

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	3 June 2020
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Noni Ruker
APOLOGIES	Gabrielle Morrish
DECLARATIONS OF INTEREST	Council's representatives, Kathie Collins, Chris Quilkey, Moninder Singh and Kevin Gillies advised that they have a conflict of interest due to Blacktown City Council being the landowner. Susan Budd advised that as Council is the landowner, and the Mayor of Blacktown Council is a member of the Board of her employer, she has a conflict of interest.

Public meeting held by public teleconference on 28 May 2020, opened at 12:00pm and closed at 1.15pm.

MATTER DETERMINED

PPSSCC-54 - Blacktown – SPP-19-00010, Lot 1 DP SP1243995, 108 Burdekin Road, Schofields, Staged subdivision into 88 Torrens title residential lots and 1 residue lot, construction of 24 abutting dwellings, new public roads, associated landscaping and civil works (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

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

The Panel adjourned after the public meeting to deliberate on the matter and formulate a resolution.

Development application

The Panel determined to **defer** the development application for **independent urban design review** and **further consultation with Council's waste servicing division** pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was **unanimous**.

In order not to delay the project, the Panel requests a progress briefing within two weeks of the publication of this decision, and a revised submission within eight weeks.

REASONS FOR THE DECISION

The Panel is strongly in support of the application's intention to support cooler climate design and address housing affordability, residential diversity and the creation of liveable streets. The Panel also notes that the application is generally compliant with Council's requirements, including a Site Specific DCP.

Nevertheless, as the proposal is for a 'demonstration project', intended to be replicable in developing suburbs, the Panel considers urban design excellence to be essential, along with high levels of amenity as well as servicing feasibility.

Majority reasons (Abigail Goldberg & Noni Ruker)

As the majority of the Panel is not confident that these factors are adequately demonstrated by the current Masterplan, it considers that further review and resolution of the proposal is required.

The majority of the Panel requires the following matters in particular to be further resolved:

A. Urban design

1. Housing typologies

The Panel notes the demonstration project's intention to address what has been termed the 'missing middle' of housing typologies. This housing type is defined on the Department of Planning, Industry and Environment's website as "low rise, medium density housing".

Further explanation is sought as to how this typology has been applied to the Masterplan. The Panel suggests that the density of the demonstration project should be compared to test cases where low-rise medium density housing is applied in a perimeter block design layout, without battle-axe low-density homes in the middle of the block, in relation to urban design considerations including:

- Housing yield/density
- Private open space/soft landscaping
- Amenity and street address.

The Panel also suggests comparing the demonstration project to successful housing projects both locally and overseas, rather than to adjoining lots, in relation to the above urban design considerations.

2. Streetscape

The Panel supports the intention to achieve a 'cooler climate' streetscape on the central street (Rugby Street extension), and observes that this appears to have been achieved primarily by introducing shared driveways on the south side of the central road (extension of Rugby Street), and landscaping between parallel street parking on the northern side of this road.

Concerns are raised that for the Grima and Lerida Street extensions which also form part of the demonstration project, there appear to be no plans for increased landscaping, shared streets or other interventions that will support cooler climate planning. Rather the street frontages on each of these streets of the demonstration project appear to have up to 15 individual driveways, with little room for landscaping.

3. Address and amenity

The Masterplan and urban design report do not currently adequately demonstrate how access to each lot is to be achieved, and how privacy, private open space and noise amelioration is to be provided for the small central lots set within the street block in particular, noting that each the battle axe lots will interface with the private rear spaces of 5-7 neighbouring properties.

It is also noted that the absolute minimum rear setbacks appear to have been provided for all lots, which may result in poor amenity outcomes for the majority of lots. Further investigation into privacy, noise and access to private open space is requested.

Concern is also raised regarding the absence of a street address for the centrally located small homes, which also lack clear public frontages and private rear yards, each of which are recognised and respected urban design principles.

4. Design guidelines

The Panel notes the Applicant's intention to provide detailed design guidelines for the demonstration project to ensure that the intended outcome is achieved. Noting however that the project is intended to be replicable, the Panel seeks further explanation as to how less motivated developers would be expected to take-up, and apply, the proposed design guidelines.

5. Architecture

The Panel supports the light coloured roofs proposed in the application, and the diverse range of house types that illustrate the Urban Design Report, but notes that the street view

illustrations for Grima Street and Road No.2 (West) included in Appendix 5 (pg 2) are repetitive and not suggestive of diverse housing types.

Indicative streetscapes illustrated in Attachment 5 (pg 3), and façade illustrations (pg 6) also suggest little diversity despite a minor variation in materials.

B. Servicing and subdivision

The concerns of Council's waste servicing planners regarding how the area is to be serviced, and the potential for waste servicing requirements to disrupt the proposed streetscape, are noted and further consultation requested with Council in order to resolve these matters.

The Panel also observes that several lots will be able to be further subdivided without Council's involvement, through a complying development process. The Panel seeks further explanation as to how this is to be managed, and the impact of further subdivision on the urban outcome, amenity and servicing.

C. Site Specific DCP

The Panel notes that the Alex Avenue Site Specific DCP related to the application is an annexure of the primary Growth Centres DCP for the area. The Panel is cognisant that where the Growth Centres DCP aims to limit battle-axe blocks, the Site Specific DCP encourages this form of development.

In view of the comments above, the Panel suggests that further independent urban design testing of and consultation with Council is undertaken to address the issues described above and to determine if battle axe-blocks should be encouraged.

Minority reasons (David Ryan)

Panel member David Ryan does not dispute the importance of the matters raised by the majority of the Panel. However, he considers that several of these matters are fundamental to the urban design approach embodied in the site specific DCP for this site. As such, Mr Ryan considers that it would have been more appropriate for these matters to have been thoroughly evaluated, in the manner suggested by the majority, prior to the adoption of that DCP, not at the subsequent DA stage.

Consequently, whilst accepting the not unreasonable concerns expressed by the majority, Mr Ryan considers that because of the positive design intentions of the proposed development, as acknowledged by the whole Panel, and in the interests of the integrity of statutory planning process, the application is broadly supportable, subject to the resolution of some detailed design and operational issues.

Mr Ryan shares the majority's concerns expressed under the headings of 'Architecture' and 'Servicing' and whilst these matters could potentially be appropriately addressed by conditions of consent, he agrees with the deferral of the application so that these issues may be resolved prior to determination.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during the public exhibition. The Panel notes that issues of concern in written submissions included:

- Proposed height of buildings
- Location of shared driveways (on Grima Street)
- The potential adverse impacts arising from manor homes, and the proposed density and width of Grima Street to the west of the site.

The Panel notes that there were no public speakers other than the Applicant's representative at the public meeting.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Noni Ruker
 David Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-54 - Blacktown – SPP-19-00010, Lot 1 DP SP1243995
2	PROPOSED DEVELOPMENT	Staged subdivision into 88 Torrens title residential lots and 1 residue lot, construction of 24 abutting dwellings, new public roads, associated landscaping and civil works
3	STREET ADDRESS	Lot 1 DP SP1243995, 108 Burdekin Road, Schofields
4	APPLICANT/OWNER	Applicant – Landcom Owner – Blacktown City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council owned land with CIV over \$5million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (State and Regional Development) 2011 - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy No. 55 – Remediation of Land - Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River - State Environmental Planning Policy (BASIX) 2004 - State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - Blacktown Local Strategic Planning Statement 2020 - Draft environmental planning instruments: Nil - Development control plans: - Blacktown City Council Growth Centre Precincts Development Control Plan 2018 - Central District Plan 2018 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> - Coastal zone management plan: [Nil] - The likely impacts of the development, including environmental impacts

		on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	• Council assessment report: 12 May 2020 • Draft conditions – recommended changes to conditions of consent after submission to Panel – 25 May 2020 • Written submissions during public exhibition: 4 • Verbal submissions at the public meeting: ○ In support – Nil ○ In objection – Nil ○ Council assessment officers – Sami Ahangari, Judith Portelli and Peta Golla ○ On behalf of the applicant – Nicole Woodrow
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspections individually. • Final briefing to discuss council's recommendation, 28 May 2020, 10.00am (teleconference) Attendees: ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan and Noni Ruker ○ <u>Council assessment staff</u>: Sami Ahangari, Judith Portelli and Peta Golla and Adam Hamawi
9	COUNCIL RECOMMENDATION	Approval subject to conditions listed in attachment 9
10	DRAFT CONDITIONS	Attachment 9