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# **CAMPBELLTOWN CITY COUNCIL**

## **Minutes Summary**

**Campbelltown Local Planning Panel Meeting hosted at  
Campbelltown Civic Centre on Wednesday, 25 November 2020 .**

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**Minutes of the Local Planning Panel Meeting held on 25 November 2020**

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**Present**            Chair Keith Dedden  
                         Member Jenny Rudolph  
                         Member Philip Hayward  
                         Member Helena Miller

**Also Present**

**1.     ACKNOWLEDGEMENT OF LAND**

An Acknowledgement of Land was presented by the Chairperson .

**2.     APOLOGIES**

Nil

**3.     DECLARATIONS OF INTEREST**

Jenny Rudolph declared a conflict of interest in regards to agenda Item 4.1 and left the meeting for this item.

**4.     REPORTS**

**4.1   Fitout and use as an entertainment facility (nightclub)  
      218-226 Queen Street, Campbelltown**

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**Executive Summary**

- Council has received a development application for the internal fit out of premises at 218-226 Queen Street, Campbelltown and the use of the premises as an entertainment venue (nightclub).
  - The subject site is zoned B3 Commercial Core under the provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015).
  - The development application was publicly notified and exhibited from 8 January 2020 to 5 February 2020. No submissions were received.
  - An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and is included within this report.
  - The proposed development was referred to NSW Police Force, where concerns were raised with the proposal, primarily in regards to anti-social behaviour and the risk of crime. In raising concerns they also provided recommended conditions of consent should the application be approved. The conditions recommended by the NSW Police
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Force have been incorporated into the recommended conditions of consent.

- It is recommended that the application be approved for a time limited period of 24 months and that the consent conditions include a reviewable condition in regards to the hours of operation. The recommended conditions of consent are in attachment 1.

## **Public Address**

The Local Planning Panel meeting was addressed by the applicant, Alex Petkovic (Town Planner).

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

## **Panel Considerations and Reasons for Decision**

The proposed entertainment facility is permissible with consent under the provision of the CLEP 2015 and is consistent with the objectives of the B3 Commercial Core zone.

It is considered that a 24 month time limit on the approval will enable a review of the operation of the nightclub having regards to the concerns raised by the NSW Police that the nightclub could lead to increased crime, anti-social behaviour and reduced safety for the community.

The Panel noted that there were no submissions in regards to the application and that there are no sensitive land uses within the vicinity of the site. The Panel is therefore agreeable to the proposed hours of operation requested by the applicant during the meeting and amended condition 2 should be modified to reflect that request.

The subject approval requires that a separate consent is required to continue the use beyond the 24 month time limit. Such an application would be assessed having regards to any identified crime, safety or anti-social behavioural issues observed during the operation of the night club. Any new development application for the use of the premises should be submitted a sufficient period before the end of the 24 month time limit to enable it to be determined before the end of the period. Such application however should not be submitted until the nightclub has been in operation for at least 12 months.

## **Decision of the Panel**

That development application 3989/2019/DA-U for the internal fitout of premises at 218-226 Queen Street, Campbelltown and the use of the premises as an entertainment facility (nightclub) be approved for a time limited period of 24 months from the release of the Occupation Certificate and the commencement of use of the premises as an entertainment facility subject to the conditions in attachment 1 with the following amendments:

Condition 1 is amended by deleting the words "Plan of Management, Version 2".

Condition 2 is amended by replacing part (b) of that condition with the following:

b) Notwithstanding (a) above, the use may operate between 12am (midnight) and 3am Wednesday to Sunday, inclusive and on any public holiday for a trial period of 12 months from the date of the Occupation Certificate. Council is to be notified in writing of the date of commencement of the trial hours within 14 days prior to the commencement. The trial period is not to extend beyond 12 months from the

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issue of the occupation certificate and commencement of the use of the premises as an entertainment facility.

Condition 2A is added and states:

2A The entertainment facility (nightclub) shall operate in accordance with an approved plan of management at all times. The Plan of Management Version 2 shall be updated to reflect the hours of operation in condition 2 of this consent and submitted to Council for approval prior to the issue of any Construction Certificate.

Condition 72 is amended by adding the words “lighting shall clearly illuminate the front and rear entrances of the premises and the car park and CCTV shall include full coverage of the rear car parking area”.

## Voting

4/0

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## 5. REPORTS FROM OFFICERS CONSIDERED IN CLOSED SESSION

### 5.1 Planning Proposal - Leumeah

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#### Officer's Recommendation

That the Campbelltown Local Planning Panel provide advice on the Planning Proposal Request for 2-14 Hollylea Road, Leumeah.

#### Panel Considerations and Reasons for Decision

The Panel considers that the proposal has some strategic merit and consistency with the relevant strategic planning documents, including the Leumeah Precinct Plan in the Glenfield to Macarthur Urban Renewal Corridor Strategy. It is also generally consistent with the Reimagining Campbelltown City Centre Master Plan which identifies the site as being part of a sport and entertainment precinct but also suitable for mixed use/high and medium density development. However the proposal is not yet ready for referral for a Gateway determination.

The Panel is of the view that the land to the north of the site, comprising 2A Hollylea Road and 5-7 Plough Inn Road, should be included into the Planning Proposal before it is forwarded to the Department for a Gateway determination.

The Panel is further of the view that prior to the proposal progressing to Gateway the following additional work is required to provide an evidence base for decisions on the proposal:

- Further work which demonstrates that the overall employment potential of the precinct is not reduced as a result of the proposal through an analysis of the site's current
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employment potential under the current zoning as compared to what is proposed to be delivered under the proposal.

- Further work to refine the planning control for the site. In particular it is recommended that the DCP should be amended to include building footprints and massing, podium heights and tower setbacks (including setbacks from Bow Bowing Creek), communal open space, through site links etc, as well as controls that outline future geotechnical investigation requirements.
- The RE1 zoned land needs to be widened to a width suitable to deliver a high quality and generous promenade/public domain area that supports active transport and will be an open space asset to the precinct. In this regard an appropriate cross section should be prepared to detail how this part of the site is to be set out.
- The maximum height of the southernmost building should be reduced to preserve the relevant view corridors identified in the Reimagining Campbelltown City Centre Master Plan, particularly those between Kanbyugal Reserve in Woodbine and the high point on the eastern side of the valley. Further visual analysis is required to demonstrate this.
- The completion of a social infrastructure study to ensure satisfactory open space is provided to meet the need of future residents.

The planning rules (LEP and DCP) should be designed so that the future development of the site complements rather than competes with the Leumeah town centre and the Campbelltown City Centre and to encourage the types of business and employment appropriate to a sports, entertainment and mixed use precinct.

Council should be mindful of, and give due consideration to, the priority locations for additional residential development outlined in the Campbelltown Local Housing Strategy which identifies that there is existing capacity to meet residential growth targets. Council should also review the Planning Proposal Request against the finalised version of the Strategic Review of Employment Lands to ensure the proposal is consistent with the recommendations contained therein in respect to employment lands.

### **Advice of the Panel to Council**

The Panel is of the view that further work needs to be undertaken to accompany the planning proposal request to address the matters outlined in the Panel considerations and reasons above prior to the matter being referred for a Gateway determination.

### **Voting**

3/0

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The next meeting of the Local Planning Panel is scheduled for 16 December, 2020.

### **Chairperson**

Meeting Concluded: 3.55pm