

<b>DATE OF DETERMINATION</b>	27 June 2019
<b>PANEL MEMBERS</b>	Mary-Lynne Taylor (Acting Chair), Stuart McDonald, Paul Mitchell, Kathie Collins and Chris Quilkey
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

Public meeting held at Blacktown City Council on Thursday, 27 June 2019, opened 2.00pm and closed at 2.30pm.

#### **MATTER DETERMINED**

Panel Ref – 2019CCI030 – LGA – Blacktown – DA18/00567 at 30 Frank Street, Mount Druitt (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 4.33 of the Environmental Planning and Assessment Act 1979.

The decision was unanimous.

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

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 in the R2 Low Density Residential zone and satisfies the zone objectives given in Blacktown Local Environmental Plan 2015.
3. The proposed development will add to the supply and range 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 potential impacts of the development, including traffic, access, parking, noise, siting, design, bulk and scale, overshadowing, visual and acoustic privacy, contamination and waste management have all 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 an easement through downstream properties in circumstances where all those properties have objected to the proposal.
9. In consideration of conclusions 1-8 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 conditions in the council supplementary report.

### 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:

- Impacts on the character of the area
- Opposition to multiple dwellings

The Panel considers the 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	
 Mary-Lynne Taylor (Acting Chair)	 Stuart McDonald
 Paul Mitchell	 Kathie Collins
 Chris Quilkey	

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"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>○ Blacktown Local Environmental Plan (BLEP) 2015</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Blacktown 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>• Supplementary report: 14 June 2019</li> <li>• Original Council assessment report: 15 May 2019</li> <li>• Written submissions during public exhibition: 1 and a petition with 21 signatures</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Nil</li> <li>○ Council assessment officer – Judith Portelli, Sara Smith and Perri Bezzina</li> <li>○ On behalf of the applicant – Simon Newport, Michael Padre</li> </ul> </li> </ul>

		and Daniel Govers
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site Inspection: 30 May 2019</li> <li>• Final briefing to discuss council's recommendation, 27 June, time 1.30pm.</li> <li>• Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Stuart McDonald, Paul Mitchell, Kathie Collins and Chris Quilkey</li> <li>○ <u>Council assessment staff</u>: Judith Portelli, Sara Smith and Perri Bezzina</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Submitted with council supplementary report