

DETERMINATION AND STATEMENT OF REASONS
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday, 17 February 2022
DATE OF PANEL DECISION	Wednesday, 16 February 2022
DATE OF PANEL MEETING	Monday, 7 February 2022
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli and Michael File
APOLOGIES	Sue Francis
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 7 February 2022.

MATTER DETERMINED

PPSSWC-113 – Camden – DA/2020/721/1 at 3-7 Digitaria Drive, Gledswood Hills – Construction of a mixed use development premises comprising three buildings, basement car parking, drainage, landscaping and associated site 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 listed at item 8 in Schedule 1.

The Panel has convened on three previous occasions since 7 December 2020 to consider this development application for a consolidated site with frontages to each of Digitaria Drive and Redbank Drive in the developing area of Gledswood Hills. The Applicant has presented to the Panel twice at briefing sessions convened on 23 August 2021, and 6 December 2021.

During that period the Panel has observed that there are significant positive aspects to the proposal including the opportunity to consolidate a number of sites reported to be presently under disparate ownership to achieve an integrated proposal and particularly the opportunity to provide a consistent architectural presentation for the length of the consolidated parcel to both frontages.

However, the Panel has on each occasion it has met noted in the corresponding reports, and directly in its conferral with representatives of the Applicant at the two online briefings, its general concurrence with the concerns raised in relation to important aspects of the architectural and landscape design of the proposal by both Council Planning staff and Council's Design Review Panel.

Most recently, at its meeting on 6 December 2021, the Panel considered a recommendation of refusal from Council staff due to a number of identified residual shortcomings with the DA. In response, the Applicant advised that its architect was in the process of updating the plans to address Council's concerns, but had only progressed to the stage of preparing revised floor plans.

It was in that context that the Panel unanimously resolved:

“With the time that has elapsed, and the investment of resources involved in reconvening the Design Review Panel, the progress with the amendments is unsatisfactory.

Nonetheless, as the Applicant advised that it was committed to making substantial changes to the design to address Council's concerns, the Panel unanimously resolved to defer its determination of the DA until 4 February 2021 for the amended architectural drawings to be completed and

submitted to Council (a full set of information including resolved civil engineering information is not required by that date).

The Council is then to report on the amendments as to whether they offer the potential to overcome the Council's concerns and lead to an approval.

The Panel will then determine on the basis of the additional material submitted whether the DA is to be refused based on the material submitted, or whether time ought to be allowed for the remaining material necessary to complete the amended application should be allowed. That determination may be made electronically by circulation of papers.

The Applicant should not expect any further extension to be permitted, and the is encouraged to consult with the Council about any area of uncertainty"

The Panel's report also included specific discussion of the principal matters it would expect to see satisfactorily addressed in the revised plans and material if there was to be utility in allowing further time for the resolution and assessment of the revised scheme.

Having reviewed the updated plans submitted, and while allowing for the prospect of some further updating of those plans before, the Panel was accepting of advice received from the Council staff that the scheme remained far from resolved with a number of the substantial problems that have been identified with the proposal yet to be addressed, although there has been some improvement on the last edition of the plans in some respects. In relation to the comments reported from the Panel's 6 December 2021 meeting:

(a) Previous comment

The western end of the development did not adequately respond to the fall of the land in that location. Specifically (although not clearly portrayed in the plans) the floorplate of the southwestern end of proposal appears (from reference to survey information) to rise around three metres or almost an entire storey out of the ground, whereas the north eastern corner was excavated more than a metre below the footpath level.

Comment on revised plans

The updated drawings submitted still do not adequately respond to the substantial height discrepancy between the ground floor plate and the footpath. The introduction of a lower ground mezzanine tenancy is not well resolved in the Panel's opinion. Among more fundamental issues, the proposed bathroom for the mezzanine shop is drawn so as to substantially conflict with the volume of the adjacent driveway.

(b) Previous comment

The side elevations presented bland blank walls to the east and west. Articulation to break up those facades is needed through architectural features and/or a mix of materials.

Comment on revised plans

There has been substantial improvement in relation to this issue. The introduction of substantial articulation and glazing to the side elevations has enlivened the side views that would be available from the proposed building.

(c) Previous comment

There is an excessive number of driveway crossings, which should be able to be rationalised, preferably with traffic directed to Redbank Drive.

Comment on revised plans

The plans have not reduced the number of driveway crossings. While there have been changes to the carpark design close examination reveals a number of parts of the proposed carpark which

would seem to the Panel to be unworkable, as depicted in the drawings incorporated into the Council staff addendum report.

(d) Previous comment

Steep stairs presenting to Redbank Drive were said to lead to a poor interface. Council said equitable access at those locations (possibly a lift) would be needed.

Comment on revised plans

The Council staff's criticism of the interface with Redbank Drive is in the Panel's view still well founded. The amendments to the stair design leads to some improvement, but at the cost of screening parts of the street level tenancies. The staff may well be correct that difference in levels at the western end of the site is insufficient to allow for the basement level.

(d) Previous comment

For a development of this scale, the 3 m setback and planterbox is sufficient as the landscape treatment to Digitaria Drive, it was suggested that at least at points along the façade some more extensive structural soil might be allowed for to introduce some canopy height trees.

The Panel cannot see that any allowance has been made for additional planting to the Digitaria Drive frontage.

In summary, while there is some positive direction for improvement in the update to the plans now supplied, the Panel does not for the reasons set out above see it as in the public interest to further defer determination of this DA, which must consequently be refused.

It is therefore unnecessary to determine the request to vary the height development standard applying to the

Development application

The Panel determined to refuse the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to refuse the application for the reasons outlined in the Council Assessment Report and this Determination Record.

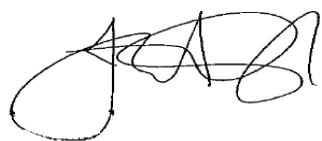
CONDITIONS

Not applicable

CONSIDERATION OF COMMUNITY VIEWS

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

PANEL MEMBERS

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Justin Doyle (Chair)

A black ink handwritten signature, appearing to be 'N. Gurran', with a long horizontal line extending to the right.

Nicole Gurran

A blue ink handwritten signature, appearing to be 'Louise', with a large loop at the start and a horizontal line across the middle.

Louise Camenzuli

A black ink handwritten signature, appearing to be 'Michael', with a large loop at the start and a horizontal line across the middle.

Michael File

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-113 – Camden Council – DA2020/721/1
2	PROPOSED DEVELOPMENT	Construction of a mixed use development premises comprising three buildings, basement car parking, drainage, landscaping and associated site works.
3	STREET ADDRESS	3-7 Digitaria Drive, Gledswood Hills
4	APPLICANT/OWNER	Applicant – Ted Roleski – Form Design Studio Owners – Gledswood Lot 825 Pty Ltd, Gledswood Hills 826 Pty Ltd and Gledswood 827 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 Environment Planning Policy (Sydney Region Growth Centres) 2006 State environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No 55 – Remediation of Land Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Camden Development Control Plan 2019 Turner Road Development Control Plan 2007 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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	<ul style="list-style-type: none"> Council assessment report: 22 November 2021 Council Supplementary Assessment Report: February 2022 Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: Monday, 7 December 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli and Lara Symkowiak <u>Council assessment staff</u>: Adam Sampson, Ryan Pritchard and Jamie Erken Applicant Briefing: Monday, 23 August 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli and Lara Symkowiak <u>Applicant representatives</u>: Ted Roleski – Form Design Studio, Craig Pierce – Blue Tongue Homes and Momcilo Romic – Romic Planning <u>Council assessment staff</u>: Jessica Mesiti, Ryan Pritchard, Jamie Erken and Stephen Pratt

		<p><u>Note:</u> Applicant briefing was requested to provide the Panel with clarification and to respond to issues</p> <ul style="list-style-type: none"> Applicant Briefing: Monday, 6 December 2021 <ul style="list-style-type: none"> <u>Panel members:</u> Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli, Sue Francis and Michael File <u>Applicant representatives:</u> Ted Roleski – Form Design Studio, Craig Pierce – Blue Tongue Homes and Momcilo Romic – Romic Planning <u>Council assessment staff:</u> Jessica Mesiti, Ryan Pritchard, Jamie Erken and Stephen Pratt <p><u>Note:</u> Applicant briefing was requested to respond to the recommendation in the council assessment report</p> <ul style="list-style-type: none"> Final Briefing: Monday, 7 February 2022 <ul style="list-style-type: none"> <u>Panel members:</u> Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli and Michael File <u>Council assessment staff:</u> Ryan Pritchard, Jamie Erken and Stephen Pratt
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A