

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Local Planning Panel Meeting held electronically on Wednesday, 27 February 2019.

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Minutes of the Local Planning Panel Meeting held on 27 February 2019

Panel Members Chair - Ian Reynolds
Member Mary-Lynn Taylor
Member Jenny Rudolph
Member Cecilia Cox

1. ACKNOWLEDGEMENT OF LAND

The panel acknowledges the traditional custodians of the land.

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 two semi-detached dwellings - 44 Brenda Street, Ingleburn

Executive Summary

- An application was lodged on 20 February 2018 for the demolition of the existing dwelling and construction of two x semi-detached dwellings at 44 Brenda Street, Ingleburn.
 - The subject site is located within an established low-density residential environment.
 - The proposed development generally complies with the Campbelltown Local Environmental Plan 2015 (CLEP 2015) and the Campbelltown (Sustainable City) Development Control Plan 2015.
 - The proponent requests a 36.77 percent variation to the minimum qualifying site area in clause 4.1c of CLEP 2015.
 - The application was notified for 14 days on 26 March 2018 to nearby and adjoining neighbours and no submissions were received.
 - It is recommended to the panel that the application be approved, subject to the recommended conditions of consent detailed in attachment 1.
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Public Address

Nil

Panel Considerations and Reasons for Decision

- The panel considered the proposal and the nature of development in the surrounding locality. The proposal is consistent with the objectives of the R2 Lot Density Residential Zone listed in Campbelltown Local Environmental Plan, 2015.
- The panel reviewed the clause 4.6 variation request and formed the view that the written objection submitted by the applicant was reasonable, noting that the subject lots are existing, and determined that the variation is acceptable in the circumstances of the case and achieves the objectives of the standard for the minimum qualifying site area in Clause 4.1C(2) of the Campbelltown Local Environmental Plan, 2015, notwithstanding non-compliance with the development standard.
- The creation of an easement for access and maintenance of the dwelling on proposed Lot 9 over 42 Brenda Street is essential. This easement should be created before the consent is operational to provide certainty. It is noted that an alternate design that would include the 0.9m setback from the side boundary of lot 9 is possible. This however would require the redesign of the front of the proposed dwelling and upper floor. Therefore in the interests of enabling the development but also ensuring the building design is certain before construction commences it was considered that a deferred commencement consent should be issued that allows the applicant to proceed in either case. If an easement is not created, then the amended dwelling design shall be submitted and approved by Council.
- The panel had concerns about the potential net removal of trees and considered that a more comprehensive response to replacement planting was required than shown in the submitted landscaping plan. Given that it is proposed to issue a deferred commencement consent, it was considered appropriate to require an amended landscaping plan as part of the deferred commencement requirements.
- All other impacts of the development are able to be adequately controlled by conditions of consent.

Decision of the Panel

That the application be issued with a deferred commencement consent with the following matters to be satisfied before the consent becomes operational.

- i) Either:
 - a) an easement for maintenance and access 0.9m wide shall be created and registered on the title of 42 Brenda Street (Lot 8 Section K DP 1703) for sufficient length to allow access to and maintenance of that section of the development built to the boundary of Lot 9; or
 - b) amended plans shall be provided for the dwelling on Lot 9 that alter the location/dimensions of the living room and garage so that the garage will achieve
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a 0.9m setback to the boundary.

- ii) An amended landscape plan prepared by a suitably qualified person shall be provided that includes the provision of 9 advanced trees on each lot with the species selected from the list in the Native Gardening Guide for the Campbelltown Local Government Area. The landscaping plan shall incorporate low water demand plants.

The time period to satisfy the deferred commencement conditions is 12 months.

The operational development consent is to be subject to the conditions in Attachment 1 to this report with the following amendments:

- Conditions 2 and 12 are deleted.
- Condition 6 is modified to read:

The provision and maintenance of landscaping shall be in accordance with approved landscaping plan submitted in response to deferred commencement condition (ii). The landscaping works shall be undertaken by a suitably qualified landscape contractor.

Voting

4/0

The next meeting of the Local Planning Panel will be held on 27 March 2019 in the Council Chambers, Level 3, Civic Centre, Campbelltown.

Chairperson

