

# THE PLANNINGHUB

*by Hawes & Swan*

27 January 2021

[enquiry@planningpanels.nsw.gov.au](mailto:enquiry@planningpanels.nsw.gov.au)

Attn: Mr Justin Doyle and Panel Members  
Sydney Western City Planning Panel  
Locked Bag 5022  
PARRAMATTA NSW 2124

Dear Panel Members,

## **RE: Request for Deferral of Determination - PPSSWC-27 - Camden - DA2019/710.1 - 320 Dwyer Road, Leppington**

This letter is written on behalf of the applicant, the Holy Apostolic Catholic Assyrian Church of the East Property Trust and requests the deferral of determination of **DA2019/710.1** at 320 Dwyer Road, Leppington at the Sydney Western City Planning Panel Meeting on 2 February 2021.

**DA2019/710.1** seeks consent for the Demolition of existing structures and construction of a church, hall, centre based child care facility, car park, landscaping and associated works at 320 Dwyer Road, Leppington.

This letter provides an overview of the application to date and outlines the reasons why a deferral of determination is sought.

### **1.0 Application History**

The following provides an overview of the progress of the application to date:

- **9 September 2019** – The application was lodged with Camden Council;

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Alexandria NSW 2015

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- **15 October 2019 – 28 October 2019** – The application was notified. A total of 2 public submission were received during the notification period;
- **17 February 2020** – A request for additional information was received from Council. The request had missing items and mistakes in which it was requested that Council review and provide an updated letter.
- **2 March 2020** – The Sydney Western City Planning Panel was briefed on the application. Key items raised by the panel for discussion related to the servicing of the site, the proposed height variation, setbacks and landscaping in car park areas.
- **13 March 2020** – An amended request for additional information was received from Council. The request still included items not considered to be relevant to the application and it was requested that Council undertake a further review and provide an updated letter.
- **29 April 2020** - An amended request for additional information was received from Council which resolved the issues identified in the previous letters. It is noted that the height, bulk ad scale of the proposed buildings and the potential impact on the rural and scenic quality of the area was raised as an issue in the request for additional information.
- **6 August 2020** – Amended Documentation was provided to Council in response to the request for additional information received on 29 April 2020. The Amended Documentation was prepared in support of a revised design that increased setbacks, reduced the height of the proposal, provided additional landscaping and amended design of boundary fencing to reduce the visual impact of the proposal.
- **4 November 2020** - A request for additional information was received from Council. The request outlined additional information required to finalise Council's assessment of the application. The request did not raise height, bulk or scale of the proposal as an outstanding issue and therefore it was considered that this issue was resolved.
- **13 November 2020** - Amended Documentation was provided to Council in response to the request for additional information received on 4 November 2020.
- **23 November 2020** – Correspondence received from Council officer's detailing that the amended information was referred internal and he was awaiting a response with regard to the public health concerns but noted that any outstanding concerns are likely to be addressed through conditions. It was also detailed that the application would be electronically determined by the panel.
- **7 December 2020** – Draft conditions provided by Council officer's for review ahead of the panel meeting.
- **9 December 2020** – Comments provided to Council on the Draft Conditions.

- **17 December 2020** – Comments received from Council officers on comments provided on Draft Conditions. Council accepted some of the comments and agreed to amend / remove some draft conditions. The correspondence on the draft conditions inferred Council's support of the proposal and a favourable recommendation to the panel.
- **17 December 2020** – Council officers advise that the application had been considered through the peer review process and it is Council's position that the proposal has not been modified sufficiently to address the concerns raised by Council in the letter dated 17 February 2020 by the Panel in the record of briefing provided on 13 March 2020 and the proposal would be reported to the panel with a recommendation for refusal. The height, bulk and scale of the proposal and its potential impact on adjoining properties and the rural character of the locality were identified as the key reasons for Council's position.
- **13 January 2021** – A meeting was held between the applicant and Council officers to discuss the proposal. The applicant organised the meeting to express their concern with how the application had progressed to date and detail that at no point between the lodgement of amended documentation on 6 August 2020 and 17 December 2020 was it advised that the information was considered to be insufficient.
- **21 January 2021** – Preliminary sketches provided to Council detailing [potential design amendments to resolve the height, bulk, scale and rural character issues raised by Council. It is noted that the preliminary sketches detail the proposed development complying with the 9.5m height limit for the site and investigation the reduction of the early learning centre to a single storey built form.
- **21 January 2021** – Council provided preliminary feedback detailing that a proposal that is essentially single level and complying with the height limit is definitely moving in the right direction however could not provide further feedback without more comprehensive plans being provided.

## 2.0 Request for Deferral of Determination

The purpose of this letter is to request a deferral of determination to allow the applicant to provide amended information to resolve the key issues raised by Council with the intent to acquire a favourable determination of the application.

As detailed above the applicant has been working with Council throughout the assessment of the application and was of the opinion that the application was heading for a favourable recommendation to the panel as demonstrated by the provision of draft conditions for review on 7 December 2020.

At no point between the lodgement of amended documentation on 6 August 2020 and 17 December 2020 was it advised that the information was considered to be insufficient and the issues of height, bulk, scale and rural character were considered to be resolved. It is considered that the applicant has not had

sufficient time since being advised of the recommendation to provide additional information to resolve the issues.

It is considered that the application has not been fair and reasonable based on the change in position by Council and the limited timeframe for the applicant to provide a sufficient response. It is therefore requested that the determination of the application be deferred to allow additional time for the applicant to provide additional information to resolve the key issues identified in Council's assessment report.

As detailed the applicant has started to work through design amendments to respond to the key issues raised however requires additional time in which to submit a full package of amended documentation to fully address the issues. Preliminary sketches were provided to Council who advised they were heading in the right direction to resolve some of the issues, the preliminary sketches have been provided as an attachment to this letter.

### 3.0 Conclusion

It is requested that the determination of **DA2019/710.1** is deferred by the Sydney Western City Planning Panel on 2 February 2021 for the reasons outlined above. The deferral will allow sufficient time for the applicant to provide amended information to resolve the key issues identified by Council. We have consulted with the applicant who has advised that amended documentation addressing the issues could be provided in 4 weeks.

Thank you for the opportunity to address the panel and we look forward to the Sydney Western City Planning Panel on 2 February 2021.

Should you wish to discuss any of the details of this response please do not hesitate to contact **Lachlan** on 9690 0279 or [lachlan@theplanninghub.com.au](mailto:lachlan@theplanninghub.com.au).

Yours sincerely,

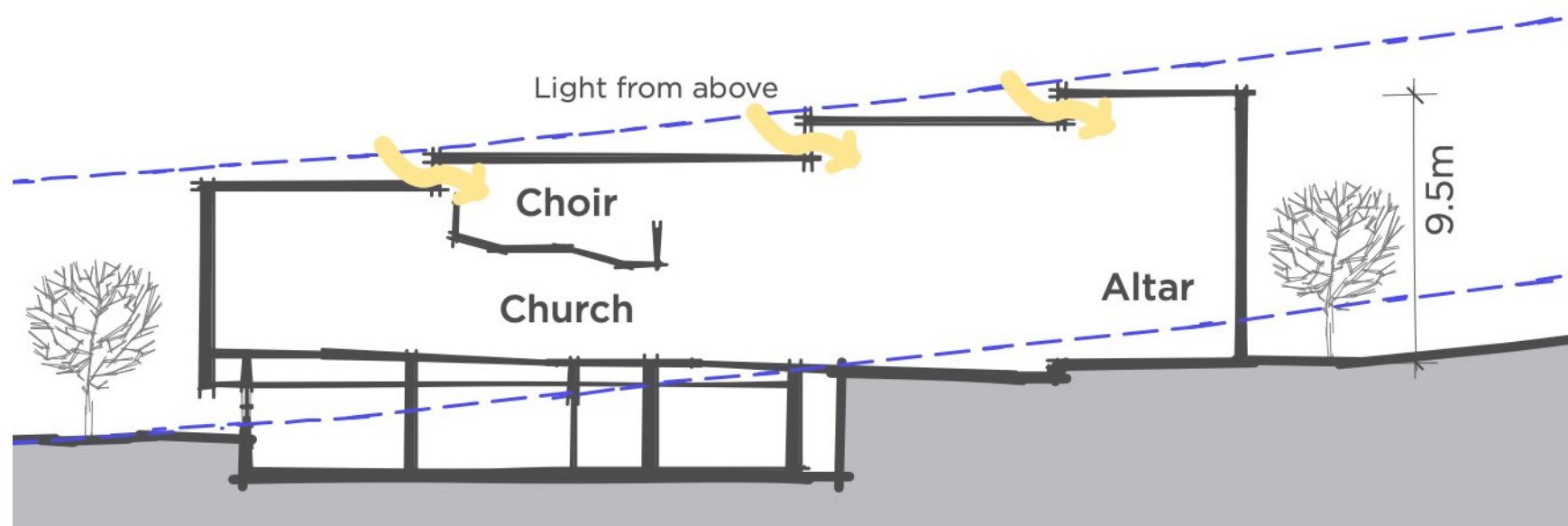


LACHLAN RODGERS  
SENIOR TOWN PLANNER



JEREMY SWAN  
DIRECTOR

Enclosed – Preliminary Sketch Plans – 320 Dwyer Road, Leppington



Concept Section



Materials: Earthy tones



Roof form engaged



Gable roof forms



Roof line legible

## Architectural Attitude

Work in Progress

## Church

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2744 | Scale

NTS | Date

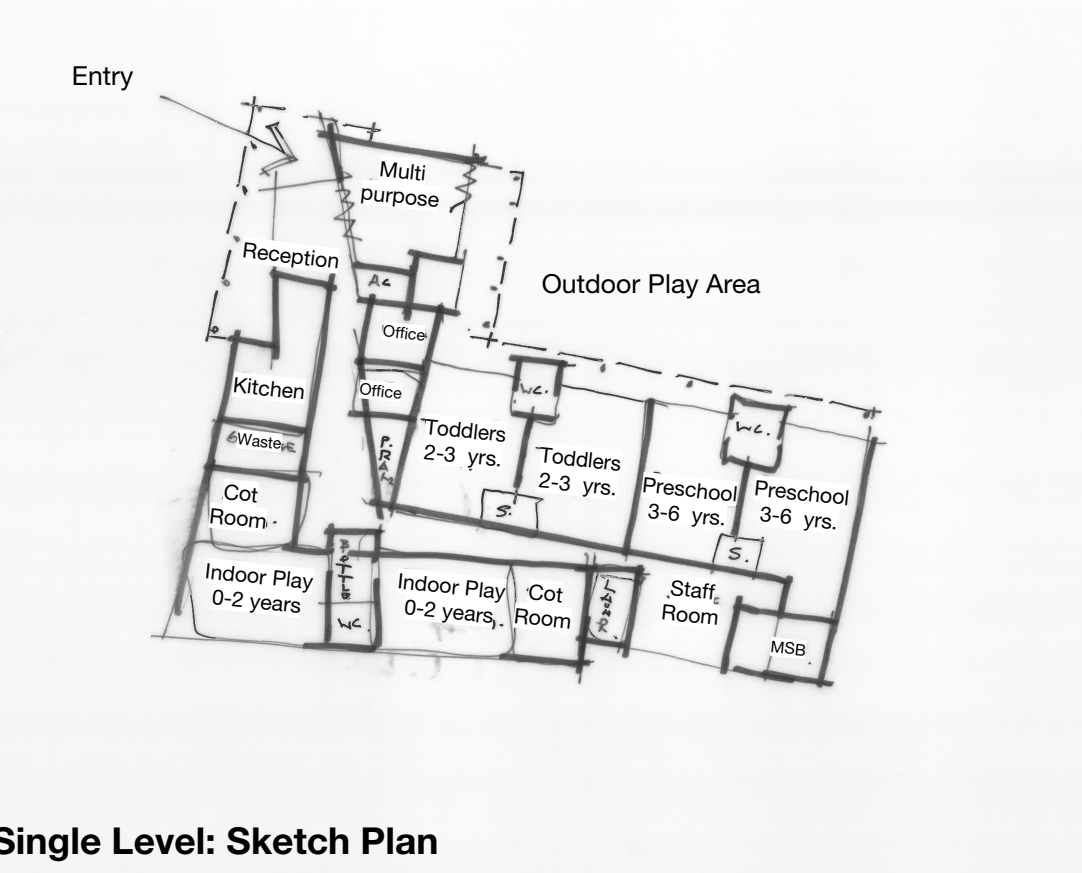
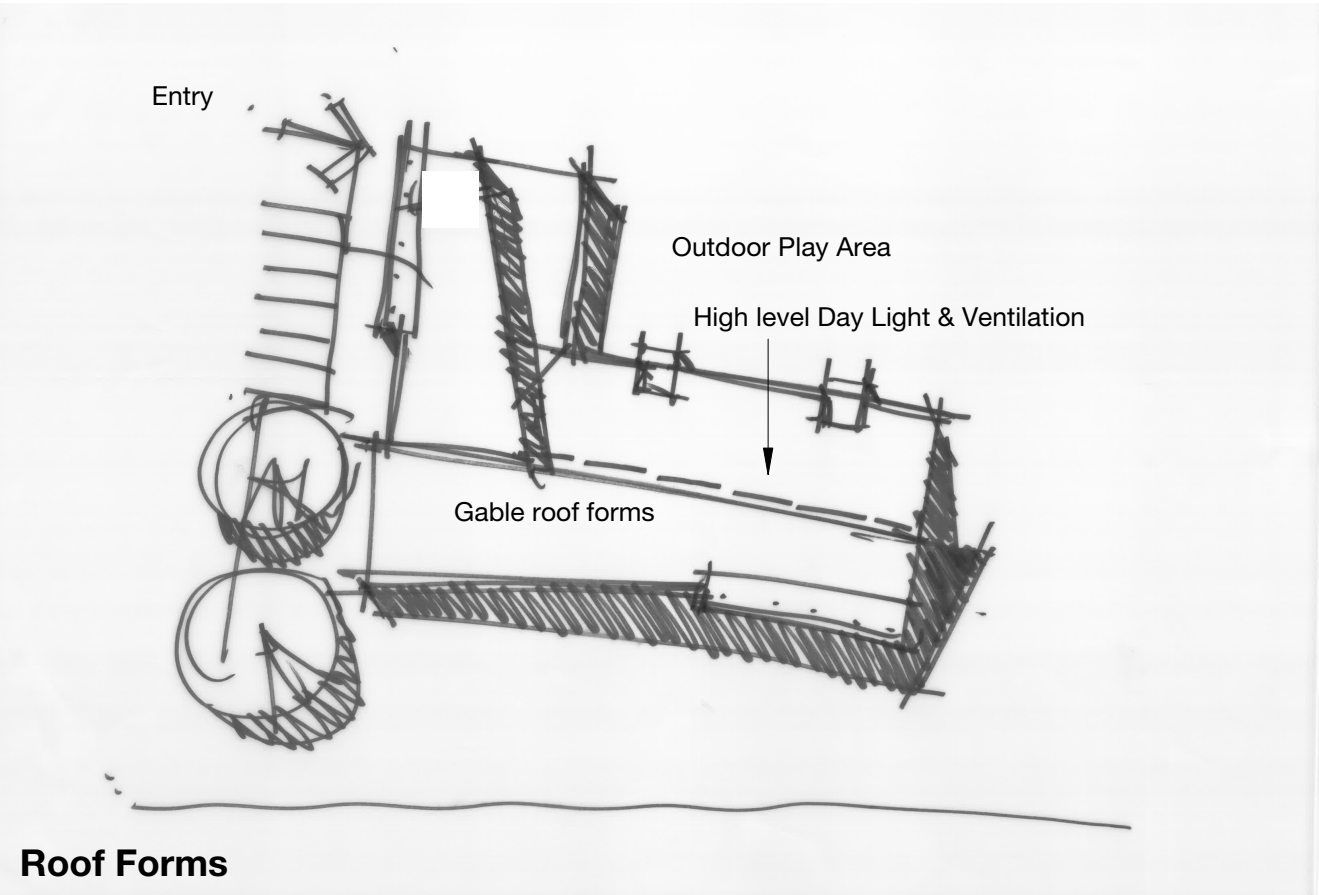
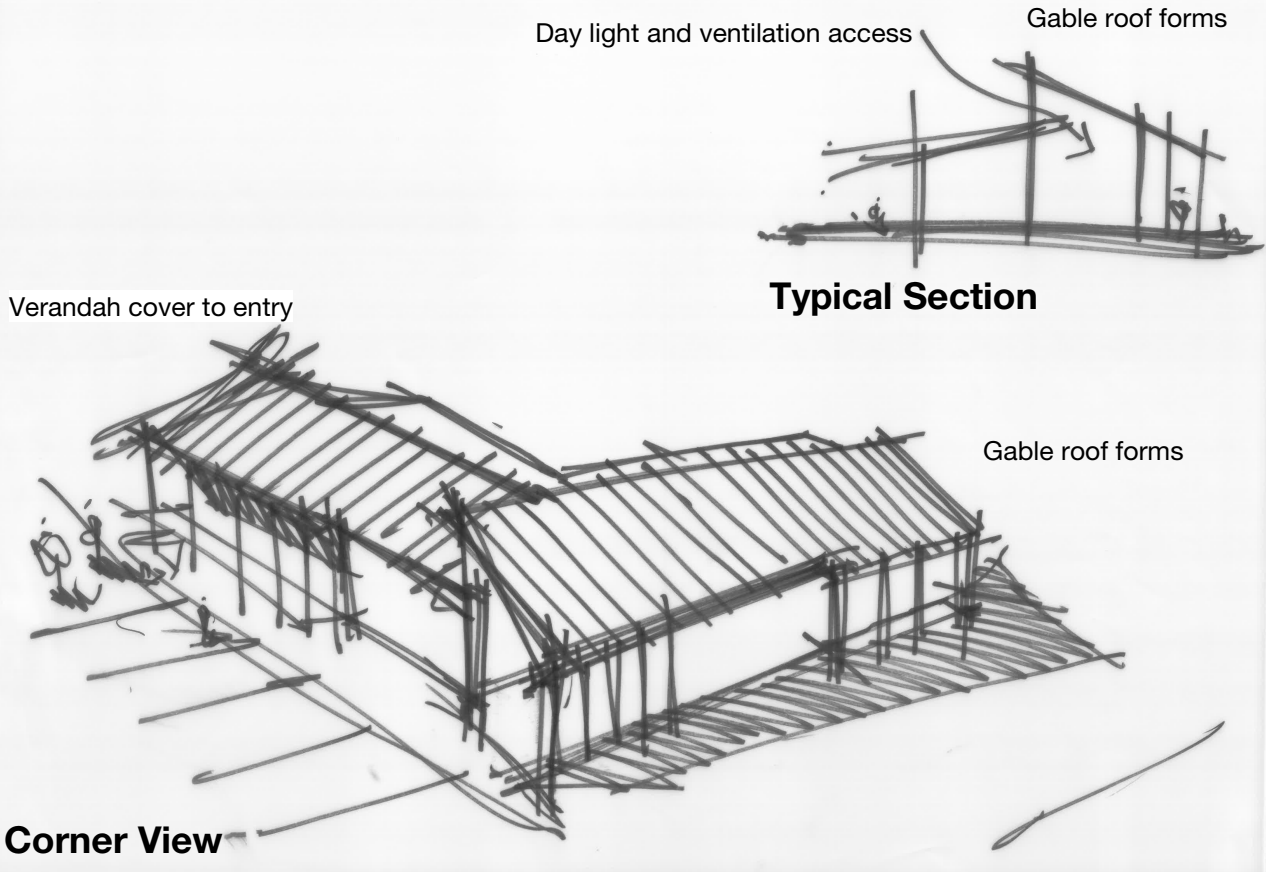
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## St Yosip Parish





**Architectural Attitude**



Work in Progress

ELC

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St Yosip Parish