
CAMPBELLTOWN CITY COUNCIL

Minutes Summary

**Local Planning Panel Meeting held at Campbelltown Civic Centre
on Wednesday, 27 November 2019.**

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

Present Chair Keith Dedden
 Member Scott Lee
 Member Helena Miller
 Member Philip Hayward

Also Present

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 Partial demolition and works to heritage item and construction of multi dwelling development - 50 Badgally Road, Claymore

Executive Summary

- This development application proposes minor demolition and works to the existing dwelling, demolition of buildings and structures, tree removal, relocation of the existing barn/stables and conversion to dwelling and the construction of 73 dwellings as a multi dwelling housing development and associated site works at Lot 2, DP 1017017, 50 Badgally Road, Claymore.
 - The subject site is zoned part R2 Low Density Residential and part SP2 Infrastructure under the provisions of the Campbelltown Local Environmental Plan 2015.
 - The site is identified as a local heritage item known as Hillcrest, Item No. 145 under Schedule 5 of the Campbelltown Local Environmental Plan 2015. The site contains a dwelling, barn/stables and a range of ancillary structures with dense and mature vegetation surrounding the dwelling. The proposal seeks consent for part demolition of the dwelling, and the dismantling, relocation and rebuilding of the barn/stables and removal of ancillary structures.
 - The application was publicly exhibited and notified to adjoining and surrounding residents and land owners from 5 February 2019 for 14 days. One submission was received in objection to the proposal.
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- The Heritage Impact Statement provided with the application fails to adequately assess the full extent of the heritage significance of the site. A conservation management plan has not been submitted to accompany the development application.
- The site is not considered suitable for the proposed development due to the proposal's failure to adequately identify the sites heritage significance, satisfy the heritage provisions under Clause 5.10 of the Campbelltown Local Environmental Plan 2015 and comply with a number of requirements listed in Council's Development Control Plan.
- The application fails to satisfactorily resolve critical deficiencies that were raised throughout the assessment process, specifically regarding the compatibility with the surrounding urban environment, compliance with stormwater and water quality requirements, impacts of traffic, parking and access, issues surrounding on-site waste management, vegetation removal, and the impacts from adjoining noise sources on the development.
- An assessment under Section 4.15 of the EP&A Act has been undertaken and it is recommended to the panel that the application be refused for reasons outlined in this report.
- The proposal is not considered to be in the public interest.

Public Address

The Local Planning Panel meeting was addressed by the applicant Robert Gizzi.

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

Panel Considerations and Reasons for Decision

The Panel inspected the site and took note of the site constraints that would impact any development on the site. In particular, the Panel noted the extensive vegetation, the existing heritage building located on the site and its prominent location, with its views to the CBD and its relationship to surrounding development.

The panel noted that despite the site's heritage listing the proposed development fails to demonstrate the true heritage values of the site and how the scheme responds to those and provides for their ongoing conservation. A conservation management plan is required to identify the values of the site and any potential areas where sensitive development may occur. This has not been submitted as part of the application.

The Panel further considers that the proposal is inconsistent with the objectives of the R2 Low Density Residential Zone listed in Campbelltown Local Environment Plan 2015 and is an overdevelopment of the site. Further the proposal has not satisfactorily addressed key critical aspects raised in the assessment, specifically regarding heritage significance, traffic and stormwater impacts on adjoining properties and does not provide satisfactory amenity for the potential residents.

The Panel noted that alternative development opportunities may be available that would respect the heritage significance of the site, but only after the preparation of a conservation management plan that identifies the site's key opportunities and constraints.

The Panel considers the proposed development is unsuitable for the site and agrees with the reasons for refusal as recommended by Council officers.

Decision of the Panel

That Development Application 4457/2018/DA-M for partial demolition and works to heritage item and construction of multi-dwelling development and associated site works at Lot 2, DP1017017, No. 50 Badgally Road, Claymore be refused for the reasons outlined in attachment 1 with the following amendments/additions:

The following is added to reason 9:

The submitted traffic report does not appear to have been prepared on the basis of known current traffic volumes.

In reason 12 delete “for similar inappropriate development” and “therefore”.

Add additional reason:

The proposal is an overdevelopment of the site.

Voting

The Local Planning Panel voted 4/0

4.2 Gilead Planning Proposal

Executive Summary

- Lendlease Communities (Mt Gilead) Pty Ltd (Lendlease) has submitted a Planning Proposal Request (PPR) that seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) in respect of land within the Mount Gilead Urban Release Area (Mt Gilead), which forms part of the Greater Gilead Urban Release Area (Greater Gilead).
 - Mt Gilead was rezoned for urban purposes in September 2017 and is the subject of a Local Voluntary Planning Agreement, State Voluntary Planning Agreement and Biodiversity Certification Agreement.
 - The PPR seeks to amend the spatial layout of residential and open space zoned land while retaining the existing dwelling yield of 1700 lots. The PPR also seeks to introduce the R3 Medium Density Residential and B4 Mixed Use zones. The existing B1 Neighbourhood Centre is proposed to be rezoned R2 Low Density Residential due the impact of planning for bushfire protection and location which does not align with the desired future road hierarchy.
 - It is considered that the PPR has strategic merit and would allow a more diverse and sustainable urban release outcome, with an enhanced range of dwelling opportunities, supporting commercial and community facilities, greater connectivity of areas protected as bio-banking sites, increased open space and appropriate road and stormwater management infrastructure supported by an updated local voluntary planning agreement.
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Public Address

The Local Planning Panel meeting was addressed by the objectors to the proposal and the applicant, as listed below.

Applicant

Matthew Cooper – GLN Planning

Arthur Ilias - Lendlease

Objectors

Katrina Hobhouse

Susan Gay

Patricia Durman – National Parks Association – Macarthur Branch

Barry Durman

Saul Deane

Panel members asked questions that were responded to directly at the meeting. The representatives of the applicant also addressed the issues raised in the earlier submissions to the Panel.

Panel Considerations and Reasons for Decision

The Panel inspected the site and took note of the consolidated holdings that form part of the proposal and future opportunity it provides for orderly development. The Panel also noted the topography and natural features of the site and the relationship of the proposal to these, including the proposed town centre, bio bank sites, Fig Tree Hill and re-aligned entry boulevard and proposal to increase housing diversity, which generally complies with relevant SEPPs, the Regional and District plans and Council's draft Local Strategic Planning Statement and Community Strategic Plan.

Decision of the Panel

1. That the Campbelltown City Council Local Planning Panel (the panel) advise the Council that it supports the Planning Proposal Request to amend the Campbelltown Local Environmental Plan 2015 as outlined in the Officer's report subject to the following key amendments:
 - a) That Clause 4.3A be amended to allow multi dwelling housing to be a maximum of three storeys in the R3 Medium Density Residential Zone.
 - b) Clause 4.4 (2A) be amended to exclude its application for areas shown on the Urban Release Area Map.
 - c) Delete Clause 4.1E and amended the minimum lot size map in respect of that part of Lot 5 DP 1240836 zoned RU2 Rural Landscape to 5ha to permit its excision.
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- d) Clause 4.1(4C) be amend to support no more than 20 percent of the notional yield or 340 lots (total) to be less than the minimum lot size of 450m².
 - e) The proposed exemption to Clause 4.1C be replaced by a new Clause 4.1H to specify the applicable minimum lot size for residential accommodation in the R3 Medium Density Housing zone.
 - f) The Local Planning Panel is of the view that at 4 hectares, the proposed B4 zone appears to be of excessive area to provide for the requested 4,000 square metres of retail gross floor area. The area of B4 zone needs to be determined following economic modelling and land use assessment in respect of the future role of the centre in the existing and evolving centres hierarchy. A suitable FSR should also be determined following this analysis prior to referral for Gateway Determination.
 - g) That visual analysis of the proposed B4 and R3 zones and their proposed maximum height limits be undertaken with respect to potential impact on adjoining heritage and landscape value of Fig Tree Hill prior to referral for Gateway Determination.
2. That Lendlease commit to updating the existing Voluntary Planning Agreement with Council to ensure all local infrastructure required to support the incoming population is delivered in conjunction with the development of the release area.
 3. That the PPR, as amended in 1 above, has strategic merit in regard to the natural environment, dwelling diversity, open space provision and consistency with relevant requirements of the Regional and District Plans.

Voting

The Local Planning Panel voted 4/0

The open session of the Panel Meeting concluded at 4.45pm and the Panel then adjourned to consider the business and information presented to the Panel during its hearing.

The next meeting of the Local Planning Panel will be held on Wednesday 18 December 2019 at 3.00pm in the Council Chambers, Level 3, Civic Centre, Campbelltown.

Keith Dedden
Chairperson