

DATE OF DETERMINATION	5 August 2019
PANEL MEMBERS	Bruce McDonald (Acting Chair), Nicole Gurran, Stuart McDonald and Lara Symkowiak
APOLOGIES	Justin Doyle and Michael Morrison
DECLARATIONS OF INTEREST	Nil

Public meeting held at Camden Council on 5 August 2019, opened at 3.00pm and closed at 3.45pm.

MATTER DETERMINED

2019WCI009 – Camden – DA2018/1468/1 AT 600E The Northern Road, 600F The Northern Road and 371 Oran park Drive, Oran Park (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 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

1. The proposed development will provide additional aged care housing and facilities and additional employment in a location with access to amenities and services available from Oran Park Town Centre and the future district bus and rail services which will provide access to other major centres within the broader locality.
2. The Panel has considered the Applicants request to vary the development standard relating to height of buildings contained in Cl.4.3 of SEPP (Sydney Region Growth Centres) 2006. Compliance with the standards is considered unreasonable and unnecessary in the circumstances of this case as the proposed height will not generate unacceptable impacts on the nearby premises and is consistent with the planned and emerging scale in this locality. The development will provide a suitable transition of scale between Oran Park Town Centre and the surrounding residential development. The variation remains consistent with the objectives of the standard and the R3 Medium Density Residential zone. It is also noted that residential buildings in excess of the proposed height of this building are permissible on this site.

3. The proposed development adequately satisfies the relevant State legislation and State Environmental Planning Policies including the Water Management Act 2000, the Rural Fires Act 1997, SEPP (Sydney Region Growth Centres) 2006, SEPP (Housing for Seniors and People with a Disability) 2004, SEPP 55 -Remediation of Land and SREP No.20 Hawkesbury-Nepean River.
4. The proposal adequately satisfies the applicable provisions of Camden DCP 2011 and Oran Park Precinct DCP 2007.
5. The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the riparian system or local flora and fauna, the amenity of nearby buildings or the utility of the planned local road system. It is considered that the conditions imposed will adequately mitigate potential fire risk.
6. The proposed development is considered to be of acceptable form and scale consistent with the existing and proposed varied urban context of the locality within which the site is placed.
7. In consideration of conclusions 1-6 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 the conditions in the council assessment report with the following amendments –

New Condition is added under ‘Section 2.0 Prior to the Issue of Construction Certificate’:





(26) Special Infrastructure Contribution - The applicant shall make a special infrastructure contribution (SIC) in accordance with the determination made by the Minister administering the EP&A Act 1979 under Section 7.23 of that Act and as in force on the date of this consent. This contribution shall be paid to the Department of Planning and Environment (DPE). Evidence of payment of the SIC shall be provided to Council and the PCA. Alternatively, the applicant must obtain written confirmation from DPE that the SIC is not required to be paid for the approved development.

Amend Condition 33 under ‘Section 4.0 During Works’:

(33) Construction Access and Egress – No construction access or egress is permitted from Dick Johnson Drive or the drainage reserve/riparian corridor, unless otherwise agreed by Camden Council’s Manager Statutory Planning.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that they were no written submissions made during public exhibition.

PANEL MEMBERS	
 Bruce McDonald (Acting Chair)	 Nicole Gurran
 Stuart McDonald	 Lara Symkowiak

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019WCI009 – Camden – DA2018/1468/1
2	PROPOSED DEVELOPMENT	Construction of a three storey 244 room Aged care Facility with a 68 space basement car park, coffee shop, hairdresser, therapy rooms, landscaping and associated civil works.
3	STREET ADDRESS	600E The Northern Road, 600F The Northern Road and 371 Oran park Drive, Oran Park
4	APPLICANT/OWNER	Northside Construction Pty Ptd / Perich Property Pty Ltd and Leppington Pastoral Company
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$30million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Sydney Region Growth Centres) 2006 ○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Regional Environmental Plan No. 20 – Hawkesbury-Nepean River • Development control plans: <ul style="list-style-type: none"> ○ Camden Development Control Plan 2011 ○ Oran Park Precinct Development Control Plan 2007 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil

		<ul style="list-style-type: none"> • 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: Consideration of the provisions of the Buildings Code of Australia • 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: 5 August 2019 • Written submissions during public exhibition: 0 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of Council – Clare Aslanis ○ On behalf of the applicant – Dean Golding and Andrew Hamsley
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection and briefing – 4 March 2019 • Site Inspection – 5 August 2019 • Final briefing meeting to discuss council's recommendation, 5 August 2019, 2.30pm. • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Bruce McDonald (Acting Chair), Nicole Gurrán, Stuart McDonald and Lara Symkowiak ○ <u>Council assessment staff</u>: Clare Aslanis and Jamie Erken
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report