

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Local Planning Panel Meeting held Wednesday, 27 June 2018.

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Recording of Meetings

The Chair advised that private electronic recording of the Local Planning Panel meeting and the use of electronic media during the meeting proceedings is not permitted. This includes: devices such as laptops, mobile phones, tape recorders and video cameras.

Webcast Notice

The Chair advised that the Local Planning Panel meetings are recorded and webcast live in line with provisions under the *Environmental Planning and Assessment Act 1979* No. 203. This notice is made as required under Section 18 of the *Privacy and Personal Information Protection Act 1998* (PPIPA). The webcasts are publically available for viewing on Council's website.

Workplace Health and Safety

The Chair advised those present that in the unlikely event of a fire, Council staff would provide directions of how to evacuate from the premises and all present should follow those directions.

Political Donations

All members of the public addressing the panel must declare prior to commencing their address any political contributions or donations that have been made over the past four years exceeding \$1000 to any political party or candidate that contested the last Campbelltown City Council election in 2016.

Minutes of the Local Planning Panel Meeting held on 27 June 2018

Present Member Stuart McDonald
 Member Edward Saulig
 Member Scott Lee
 Member Helena Miller

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson.

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at the public meeting. During deliberations Mr Edward Saulig declared a pecuniary interest in regard to agenda item 4.6 with a property in the R2 zone and removed himself from discussions on this item.

4. REPORTS

4.1 Demolition of an existing dwelling and construction of a 13 room boarding house for up to 19 lodgers - 22 Grandview Drive, Campbelltown

Executive Summary

- The application proposes the demolition of an existing dwelling and construction of a 13 room boarding house for up to 19 lodgers at 22 Grandview Drive, Campbelltown.
- The proposal generally complies with the State Environmental Planning Policy (Affordable Rental Housing) 2009, Campbelltown Local Environmental Plan 2015 and Campbelltown (Sustainable City) Development Control Plan 2015.
- The application was notified to nearby and adjoining neighbours and 17 submissions were received plus a petition with 78 signatures.
- It is recommended to the panel that the application be approved, subject to the recommended conditions of consent detailed in attachment 1.

Public Address

Mr Andrew McDonald was registered to speak at the meeting but was not present for the duration of the public meeting.

The Chair acknowledges that a written submission had been received from Mr McDonald and despite the inability to address the panel in person, his written submission would be taken into consideration.

Panel Considerations and Reasons for Decision

1. The proposed development is consistent with the relevant controls and objectives of State Environmental Planning Policy (Affordable Rental Housing) 2009.
2. The proposed development is designed to present as a stepped two storey development to Grandview Drive to give the appearance of a large two storey dwelling, which is consistent with the residential character of the local area.
3. The proposed development is consistent with the zoning and complies with the relevant provisions of the Campbelltown Local Environmental Plan 2015 and the Campbelltown (Sustainable City) Development Control Plan 2015.
4. The proposed development contributes to the provision of affordable rental housing within the Campbelltown Local Government Area.
5. The proposed development results in minimal adverse impacts on the surrounding residential properties with regard to solar access, privacy and amenity. Arrangements for waste disposal can be adequately conditioned.

Decision of the Panel

That development application 2342/2016/DA-BH for demolition of an existing dwelling and construction of a 13 room boarding house for up to 19 lodgers at 22 Grandview Drive, Campbelltown, be approved, subject to the conditions of consent detailed in attachment 1 of this report with the following alterations:

- Condition 3(h) is amended to include “the outdoor common area”

- Condition 3(r) is amended by adding “and a complaint management procedure including the provision of contact details to Council”. Also add “Complaints contact details to be displayed at the entrance to the building”
- Condition 3(u) is amended by adding the words “Contact Details to be provided to Council's Manager City Standards and Compliance”
- Condition 23(ii) is amended by deleting “by a building manager” and replacing with “the person nominated in the plan of management”.
- Condition 24 is amended by deleting “i. No guests after 10pm”
- Condition 24 is also amended by altering ii. to state:

“The common room, outdoor common area and rear open space shall not be used after 10pm daily or before 7am daily.”
- Condition 24 is also modified by deleting iii, iv, v and vi.
- Condition 25 is deleted.

Voting

The Local Planning Panel voted 4/0

4.2 Demolition of an existing communications facility and construction of a 19 metre telecommunication monopole and ground level facility for equipment - 139 Heritage Way, Glen Alpine

Executive Summary

- Development Consent is sought for the demolition of an existing communications facility and construction of a 19 metre telecommunication monopole and ground level facility for equipment at the Glen Alpine Community Hall, 139 Heritage Way, Glen Alpine.
- The site is located within a residential area that consists of low density detached dwellings. The site is a complex that contains a Community Hall, four (4) tennis courts and associated car parking.
- The application outlines that networking demands are increasing and existing infrastructure will not be sufficient to provide quality and consistent telecommunications service in Glen Alpine, Englorie Park, Ambarvale and Rosemeadow. Accordingly, in order to satisfy the additional demands, it is proposed to replace the existing telecommunications facility and light pole with an upgraded facility.
- In accordance with the requirements of Section 9.5.1 (a) of the Campbelltown (Sustainable City) Development Control Plan 2015, it is required that the application (being a high impact telecommunications facility) be referred to the Campbelltown Local Planning Panel for its determination.

Public Address

The Local Planning Panel was addressed by Mr Paul Davidson.

Panel members asked questions that were responded to directly at the meeting.

Panel Considerations and Reasons for Decision

1. The development is generally consistent with the zone objectives
2. The development would not have an unreasonable visual impact when viewed from the surrounding locality
3. The development is consistent with allowable EME levels for exposure as allowed by ARPANSA (Australian Radiation Protection and Nuclear Safety Agency)
4. There is a public benefit in the development which would improve and enhance telecommunication services in the locality

Decision of the Panel

That development application number 1322/2017/DA-C for the demolition of an existing communications facility and construction of a 19 metre telecommunication monopole and ground level facility for equipment at Glen Alpine Community Hall, 139 Heritage Way, Glen Alpine, be approved, subject to the draft conditions included in attachment 1 with the following alterations.

Insert an additional General Condition to state:

The telecommunications pole is to be designed and constructed in such a manner that

enables nearby other telecommunications carriers to co-locate existing or new infrastructure should the need arise.

Voting

The Local Planning Panel voted 4/0

4.3 Planning Proposal for Old St James Anglican Church

Executive Summary

- A development application (2837/2016/DA-DEM) was lodged with Council on 30 August 2016 for the demolition of the old St James Anglican Church at No. 2 Kent Street, Minto. Council at its meeting held 18 April 2017, considered a report on the subject development application and resolved to refuse the proposed demolition.
- An appeal was lodged with the Land and Environment Court challenging the refusal and the proposed demolition of the building. In Council's legal defence, specialist heritage advice was obtained to consider the building's potential heritage significance. This advice confirmed the potential heritage significance of the subject building, and recommended Council utilise its delegation under the Heritage Act 1977 to issue an Interim Heritage Order (IHO).
- An IHO for the subject property was prepared and notified by Council, and became effective on 13 October 2017. Further investigations were required to confirm whether the item had heritage significance.
- Council subsequently considered a report at its meeting on 10 April 2018 which detailed additional investigations undertaken by Heritage 21 to assist Council making an informed determination on the potential heritage listing of the subject building. Council resolved to support the heritage listing of St James Anglican Church. The Heritage 21 study is provided at attachment 2 of this report.
- The independent heritage study supports the heritage listing of the old church for the following reasons:
 - The Church exhibits historical significance at the local level as remnant evidence of the historical development of the local area.
 - It is one of the last remnant buildings from the original Minto Village.
 - The setting including pine trees and fence are all intact from c1930s.
 - The St James Anglican Church represents continuing presence of the Anglican community in the locale for over a century.

Advice of the Panel

The Panel supports the Planning Proposal to list St James Anglican Church, Minto as an item of the environmental heritage for the following reasons:

1. The church building, trees and fence:
 - comprise one of the last remnant buildings from the original Minto Village
 - exhibit historical significance at the local level as remnant evidence of the historical development of the local area
 - represents a continuing presence of the Anglican community in the locale for over a century
 - provide a historical and cultural link to the local area which would be consistent with the directions of the Greater Sydney Region Plan 2018; and
 - demonstrate landmark qualities.

2. The church building is a local example of significant technical achievement with the church having been dismantled and reconstructed entirely by hand in 10 weeks in 1918 with minimal change to the original fabric.

Voting

The Local Planning Panel voted 4/0

4.4 Use of Mawson Park for night markets - Mawson Park, Queen, Cordeaux and Browne Streets, Campbelltown.

Executive Summary

- The application proposes the use of Mawson Park for twice monthly night markets, where a range of food and other stalls would be made available to visitors.
- The application seeks consent to enable ongoing use of the Park, following a successful 12-month trial of the twice monthly markets that commenced in mid 2017.
- The site is zoned RE1 – Public Recreation pursuant to Campbelltown Local Environmental Plan 2015 (LEP 2015).
- The use is defined as ‘markets’ pursuant to LEP 2015 and is permissible with consent in the RE1 zone.
- The application was notified and publicly exhibited and no submissions were received.
- The application is recommended for approval, subject to the conditions in Attachment 1 to this report.

Panel Considerations and Reasons for Decision

1. The proposal promotes and seeks to activate the commercial core of the Campbelltown CBD through night time use of a public space.
2. The proposal would provide an opportunity for the site to be utilised for public purposes in a manner consistent with its zoning and plan of management.
3. The proposal is consistent with Outcome 1 of Council’s Community Strategic Plan to create a vibrant and liveable city.
4. The proposal is consistent with the Community Strategic Plan’s desire to “create places where people feel good, are likely to stay, to return to and tell others about the experience.
5. The site is suitable for the activity and its approval is in the public’s interest.

Decision of the Panel

The Panel approve development application 1382/2018/DA-U which proposes use of Mawson Park for twice monthly night markets at Queen, Cordeaux and Browne Streets Campbelltown, subject to the conditions in attachment 1 with the following alterations:

Condition 2 is amended by deleting “Any changes to the maximum number of events requires separate development consent”.

Voting

The Local Planning Panel voted 4/0

4.5 Planning Proposal - Reclassification of land from Community to Operational Land - 21 Deans Road, Airds

Executive Summary

- Council owns land at 21 Deans Road, Airds, which is occupied by the Tharawal Aboriginal Medical Centre.
- It is proposed to transfer ownership to the Tharawal Aboriginal Medical Centre.
- A Planning Proposal has been prepared to allow the subject site to be reclassified from Community land to Operational land to facilitate the transfer of ownership.
- Advice on the draft Planning Proposal is sought from the Planning Panel in accordance with the ministerial direction that planning proposals prepared after 1 June 2018 shall be reported to the Local Planning Panel for advice.

Advice of the Panel

The Panel support this proposal to reclassify land at 21 Deans Road, Airds as operational for the following reasons:

1. The subject site, while in Council ownership, is currently occupied by the Tharawal Aboriginal Medical Centre and this use is the site's intended future use.
2. The current land classification of the land as community land is not consistent with its current and future use. In order to transfer the land to the Tharawal Aboriginal Medical Centre a reclassification is required.
3. There is a public benefit in the reclassification of the land to facilitate the transfer of the land on which the centre is located for the benefit of specialised health needs of the local Campbelltown Aboriginal community.

Voting

The Local Planning Panel voted 4/0.

4.6 Multi Dwellings in R2 Zone Planning Proposal

Executive Summary

The New South Wales Government has recently changed planning legislation to enable the construction of medium density residential developments as complying development under the new Medium Density Housing Code (the Code).

In the Campbelltown context, the Code would likely have unplanned impacts on infrastructure, as medium density housing permitted by the Code could be constructed in all residential zones of the Campbelltown Local Government Area (LGA).

The greatest impacts are likely to occur within established residential neighbourhoods zoned R2 Low Density Residential under Campbelltown Local Environmental Plan 2015 (CLEP 2015), where the cumulative impact on increased stormwater runoff and traffic congestion cannot be identified or mitigated through early strategic planning.

The NSW Minister for Planning has announced that the operation of the Code will now be deferred until July 2019 for Ryde, Canterbury-Bankstown, Northern Beaches and Lane Cove Councils.

On 5 June 2018, the Department of Planning and Environment (DPE) offered Council the opportunity to consider deferring the operation of the Code for the R2 zone under CLEP 2015. This offer was subject to the DPE receiving a written request by 27 June 2018 and the submission of a Council endorsed draft Planning Proposal to the Gateway Panel, by 27 July 2018.

Mr Saulig left the meeting for this item.

Advice of the Panel

1. The panel supports the Councils request for deferral of the Low Rise Medium Density Housing Code.
2. The panel encourages the Council, through the comprehensive review of the Campbelltown LEP 2015, to pursue a diversity of housing forms across the Local Government Area including consideration of the established R2 zoned land.
3. The Panel encourage the completion of the comprehensive review of CLEP 2015 and updated Housing Strategy within the next two years.

Voting

The Local Planning Panel voted 3/0

The next meeting of the Local Planning Panel is scheduled for 25 July 2018 at 3.00pm in the Council Chambers, Level 3, Civic Centre, Campbelltown.

Stuart McDonald
Chairperson

The public section of the meeting Concluded: 4.00pm