezzina
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A