

DATE OF DETERMINATION	Tuesday, 27 October 2020
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, Nicole Gurran and Lara Symkowiak
APOLOGIES	Theresa Fedeli
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 7 October 2020.

MATTER DETERMINED

PPSSWC-19 – Camden City Council – DA2019/619/1 at 131 Springs Road, Spring Farm – Concept staged development and detailed stage 1 proposal (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.

Pursuant to Section 4.22 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act), the applicant has requested that Stage 2 and 3 of the development be treated as a concept approval and detailed proposals for those parts of the site will be subject to future / separate DAs. Assessment of Stage 2 has considered the general building form and Stage 3 has considered the general subdivision layout and building form.

Approval is sought for Stage 1 of the proposal, comprising earthworks, a new public access road, construction of a residential care facility containing 122 aged care beds with basement parking, construction of a centre based childcare facility for 180 children with lower ground and at grade carparking and subdivision of one lot into four lots.

Development application

The panel determined to approve the development application including concept development proposal 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 following reasons:

1. The Panel accepts that the council assessment report provides an accurate summary of the concept and staging proposal, and the relevant considerations arising under s.4.15 of the EP&A Act in relation to that concept proposal and the detailed proposal for Stage 1 of the development. The Panel concurs with the recommendations contained in that report.
2. The development will provide capacity for additional residential development within Spring farm as well as contributing significantly to available childcare and senior's accommodation in the area. The development will be compatible with the developing character of Spring Farm and accordingly is consistent with the objectives of the Western Sydney District Plan. Being located within 400m walking distance to Spring Farm Town Centre to the east of the development site. The shopping centre which is still developing offers a supermarket, specialty shops, an ATM, pharmacy, medical centre and gym. There is a nearby bus stop with sufficiently frequent servicing.

3. The Council assessment report concludes that with revisions made during the assessment process and with the conditions of consent implemented, the proposal will not lead to unacceptable impacts upon the surrounding road network and the operation of surrounding intersections. In particular, existing intersections on Springs Road in the vicinity of the proposed development will still maintain a level of service of A. The DA was referred to RMS and Sydney Trains pursuant to the ISEPP which raised no objection. Notably, shifts of care workers are proposed to be staggered throughout the 24 hour period so as to avoid overloading of parking at shift turnovers.
4. Council staff have assessed a detailed preliminary site investigation report and associated information submitted in support of the DA. Following submission of the detailed contamination assessment Council staff were satisfied that there was no significant on-site contamination and the site will be suitable for the proposed forms of development.
5. The child care component of the concept application has been assessed to be largely consistent with the Child Care Planning Guideline and the non-discretionary development standards of the SEPP.
6. The proposed forms of development are permissible in the R1 General Residential and E2 Environmental Conservation zones under *Camden Local Environmental Plan 2010* as they respectively apply to different parts of the site and will further the objectives of those zones.
7. The important issue of potential flooding and drainage is reported upon by Council staff. They have concluded that the flood planning level incorporates a 500mm freeboard above the 1% AEP level, and indicate that the issue of flooding is adequately resolved.
8. The development adequately satisfies the zone objectives and the height control (for reasons including those set out in the discussion of the clause 4.6 request above).
9. A bushfire safety authority has been issued by the NSW Rural Fire Service. Creation of an Inner Protection Area (IPA) Asset Protection Area will be required which has been assessed to adequately respond to bushfire risk without undue impacts on the surrounding bushland in the Environmental Conservation zone.
10. While the development attracted a number of public submissions (summarised below), raising a variety of locational and merit concerns, the Panel was satisfied that the Council staff assessment report had adequately considered the issues raised. Where well founded, those concerns have been suitably addressed in the proposed conditions.
11. Having regard to the matters set out in 1-10 above, the proposed development concept and detailed development scheme for Stage 1 are in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

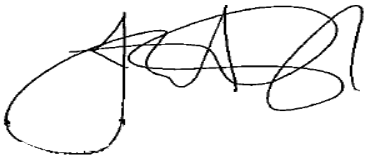



CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- Increased road traffic on Springs Road and Richardson Road.
- Pedestrian safety.
- Additional child care centre not beneficial to Spring Farm.
- Proposed density.
- Inappropriate location for the proposed development.
- Facilities are not within walking distance.
- Location cannot provide community features for their quality of life.
- The only restaurants in the locality are fast food restaurants.
- Apartments and more semi-detached dwellings would not be suitable in this location.
- The zoning of land permitted 28 residential houses only.
- Loss of privacy, including acoustic privacy.

- Concerns the development has not considered the impact of road noise intrusion from Springs Road on the internal noise levels of the child care centre.
- Overshadowing.
- Concerns the development is not in keeping with the demographic of the area and is not in the community's best interest.
- Access to emergency services will be compromised.
- Increased noise levels created by two large child care centres located opposite each other and other child care centres in the area.
- Lack of parking for the child care centre or during events i.e. Christmas, book parade, Easter, Mother's Day, Father's Day, grandparent's day etc.
- Lack of parking for the aged care facility as the amount of visitors hasn't been properly addressed.
- Excessive height - Spring Farm currently does not have structures exceeding two storeys.
- Proposed building design is out of character with existing landscape and residential area / context and setting.
- Unreasonable concentration of child care centres in the area and too close to the existing child care centre at 134 Springs Road.
- Not the right location for an aged care facility or another child care centre.
- The design of the proposed child care centre does not appropriately respond to context and built form principles of the child care centre planning guideline.
- Clarity regarding whether the calculation of the encumbered outdoor space includes dense planting zones in the northern portion of the ground level outdoor area.
- Proposed landscaping (8m mature height) within the transmission easement.
- Lack of clarity as to whether proposed landscaping will satisfy the recommendations of the bushfire assessment report
- Parking and access arrangements of the child care centre.
- Waste management of the child care centre.
- Loss of views.
- Excessive height, bulk, scale and density.
- Lacking design and aesthetics.
- Social effects.

The panel considers that concerns raised by the community have been adequately addressed in the assessment report. The panel notes that in addressing these issues appropriate conditions have been imposed.

PANEL MEMBERS	
 <p>Justin Doyle (Chair)</p>	 <p>Louise Camenzuli</p>
 <p>Nicole Gurran</p>	 <p>Lara Symkowiak</p>

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-19 – Camden – DA/2019/619/1
2	PROPOSED DEVELOPMENT	<p>Concept staged development and associated subdivision for new buildings, including aged care, child care, seniors apartments and semi-detached dwellings. Development Consent sought for Stage 1, proposing earthworks, new public access road, construction of a residential care facility containing 122 aged care beds with basement parking, construction of a centre based child care facility for 180 children with lower ground and at grade carparking and subdivision of one lot into four lots. Concept Approval for Stage 2, proposing earthworks and new internal road, construction of a two storey building and a part two and three storey building containing 51 self-care seniors housing apartments with basement parking and subdivision of the residue lot into three lots, creating one residue lot for future development. Concept Approval for Stage 3, proposing earthworks and completion of the remaining section of the internal road and subdivision of the residue lot into 30 lots to create 28 lots for future semi-detached dwellings, one lot containing the internal road for road dedication to Council and one lot containing the E2 zoned portion of land to be dedicated to Council.</p>
3	STREET ADDRESS	131 Springs Road, Spring Farm
4	APPLICANT/OWNER	<p>Applicant: Mark Dillon and BHI Architects</p> <p>Owner: Moran Australia (Spring Farm) Pty Limited</p>
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 (Educational Establishments and Child Care Facilities) 2017 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No.2-1997) ○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Mining, Petroleum and Extractive Industries) 2007 ○ Camden Local Environmental Plan 2010 ○ Sydney Regional Environmental Plan No 9 – Extractive Industry (No.2-1995) • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Camden 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

		<ul style="list-style-type: none"> • 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: 29 September 2020 • Written submissions during public exhibition: 9
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: Monday, 30 September 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald and Lara Symkowiak ○ <u>Council assessment staff</u>: Adam Sampson, Stephen Pratt and Jamie Erken • Final briefing to discuss council's recommendation: Monday, 12 October 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli and Nicole Gurran ○ <u>Council assessment staff</u>: Ryan Pritchard, Jamie Erken, Adam Sampson and Stephen Pratt
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report