

MEMORANDUM

Reference: PPSSWC-177 (Council Reference: DA21/0607)
To: Sydney Western City Planning Panel
From: Robert Walker, Senior Development Assessment Planner
Date: 18 October 2022
Subject: **Proposed Residential Aged Care Facility at No. 94-100 Explorers Way, St Clair**

Reference is made to the subject Development Application, which was listed for determination at the Sydney Western City Planning Panel (the Panel) meeting on 22 August 2022. The Development Application was recommended for Refusal.

The determination of the application was deferred by the Panel until September 2022, for Council to then provide an indication as to whether changes to the plans could be promptly prepared which might address its concerns.

In the time since the Panel issued the deferral on 25 August 2022, Council Officers, have liaised with the Applicant and Consultants, including through a joint site inspection (in relation to biodiversity matters), meetings and emails.

The following provides responses to the specific matters outlined within the record of deferral issued by the Panel.

(a) Location

No additional material has been produced in this regard and it is considered that no further discussion is required in relation to this matter.

(b) Western boundary relationship

Throughout the consultation which has occurred, since the Panel's deferral, the Applicant has not demonstrated a willingness to provide an acceptable level of separation between the main car parking area and adjoining low density residential premises to the west.

A draft site layout / plan has been discussed, which still would result in the main car parking area extending to approximately 2.1m from the western boundary, which would provide only a small amount of additional landscaped area alongside the western site boundary.

(c) Biodiversity

The Applicant has made progress in relation to biodiversity matters, particularly in respect to anomalies that were identified in the associated material forming part of the Development Application.

MEMORANDUM

Notwithstanding this, material submitted to Council for comment in the period since the Panel issued the deferral, has failed to fully satisfy biodiversity matters, particularly in relation to demonstrating the 'avoid and minimise principle'.

(d) Height non-compliance

No additional material has been produced in this regard and it is considered that no further discussion is necessarily required in relation to this matter.

(e) Design

The Applicant has provided an example as to how service infrastructure could be housed, which would satisfy associated streetscape concerns which have previously been raised.

While in relation to external finishes, while no additional material has been produced in this regard and that no further discussion has been had in relation to this matter, it is expected that agreement could be reached in relation to this matter.

While not specifically listed within the record of deferral issued by the Panel, it is noted that hydraulic related concerns, also are related to the recommended reasons for refusal in the Assessment Report considered by the Panel at the meeting on 22 August 2022. In relation to such, it is noted that the Applicant has produced additional and revised hydraulic material, which would address associated concerns.

Overall, given the Applicant's unwillingness to provide an acceptable level of separation between the main car parking area and adjoining low density residential premises, and therefore the inability of the layout to provide a substantial landscape buffer to the residential premises immediately to the west of the main car parking area, it is recommended that the Panel determine the Development Application based upon the material forming part of such at the time the matter was reported to the Panel for determination at the meeting on 22 August 2022.

Robert Walker
Senior Development Assessment Planner