

## COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	PPSSWC-186
<b>DA Number</b>	x/1436/2021
<b>LGA</b>	Blue Mountains City Council
<b>Proposed Development</b>	Restoration of the site to allow for its continued use as a residential care facility with 123 beds, including the demolition of existing structures, retention and conservation of the Ritz Hotel building and Manager's Residence, tree removal, earthworks, construction of new buildings, landscaping, stormwater drainage works, retaining walls, basement car parking and a new substation.
<b>Street Address</b>	203-223 Leura Mall Leura
<b>Applicant/Owner</b>	Ryan Cole (formerly Ashleight Coombes) Gyde Planning / Skermanic Pty Ltd TA Pathways Residentces
<b>Date of DA lodgement</b>	9 June 2022
<b>Total number of Submissions</b> <b>Number of Unique Objections</b>	40 40
<b>Recommendation</b>	Refusal
<b>Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011</b>	The proposal is a form of development specified in schedule 6(2) of State Environmental Planning Policy (Planning Systems) 2021, being general development that has a CIV of more than \$30 million.  Pursuant to section 2.19(1) the development is declared to be regionally significant development
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>Chapter 4 - Koala habitat protection 2021</li> <li>Chapter 8 - Sydney drinking water catchment</li> <li>Chapter 9 - Hawkesbury-Nepean River</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>Chapter 2 – Roads and traffic; noise and vibration</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>Chapter 4 Remediation of Land</li> <li>Local Environmental Plan 2015</li> <li>Development Control Plan 2015</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>Revised Statement of Environmental Effects prepared by Gyde (7 June 2022)</li> <li>Revised Clause 4.6 Variation Requests (Height and FSR) prepared by Gyde (7 June 2022)</li> <li>Revised Heritage Impact Statement prepared by John Oultram Heritage &amp; Design (June 2022)</li> <li>Amended Architectural Plans prepared by PBD Architects (23 May 2022)</li> <li>Amended Landscape Plans and Report prepared by Svalbe &amp; Co/ Brendan Moar (June 2022)</li> <li>Amended Civil Plans, DRAINS/ MUSIC Models and Stormwater Management Report prepared by AT&amp;L (June 2022)</li> <li>Basement Construction Feasibility Assessment prepared by Mott MacDonald (24 May 2022)</li> <li>Updated Access Report prepared by Accessible Building Solutions (4 May 2022) •</li> </ul>

	<ul style="list-style-type: none"> <li>Updated BCA Compliance Assessment Report prepared by AED Group (3 June 2022)</li> <li>Updated Fire Engineering Statement prepared by GHD (7 June 2022)</li> <li>Updated Section J Report prepared by Aspire Sustainability Consulting (1 June 2022)</li> <li>Updated Traffic and Parking Impact Assessment prepared by McLaren Traffic (23 May 2022).</li> <li>Remedial Action Plan</li> <li>Landscape Structure Plan</li> <li>Stone Walls Supplementary Report</li> <li>Plant Inventory</li> <li>Landscape Letter of Advice</li> </ul>
<b>Clause 4.6 requests</b>	<p>Blue Mountains LEP 2015</p> <ul style="list-style-type: none"> <li>Clause 4.3 Height of Buildings</li> <li>Clause 4.4 Floor Space Ration</li> </ul> <p>R1 General Residential Zone</p>
<b>Summary of key submissions</b>	<ul style="list-style-type: none"> <li>Impacts of proposed western wings and basement car park entry on adjoining and nearby properties in Wascoe Street and the streetscape and character of the area.</li> <li>Traffic and parking</li> <li>Amenity impacts on adjoining and nearby dwellings.</li> <li>Impact on vegetation on the site and adjoining site.</li> <li>Impact on heritage items on the site and adjoining.</li> <li>Construction impacts.</li> <li>Out of character with Leura Village and impacts on tourism.</li> <li>Support for development including benefits of the facility, retention of heritage and value added to Leura streetscape</li> </ul>
<b>Report prepared by</b>	<p>Debbie Pinfold, Senior Development Assessment Planner</p> <p>Alex Williams, Manager Development and Building Services</p>
<b>Report date</b>	29 November 2022

#### Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

#### Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

#### Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Yes

#### Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

Not applicable

#### Conditions

Have draft conditions been provided to the applicant for comment?

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

Yes