

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	9 November 2022
DATE OF PANEL DECISION	9 November 2022
DATE OF PANEL MEETING	3 November 2022
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Blake Cansdale, Chris Quilkey, Moninder Singh
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 27 October 2022.

MATTER DETERMINED

PPSSCC-379 – Blacktown – SPP-22-00003 – 143 Kensington Park Road, Riverstone

Subdivision into 1 superlot and road with the construction of a part 1/part 2-storey building and its use as a 110-place childcare centre and medical centre with basement parking and business identification signage on proposed lot 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 listed at item 8 in Schedule 1.

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, noting that the proposed development has been assessed against all relevant matters and is satisfactory.

It is considered that the likely impacts of the development have been addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

CONDITIONS

The development application was approved subject to the conditions in the Council assessment report with the following amended and newly included conditions:

PRIOR TO CONSTRUCTION CERTIFICATE (PLANNING)

Condition 4.3.1 is to be amended to read as follows:

4.3.1 The landscape plan shall be amended to indicate details of the landscaping on the roof of the child care centre including access to the roof and a range of screen planting including medium-sized tree species in the 2m deep soil setback along the western boundary. The amended landscape plan and details are to be submitted to and approved by Council prior to the issue of the relevant Construction Certificate.

Condition 4.3.3 is to be included as follows:

4.3.3 The roof colour for the child care centre and medical centre are to be of a light colour finish. Details are to be submitted and approved by Council prior to release of any building work Construction Certificate.

Condition 4.6.4 is to be amended to read as follows:

4.6.4 A minimum of 70 car parking spaces are required to be provided on site, being 19 staff spaces and 19 visitor spaces for the child care centre and 9 staff spaces and 23 visitor spaces for the medical centre (including 4 6 disabled car parking spaces) and are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1. Rear spaces of the stacked car parking be provided for the purpose of staff parking only.

OPERATIONAL (PLANNING)

Condition 15.4.2 is to be amended to read as follows:

15.4.2 This approval permits a maximum of 5 9 staff (including a doctor, a visiting specialist, a pathologist, a nurse, and a receptionist / practicing manager) to be on the premises at any given time.

PRIOR TO OCCUPATION CERTIFICATE

Condition 15.9.7 is to be amended to read as follows:

15.9.7 A minimum of 70 car parking spaces are required to be provided on site, including 4 6 accessible spaces, allocated as follows:

Use	Parking spaces
Child care staff	19 spaces
Child care visitors	19 spaces
Medical centre staff	9 spaces
Medical centre patients	23 spaces


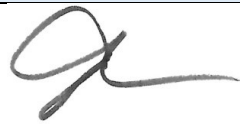



The car parking spaces are to be designed having minimum internal clear dimensions in accordance with Australian Standard 2890.1. Rear spaces of the stacked car parking be provided for the purpose of staff parking only.

All car parking spaces shall be linemarked and signposted to identify all staff and visitor parking spaces.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered one written submission received during the public exhibition period.

The issues raised by the submitter focus on the capacity of the local street network to support traffic generated by the proposed development. The Panel considers that the issues raised in the objection have been satisfactorily addressed in Council's assessment report and are not sufficient to warrant refusal of the development application.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Blake Cansdale	 Chris Quilkey
 Moninder Singh	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-379 – Blacktown – SPP-22-00003
2	PROPOSED DEVELOPMENT	Subdivision into 1 superlot and road with the construction of a part 1/part 2-storey building and its use as a 110-place childcare centre and medical centre with basement parking and business identification signage on proposed lot 1
3	STREET ADDRESS	143 Kensington Park Road, Riverstone
4	APPLICANT/OWNER	Applicant: Nayak Investments Pty Ltd Owner: Nima Abdi & Nilofar Abdi
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Precincts - Central River City) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Central City District Plan 2018 Blacktown Local Strategic Planning Statement 2020 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Blacktown City Council Growth Centre Precincts Development Control Plan 2010 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: 27 October 2022 Written submissions during public exhibition: 1 Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Kick Off Briefing: 11 August 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair) <u>Council assessment staff</u>: Shakeeb Mushtaq, Chantelle Seignarack <u>Applicant representatives</u>: Steven Sammut, Karen Nayak, Michael Trihn, Sinan Jan Final briefing to discuss council's recommendation: 3 November 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Blake Cansdale, Moninder Singh, Chris Quilkey <u>Council assessment staff</u>: Shakeeb Mushtaq, Olivia Betts, Judith Portelli, Alan Middlemiss

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report, as amended