

BRIEFING DETAILS

BRIEFING DATE / TIME	Monday, 17 October 2022, 11:00am
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 Gurran, Louise Camenzuli, Michael File
APOLOGIES	Mary-Lynne Taylor
DECLARATIONS OF INTEREST	None

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Ryan Pritchard and Jaime Erken
DPE	George Dojas, Alex Richard

KEY ISSUES DISCUSSED

- The Panel repeats its observations from the initial briefing on 21 February 2022, and specifically notes Council's advice that the scheme presents a comparatively high level of architectural and urban design, that presents a positive response to an opportunity for an integrated development across a consolidated parcel of 1.62 ha. The earlier proposed supermarket has been removed from the DA.
- The exceedance of the shop area development standards that apply to the site as specified in SEPP (Sydney Region Growth Centres) 2006 (SEPP Growth Centres) were again discussed.
- The Chair referred to the Land & Environment Court decision in *Stockland Development Pty Ltd v Manly Council* [2004] NSWLEC 472 which recognised that the extent to which a planning policy has been departed from in prior decisions can be a factor in whether the policy can be departed from in the assessment of a contemporary DA. While directed at DCPs primarily, that rationale would also seem to be relevant to whether it is reasonable to apply the retail cap under the SEPP to this proposed development, when considering the 4.6 request.

- The Council staff advised that allowing a departure from the cap to approve the development would:
 - a) be consistent with the objectives of the B5 zone as it will enable business land uses, generate employment and maintain the economic strength of surrounding centres.
 - b) help meet strong retail demand from the area's growing population.
 - c) be consistent with the peer review in that the majority of the floor space (60.7%) will be business premises and the supermarket has been removed.
 - d) enhance pedestrian accessibility and reduce car dependency in the local area because of the central location of the development within the B5 zone, noting pedestrian link across South Creek will.
- The Panel understands that there is an objection from a nearby retail centre, but the Council does not expect the proposal to compete directly given the different proposed offering.

TENTATIVE DETERMINATION DATE SCHEDULED FOR: November/December 2022