
CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Local Planning Panel Meeting held on Wednesday, 26 September 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 26 September 2018

Present Chair Keith Dedden
 Member Philip Hayward
 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 this meeting.

4. **REPORTS****4.1 **Demolition of existing structures and construction of a five storey residential apartment building containing 51 apartments and two levels of basement car parking, and provision of space for a childcare centre on the ground floor of the building at 16-20 Palmer Street Ingleburn****

Executive Summary

- The application proposes demolition of existing structures and construction of a five storey residential apartment building containing 51 apartments and two levels of basement car parking, and provision of space for a childcare centre on the ground floor of the building at 16-20 Palmer Street Ingleburn.
 - The application complies with State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development and the Apartment Design Guide.
 - The application complies with the Draft (now gazetted) State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 and the Childcare Planning Guideline, to the extent of their applicability.
 - The application complies with the relevant provisions of the Campbelltown Local Environmental Plan 2015, with the exception of maximum building height. The applicant has requested a variation to the maximum building height under Clause 4.6 of the CLEP.
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- The application complies with the relevant provisions of the Campbelltown Sustainable City Development Control Plan 2015.
- The application was publicly exhibited and notified to nearby and adjoining residents. Council has received a petition signed by the residents of 10 properties, objecting to the application.
- It is recommended to the Panel that the application be approved subject to the attached recommended conditions of consent.

Public Address

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

Panel Considerations and Reasons for Decision

- The proposed development is consistent with the zoning of the subject site.
- The proposed development is consistent with the desired future character of the R4 zone.
- The proposed development is consistent with the relevant controls and objectives of State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, the Apartment Design Guide, Campbelltown Local Environmental Plan 2015 and the Campbelltown (Sustainable City) Development Control Plan 2015.
- The proposed development results in minimal adverse impacts on the surrounding residential properties with regard to solar access, privacy and amenity.
- The Panel considers that the clause 4.6 request submitted by the applicant adequately justifies the proposed variation to the Height Standard in Clause 4.3 of the CLEP 2015 given the minor nature of the departure which allows for improved residential amenity and a lift overrun which occupies a relatively small area of the roof and will not be visible from the street. The Panel agrees that strict application of the standard is unnecessary and unreasonable in the particular circumstances of the case and that sufficient environmental planning grounds exist to warrant variation of the standard.
- The panel was satisfied that sufficient efforts were made in regard to the potentially isolated lot at No. 14 Palmer Street and that evidence was provided that the lot retains reasonable development potential in its own right as described in the concept plans presented.
- The matters raised in the petition, being noise, traffic, parking and overshadowing were addressed in the officer's report and the panel concurred with the officer's assessment.

Decision of the Panel

That the development application be approved subject to the conditions contained in the attachment to the officer's report.

Voting

The Local Planning Panel voted 4-0

4.2 Stage 3 Claymore Urban Renewal Concept Plan: subdivision creating 113 residential allotments, one residue allotment, associated civil and landscaping works in Stages 3A and 3B

Executive Summary

- Redevelopment of the Claymore public housing estate is being undertaken by NSW Land and Housing Corporation in accordance with the Claymore Urban Renewal Concept Plan granted by the Minister for Planning and Infrastructure on 24 May 2013.
- The development application proposes subdivision to create 113 residential Torrens title allotments, one residue lot and associated civil works in Stages 3A and 3B within the Claymore public housing estate in accordance with the Claymore Urban Renewal Concept Plan.
- Stages 3A and 3B within the Claymore Urban Renewal Concept Plan extend from the south-western portion of the Claymore Renewal Area to the north-east towards the centre of the renewal site, covering approximately 8.9 hectares.
- The proposal is consistent with the terms and intent of the Claymore Urban Renewal Concept Plan, and associated Claymore Urban Renewal Development Control Guidelines.
- The development application was notified and publicly exhibited. No submissions of objection were received.
- It is recommended to the panel that the application be approved, subject to the recommended conditions of consent detailed in attachment 1.

Public Address

The Local Planning Panel was addressed by Peter Brackenreg in support of the proposal.

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

Panel Considerations and Reasons for Decision

The panel questioned whether the granting of consent with proposed condition 55 (requiring the execution of a VPA prior to the issuing of a subdivision certificate) would be in breach of Condition 7 of Schedule 4 of the Concept Approval and as such would act contrary to and in breach of the *Environmental Planning and Assessment Act, 1979*.

The panel considers that an amended report is required to adequately address the requirement of Condition 7 of the Concept Approval in light of the above.

Decision of the Panel

That item 4.2 be deferred and the applicant be asked to submit advice which should be included in a further report to the Local Planning Panel detailing how the requirements of Condition 7 of Schedule 4 of the Concept Approval can be adequately addressed as that condition prevents approval

Voting

The Local Planning Panel voted 4-0

4.3 Draft Planning Proposal - 194 Campbelltown Road, Denham Court

Executive Summary

- The subject site is located at the junction of Campbelltown Road and the Hume Motorway exit ramp at Denham Court, and is zoned E4 Environmental Living under Campbelltown Local Environmental Plan 2015. The site was occupied by a single dwelling that has been recently demolished.
- 'Service stations' are prohibited in the E4 Environmental Living zone.
- At its meeting of 17 March 2015 (CLEP 2015) Council supported a planning proposal requesting the amendment of the Campbelltown LEP to permit a service station on the site as an 'additional permitted use', subject to a restriction to deny access to long vehicles being vehicles over 7.5 metres in length. Campbelltown (Urban Area) LEP 2002 was amended to this effect on 22 May 2015, and the additional permitted uses clause for the site has been carried over to the prevailing instrument CLEP 2015.
- On 23 November 2017 Council approved Development Application 3253/2015 for a service station development on the site, which precluded access for long vehicles in accordance with the relevant LEP clause. On 26 July 2018 a construction certificate was issued by a private certifier for the service station development and works have commenced on the land.
- The current Planning Proposal requests the amendment of the additional permitted uses clause under CLEP 2015 to remove the restriction on long vehicles (trucks) accessing a service station on the land. Should the restriction on trucks be removed, the proponent has advised a development application will be submitted to redesign the approved service station to provide site access for trucks.

Public Address

The Local Planning Panel was addressed by Josh Hollis and Michael Brown in support of the proposal.

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

Panel Considerations and Reasons for Decision

The panel considered the officers report and inspected the site and was concerned that the

original reasons for restricting truck access to the proposed service station were matters that ought to be dealt with at Development Applications stage. The views of the RMS on the removal of the long vehicles restriction imposed in the LEP ought to have been sought prior to approaching Council and the inspection of the site revealed what appeared to be large amounts of fill at a level that appeared to be inconsistent with easy access from Campbelltown Road.

Advice of the Panel

This matter would be best dealt with by utilisation of the provisions of section 3.38 of the Environmental Planning and Assessment Act, 1979 which provides for a development application to be submitted and assessed concurrently with a planning proposal. The Panel advises Council that it should invite a development application from the applicant in respect of the matter and that the application should be accompanied by a traffic study assessing the suitability of the proposed long vehicle movements and access and egress arrangements.

Voting

The Local Planning Panel voted 4-0

The next meeting of the Local Planning Panel is scheduled 24 October 2018 at 3.00pm in the Council Chambers, Level 3, Civic Centre, Campbelltown.

Keith Dedden
Chairperson

The public section of the meeting concluded at 3.50pm