

BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 21 February 2022, 3.45pm – 5pm
LOCATION	Teleconference

BRIEFING MATTER(S)

PPSSWC-209 – Camden Council – DA/2021/1737/1 – Lot 804 - 808 DP1189248 Holborn Circuit, Gledswood Hills – Mixed use development comprising retail premises, business premises, food and drink premises, lot consolidation and associated site works.

PANEL MEMBERS

IN ATTENDANCE	Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Michael File and Mary-Lynne Taylor
APOLOGIES	None
DECLARATIONS OF INTEREST	None

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Ryan Pritchard and Jaime Erken
OTHER	George Dojas, Regionally Significant Development Team

KEY ISSUES DISCUSSED

The Panel received the Council's preliminary assessment of this project which recognised that if progressed will represent an employment generating major investment in Gledswood Hills and this part of the South West Growth Area with regional significance. The Council acknowledged that the scheme presented a comparatively high level of architectural and urban design. The consolidation of a number of adjoining lots provides for an opportunity for an integrated development across 1.62 ha. Due to its location in the middle of a commercial zoning, it is unlikely to generate substantial amenity impacts on neighbours provided that parking and traffic are suitably managed.

There is no FSR or Height control limiting density for the site, with the principal controls relevant to the assessment car parking, and limits on gross floor area that can be approved for shops.

The project is reported to include:

- 3,843m² of shops. This will include a supermarket with a gross floor area of 2,036m²,
- 12,568m² of business premises, and
- 3,708m² of food and drink premises (presumably in addition to the calculated area of shops).

That mix will lead to an exceedance of the shop area development standards that apply to the site as specified in State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP Growth Centres), so as to direct attention to the applicable B5 Business Development zone objectives.

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The Council briefing report includes this summary of the non-compliance:

Development Standard	Proposed	Variation
Maximum 2,500m ² of shops in the entire B5 Business Development zone.	7,643.5m ² of shops in the entire B5 zone (inclusive of 3,800.5m ² of shops previously approved).	5,143.5m ² / 205.7%.
Maximum 500m ² of shops in a single development in the B5 Business Development zone.	3,843m ² of shops.	3,343m ² / 668.6%.

The Panel discussed a potential argument that the shop area development standards under SEPP Growth Centres may have been “abandoned” given that the maximum imposed by the SEPP has already been substantially exceeded with existing approvals even with only part of the B5 zone developed, and with existing development and that permitted without consent as a change of use through the State Environmental Planning Policy (*Exempt* and *Complying* Development Codes)2008 further rendering the maximums set to be anomalous.

A relevant consideration on that issue is the publicly exhibited Draft Camden Centres and Employment Land Strategy. Action 13 of the strategy recommends that the development standards limiting shop areas in the B5 zone be removed because “... the shop cap provision is not feasible and impedes economic viability in the area.”

The Panel agreed that before the development could be approved on the basis that the existing controls should not be applied for those reasons, it would be assisted by advice as to the correct way to apply 4.6 of the LEP in that context.

The height of the building would be in excess of anything comparable in the area. The impact of that height would seem from the briefing report to be largely visual, and the Panel noted an argument that the corner location was likely to be the appropriate place for additional height.

The proposed shortfall of parking with reference to the applicable controls would need to have regard to the potential to undermine those controls and compromise their objectives.

TENTATIVE DETERMINATION DATE SCHEDULED FOR SEPTEMBER 2022

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