

18 March 2016

Our Ref: 15-118 MK

Mr Ryan Pritchard (Executive Planner)

Camden Council
PO Box 183,
Camden NSW 2570

Dear Ryan,

**RE: RESPONSE TO REQUEST FOR FURTHER INFORMATION FOR DA 1326/2015 AT 11
& 15 HOLBORN CIRCUIT, GLEDSDOOD HILLS**

We refer to your letter dated 18 January 2016 and emails of 21 January 2016 and 3 February 2016 requesting that additional information be submitted to assist in the assessment of the abovementioned Development Application (DA). This letter provides a response to this request for further information (RFI) and is submitted on behalf of the Applicant, CYRE Projects Pty Ltd.

This letter should be read in conjunction with the following documentation:

- Amended architectural plans prepared by AN+A;
- Amended landscape plans prepared by Moir Landscape Architecture;
- Response to traffic and parking issues prepared by Mott MacDonald;
- Amended civil drawings and report prepared by Mott MacDonald; and
- Amended acoustic report prepared by Atkins Acoustics.

The following sections of this letter address each issue raised by Council in turn.

1. Planning

Council has requested clarification on the description of development for which consent is sought.

Particularly, it seems as though our reference in the SEE to "in principle" approval being sought for the allied health tenancies has caused some confusion. We apologise for this and note that the term "in principle" referenced in the SEE simply referred to the fact that exact end users are not yet known for the allied health uses.

To clarify, development consent is sought under this DA for the construction of a "mixed use development". The primary use of the premises for which approval is sought is for the purpose of a "medical centre" (noted as allied health tenancies on the plans). The "medical centre" will be the primary destination of the proposed health hub and will include some other smaller (and in some cases ancillary) uses including small "retail premises", "business premises", an ancillary chemist/dispensary which is directly linked to the medical centre, "food and drink premises" and "bulky goods premises". All of these uses and the location of each are indicated on drawings DA-010 and DA-011 prepared by AN+A.

The fitout of the premises and the "first use" of the generic "retail premises" and "business premises" will be subject to separate future complying development certificate(s).

2. Shops Area

Council infers that out of the 2,500m² of "shops" that can be approved in the Precinct, that only 1/2 of this area can be accommodated in the northern part of the precinct (916+334m²).

The Growth Centres SEPP does not restrict the allocation of shops floor area in the precinct in this (or any other) way.

The Turner Road DCP states that "of th[e] maximum, no more than 1,250m² is to be provided either to the north or south of Badgally Road". However, the Turner Road DCP is a guideline and therefore, it is within Council's discretion to approve a variation to this guideline where the objectives of the DCP will not be compromised. The relevant objectives of this section of the DCP relate to providing local convenience retail and business uses. The retail and business uses within the development meet this objective as they are small-scale and "complementary" to other uses within the development and will be consistent with the Growth Centres SEPP maximum area restrictions.

In relation to the proposed chemist/dispensary, we maintain our view that it will be ancillary to the primary use of the "hub", which is for the purpose of a medical centre. Given this, there is only 198m² of retail premises proposed within the development (thereby consistent with Council's stated maximum of 334m²).

Whilst there will clearly be some form of "walk up" patronage to the chemist, it is not the intended "destination" for the hub and its primary purpose will be to serve the medical centre. As pharmacies are required to do, it will have a separate operator to the medical centre uses, but its primary function is ancillary to the medical centre uses for the reasons set out above and in the SEE submitted with the DA.

Council has requested that we refer to the Department of Planning and Environment's Planning Circular PS 13-001 which provides a guideline to categorising development, including ancillary development. The circular states that if a component serves the dominant purpose, it is ancillary to that dominant purpose. As noted above, the medical centre is the dominant use of the hub. The chemist/dispensary is not intended to be an independent use and therefore, a dominant use in its own right. It is intended to be a component of the medical centre with primary patronage from the users of the medical centre. As a percentage, we have been advised that approximately 80% of the revenue (or patronage) from the pharmacy will be from the medical centre. By way of reference, we understand that the pharmacy board will not approve the licence for the chemist/dispensary until at least eight (8) general practitioners are working full time within the adjacent medical centre. In this sense, the chemist/dispensary is an ancillary use in the strictest use of the definition of ancillary.

We also note that the floor area of the chemist/dispensary only represents only 7% of the total floor area of the medical centre and chemist/dispensary combined, further demonstrating the ancillary nature of the use.

Furthermore, the traffic and parking assessment clearly identifies that "ancillary discounting" was applied to the chemist on the basis that it would naturally generate its customer base from the associated anchor medical tenant uses.

3. Architectural/Design Matters

Whilst Council is generally supportive of the proposal and contends that it "presents many positive features", a series of issues were raised in relation to the following design matters:

- Activation and articulation of the facade to Holborn Circuit;
- The location of the loading bay on Holborn Circuit. Council noted that loading/unloading activities should occur within the site;
- The extent of signage which is a dominant feature of the streetscape;
- The presentation of the development to Digitaria Drive and a need for more articulation;
- The design of the "gateway building" at the Gregory Hills Drive and Holborn Circuit corner, noting that there needs to be a greater address and emphasis to the corner.

The amended plans from AN+A which accompany this letter address all of the items above. We comment as follows:

- Approval is not sought for any signage under the subject DA. The plans clearly note that signage will be subject to a separate DA and the signage shown on the plans is indicative only.
- The design amendments including additional glazing, removal of the loading zone and incorporation of a pedestrian through-link for the main building results in a much improved outcome in terms of activation to Holborn Circuit. The following figure is a perspective of the pedestrian entry on Holborn Circuit which visually demonstrates this improved outcome for streetscape activation. The inclusion of a fully glazed "Allied Health 6" tenancy on the corner of the pedestrian link will provide further activation in the façade.



Figure 1 Holborn Circuit Entrance View (Source: AN+A)

- All loading will now occur within the site and this is reflected in the amended plans. The appropriateness of the proposed loading arrangements is addressed in more detail in the response prepared by Mott MacDonald.
- There are two (2) buildings fronting Digitaria Drive, including the single storey bulky goods and business premises building and the northern extent of the two (2) storey allied health building. Amendments have been made to the bulky goods building fronting Digitaria Drive to create a "step" in the façade for articulation. Additional glazing is also included in the northern elevation to enhance activation of the façade. The northern façade of the allied health building to Digitaria Drive has also been amended to include additional glazing and a slightly altered arrangement of materials to create more visual interest and enhance articulation. Combined with landscaping within the northern setback, the proposed amendments are considered to result in a better streetscape outcome when viewed from Digitaria Drive. This is reflected in the comparative elevations below. The first elevation is the original DA scheme and the second elevation is the proposed amended elevation to Digitaria Drive.

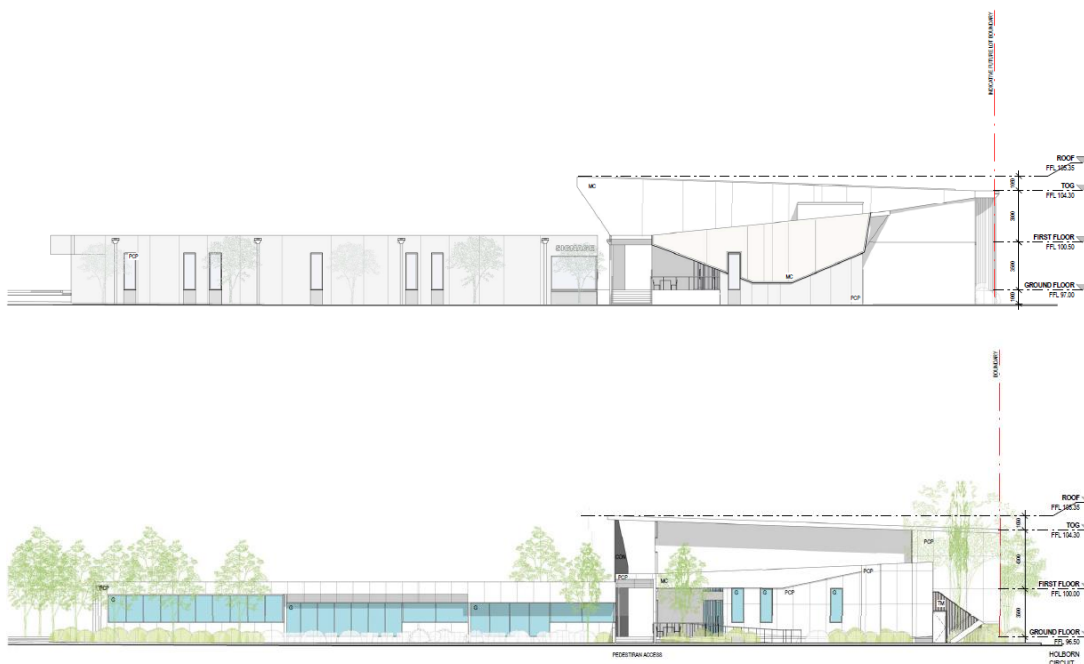


Figure 2 Digitaria Drive Elevation (Source: AN+A)

- Amendments have been made to the design of the main allied health building on the corner of Gregory Hills Drive and Holborn Circuit to provide greater address to the corner. This is reflected in the plans but is better visually represented in the comparative perspectives below. The first perspective is the original DA scheme and the second is the proposed amended scheme.



1 PERSPECTIVE 1 FROM CORNER OF HOLBORN CIRCUIT & GREGORY HILLS DRIVE (P1)



1 HOLBORN CIRCUIT & GREGORY HILLS DRIVE
scale - N.T.S.

Figure 3 Original vs proposed perspective of development from cnr of Holborn Circuit and Gregory Hills Drive (Source: AN+A)

- As can be seen above, the revised design addresses the primary corner of Holborn Circuit and Gregory Hills drive by achieving the following:
 - Greater pedestrian appeal with a clearly defined pedestrian entry to the corner retail tenancy;
 - The building form is stepped in both plan and section to better relate to pedestrians and the scale of the tavern on the opposite corner;
 - A more considered landscape treatment of the corner setback which still allows a strong visual connection to the glazed chemist/dispensary; and

- Better articulation of the façade utilising the palette of materials employed throughout the site; precast concrete, metal cladding, timber screens and aluminium framed windows.

With regard to the above, we consider that the amendments made to the proposed development by AN+A wholly address the issues raised by Council and result in a better planning and design outcome for the site.

4. Colour Schedule

Council has requested a colour schedule for the development. The materials schedule prepared by AN+A has been amended to include a colour schedule. The updated materials and colours schedule is included in the amended plan set which accompanies this letter.

5. Area of the Mezzanine

Council has requested confirmation of the first floor mezzanine area (between the allied health tenancies 4 and 5).

The updated plans prepared by AN+A that accompany this letter include the floor area of the mezzanine level. Refer to the plans for further detail.

6. Parking Provision

Council's RFI letter noted that the plans state a total parking provision of 146 spaces but that the plans only show 142 spaces. The latter figure is reflected in the traffic and parking assessment.

To clarify, there are 143 parking spaces proposed. The annotated parking figure on the plans prepared by AN+A has been updated accordingly.

7. Fencing/Gates

Council has requested details of any fencing or gates proposed. We can confirm that no fencing or gates are proposed.

8. Site Works Plan

Council has requested an updated site works plan with the finished floor levels of buildings updated. Mott MacDonald has prepared the updated site works plan which accompanies this letter.

9. Loading

Council notes that the four (4) loading bays proposed raise potential interference issues with pedestrians/cycleways and on-street car parking opportunities.

To confirm, there was an error on the plans submitted and the intention was to only provide two (2) loading bays and none on Digitaria Circuit.

Council also provided further feedback by email on 3 February 2016 regarding the loading bay on Holborn Circuit. Further advice was obtained from Council's Engineer by telephone on 10 February 2016. We understand that Council's Engineer advised the following:

- Council will support waste collection in its current location on Holborn Circuit i.e. curb side, providing we demonstrate how many bins it will accommodate.
- The ambulance drop-off and pick-up need to be fully contained on our site.
- The loading bay needs to be within the site and accommodate a 8.8m vehicle. It needs to be dedicated to loading and unloading and manoeuvrability needs to be demonstrated.

As confirmed in the traffic response prepared by Mott MacDonald, the amended scheme prepared by AN+A addresses all of the above matters, noting that general waste collection will be undertaken kerbside on Holborn Circuit. All loading is proposed to be contained within the development site.

10. Traffic/Parking

Council has raised a number of issues in relation to the proposed parking provision. Mott MacDonald has prepared a response to all of these issued. The response accompanies this letter.

11. Environmental Health

Council notes there is an inconsistency in the proposed hours of operation for the cafes in the SEE and the acoustic report.

To clarify, the proposed hours are to 10:00pm and the acoustic report has been amended to reflect this. A copy of the amended acoustic report prepared by Atkins Acoustics accompanies this letter.

12. Bushfire Prone Land

Council notes that the development may be a special bush fire protection purpose pursuant to Section 100B of the Rural Fires Act 1997.

A 100B bushfire safety authority is only required for a "special fire protection purpose" (SFPP). Under the Rural Fires Act, an SFPP is defined as follows:

"(a) a school,

(b) a child care centre,

(c) a hospital (including a hospital for the mentally ill or mentally disordered),

(d) a hotel, motel or other tourist accommodation,

(e) a building wholly or principally used as a home or other establishment for mentally incapacitated persons,

(f) seniors housing within the meaning of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004,

(g) a group home within the meaning of State Environmental Planning Policy No 9—Group Homes,

(h) a retirement village,

(i) any other purpose prescribed by the regulations."

The proposed development is not defined as any of the above land uses (noting that the allied health uses are not defined as a "hospital" and are separately defined as a "medical centre") and therefore, despite part of the wider lot being bushfire prone, a bushfire safety authority is not required for the development.

13. Cost of Development

Council notes that the cost of development is stated as being \$14,960,000 however "the submitted quantity surveyors report states that the value of the development is \$13,600,000".

To clarify, the \$13,600,000 figure quoted in the QS statement excluded GST and is the capital investment value (CIV) of the development. Under the CIV definition, in accordance with Environmental Planning Assessment Regulation 2000, GST is to be excluded from this figure.

Including GST, the overall cost of the development is \$14,960,000. This is consistent with the figure stated as being the estimated cost of the development.

14. Conclusion

We trust that the above information and accompanying documentation addresses all of the issues raised by Council in the RFI letter, subsequent emails and as discussed at our meeting with you.

We wish to reiterate the importance of this development in not only providing a development that will benefit the community and support other health services facilities emerging in the LGA, but also, in providing a design quality of development beyond that which is emerging in the surrounding B5 zoned land.

Should you have any queries with regard to this response or wish to discuss any other matter related to the subject DA, please do not hesitate to contact Mel Krzus (Associate Director) on (02) 8270 3500.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Kerr', followed by a long horizontal line.

Stephen Kerr
Executive Director



Appendix 1

Amended Architectural Plans



Appendix 2

Traffic and Parking Response prepared by Mott MacDonald



Appendix 3

Amended Civil Drawings and Report prepared by Mott MacDonald



Appendix 4

Amended Acoustic Report



Appendix 5

Amended Landscape Plans