

SYDNEY WESTERN CITY PLANNING PANEL

Panel Reference	2017SYW035
DA Number	323/2017
Local Government Area	Camden
Proposed Development	Subdivision of land to create three lots, creation of two pad sites for future development, construction of a neighbourhood centre including supermarket tenancies, a medical centre, restaurants and outdoor dining alfresco areas and speciality retail tenancies, construction of a carpark and an vehicular access point from Gregory Hills Drive, landscaping, signage and associated works.
Street Address	A & 33 Village Circuit, Gregory Hills
Applicant	David Taylor Dart West Developments Pty Ltd
Owner	Trustees of the Marist Brothers
Number of Submissions	Two (2) objections received
Recommendation	Approve with conditions
Regional Development Criteria (Schedule 4A of the EP&A Act)	Capital investment value > \$20 million CIV - \$29,735,000
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • State Environmental Planning Policy No. 55 - Remediation of Land • State Environmental Planning Policy No. No. 64 – Advertising and Signage • Deemed State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River • Turner Road Growth Centre Precincts Development Control Plan • Camden Development Control Plan 2011 • The proposed development site is subject to the terms and conditions of the Voluntary Planning Agreement (VPA) – Gregory Hills Planning Agreement between Council and Dart West Developments Pty Limited and Trustees of the Marist Brothers, dated 2nd September 2016.

Does the DA require Special Infrastructure Contributions conditions (s94EF)?	Yes
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • Assessment report and conditions • Statement of environment effects • Architectural plans • Civil Engineering Plans • Landscaping plans • Associated reports • NSW Planning & Infrastructure letter dated 18th December 2012 • Gregory Hills Town Centre Charrette • Gregory Hills Town Centre Design Review Report • Submissions
Report prepared by	Adam Sampson, Executive Planner Development Assessment (East)
Report date	18th December 2017

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?	Yes
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Legislative clauses requiring consent authority satisfaction

<p>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?</p> <p>e.g. Clause 7 of SEPP 55 – Remediation of Land, Clause 4.6(4) of the relevant LEP.</p>	Yes
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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?	Not Applicable
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions (S94EF)?	Yes
Note: Certain Das in the Western Sydney Growth Areas Contribution Area may require specific Special Infrastructure Contributions (SIC) conditions.	

Conditions

Have draft conditions been provided to the applicant for comment?	Yes
Note: in order to reduce delays in determinations, the Panel prefers 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.	

PURPOSE OF REPORT

The purpose of this report is to seek the Sydney Western City Planning Panel's (the Panel) determination of a development application (DA) for the subdivision of land to create three lots, creation of two pad sites for future development, construction of a neighbourhood centre including supermarket tenancies, a medical centre, restaurants and outdoor dining alfresco areas and speciality retail tenancies, construction of a carpark and an vehicular access point from Gregory Hills Drive, landscaping, signage and associated works.

The Panel is the determining authority for this DA as, pursuant to Part 4 of State Environmental Planning Policy (State and Regional Development) 2011 and Schedule 4A of the *Environmental Planning and Assessment Act 1979*, the capital investment value (CIV) of the proposed development is \$29,735,000 million which exceeds the CIV threshold of \$20 million for Council to determine the DA.

SUMMARY OF RECOMMENDATION

That the Panel determine DA 323/2017 for the subdivision of land to create three lots, creation of two pad sites for future development, construction of a neighbourhood centre including supermarket tenancies, a medical centre, restaurants and outdoor dining alfresco areas and speciality retail tenancies, construction of a carpark and an vehicular access point from Gregory Hills Drive, landscaping, signage and associated works pursuant to Section 80 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions contained in this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the subdivision of land to create three lots, creation of two pad sites for future development, construction of a neighbourhood centre including supermarket tenancies, a medical centre, restaurants and outdoor dining alfresco areas and speciality retail tenancies, construction of a carpark and an vehicular access point from Gregory Hills Drive, landscaping, signage and associated works.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the Environmental Planning and Assessment Regulation 2000, relevant Environmental Planning Instruments, Development Control Plans and policies. The outcome of this assessment is detailed further in this report.

The DA was publicly exhibited and advertised in the local press for a period of 30 days in accordance with the Camden Development Control Plan 2011.

The exhibition period was from 24th May 2017 to 22nd June 2017. Within this exhibition period, two submissions were received, both objecting to the proposed development.

The issues raised in the submissions relate to car parking (medical) and emergency vehicle requirements, types of medical uses proposed within the medical centre and complying uses within the centre, delivery of a shared path, traffic management and reduction in sight lines, blast zone, truck manoeuvrability from the loading docks, economic impact, the need to obtain ACCC approval, connectivity with the riparian zone, contravention of the draft South West District Plan, inconsistent with the objectives and intended uses of the B1 Neighbourhood centre and the development does not comply with Part 3 of the Turner Road DCP.

The application proposes variations to:

- 1) Section B4.4 of Camden Development Control Plan 2011 (DCP) with regards to providing two pylon signs along Gregory Hills Drive and Village Circuit exceeding the maximum of pylon one.

Based on the assessment, it is recommended that the DA be approved subject to the conditions contained in this report.

Image 1 - AERIAL SITE PHOTO



THE SITE

The sites are commonly known as A & 33 Village Circuit, Gregory Hills and are legally described as Lot 104 DP 1221866 and Lot 3 DP 1192118.

The site upon A Village Circuit is irregular in shape and contains the riparian corridor adjoining South Creek with an area of 5.269ha.

No. 33 Village Circuit is irregular in shape due to the curvature of allotment boundaries adjacent to the road frontages of Gregory Hills Drive and the future extension of Kavanagh Street. The eastern allotment boundary adjoins the riparian corridor of South Creek.

The site has a frontage of 241.93 metres to Village Circuit, 176.31 metres to Gregory Hills Drive, 241.93 metres to the future extension of Kavanagh Street and an overall area of 4.628ha. The site has previously undergone bulk earthworks in accordance with DA 975/2012 and has a fall of 5m from the south western corner to the north eastern corner.

Vehicle access to the site is provided from a roundabout at the intersection of Village Circuit and Healy Avenue. An existing dam and a stockpile of earth materials are located at the north western corner of the property. Adjacent to Village Circuit, the Gregory Hills Sales Office, Gregory Hills Medical Centre and Il Sapore café restaurant exist, with carparking located behind the existing building.

The development site is located within the Turner Road Precinct of the South West Growth Area. The subject site is presently bound by existing residential development to the north and west, with future residential development currently under construction to the east and south.

The surrounding area is characterised by Gledswood Hills to the north, St Gregory's College and Campbelltown LGA to the east, Currans Hill and Smeaton Grange to the south and Gregory Hills Business Park to the west.

HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
22 February 2013	DA 975/2012 – Approved bulk earthworks
2 June 2014	DA 107/2014 – Approved construction of a sales and information centre and restaurant

THE PROPOSAL

DA 323/2017 seeks approval for the subdivision of land to create three lots, creation of two pad sites for future development, construction of a neighbourhood centre including supermarket tenancies, a medical centre, restaurants and outdoor dining alfresco areas and speciality retail tenancies, construction of a carpark and a vehicular access point from Gregory Hills Drive, landscaping, signage and associated works.

Specifically the proposed development involves:

- Subdivision of land to create three lots, including two pads sites adjacent to Gregory Hills Drive for future development;

- Construction of a neighbourhood centre, which includes retail and supermarket tenancies and restaurants. A gross lettable area of retail of 9,868m² is proposed within the neighbourhood centre.

The building will be constructed of masonry, glazing, including clerestory windows and will be fitted with a metal roof. Wall cladding will consist of various materials and colours, including metal, timber look paneling, painted concrete panels and painted FC sheeting. The buildings maximum height will be 10.389 metres measured above finished ground level;

- Construction of a medical centre with a floor area of 1517m²;
- Construction of outdoor dining alfresco areas adjacent to restaurants;
- Construction of a loading dock and waste storage and collection area, with access from Kavanagh Street.

The loading dock area will provide for four loading docks capable of accommodating truck movements up to a 19m long semi trailer to service the site;

- Proposed trading areas are from 6am to Midnight, seven days a week including public holidays;
- On-site car parking for 455 vehicles;
- Additional vehicular entry/exit point providing left in and left out from Gregory Hills Drive;
- Signage upon the neighbourhood centre building, including three x 6m high pylon signs located at Gregory Hills Drive, Village Circuit and Kavanagh Street;
- Landscaping; and
- Retention of the existing Gregory Hills Sales Office, specialty shops and carparking adjacent to Village Circuit.

The development will be constructed in two stages.

Stage 1 will include the main supermarket (Supermarket No. 1), together with the majority of the specialty retail shops and the western restaurant, the medical centre, all carparking and landscaping.

Stage 2 will include the second supermarket (Supermarket No. 2), together with the mini major, the remaining specialty retail shops and the eastern restaurants.

The fit out of the building, including the use of tenancies will be submitted as separate Development Application's and/or Complying Development Certificates.

The capital investment value of the works is \$29,735,000 million.

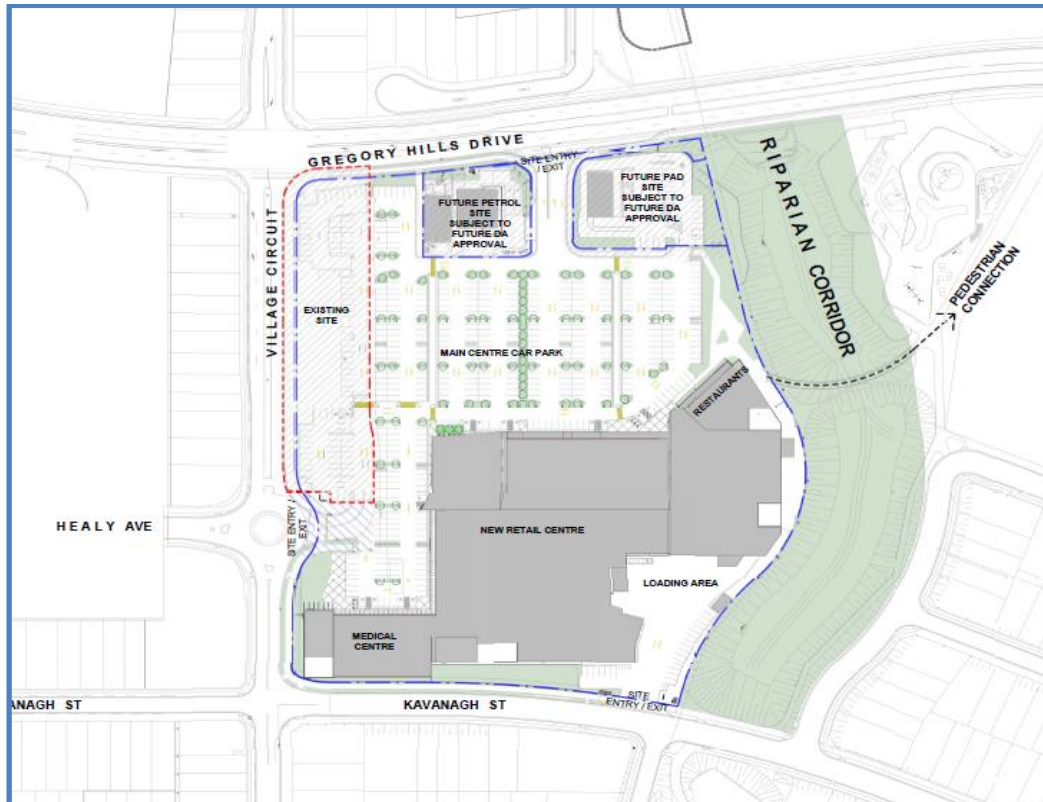


IMAGE 2 – SITE PLAN



IMAGE 3 – PERSPECTIVE VIEWED FROM THE NORTH WEST



IMAGE 4 – PERSPECTIVE VIEWED FROM THE NORTH



IMAGE 5 – PERSPECTIVE OF THE RESTAURANT PLAZA / BRIDGE JUNCTION AREA



IMAGE 6 - PERSPECTIVE VIEWED FROM PROPOSED HOWARD PARK LOOKING FROM THE SOUTH EAST TOWARDS THE PROPOSED NEIGHBOURHOOD CENTRE



IMAGE 7 – NORTH ELEVATION



IMAGE 8 – SOUTH ELEVATION



IMAGE 9 – EAST ELEVATION



IMAGE 10 – WEST ELEVATION

ASSESSMENT

Environmental Planning and Assessment Act 1979 – Section 79(C)(1)

In determining a DA, the consent authority is to take into consideration the following matters as are of relevance in the assessment of the DA on the subject property:

(a)(i) The Provisions of any Environmental Planning Instrument

The Environmental Planning Instruments that relate to the proposed development are:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. No. 64 – Advertising and Signage
- State Environmental Planning Policy (Infrastructure) 2007
- Deemed State Environmental Planning Policy No. 20 – Hawkesbury-Nepean River

An assessment of the proposed development against these Environmental Planning Instruments is detailed below.

State Environmental Planning Policy (State and Regional Development) 2011 (SEPP)

Pursuant to Clauses 20 and 21 of the SEPP, the proposed development is included in Schedule 4A of the *Environmental Planning and Assessment Act 1979* and has a CIV of \$29,735,000 million. This exceeds the CIV threshold of \$20 million for Council to determine the DA and therefore it is referred to the Panel for determination.

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP)

The SEPP requires Council to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent.

As part of the documents submitted with the Development Application, Douglas Partners reviewed contamination assessments undertaken previously for the Gregory Hills Town Centre site due to the amended National Environment Protection (Assessment of Site Contamination) Measure (NEPM) being adopted by all Australian States and being endorsed by the NSW EPA.

The review was undertaken to confirm the suitability of the site for a proposed mixed land use. A comparison of the analytical results against the Site Assessment Criteria revealed that all results were below the Site Assessment Criteria. Accordingly, the site remains suitable for the proposed development of a town centre development.

In addition, a standard contingency condition is recommended to ensure that if any contamination is found during construction it must be managed in accordance with Council's Management of Contaminated Lands Policy.

State Environmental Planning Policy No. 64 – Advertising and Signage

The proposed development seeks to erect three pylon signs, with one pylon sign located each upon Gregory Hills Drive, Village Circuit and along the future extension of Kavanagh Street. The height of each of the pylon signs is 6m, which is consistent with Camden Council DCP 2011 requirements. In addition, a total of eighteen (18) window and walls signs are also proposed, with display areas ranging from 0.81m² to 20.075m². The pylon and walls signs will be illuminated.

Overall it is considered that the proposed signs are consistent with the aims, objectives and Schedule 1 assessment criteria of the SEPP.

State Environmental Planning Policy (Infrastructure) 2007 (SEPP)

The aim of the SEPP is to provide a consistent planning regime for infrastructure and the provision of services across NSW.

Traffic Generating Development

Schedule 3 of the SEPP (Infrastructure) lists types of developments that are to be referred to Roads and Maritime Services (RMS) due to their size or capacity and the potential for impacts on the local road network, including classified roads. The proposed development exceeds the thresholds listed within Schedule 3 of the SEPP and accordingly was referred to the RMS on the 17th May 2017.

The RMS have reviewed the submitted traffic assessment reports and advise that;

Council should be satisfied that the traffic generation from the proposed development will not have a detrimental impact on the local road network, and that the existing Gregory Hills Drive/Village Circuit West signalised intersection has adequate capacity to accommodate the traffic generated by the proposed development.

It is noted that the submitted Technical Memorandum dated 24 August 2017 indicates that the performance of the Gregory Hills Drive / Village Circuit West intersection is at a poor level of service and is at capacity regardless of the proposed changes to line markings on the southern leg of this intersection. Proposed mitigation measures should try to improve the level of service and capacity at this intersection in consultation with Roads and Maritime Services.

The applicant's Traffic Impact Assessment Report recommends that changes be made to optimize the phasing of signalised intersections at Gregory Hills Drive and Village Circuit West to improve the level of service at this intersection. The RMS have not granted consent to changes to the existing intersections at this time, but have provided no objection to the development proceeding at this time. Should any changes be proposed to existing signalised intersections, including modification to signal phasing, separate consent from RMS in accordance with Section 87 of the Roads Act, 1993 will be required.

The neighbourhood centre (inclusive of the existing development on site) proposes a gross lettable area retail of 10,133m² at present, which is 4,867m² smaller than the maximum permitted for the development and which formed the basis of the traffic modeling assumptions for the Turner Road Precinct. The neighbourhood centre is not an unexpected additional development to the area, with the site rezoned B1 Neighbourhood Centre and development controls formulated under the Turner Road

Growth Centre Precincts Development Control Plan to plan for this development at this location.

Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (SEPP)

The proposed development is consistent with the aim of the SEPP (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development, as the development will be subject to the implementation of suitable sediment and erosion controls and water management measures which will avoid adverse impacts on natural watercourses and ultimately the Hawkesbury – Nepean River system.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP)

(Appendix 1 – Oran Park and Turner Road Precinct Plan)

Permissibility

The development proposed upon the site of 33 Village Circuit is zoned B1 Neighbourhood Centre and development proposed upon the site of A Village Circuit is zoned E4 Environmental Living under the provisions of the SEPP. The subdivision of land is permitted with consent in accordance with the provisions of Clause 2.6.

The proposed development is defined as a '*mixed use development*' as it comprises greater than two different land uses, which is permissible in the B1 Neighbourhood Centre zone. Within the neighbourhood centre, a '*shop*', '*restaurant*' and '*medical centre*' are proposed. In addition, proposed works consisting of the '*carpark*' and '*signage*' are also permissible in the B1 Neighbourhood Centre zone.

No portion of the neighbourhood centre building is proposed to occur within the E4 Environmental Living zone. Development works proposed within the E4 Environmental Living zone consist solely of two stormwater pipes and discharge points into the adjoining riparian zone. The proposed stormwater pipes and discharge points are considered to be defined as '*drainage*', which is permissible with consent within the Environmental Living zone.

Zone objectives

The objectives of the B1 Neighbourhood Centre zone are:

- To provide a range of small-scale retail, business and community uses which serve the needs of people who live or work in the surrounding neighbourhood and, in relation to the Turner Road Precinct, of a scale and nature that serves the wider community.

Officer Comment:

The proposed development is an employment generating land use providing a range of retail and business uses that will serve the adjoining local community and the wider community within the Turner Road Precinct.

- To ensure the scale and type of business development is compatible with the amenity of surrounding areas.

Officer Comment:

The development proposes a gross lettable area – retail considerably less than the maximum aggregate permitted for the site, ensuring that the scale of development is consistent with that envisaged by the DCP.

Proposed uses sought to operate within the Neighbourhood centre are all permissible in the B1 Neighbourhood centre zoning and are considered to be compatible with the amenity of adjoining residential areas.

- To allow for residential development that contributes to the economic and social vitality of the neighbourhood centre.

Officer Comment:

Proposed uses within the neighbourhood centre do not include residential development.

- To ensure that residential development does not preclude the provision of active retail, business and community uses at street level.

Officer Comment:

No residential development forms part of the neighbourhood centre development.

- To ensure that residential development does not detract from the primary function of the zone which is to provide for retail, business and convenience uses to serve the community.

Officer Comment:

No residential development forms part of the neighbourhood centre development

- To promote retail activities in accessible locations that encourage walking.

Officer Comment:

The building proposes an active shopfront along the northern façade of the development and a restaurant plaza to the east, adjacent to the bridge junction area, which provides access over the riparian corridor and connects to the future Howard Park and future school. The restaurant plaza and bridge junction area is largely accessible and encourages walking for people to meet, greet and dine together.

- To promote a sense of place and focal points for the local community.

Officer Comment:

The restaurant plaza and bridge junction area is considered to be the focal point for people to meet, dine and enter the neighbourhood centre and is accessible by car and by pedestrians via the pedestrian bridge over the riparian corridor.

- To ensure retail development does not adversely impact on the viability of retail development in the Local Centre Zone.

Officer Comment:

The development proposes a gross lettable area – retail, considerably less than the maximum aggregate permitted for the site, ensuring that the scale of development is consistent with that envisaged by the DCP and unlikely to adversely impact upon the viability of retail development within local centres.

Relevant Clauses

The DA was assessed against the following relevant clauses of the SEPP (Appendix 1 - Oran Park and Turner Road Precinct Plan).

Clause	Requirement	Provided	Complies
2.6 Subdivision Consent Requirements	Land to this Precinct Plan may be subdivided, but only with consent	Consent has been sought for the proposed subdivision as part of this DA.	Yes
4.1 Minimum subdivision Lot Size	The size of any lot resulting from any subdivision of land to which this clause applies is not to be less than the minimum size shown on the lot size map in relation to that land An area of no less than 125sqm	11 – 1853m ² (Pad site) 12 – 2585m ² (Pad site) 13 – 4.184ha	Yes
4.3 Height of Buildings	The height of a building on any land is not to exceed the maximum height shown for the land on the height of buildings map. Maximum building height of 18m.	10.389m	Yes
6.1 Public Utility Infrastructure	The consent authority must not grant development consent to development on land to which this Precinct Plan applies unless it is satisfied that any public utility infrastructure that is	The site is serviced by appropriate public utility infrastructure. A condition is recommended which requires the installation of all necessary services prior to issue of an Occupation Certificate.	Yes

Clause	Requirement	Provided	Complies
	essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.		
6.6 Development in special areas	The consent authority must not grant development consent for development on land in a special area unless a development control plan that provides for detailed development controls has been prepared for the land.	The neighbourhood centre development and the adjoining riparian corridor are both listed on the special areas map. Development controls exist for the neighbourhood centre and the adjoining riparian corridor within the Turner Road Growth Centre Precincts Development Control Plan.	Yes

(a)(ii) The Provisions of any Draft Environmental Planning Instrument (that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)).

There is no draft Environmental Planning Instrument applicable to the proposed development.

(a)(iii) The Provisions of any Development Control Plan

Camden Development Control Plan 2011 (DCP)

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Compliance
B2 Landscape Design	Landscape plan required	A landscape plan has been submitted. Council's landscape officer has reviewed the plans and has confirmed that the proposed landscaping is satisfactory subject to recommended conditions.	Yes

Control	Requirement	Provided	Compliance
B4.4 Signage	In multiple unit developments		
	a) Where a unit or tenancy is not visible from a public place, not more than one business identification sign per unit or tenancy shall be permitted.	All tenancies have frontage to a public road. Signage is predominately displayed upon the western and northern facades. No signage is visible from the eastern façade adjacent to the riparian corridor.	Yes
	b) Such signage shall only identify the business name and unit number, and associated logo or graphics.	An integrated signage package has been submitted for the area and location of signs. However, individual details of the graphics and advertising signage does not form part of the application. Details of the advertising signs will be required to be submitted with the Construction Certificate application.	Yes. Subject to conditions of consent.
	c) The total combined area of signage of all signage on the land shall not exceed 20% of visible wall area.	The total combined display area of signage on the site will not exceed 20% of the visible wall area.	Yes
	d) All signage visible from a public place shall be of a complimentary size, shape and style throughout the development.	Display areas range from 0.81m ² to 20.075m ² . Signage is integrated into the design of the neighbourhood centre and is considered to be consistent in size, shape and style throughout the development.	Yes
	e) Where multiple unit developments	Kavanagh Street – One pylon sign 6m in height	No. DCP Variation No.1

Control	Requirement	Provided	Compliance
	are to be advertised at the street frontage, this shall be done through the use of one pole or pylon sign not exceeding 6m above ground level.	<p>Village Circuit – One pylon sign 6m in height</p> <p>Gregory Hills Drive – One pylon sign 6m in height</p> <p>The location of an existing pylon sign located at the corner of Gregory Hills Drive and Village Circuit will result in both street frontages having two pylon signs per each street frontage.</p>	
B5.1 Off-street Car Parking Rates and Requirements	<p><u>Neighbourhood Centre</u></p> <p><u>Kiosk</u></p> <p>1 space per 30m² of GFA</p> <p><u>Retail</u></p> <p>Mini Major, retail tenancies, supermarket 1, supermarket 2</p> <p>1 space per 22m² of GFA</p> <p><u>Restaurant</u></p> <p>1 space per 30m² of GFA</p> <p><u>Medical Centres</u></p> <p>4 car parking spaces per 100m² of GFA</p> <p><u>Existing development</u></p> <p><u>Medical Centres</u></p> <p>4 car parking spaces per 100m²</p>	<p><u>Neighbourhood Centre</u></p> <p><u>Kiosk</u></p> <p>$21\text{m}^2 / 30\text{m}^2 = 0.7$</p> <p><u>Retail</u></p> <p>$9327\text{m}^2 / 22\text{m}^2 = 423.9$</p> <p><u>Restaurant</u></p> <p>$518\text{m}^2 / 30\text{m}^2 = 17.2$</p> <p><u>Medical Centres</u></p> <p>$1452\text{m}^2 / 100 = 14.52$ $\times 4 = 58.08$</p> <p><u>Existing development</u></p> <p><u>Medical Centres</u></p> <p>$130\text{m}^2 / 100 = 1.3 \times 4 = 5.2$</p>	Yes

Control	Requirement	Provided	Compliance
	of GFA		
	<u>Restaurant</u>	<u>Restaurant</u>	
	1 space per 30m ² of GFA	125m ² / 30m ² = 4.2	
	<u>Office premises and business premises</u>	<u>Office premises and business premises</u>	
	1 space per 40m ² of GFA	250m ² / 40m ² = 6.3	
	516 Spaces are required for the neighbourhood centre	Neighbourhood Centre 455 carspaces proposed	
		Existing 82 carspaces	
		Total 537 carspaces	

DCP Variation 1 – B4.4 Signage

DCP Control

The applicant proposes a variation to Section B4.4 of Camden DCP 2011, which sets a maximum of one pole or pylon sign per street frontage, not exceeding 6m above natural ground level. The applicant seeks development consent to erect a pylon sign upon each frontage of Gregory Hills Drive and Village Circuit, however an existing pylon sign erected at the intersection of Gregory Hills Drive and Village Circuit will result in both of these frontages having two pylon signs contrary to the development controls.

Variation Request

The applicant has requested that Council support a variation to this DCP control on the basis that:

‘The proposal includes more than 1 pylon sign per frontage inclusive of both Gregory Hills Drive and Village Circuit, when considering the existing pylon sign constructed as part of the Stage 1 commercial building (DA/107/2014).

The proposed pylon signs do not result in an unnecessary extent of signage or clutter in the context of the length of street frontage and proposed retail and service operations being delivered on site. The pylon signs allow the identification of business uses within the Neighbourhood Centre at the main entrances and street frontage. The signs are proposed at 6.0m high and will not dominate the skyline or be out of keeping with the scale of the proposed building and overall development.

Gregory Hills Drive provides a frontage of approximately 160m and includes two separate pad sites and is also the main entrance to the Neighbourhood Centre. Accordingly, the proposed pylon sign plus the existing (at the corner of

Gregory Hills Drive and Village Circuit) is considered appropriate in terms of street frontage length and intensity of development at the site.

One pylon sign is proposed to Village Circuit at the main entrance to the development. An existing pylon sign is provided at the corner of Gregory Hills Drive and Village Circuit and has been delivered in accordance with the DCP which requires this corner be provided with a 'key structural element which identifies the site and becomes a way finding element' (Control 3.4(7) Public Domain). In this context, the proposed pylon sign acts to identify the Village Circuit entrance and does not create unnecessary signage clutter within the streetscape. '

Council Staff Assessment

Council staff have reviewed this variation request and recommend that it be supported for the following reasons:

- The creation of two pylon signs upon Gregory Hills Drive and Village Circuit is not considered to create a proliferation or visual clutter of signage.
- The development has long street frontages to both Gregory Hills Drive and Village Circuit, with pylon signs proposed to be located at the eastern, western and southern corners of the development. The street frontage of both Gregory Hills Drive and Village Circuit is capable of supporting more than one pylon sign per each street to enable advertising of an important element of Gregory Hills.
- Signage is required to attract customers and helps identify individual tenancy use.
- The neighbourhood centre contains several tenancies and uses, which cannot all be displayed upon a pylon sign without diminishing the ability to advertise effectively.

Consequently it is recommended that the Panel support this proposed variation to the DCP.

Turner Road Development Control Plan 2007

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Complies
2.1 Indicative Layout Plan (ILP)	All development is to be undertaken generally in accordance with the indicative layout plan (ILP).	The site is identified on the ILP as being for commercial / retail purposes. The proposal is consistent with the ILP.	Yes
2.5 Hierarchy of Centres and Employment Areas	Development is to be consistent with Table 1 and Figure 4. Neighbourhood Centre - The maximum	Existing GLAR – 265m ² Additional GLAR – 9868m ² Total – 10,133m ² The development is	Yes

	aggregate of 15,000m ² Gross Lettable Area – Retail (GLAR) of retail premises. GLAR means the total area of a tenancy by the Property Council of Australia's Method of Measurement definition.	located as per Figure 4 within the DCP.	
3.1 Street Network and Design	No direct vehicular site access is permitted to Camden Valley Way. Direct vehicular site access to proposed 4 lane sub-arterial roads will be considered to neighbourhood centres in exceptional circumstances only, such as for large scale developments and/or servicing of multiple developments. Direct vehicular site access to 2 lane sub arterial roads will be determined on merit having regard to traffic volumes, traffic speeds and the location of cycleways.	No direct vehicular site access is proposed to Camden Valley Way. Access from Gregory Hills Drive to the Neighbourhood centre within a left in / left out arrangement is considered necessary in this instance as intersections in the vicinity of the proposal will be performing at near capacity and the proposed access / exit from Gregory Hills Drive will remove traffic and pressure upon those intersections. Accordingly it is considered warranted and supportable in this instance to permit access from Gregory Hills Drive.	Yes
5.1 The Neighbourhood Centre	The neighbourhood centre is to be located in accordance with the figure at Appendix B and is to be consistent with Table 1.	The Neighbourhood Centre is located as per figure B1 within Appendix B of the DCP. In addition, it is considered to be consistent with Table 1 of the DCP.	Yes
6.2 Flooding and Watercycle Management	Development must comply with Council's Engineering Specifications.	Council staff have reviewed the information submitted as part of the DA and consider the development to be acceptable in relation to	Yes

		<p>water management. It is recommended that the DA be conditioned to comply with the requirements of Council's Engineering Specifications.</p> <p>A standard condition is recommended that requires the proposed development to comply with Council's Engineering Specifications.</p> <p>Council's engineer has reviewed the proposal and confirms that the proposed development will achieve the environmental stormwater objectives identified in Table 9.</p>	Yes
6.3 Salinity and Soil Management	<p>(8) Compliance with the targets at Table 9 is to be determined through stormwater quality modelling in accordance with the parameters outlined in the relevant technical guidance from DECC.</p> <p>A salinity assessment is required for subdivision DAs.</p>	<p>Previous salinity assessments and management plans have been approved for various stages relating to this site under separate DAs.</p> <p>A report on salinity investigation and a Salinity Management Plan were lodged with the DA and are considered satisfactory. A condition is recommended to ensure that the development is constructed in accordance with this plan.</p>	Yes
6.6 Bushfire Hazard Management	<p>Subject to detailed design at DA stage, indicative location and widths of APZ's are to be provided generally in accordance with Figure 24 in the</p>	<p>The revegetation of the adjoining riparian corridor is likely to generate a bushfire threat in the future. Accordingly, the application was referred to the NSW Rural Fire</p>	Yes

	DCP, which requires a 15m APZ	<p>Service in accordance with Section 79BA of the <i>Environmental Planning and Assessment Act, 1979</i>.</p> <p>Suggested conditions were provided, including a minimum asset protection zone of 10m from the adjoining riparian corridor.</p> <p>The suggested conditions from the NSW Rural Fire Service form part of the recommended conditions of consent for the development.</p>	
6.8 Contamination Management	Where redevelopment is proposed on a site where the Council suspects that contamination may be present or for applications proposing a change of use to a more sensitive land use, Council will require a Stage 1 Preliminary Environmental Site Contamination Investigation.	Please refer to comments within State Environmental Planning Policy – No. 55 Remediation of land made within earlier sections of this report.	Yes
6.10 Acoustics	All industrial / commercial / employment development is to comply with the Council's Environmental Noise Policy.	<p>An acoustic report has been submitted with the DA to consider noise impacts associated with the proposal.</p> <p>Council's Environmental Health Officers have reviewed the acoustic report and are satisfied that the proposal will not have a negative impact upon adjoining residential amenity subject to conditions.</p>	Yes
8.1 Sustainable Building Design	Buildings and developments not affected by BASIX are to achieve a	A condition of consent is recommended to address this matter.	Yes

	40% reduction of baseline potable water consumption.		
8.2 Stormwater and Construction Management	A stormwater concept plan is to be submitted with each building DA indicating how stormwater will be managed and disposed of.	The applicant has submitted details of storm water management for the development which have been reviewed by Council staff and are considered to be acceptable. Conditions are recommended to ensure that the proposal complies the Council's Engineering Design Specifications.	Yes
8.3 Waste Management	<p>1) A waste management plan is to be submitted with all DA's with the exception of single dwelling housing or superlot subdivision applications.</p> <p>2) All business and industrial operations are to provide adequate on-site waste storage facilities that are readily accessible and appropriately screened from view.</p>	A construction and ongoing waste management plan has been submitted with the DA, which demonstrates appropriate management of waste and recycling during the construction phase of the development and waste collection points for ongoing waste management. Council's waste officer has confirmed that waste management for this proposal is satisfactory.	Yes
8.6 Safety and Surveillance	All developments are to incorporate the principles of <i>Crime Prevention Through Environmental Design (CPTED)</i> .	The application has been referred to Camden NSW Police for consideration of safer by design evaluation. The site risk rating was identified as a low crime risk with recommendations made to improve surveillance, access control, territorial re-enforcement and space / activity management. These	Yes

		recommendations form part of the conditions of consent for the development.	
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Turner Road Development Control Plan 2007 – Part B4 Gregory Hills Neighbourhood Centre

The following is an assessment of the proposed development's compliance with the controls in the DCP.

Control	Requirement	Provided	Complies
3.3 Building form and articulation	Building form shall be generally consistent with the layout and principles demonstrated on the indicative structure plan shown in Figure 2 on page 5. (See Image 12 below)	The proposal is considered to be generally consistent with the principles and the indicative structure plan contained within the DCP.	Yes
	Buildings may be built to the property boundary to facilitate active street frontages and interaction with the riparian corridor, subject to relevant approvals.	No buildings have or are proposed to be built to the boundary. Existing built form in close proximity to the boundary has been established along Village Circuit. Proposed restaurants with large glazed areas provide surveillance and interaction with the adjoining riparian corridor to the east.	Yes
	Buildings shall demonstrate articulation in the built form and incorporate a variety of colours and materials which provide visual interest and articulate key areas of buildings.	The building has been designed to provide articulation through projecting wall elements (awnings and pergolas) and uses several different finishes and colours upon the external facades. The use of clerestory windows and the roof form provide visual interest to the building from various view points.	Yes
	Buildings shall be designed to clearly identify pedestrian movement and entry ways to the Neighbourhood centre	Clear and legible pedestrian movements and entry ways into the Neighbourhood centre building have been	Yes

	buildings.	created. Northern and western mall access points have been created, with wider mall access points orientated to the north.	
	Where appropriate, the visual interest of large format blank walls is to be minimized through the use of a variety of colours, materials and landscape outcomes.	Blank sections of the development along the southern and eastern facades have been provided with feature battens, painted FC sheeting and painted concrete patterns to provide visual interest to these facades. In addition, a landscape area is provided adjacent to the southern elevation of supermarket No. 1.	Yes
	Building form shall assist in creating special places, such as a neighbourhood plaza or internal main street, fostering a sense of place and community interaction.	The building proposes a restaurant plaza to the east adjacent to the bridge junction area, which provides access over the riparian corridor and connects to the future Howard Park and future school. This space is considered the focal point for people to meet, dine and enter the neighbourhood centre.	Yes
	Uses that activate frontages, cafes and the like are to consider providing openable shopfronts.	Significant glazed areas are provided to the restaurant areas upon the northern and eastern facades of the development. The glazed areas have potential to be openable shopfronts.	Yes
	Buildings are to be designed in an energy efficient manner, consistent with the Building Code of Australia.	The development will be required to demonstrate compliance with the requirements of Section J of the BCA within the assessment of the Construction Certificate.	Yes
	At least two retail / commercial structures	The existing development located	Yes

	<p>shall be provided within the Street Activation Zone shown in Figure 3 along the North – South Collector Road. The structures and associated spaces shall be designed to encourage uses that will create activity along the road frontage.</p> <p>Waste storage areas are to be designed to minimize visual and acoustic impacts in accordance with the controls in the Part A Turner Road DCP.</p>	<p>along Village Circuit has established several retail uses within the street activation zone.</p> <p>Waste storage areas are located within the loading dock area of the development, with waste areas 1 and 3 integrated into the built form of the building. Waste area 1 is located well within the loading area to minimize visual and acoustic impact to residents located opposite the loading dock in Village Circuit. It will also be effectively screened by fencing and landscape works within the riparian corridor to obscure views of this waste enclosure.</p>	Yes
3.4 Public Domain	<p>High quality materials and finishes are to be utilized in the public realm / landscaping.</p> <p>Landscape should be used to soften the visual impact of car parking and streetscape areas.</p> <p>Shading and / or weather protection is to be provided where</p>	<p>A combination of high quality materials and finishes consisting of metal cladding, timber look paneling, feature battens, painted FC sheeting, painted concrete panels and landscaped elements have been included in the proposal.</p> <p>Landscaping has been used to soften the visual impact of car parking and hardstand areas. Suitable species for planting have been recommended and form part of the conditions of consent.</p> <p>Awnings are proposed along the northern and western facades of the</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	appropriate, particularly at key activity nodes as identified in Figure 4.	development to provide shade and weather protection to mall access points. In addition, trees re proposed along pedestrian paths and within the restaurant plaza to provide for shading opportunities.	
	The northern façade of the Neighbourhood Centre building should be designed to incorporate an active retail façade with landscape elements such as low planting, seating and shade trees.	The northern façade is extensively glazed providing an active shopfront. In addition, landscaped alfresco areas with outdoor seating are proposed adjoining restaurant areas to the east and west of the development.	Yes
	A landscape and street furniture palette is to be submitted with an application for retail development.	A landscape plan has been submitted which provides details of proposed street furniture locations, finishes and materials and colours.	Yes
	A Neighbourhood Centre Plaza should be incorporated into the Neighbourhood Centre. The plaza should be designed to reflect its importance as a key gathering place within Gregory Hills, and may incorporate a range of appropriately scaled retail, dining, recreation, public art and social activities.	The plaza area indicated upon the indicative structure plan is represented upon the plans as the 'bridge junction area'. This area is located adjacent to alfresco dining areas and to the future pedestrian bridge over the riparian corridor, which will connect to the future Howard Park and future school. This space is considered the focal point for people to meet, dine and enter the neighbourhood centre.	Yes
	The corner of Gregory Hills Drive and North / South Collector Road is to include a key structural element which identifies the site and becomes a way finding element. Details of the way finding	This structural element (pylon sign) has been granted consent (DA/2014/107) and erected at the intersection of Gregory Hills and Village Circuit.	Yes

	<p>element are to be submitted with the first Development Application lodged for the construction of buildings on site.</p> <p>All signage and advertising is to be designed in a co-ordinated manner. A signage strategy is to be submitted with the first Development Application lodged for the construction of buildings on site.</p> <p>Public realm areas shall be designed in consideration of Camden Council's Safer by Design Policy.</p>	<p>Signage and advertising is considered to be designed in a co-ordinated manner to integrate with the building design of the neighbourhood centre.</p> <p>Public realm areas are considered to be consistent with Council's Safer by Design Policy.</p>	<p>Yes</p> <p>Yes</p>
3.5 Access	<p>Access linkages as illustrated in Figure 4 shall incorporate structural elements which identify the Neighbourhood Centre edge and provide for way finding through the site.</p> <p>Where appropriate, walking and cycling leading to / from and within the Neighbourhood Centre are to have priority over traffic circulation. In this regard, the design of the roundabout entrance to the Neighbourhood Centre off the North-south road is to be appropriately manage the interface of vehicle and pedestrian access points.</p> <p>Sufficient parking is to be provided for the Neighbourhood Centre. Opportunities for shared parking provision are to be incorporated in the design of the centre, which recognize the variety of land uses, peak parking</p>	<p>Pedestrian linkages to and through the site are considered to be consistent with Figure 4 and include, tree lined paths, and various pavement materials to delineate pedestrian areas.</p> <p>The roundabout and pedestrian paths along the Village Circuit frontage have previously been granted consent and constructed subject to DA/2014/107.</p> <p>As detailed within this assessment report, sufficient parking is provided to accommodate parking demands of the neighbourhood centre.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>demands and other modes of transport.</p> <p>Parking shall generally be provided in accordance with Camden DCP 2011.</p> <p>Bicycle parking facilities are to be provided at appropriate locations throughout the Neighbourhood Centre.</p> <p>Where appropriate, surrounding streets shall be designed to incorporate on-street parking for conveniences and to contribute to street activation and surveillance, consistent with the Gregory Hills Neighbourhood Centre Indicative Structure Plan.</p> <p>The Neighbourhood centre shall incorporate an appropriate number of loading docks to service the development. Loading docks should be appropriately screened and generally located in accordance with the Indicative Structure Plan.</p> <p>All loading, circulation and access areas shall comply with Australian Standard 2890.1.</p>	<p>Carparking complies with Camden DCP 2011 requirements.</p> <p>Bicycle parking is provided in proximity to mall access points.</p> <p>The current proposal does not propose the construction of roads, as these have been constructed or will be constructed under separate development consents. However, provision exists within adjoining local streets of on-street parking.</p> <p>The loading dock area provides for four loading areas to service the site. The loading dock location and area is considered to be generally consistent with that shown as per Figure 2 – Neighbourhood Centre Indicative Structure Plan of the Turner Road Precinct Development Control Plan. Sufficient area is provided within the loading dock area to allow vehicles up to 19m semi - trailers to enter, manoeuvre and exit the loading dock area safely onto Kavanagh Street.</p> <p>All loading, circulation and access areas have the ability to comply with AS2890.1. Detailed design will be provided at the Construction Certificate stage of the development.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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	<p>Final bus stop locations and design for local routes are to be determined by the Local Traffic Committee during the assessment of the built form development application. Final bus stop locations and design for major routes are to be determined by the Roads and Maritime Services during the assessment of the built form development application.</p>	<p>It is considered more appropriate that consideration of final bus stops and local routes is made following completion of the proposed left in / left out access arrangement from Gregory Hills Drive and future development of the pad sites along this road frontage.</p>	Yes
3.6 Riparian Corridor Interface	<p>The Neighbourhood Centre Plaza and associated outdoor seating areas in the north eastern corner of the site are to be designed to facilitate integration with the adjoining riparian corridor as shown in Figure 2 and Figure 5 below.</p> <p>Development applications lodged for the north eastern corner of the site, including the Neighbourhood Centre Plaza / outdoor seating areas as shown on Figure 2 are to demonstrate that a visual and physical interaction and passive surveillance of the adjoining riparian area is achieved.</p>	<p>The proposed restaurant plaza and bridge junction area to the east of the development provides a pleasant meeting place for people to gather and dine, and interact adjacent to the riparian corridor. The restaurant plaza and bridge junction area also links with the future pedestrian bridge (subject to DA/2016/949) providing pedestrian access over the riparian corridor which will connect to the future Howard Park and future school.</p> <p>The north eastern area of the development provides for glazed shopfronts to the northern and eastern facades to facilitate surveillance of the adjoining riparian corridor. In addition, a restaurant plaza and bridge junction area with seating and alfresco dining areas have been provided to allow for physical connection and activity adjoining the riparian corridor.</p>	<p>Yes</p> <p>Yes</p>

	<p>Pedestrian / cycle crossings and linkages are to be provided through the Riparian Corridor between the Neighbourhood Centre Plaza in the north eastern corner of the Village Centre and the educational and / or residential land uses to the east.</p>	<p>Pedestrian and cycle paths have been established and constructed within the road reserve of adjoining roads surrounding the development. In addition, a pedestrian bridge has been granted consent subject to DA/2016/949 to provide for access over the riparian corridor and to link the neighbourhood centre with residential and educational land planned to the east.</p>	Yes
	<p>Where buildings do not provide an active frontage to the riparian corridor, design elements shall be provided which minimize the visual impact of the built form and create an attractive visual presentation. Variation to the façade treatment is to be provided to the building frontage where no active frontage is achieved. Façade treatments may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Variations in colour and built form materials • Inclusion of external built form elements which project from the building façade. • Variation to the roof line to create articulation and shadowing on elevations. • Landscape screening. 	<p>The development provides an area of active frontage to allow interaction adjoining the riparian corridor at the north east corner of the building. In addition, in areas where no active frontage is proposed along the eastern façade, the eastern façade has been addressed with various materials and painted colours to provide for visual interest and mitigate the impact of the built form. The proposed location of the restaurant plaza and bridge junction area is considered to be consistent with Figure 2 – Gregory Hills Neighbourhood centre indicative structure plan.</p>	Yes

Part B4 Gregory Hills Neighbourhood Centre – Indicative Structure Plan

The South West Growth Sector was established in December 2007 through the Growth Centres SEPP. During the same time, a Part A DCP for the Turner Road area was gazetted. Part A of the DCP set out high level development controls for the proposed Gregory Hills Town Centre, however further development controls were required to be developed as an amendment (Part B) of the DCP.

Concept designs for the Gregory Hills Neighbourhood Centre were prepared in December 2011 with the NSW Department of Planning providing funding for the preparation of four DCP's within the Oran Park and Turner Road Precincts, which included the Part B DCP amendment for the Gregory Hills Neighbourhood Centre.

On the 11th and 12th July 2011, Dart West and Camden Council workshopped the design of the neighbourhood centre, including draft development controls within a design charrette. A concept plan was agreed upon by both parties, but subject to key agreements achieved during the course of the charrette to be expressed through the Part B DCP.

The design was further developed within the Gregory Hills Town Centre Design Review Report (Attached) dated 21 September 2012, which detailed the design evolution of the town centre and suggested a preferred layout for the town centre. The report was issued to NSW Planning & Infrastructure on 2nd October 2012, with correspondence issued to Dart West on the 18th December 2012 broadly accepting the general layout and considered it to be a reasonable design response for the centre.

On the 11th November 2013, the DCP amendment Part B4 was gazette and inserted into the Turner Road Growth Centre Precincts Development Control Plan, with the design layout as presented within the Gregory Hills Town Centre Design Review Report largely reflective of the indicative structure plan within Part B4 of the DCP today. The following images compare the site layout of the proposed development against the indicative structure plan contained within Part B4 of the DCP.

Whilst concerns were raised at the Briefing Meeting held on the 24th July 2017 with the layout and presentation of the development to the public domain and the adjoining riparian corridor, the design has not changed since it was presented, as it is considered to largely be reflective of the Turner Road Growth Centre Precincts Development Control Plan.

The north eastern area of the development provides for glazed shopfronts to the northern and eastern facades to facilitate surveillance of the adjoining riparian corridor. In addition, a restaurant plaza and bridge junction area with seating and alfresco dining areas have been provided to allow for physical connection and activity adjoining the riparian corridor.

The proposed restaurant plaza and bridge junction area to the east of the development provides a pleasant meeting place for people to gather and dine, and interact adjacent to the riparian corridor. The restaurant plaza and bridge junction area also links with the future pedestrian bridge (subject to DA/2016/949) providing pedestrian access over the riparian corridor, which will connect to the future Howard Park and future school.

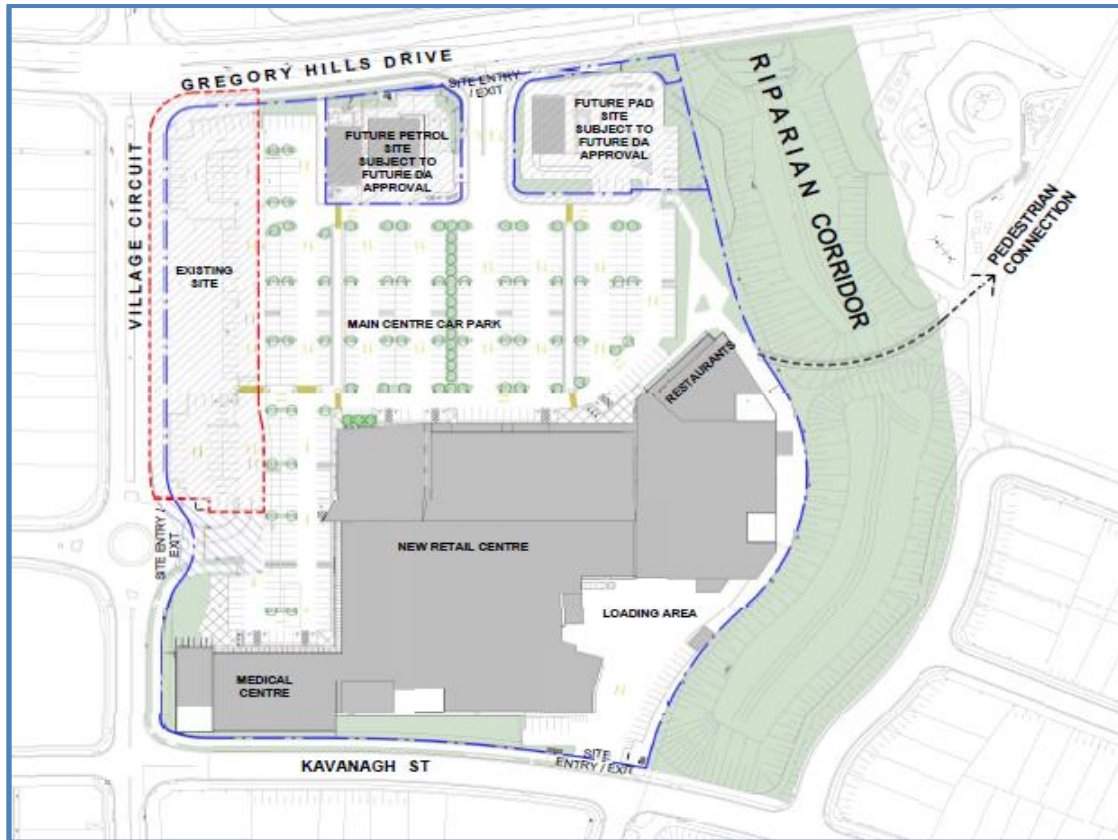


IMAGE 11 – SITE PLAN OF PROPOSED NEIGHBOURHOOD CENTRE



IMAGE 12 – Gregory Hills Neighbourhood Centre Indicative Structure Plan

Acoustic Impacts

An acoustic report has been submitted with the DA which has assessed potential noise impacts from the proposed neighbourhood centre, including from the loading docks, carpark, mechanical plant and traffic noise on existing and future residential amenity. The acoustic report recommends measures to attenuate noise impacts. These include: car park pavement to be smooth and level to ensure minimal vertical displacement, concrete treatments to prevent tyre squeal, signage, traffic calming devices to limit vehicle speed to a maximum of 10km/hour, all grates and cover plates to be fixed flush and tight and specific mechanical plant noise emissions.

An additional condition has been recommended to limit the hours of operation of the loading dock to between 7.00am and 10.00pm Monday to Friday and between 8.00am and 10.00pm Saturday to Sunday, including public holidays, with a single refrigerated delivery vehicle permitted for delivery purposes between the hours of 6.00am to 7.00am Monday to Saturday.

Council staff have reviewed the submitted acoustic report and it is considered that an acceptable level of residential amenity will be provided to existing and future residents, subject to the noise mitigation measures identified above.

(c) The suitability of the site

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development.

(d) Any submissions made in accordance with this Act or the Regulations

The DA was publicly exhibited for a period of 30 days in accordance with the DCP. The exhibition period was from 24th May 2017 to 22nd June 2017. Two submissions objecting to the proposed development were received.

The following discussion addresses the issues and concerns raised in the submissions.

- 1. The proposed medical centre area covers a building envelope of 1,517m² with no internal template. The breakdown of proposed consulting and/or treatment rooms is critical to determine carparking and emergency vehicle requirements.*

Officer Comment

As per Camden Development Control Plan 2011 Part B (B5 Access and Parking), the minimum car parking requirement for medical centres is 4 car parking spaces per 100m² of Gross Floor Area. There is no DCP requirement for the provision of emergency vehicle requirements. Due to the development providing multiple uses, it is likely that visitors to the Neighbourhood Centre would visit and occupy the various uses on site on one trip to the site. Accordingly, consideration of carparking requirements for the entire development has been made, rather than for individual uses on site. In this respect, the proposed development provides sufficient parking for all uses on site.

- 2. We believe that further consideration by Council, including a detailed breakdown of the building with a list of proposed uses within the facility comply with the zoning is warranted.*

Officer Comment

The proposed development will contain supermarket tenancies, a medical centre, restaurants and specialty retail tenancies, which are all permissible uses within the B1 Neighbourhood Centre zone. Any change to these uses will require either development consent or a complying development certificate to be obtained.

3. *The SEE for this DA doesn't address any issue in respect to what type of medical uses will be performed within the building as many medical uses are prohibited within the B1 zoning.*

Officer Comment

It is noted that the Statement of Environmental Effects does not detail specifically the type of medical use which is sought to operate within the proposed medical centre. The type of medical use that will be established within the medical centre will be known upon the receipt of a Development Application or Complying Development Certificate for the fitout of the medical centre.

However, consideration of the any future use has been made in respect to the definition of a 'medical centre' contained within State Environmental Planning Policy (Sydney Region Growth Centres) 2006, which defines a 'medical centre' as '*business premises used for the purpose of providing health services (including preventative care, diagnosis or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals, and may include the ancillary provision of other health services*').

Medical centres are a permissible use within the B1 Neighbourhood Centre zone.

4. *The Turner Precinct plan shows a shared path running in front of the proposed entry to the neighbourhood centre. This needs to be provided.*

Officer Comment

Along the frontages of Gregory Hills Drive and Village Circuit, a 2.5m shared path is provided.

5. *Council should consider traffic management and design in relation to vehicular movements and the reduction in sight lines due to the proposed future service station and fast food outlet and the proximity to the neighbourhood school. The proposed Gregory Hills Drive is to cater for 28,000 cars daily adding to the congestion and danger to the additional exit proposed.*

Officer Comment

The proposed development seeks to create two pad sites for future development. The current development application does not seek to develop the two pad sites at this time. Pad site development will be subject to separate development application where consideration of the built form and sightlines to the proposed access driveway from Gregory Hills Drive can be made within these separate applications.

6. *Council should consider the blast zone from the proposed service station, impact on local areas such as the public school, the bus stop and the riparian zones. Studies should be conducted to ensure the safety of the community.*

Officer Comment

The current development application does not seek consent to erect a service station adjacent to Gregory Hills Drive.

7. *The DCP shows a small compact loading area whilst the proposal is over three times larger than that proposed by Council. Again, consideration must be made to the local roads and their design and the ability to move such large vehicles as well as queuing. Due to the streets being so narrow consideration must be made on how the truck will get into and out of the site.*

Officer Comment

The proposed loading dock area creates four separate loading dock areas to service the various uses on site. The loading dock location and area is considered to be generally consistent with that shown as per Figure 2 – Neighbourhood Centre Indicative Structure Plan of the Turner Road Precinct Development Control Plan. Sufficient area is provided within the loading dock area to allow vehicles up to 19m semi - trailers to enter, manoeuvre and exit the loading dock safely onto Kavanagh Street.

8. *The DCP calls for connectivity with the Riparian Zone whilst the proposal turns it back on the riparian zone thus creating dead zones and high-risk safety by design outcomes. Careful consideration must be made as residents would likely walk through the bush rather than around the development.*

Officer Comment

The requirements of the DCP and how the application complies with these requirements are addressed within the compliance tables that form part of this assessment report. In this regard, it is considered that the development generally complies with all DCP requirements. The development provides an area of active frontage to allow interaction adjoining the riparian corridor at the north east corner of the building. In addition, in areas where no active frontage is proposed along the eastern façade, the eastern façade has been addressed with various materials and painted colours to provide for visual interest to mitigate the impact of the built form.

9. *The concentration of ownership of 4 shopping centres – Narellan Town Centre, Oran Park Town Centre, Gregory Hills and the future Emerald Hills Town Centre within a 10-km radius – in companies owned by the two principles should be of grave concern to the Camden Community and Council.*

Officer Comment

Land ownership or the perceived concentration of land ownership is not a matter for consideration in accordance with Section 79C of the *Environmental Planning and Assessment Act, 1979*.

10. *It is suggested that Camden Council to gain ACCC approval for this proposal to ensure the local residents are not impacted by future market controls and manipulation.*

Officer Comment

This is not a matter for consideration, however, in the absence of strong evidence, it is considered unwarranted to obtain ACCC approval in this instance at the present time.

11. *Contravenes the draft South West District Plan released November 2016.*

Officer Comment

No further details are provided by the objector of how the proposed development contravenes the draft Western City District Plan. However, it is considered that the proposed development is broadly consistent with the plan.

12. *Is inconsistent with the general purpose, objectives and intended uses of the B1 Neighbourhood Centre.*

Officer Comment

Separate comments in respect to the objectives and uses proposed within the Neighbourhood Centre have been made within earlier sections of this report. The development is considered consistent with the objectives of the B1 Neighbourhood Centre, with proposed uses permissible within the B1 Neighbourhood Centre zoning.

13. *Concentration of neighbourhood/regional shopping centres and the potential impact on the living standards and disposal income of local residents of Camden.*

Officer Comment

The proposed Neighbourhood Centre development is defined as a 'mixed use development', which is permissible within the B1 Neighbourhood Centre zone. In addition, the Neighbourhood Centre is located as per figure 2 (Indicative Layout Plan) of the DCP and is considered to be generally consistent with the Indicative Structure Plan subject to Figure 2 of the Turner Road DCP, which planned for the location of this Neighbourhood Centre within Gregory Hills.

14. *Does not comply with Part 3 of the Turner Rd DCP.*

Officer Comment

A separate assessment provided in the form of compliance tables is provided within this assessment report, which confirms that the proposed development generally complies with the development controls of Turner Road Precinct Development Control Plan.

(e) *The public interest*

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, *Environmental Planning Instruments*, *Development Control Plans* and policies. The development will also provide an employment generating land use within the Gregory Hills community, contributing and generating local employment opportunities. Accordingly, the proposed development is considered to be in the public interest.

Draft Western City District Plan (the Plan)

A draft district plan or district plan is not a mandatory matter for consideration in the determination of a DA. However it is considered to be in the public interest to consider the proposed development's consistency with the Plan given that it is publicly exhibited government planning policy.

It is considered that the proposed development is broadly consistent with the plan. The proposed development will help achieve the Plan's liveability priorities to fostering healthy, creative, culturally rich and socially connected communities and growing investment, business opportunities and jobs in strategic centres through creating a place where people can meet, greet, gather and shop and dine together and by creating local jobs through new employment opportunities.

EXTERNAL REFERRALS

Department of Primary Industries Water (DPI Water)

The DA was referred to the Department of Primary Industries – Water under the Integrated Development provisions of the Act, as the development proposes works within 40 metres of an existing watercourse.

The Department of Primary Industries – Water have issued General Terms of Approval for works requiring a controlled activity approval under the *Water Management Act 2000*, which is referenced in the recommended consent conditions.

NSW Rural Fire Service (RFS)

The DA was referred to the RFS under Section 79BA of the *Environmental Planning and Assessment Act, 1979* as the revegetation of the adjoining riparian corridor to be undertaken subject to DA/2016/949 is likely to generate a bushfire threat in the future.

The RFS raised no objections to the proposed development and provided suggested conditions, including a minimum asset protection zone of 10m from the adjoining riparian corridor.

The suggested conditions from the NSW Rural Fire Service form part of the recommended conditions of consent for the development.

NSW Roads and Maritime Services (RMS)

The DA was referred to RMS for assessment as the development is defined as traffic generating development by the State Environmental Planning Policy (Infrastructure) 2007.

RMS raised no objection to the development, advising that the traffic generation from the proposed development will not have a detrimental impact on the local road network, and that the existing Gregory Hills Drive / Village Circuit West signalised intersection has adequate capacity to accommodate the traffic generated by the proposed development.

No suggested conditions were provided by the RMS, however it was recommended that proposed mitigation measures should try to improve the level of service and capacity of the Gregory Hills Drive / Village Circuit West intersection in consultation with RMS.

Camden Local Area Command (CLAC)

The application was referred to Camden NSW Police for consideration of safer by design evaluation. The site risk rating was identified as a low crime risk with recommendations made to improve surveillance, access control, territorial reinforcement and space / activity management. These recommendations form part of the conditions of consent for the development.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. Accordingly, DA 323/2017 is recommended for approval subject to the conditions contained in this report.

RECOMMENDED

That the Panel approve DA 323/2017 for the subdivision of land to create three lots, creation of two pad sites for future development, construction of a neighbourhood centre including supermarket tenancies, a medical centre, restaurants and outdoor dining alfresco areas and speciality retail tenancies, construction of a carpark and an vehicular access point from Gregory Hills Drive, landscaping, signage and associated works at A and 33 Village Circuit, Gregory Hills subject to the conditions attached to this report.

Turner Road Growth Centre Precincts Development Control Plan Attachment 1

Part A - Table 1 and Figure 4 subject to Clause 2.5

Table 1: Hierarchy of Centres and Employment Areas

Centre / Employment Area	Characteristics
Neighbourhood Centre	<p>The Neighbourhood Centre is approximately 4.5ha in area and located towards the centre of the Turner Road Precinct, adjacent to Badgally Road. It will function as the retail and community focal point for the Turner Road Precinct and may also include residential uses in the form of shop top housing, apartments or town houses. The following floor space restrictions apply:</p> <p>The maximum aggregate of 15,000m² Gross Lettable Area – Retail (GLAR) of retail premises. GLAR means the total area of a tenancy by the Property Council of Australia's Method of Measurement definition.</p>
Turner Road Business Development Area	<p>The Turner Road Business Development Area is approximately 51ha in area and is located primarily along the western sections of Badgally Road. It will provide for a range of business development type activities, including bulky goods retail, business premises, light industry, warehouses and distribution uses. Small-scale retail uses to cater to the needs of employees of the Business Development and Industrial areas will also be provided.</p> <p>The following floor space restrictions apply:</p> <p>The maximum aggregate of retail premises is 2,500m² GLAR, excluding food and drink premises.</p>
Turner Road Industrial Area	<p>The Turner Road Industrial Area is approximately 45ha in area and is located in the south western portion of the precinct adjacent to Camden Valley Road. It will provide for a range of industrial, light industrial, warehouse and distribution uses. Higher employment generating uses will be preferred over low intensity uses.</p>
Entertainment Precinct	<p>The Entertainment Precinct is located in the northern portion of the precinct and will provide a range of entertainment, leisure and accommodation functions and local retail facilities. The following floor space restrictions apply:</p> <p>A maximum aggregate of 3,500m² GLAR of shops. Any individual shop is to be no more than 500m² GLAR in floor area.</p>



Figure 4: Neighbourhood Centres and Employment Areas

Turner Road Growth Centre Precincts Development Control Plan Attachment 2

Part B - Appendix B4 – Figure 1



Figure 1 – Land to which this Part applies

Turner Road Growth Centre Precincts Development Control Plan Attachment 3

Part B - Appendix B4 – Figure 4



Figure 4 – Activity Nodes and Linkages