

<b>DATE OF DETERMINATION</b>	25 July 2023
<b>DATE OF PANEL DECISION</b>	25 July 2023
<b>DATE OF PANEL BRIEFING</b>	17 July 2023
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), David Kitto, Cinnamon Dunsford, George Brticevic, Karen Hunt
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Louise Camenzuli declared a conflict of interest as the firm she is employed at represents the applicant for other matters.

Papers circulated electronically on 10 July 2023.

#### **MATTER DETERMINED**

**PPSSWC-310 – Campbelltown – 4973/2022/DA-SL** – Dobell Road, Claymore - Seniors housing development comprising a part two and three storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 4 vehicles, landscaping, communal gardens, site services and stormwater infrastructure

#### **PANEL CONSIDERATION AND DECISION**

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters listed at item 8 in Schedule 1.

#### **Accessibility of Building A**

The panel was satisfied that the applicant had addressed its previous concerns about the accessibility of the apartments on the second storey of Building A by adding a landing to the stairs. It also noted that the applicant will continue to own and manage the seniors living housing on the site and has made a commitment to allocate the second storey apartments in Building A to more able seniors and to move these seniors to alternative accommodation if they subsequently have difficulty using the stairs.

#### **Application to vary development standards**

The panel considered the applicant's written request under cl 4.6 (3) of the *Campbelltown Local Environmental Plan 2010* (LEP) to vary the height, setback and floor space ratio development standards in clauses 84(2)(c)(i), 84(2)(c)(iii) and 108(2)(c) of the Housing SEPP and is satisfied that:

- the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP;
- compliance with the development standards is unreasonable or unnecessary under the circumstances;
- there are sufficient environmental planning grounds to justify contravening the development standards; and
- the development is in the public interest because it is consistent with the objectives of the relevant zone and development standards.

#### **Development application**

The panel determined to approve the development application pursuant to section 4.55 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 in council's assessment report.

In particular, the panel concluded that:






- The development is consistent with the approved Part 3A concept plan for the redevelopment of the Claymore housing estate;
- The development is consistent with the provisions of the relevant environmental planning instruments, including the requirements in *State Environmental Planning Policy (Housing) 2021*, *State Environmental Planning Policy No. 65 – Design Quality Residential Flat Buildings* and associated *Apartment Design Guide*, and the *Campbelltown (Sustainable City) Development Control Plan 2015*;
- The proposed variations to the height, setback and floor space ratio development standards in the Housing SEPP are justified (see above);
- The impacts of the development are acceptable and can be suitably controlled with the recommended conditions;
- With the remediation required under these conditions, the site will be suitable for the development;
- The proposal will provide high-quality housing for seniors in Western Sydney, consistent with the strategic objectives of the Housing SEPP; and
- The development is in the public interest.

## CONDITIONS

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

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
Justin Doyle (Chair) 	David Kitto 
Cinnamon Dunsford 	Karen Hunt 
George Brticevic 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-310 – Campbelltown – 4973/2022/DA-SL
2	PROPOSED DEVELOPMENT	Seniors housing development comprising a part two and three storey seniors living development comprising 23 independent living units, basement car parking for 13 vehicles, at grade parking for 4 vehicles, landscaping, communal gardens, site services and stormwater infrastructure.
3	STREET ADDRESS	Dobell Road, Claymore 2559
4	APPLICANT/OWNER	Applicant/Owner: New South Wales Land and Housing Corporation
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Housing Policy (Housing) 2021</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>State Environmental Planning Policy No 65 – Design Quality Residential Flat Buildings</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>Campbelltown Local Environmental Plan 2015</li> </ul> </li> <li>Draft environmental planning instruments: Draft Design and Place SEPP 2021</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Campbelltown (Sustainable City) Development Control Plan 2015</li> <li>Campbelltown (Sustainable City) Development Control Plan 2015 – Volume 2: Site Specific DCPs: Part 9 – Urban Renewal Areas Airs Claymore.</li> <li>Campbelltown Local Strategic Planning Statement</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Clause 50(1A)</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 10 July 2023</li> <li>Written submissions during public exhibition: 0</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Kick Off Briefing: 27 March 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Justin Doyle (Chair), David Kitto, Cinnamon Dunsford, George Briticevic, Karen Hunt</li> <li><u>Council assessment staff</u>: Alexandra Long, Zoran Sarin</li> <li><u>Applicant representatives</u>: Emmanuel Igboke, Dan Brindle, Skye Kim, Andrew Talbot, Mark Santangelo</li> </ul> </li> <li>Final briefing to discuss council's recommendation: 17 July 2023</li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Cinnamon Dunsford, George Brticevic, Karen Hunt</li><li>○ <u>Council assessment staff</u>: Alexandra Long</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council’s assessment report