

DATE OF DETERMINATION	18 December 2017
PANEL MEMBERS	Bruce McDonald (Acting Chair), Stuart McDonald, Nicole Gurran, Lara Symkowiak and Peter Sidgreaves
APOLOGY	None
DECLARATIONS OF INTEREST	None

Public meeting held at Camden City Council on Monday 18 December 2017 opened at 11.40 am and closed at 12.45pm.

MATTER DETERMINED

Panel Ref – 2017SSW035 - LGA – Camden, DA-323/2017, Address – A & 33 Village Circuit, Gregory Hills (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

REASONS FOR APPROVAL OF THE DEVELOPMENT - ON THE BASIS OF THE CREATION OF TWO PAD SITES FOR FUTURE DEVELOPMENT NOT BEING APPROVED AS PART OF THE PROPOSAL:

1. The proposed development will provide and facilitate a range of retail, medical, restaurant services and community spaces integrated with the adjacent public domain. That in turn will assist to activate this site as a neighbourhood centre providing a focal point for the rapidly expanding Gregory Hills community, consistently with its planned role.
2. The proposed development, subject to the conditions imposed, satisfies the relevant State Environmental Planning Policies including SEPP (Sydney Region Growth Centres) 2006, SEPP 55 – Remediation of Land, SEPP (Infrastructure) 2007 and Deemed SEPP No. 20 – Hawkesbury Nepean River.
3. The proposed development adequately satisfies the objectives and provision of Turner Road Growth Centres DCP including Part B4 Gregory Hills Neighbourhood Centre.
4. The proposed development adequately satisfies the objectives and provisions of Camden DCP 2011.
5. The proposed development is considered to be adequately consistent in its scale, form and onsite arrangement to satisfactorily integrate with the adjoining residential development and public domain riparian corridor. Further it is considered the open space and

pedestrian arrangements at ground level will facilitate integration of the commercial function of this site with social activities and pedestrian desire lines on the adjoining public domain lands.

6. The proposed development, subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the amenity of adjoining and nearby residential premises or operation of the local road system.
7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable and planned use of the site and approval of the proposal is in the public interest.

REASONS FOR NOT APPROVING THAT ELEMENT OF THE DEVELOPMENT PROPOSING SUBDIVISION TO CREATE TWO PAD SITES FOR FUTURE DEVELOPMENT.

1. The proposed development of these sections of the site for commercial uses is inconsistent with the objectives and provisions of Turner Road Growth DCP Part B4 Gregory Hills Neighbourhood Centre. Specifically, in that regard the proposal is contrary to the Neighbourhood Centre Indicative Layout Plan.
2. Future development of these sections of the site for commercial uses oriented to Gregory Hills drive would result in activities divorced from those on the remainder of the site and diminish its function as an integrated neighbourhood centre providing both retail and social opportunities for Gregory Hills.
3. Future development of those sections of the site oriented to Gregory Hills Drive would create an unacceptable presentation of the site to users of Gregory Hills Drive and diminish appreciation of the site as a focal neighbourhood centre.

DESCRIPTION OF THE DEVELOPMENT

The description of the development is revised to reflect the deletion of the subdivision component of the development. The description is revised as follows:






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.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments –

- Plan reference 59620, Plan of proposed subdivision, prepared by Lean Lackenby is deleted from the list of approved plans and documents 1.0(3).
- No approval granted for the subdivision of land, including the creation of the two pad sites. In lieu of the pad sites, carparking and landscaping shall be provided and designed in accordance with Figure 2 – Gregory Hills Neighbourhood Centre Indicative Structure Plan as per Part B4 – Gregory Hills Neighbourhood centre of Turner Road Growth Centre Precincts Development Control Plan.

- Deletion of conditions 6.0(1 – 13) inclusive and subsequent renumbering of the remainder of the consent.

PANEL MEMBERS	
 Bruce McDonald (Acting Chair)	 Stuart McDonald
 Nicole Gurran	 Lara Symkowiak
 Peter Sidgreaves	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSW035 - LGA – Camden, DA323/2017
2	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 specialty retail tenancies, construction of a carpark and an vehicular access point from Gregory Hills Drive, landscaping, signage and associated works.
3	STREET ADDRESS	A & 33 Village Circuit, Gregory Hills
4	APPLICANT/OWNER	David Taylor Dart West Developments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value >\$20million.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (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. 64 – Advertising and Signage • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

		<ul style="list-style-type: none"> • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> • Camden Development Control Plan 2011 • Turner Road Growth Centre Precincts Development Control Plan • Planning agreements: 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. • <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report, recommended conditions, Statement of Environmental Effects, Architectural Plans, Civil Engineering Plans, Landscaping Plans, Associated Reports, NSW Planning & Infrastructure letter dated 18 December 2013, Gregory Hills Town Centre Charrette, Gregory Hills Town Centre Design Review Report and written submissions. • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – David Taylor and Rhys Brotherton ○ On behalf of Council – Ryan Pritchard, Stephen Pratt, Adam Sampson and Nicole McGurran
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing Meeting – 24 July 2017 • Site Inspection – 24 July 2017 • Final Briefing Meeting – 18 December 2017 from 10.30 am to 11.00 am • Public Meeting – 18 December 2017 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Bruce McDonald (Acting Chair), Stuart McDonald, Nicole Gurran, Lara Symkowiak and Peter Sidgreaves ○ <u>Council assessment staff</u>: Ryan Pritchard, Stephen Pratt, Adam Sampson and Nicole McGurran
9	COUNCIL RECOMMENDATION	Approval

10	DRAFT CONDITIONS	Submitted with report
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