

DATE OF DETERMINATION	14 June 2022
DATE OF PANEL DECISION	14 June 2022
PAPERS CIRCULATED ELECTRONICALLY	24 May 2022
PANEL MEMBERS	Graham Brown (A/Chair), Roberta Ryan, Ken McBryde, Chris Quilkey
APOLOGIES	Kathie Collins
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 24 May 2022.

MATTER DETERMINED

PPSSCC-201 - Blacktown - SPP-20-02086 - 170 Reservoir Road, Arndell Park - Concept approval of a staged masterplan development for construction of 9 x 3 to 7 storey seniors housing buildings including a residential aged care facility comprising 480-self-contained dwellings, 160 residential aged care facility beds, 628 basement car parking spaces and 2 community centres. The development application also seeks approval to undertake Stage 1 and Stage 2 of the concept plan, which involves earthworks and tree removal to facilitate the development of 4 x 3 to 5 storey senior housing buildings over 1 shared basement level, new internal roads, pedestrian pathways and landscape embellishment works.

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 listed at item 8 in Schedule 1.

The Panel deferred determination of the development application on 29 March for the following reasons:

The Panel agreed to defer the determination of the matter until an amended social impact assessment is prepared by an independent qualified person because the social impact assessment provided was inadequate to predict and analyse the extent and nature of the likely social impacts of the development given the size of the development and the number of people that would be housed at the proposed development.

The Panel agreed that the proposed development placed an unnecessary reliance on the adjoining licensed club for social benefits, such as bus services and entertaining and that it was more appropriate to view the proximity of the licensed club as additional or bonus services that would be available to some future occupants. As an indication, the Panel observed that the proposed development provided no internal facilities such as the provision of day-to-day goods for residents, entertaining facilities such as coffee shop and that outdoor recreation facilities were not maximised by the absence of rooftop recreation areas.

The Panel agreed that the proposed development should provide sufficient social facilities within the proposed development to cater for the future population including consideration of the likely cultural and demographic characteristics of that population that can only be determined through a rigorous social impact assessment.

The social impact assessment should address the staged nature of the proposed development and indicate through amendments to the plans where any additional facilities will be located. The provision of any additional services is to be provided as well as the frequency of any such services.

When this information has been received, the Panel will determine the matter electronically. The Panel expects an addendum assessment report from Council responding to the material and the matters raised above.

The decision to defer the matter was unanimous.

The Panel considered a supplementary report on 3 June 2022 that addressed the reasons for the deferral and the Parkside Retirement Village Social impact assessment prepared by HillPDA and dated May 2022.

Development application

The Panel 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

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report and the Supplementary Council Assessment Report that addressed the reasons for the deferral with reference to the Parkside Retirement Village Social impact assessment prepared by HillPDA dated May 2022.

The Panel notes that the documentation provided to the Panel did not provide an approval from Transport for NSW however a number of recent road and intersection designs were available on the Planning Portal. The Panel was satisfied that as condition 3.5 requires that the proposed median, pedestrian refuge and fencing, and associated civil works along Reservoir Road shall be designed to meet Transport for NSW requirements, and endorsed by a suitably qualified practitioner satisfactorily addresses the issues associated with Reservoir Road.

CONDITIONS

The development application was approved subject to the conditions in the Supplementary Council Assessment Report with the following amendments.

Condition 2.1.1 – Dot point 2 is to be amended to read:

Stage 1 and 2 Development Applications for 4 x 3-5 storey senior housing buildings and residential facilities including coffee shop over 1 shared basement level, new internal private roads, pedestrian pathways and landscape embellishment works.

The combined coffee shop and small convenience store will be no less 55m² that will incorporate not only a resident and visitor meeting place, but also a location where resident services can be offered in Stage 1 (Building C). This resident services area will initially be managed by 3 to 4 site management and concierge staff that will:

- maintain a limited supply of essential goods for sale to residents,
- aid residents to order grocery items online, if required,
- receive grocery deliveries from local supermarkets on behalf of residents and alert the resident of their arrival or deliver the groceries to the resident's dwelling, and
- provide general assistance to residents on any matter to ensure their wellbeing.

A dedicated bus service is to be provided to/from Blacktown city centre for exclusive use of the village residents of Stage 1 and 2. This bus service will not be related to the bus service of Blacktown Workers Club and will operate twice daily, Monday to Saturday. This service would enable residents who are unable or unwilling to use public transport or drive to access the many services available in Blacktown. The circuit that the bus service will travel will include stops at Blacktown Megacentre, Blacktown Hospital and Westpoint Blacktown.

To meet increasing demand as the development grows, the frequency will be adjusted through a follow-on circuit as required i.e. the bus will follow a second circuit after arriving back at the village from the first circuit.

The 750 m² community centre is to be completed as part of Stage 1 and is intended for resident's activities and entertainment. The operator of the village will develop a program of activities that reflect residents' interests and the diversity of their cultural backgrounds. The community facility will comprise:

- a kitchen/servery to provide tea, coffee and light refreshment's,
- a 200 m² lounge/social area that provides a flexible space that can be used for a wide variety of uses and for a range of group sizes. For example, uses could include formal and informal meetings, classes, visiting entertainers, games, religious services, calendar events and celebrations, movie nights,
- a function room which will be a multi-functional space that is capable of being used for allied health practitioners as well as yoga, pilates and other services that the residents may seek to have at the site,
- male/female toilet
- a 64 m² gymnasium fitted out with a selection of age-appropriate gym equipment,
- a 67 m² craft room fitted out with state-of-the-art finishes and surfaces that can be easily cleaned,
- a 244 m² swimming pool with male/female change room and pool storage area suitable for aqua-aerobics, hydrotherapy and recreation, and
- a 55m² café and convenience store that will be converted into additional community space when Stage 4, Building D is completed.

Condition 2.1.4 is to include the following additional requirements at the end of the condition:

Compliance with the requirements and particularly, any specific recommendations of the following specialist studies or consequent amendments to these studies:

- Parkside Retirement Village Social impact assessment prepared by HillPDA and dated May 2022.
- Blacktown Workers Club – Flood Assessment prepared by grc Hydro dated December 2020.
- Blacktown Workers Seniors Living St 1 & 2 Statement of Compliance Access for People with a Disability by Accessible Building Solutions dated 16.12.2020.
- Blacktown Workers Seniors Living Development Application – Noise Impact Assessment by Acoustic Logic dated 2/12/2020,
- Geotechnical Investigation Report Proposed Blacktown Assisted Living Units at No 170 Reservoir Road Arndell Park NSW 2148 by MK GeoEng dated 20 June 2018.
- Tree Protection Plan Blacktown Workers Sports Club by Australis Tree Management dated 20 November 2020.

New condition 2.4.28

Development applications for future stages are to provide an addendum to the Parkside Retirement Village Social impact assessment prepared by HillPDA and dated May 2022 to confirm that the mix of social infrastructure and services for the previously constructed stages provides a satisfactory level of social infrastructure and services for the existing population. Any inadequacies in the provision of social infrastructure and services are to be addressed in the following stage of development.

Additionally, the addendum is to provide the type, location and amount of social infrastructure and services required for the development application and the likely population of that development application.

The addendum must be produced by prepared by an independent and qualified person with experience in the preparation of social impact assessments.

CONSIDERATION OF COMMUNITY VIEWS

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

- Flooding of neighbouring properties to the east
- Amenity impacts that would result during construction of the development including on-street parking impacts, noise impacts, dust and dirt emissions
- Loss and damage to business

The Panel considers that concerns raised by the community have been adequately addressed in the Council Assessment Report and Supplementary Council Assessment Report or are not relevant planning considerations. The Panel notes that in addressing these issues, Council's internal referral officers have reviewed the proposal and appropriate conditions of consent have been imposed.

PANEL MEMBERS	
 Graham Brown (A/Chair)	 Ken McBryde
 Roberta Ryan	 Chris Quilkey

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-201 - Blacktown - SPP-20-02086
2	PROPOSED DEVELOPMENT	Concept approval of a staged masterplan development for construction of 9 x 3 to 7 storey seniors housing buildings including a residential aged care facility comprising 480 self-contained dwellings, 160 residential aged care facility beds, 628 basement car parking spaces and 2 community centres. The development application also seeks approval to undertake Stage 1 and Stage 2 of the concept plan, which involves earthworks and tree removal to facilitate the development of 4 x 3 to 5 storey senior housing buildings over 1 shared basement level, new internal roads, pedestrian pathways and landscape embellishment works.
3	STREET ADDRESS	170 Reservoir Road, Arndell Park
4	APPLICANT/OWNER	Paynter Dixon Constructions Pty Ltd/ Blacktown Workers Club Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No. 55 – Remediation of Land • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River • State Environmental Planning Policy (Vegetation in Non-rural Areas) 2017 • State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • Central City District Plan 2018 • Blacktown Local Strategic Planning Statement 2020 • Blacktown Local Environmental Plan 2015 • Blacktown Development Control Plan 2015
7	MATERIAL CONSIDERED BY THE PANEL	• Council Assessment Report: 20 January 2022 • Council Supplementary Assessment Report: 18 May 2022 • Written submissions during public exhibition: 74 • Total number of unique submissions received by way of objection: 3
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing: 8 April 2021 - o <u>Panel members</u>: Noni Ruker (Chair), Ken McBryde, Carol Israel - o <u>Council assessment staff</u>: Judith Portelli, Perry Bezzina, Jared Spies - o <u>DPE</u>: George Dojas, Sharon Edwards, Jeremy Martin • Determination - Deferral: 24 March 2022 - o <u>Panel members</u>: Roberta Ryan (Chair), Ken McBryde, Graham Brown

		- o <u>Council assessment staff</u>: Judith Portelli, Perry Bezzina, Jared Spies • <u>DPE</u>: George Dojas, Sharon Edwards, Jeremy Martin • Panel Discussion: 3 June 2022 - o <u>Panel members</u>: Graham Brown (A/Chair), Ken McBryde, Roberta Ryan, Chris Quilkey - o <u>DPE</u>: Sharon Edwards, Jeremy Martin
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Supplementary Council Assessment Report