
CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Local Planning Panel Meeting held at 3.00pm on Wednesday, 26 February 2020 .

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Minutes of the Local Planning Panel Meeting held on 26 February 2020

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

Also Present

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson .

2. APOLOGIES

Nil

3. DECLARATIONS OF INTEREST

Mary-Lynne Taylor made a declaration of a conflict of interest in regard to Item 4.3. Mary-Lynne Taylor stated that she is declaring a conflict of interest as she has previously undertaken work for the applicant.

4. REPORTS

4.1 Partial demolition and alterations to heritage-listed dwelling and construction of childcare centre - 111 Oxford Road, Ingleburn

Executive Summary

- This application proposes the partial demolition of a heritage item (the laundry wing of a dwelling) to enable the construction of a childcare centre.
 - The proposed demolition is considered to be justified on the basis that it allows for the construction of useable and connected space for the childcare facility and retains the prominence of the heritage item's three main elevations.
 - Comprehensive archival recording of the laundry wing would be required to be undertaken prior to its demolition.
 - The proposed development is consistent with the provisions of State Environmental Planning Policy (SEPP) No. 55 (Remediation of Land) the Educational Establishments and Child Care Facilities SEPP, and the Campbelltown Local Environmental Plan 2015 (CLEP 2015).
 - The application is generally consistent with the provisions of the Campbelltown Sustainable City DCP 2015. Variations to side and rear setbacks and landscaping
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width are proposed, however these are considered to be justified.

- Submissions from the residents of seven properties were received in response to the public exhibition and notification of the application and raised concerns relating to noise, overshadowing, heritage, potential social issues, privacy, traffic and pedestrian safety.
- The application is recommended for approval, subject to the attached conditions shown as attachment 1.

Public Address

The Local Planning Panel meeting was addressed by the applicant, as listed below:

- Garry Chapman

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

Panel Considerations and Reasons for Decision

The panel inspected the site and received advice from Council's consultant heritage expert. The panel noted the current state of the building and considered that the partial demolition of the heritage listed property was justified to enable the use of the site in a manner that will assist its long term retention.

The panel considered the submissions received in regard to the application before it and was satisfied that the issues raised have been addressed in the assessment report and conditions of consent.

The proposed development is consistent with the Campbelltown Local Environmental Plan, 2015 and the objectives of the R2 low density residential zone. The site is suitable for the development and capable of accommodating the necessary infrastructure including car parking.

Decision of the Panel

Development Application 774/2018/DA-C for the partial demolition of existing heritage listed dwelling and construction of a childcare centre for 110 children, including alterations and additions to the existing building at 111 Oxford Road, Ingleburn is approved subject to the conditions of consent in attachment 1 with the following amendments:

Conditions 1A and B is added to the consent:

1A The child care centre is limited to a maximum of 110 children. Any increase to this number will require development consent from Council..

1B Final detailed plans of proposed fencing and gate to Oxford Road, designed in sympathy with the heritage of the property are to be submitted to Council's Executive Manager Urban Centres for approval and must address the matters detailed in condition 30 prior to the release of any Construction Certificate.

The following is added to condition 20 in the second sentence:

The heritage architect shall provide a report to Council following each site inspection certifying compliance with the consent

Delete the note to condition 35.

Condition 38A is added to the consent:

38A: Prior to the issue of a Construction Certificate, a Plan of Management shall be prepared and submitted to Council for the approval of Council's Executive Manager Urban Centres. The Plan of Management shall include detailed measures to ensure that the operation of the childcare centre does not unduly affect the amenity of the surrounding residential area.

In particular, the Plan of Management shall include a provision that requires the on-site car park to be kept clear from staff vehicles and made available for use by parents picking up and dropping off children during drop off and pick up times.

Voting

The Local Planning Panel voted 4/0

4.2 Demolition of existing building and construction of a three storey seniors living development consisting of 14 independent living units at 1 Reddall Street, Campbelltown

Executive Summary

- This development application proposes the demolition of an existing building on site and construction of a three-storey 'Seniors Living' development, comprising of 14 independent living units, at 1 Reddall Street, Campbelltown.
- The subject site is zoned R3 Medium Density Residential under the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP).
- In accordance with Clause 4.3 of the CLEP, the maximum building height for this site is 9m. The development proposes a maximum height of 9.94m which equates to an increase above the 9m maximum by 10.24 percent. Under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 the maximum height limit is 8 metres. The development is 24.25 percent above this limit.
- A request was submitted under clause 4.6 of the CLEP 2015 to approve the development despite non-compliance with the relevant height limits. This request is supported having regard to existing and approved development in the neighbourhood and the desired future character detailed in the Glenfield to Macarthur Urban Renewal Corridor Strategy.
- The application was publicly exhibited and notified to adjoining properties from 4 December 2018 to 21 December 2018. In response, two submissions were received which expressed objection to the subject development proposal.
- An assessment under Section 4.15 of the EP&A Act has been undertaken and it is recommended that the application be approved subject to the recommended conditions of consent specified in attachment 1.

Panel Considerations and Reasons for Decision

The panel inspected the site and noted the character of the surrounding development including the existing 3 storey buildings in Reddall Street. The panel was informed about the existing development consent on the opposite side of Moore Street. The panel noted the adoption of the Campbelltown precinct plan in the Glenfield to Macarthur Urban Renewal Precinct Strategy and was satisfied that the clause 4.6 variation request made in regard to this application was satisfactory. The panel did take into consideration the amenity of the surrounding properties

The panel considers in this case that compliance with the height limits in clause 4.3 of the LEP and in the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 would be unreasonable and that the proposed development is more consistent with both the existing and future desired character for this neighbourhood than a compliant development.

The panel expressed concern about the appearance of the building and the landscaping proposed and determined that this should be addressed by conditions of a deferred commencement consent.

The proposed development is consistent with the objectives for R3 medium density development and SP2 – Classified Road zones under the Campbelltown Local Environmental Plan, 2015.

The site is well located for access to public transport and access to the types of services needed by seniors and people with a disability. The proposed development will add to the diversity of housing available in Campbelltown.

Decision of the Panel

Development Application 3598/2017/DA-SL for the demolition of existing building and construction of a three storey seniors living development comprising of 14 independent living units at 1 Reddall Street, Campbelltown is granted a deferred commencement approval subject to the following conditions of consent:

1. Provision of a schedule of external finishes and colours including sample boards that demonstrate an improved design outcome with a greater variety of materials and finishes, including the use of vertical elements, to give interest to the facade.
2. Provision of a revised landscaping plan with additional details including plant sizes at time of planting and increased use of advanced locally indigenous species.

The Panel delegates to Council staff the authority to determine whether the conditions of deferred commencement consent have been satisfied.

The following changes are made to the conditions of consent.

Condition 7 is amended by adding the words

All of the design features and standards incorporated in this condition shall be shown on the plans as part of the approval of the Construction Certificate.

Voting

The Local Planning Panel voted 4/0

4.3 Planning Proposal request 1898/2015/E-LEPA: Neighbourhood Business Zone Amendment - St Helens Park

Executive Summary

- Council is in receipt of a Planning Proposal Request (PPR) relating to a 7,625m² allotment located at the south eastern corner of the intersections of Appin Road and Kellerman Drive, St Helens Park. The site is clear of trees and occupied by an existing service station development.
 - The PPR seeks a change from R2 Low Density Residential to B1 Neighbourhood Centre under Campbelltown Local Environmental Plan 2015. The proposal also seeks an
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increase in the permitted Building Height limit for the site from the current 8.5m to 9.0m to align with the height limit of other B1 zoned land in the locality. Upon rezoning the existing Additional Permitted Uses applicable to the site for a 'service station' and 'neighbourhood shop' would become redundant and accordingly are also sought to be removed.

- Development for the purpose of a service station and neighbourhood shop is permitted with consent on the land under the additional permitted uses provisions of the Campbelltown Local Environmental Plan 2015.
- A service station with convenience store, vehicle access to Appin Road and Kellerman Drive, and internal roads was approved by Campbelltown City Council under Development Consent 39/2013, dated 10 December 2013 and has since been constructed on the southern part of the lot. The portion of the allotment adjacent to the corner of Appin Road and Kellerman Drive remains vacant.
- The PPR is supported by a concept design to illustrate how a future development may be undertaken on the vacant portion of the site should the land be rezoned as requested. This design is indicative only and would be subject to separate assessment under a development application should the land be rezoned in accordance with the PPR.
- The PPR is considered to have sufficient planning merit to be recommended for a Gateway Determination given the reasons outlined in this report, having particular regard to the social and economic benefits that would likely result for the growing population of St Helens Park.

Panel's advice to Council

Mary Lynne Taylor was not present for either the recorded portion of this meeting relating to this item or for the deliberations on the item after the meeting.

The proposed change of zoning from R2 low density residential to B1 Neighbourhood Centre is reflective of the current use of the site.

Given the site's location on the intersection of Appin Road and Kellerman Drive, a business/commercial land use is more suitable than a residential land use permissible under the current zone.

It is understood that Council is preparing an employment lands study. In the absence of a strategic planning framework justification which may result from this study, the merits of the site having regard to its existing use are sufficient to allow the advancement of this proposal to gateway. It is recommended that Council request a Gateway condition that requires the planning proposal to be considered in the context of the employment lands study once finalised.

The proposed change to the height of buildings map reflects the change to the land use zone. The removal of the minimum lot size control is appropriate and provides consistency with other B1 zones under the Campbelltown Local Environmental Plan, 2015.

The resultant removal of the additional permitted uses of a service station and neighbourhood shops on the site from Schedule 1 of the Campbelltown Local Environmental Plan, 2015 is logical as they will be permitted with consent in the B1 zone.

Council should ensure that further work is done to assess the issues raised by Council's

traffic engineers post gateway, should the proposal be supported by Council.

In providing this advice to Council, the Panel is not providing an opinion of any kind to the suitability of the submitted concept plan.

Voting

The Local Planning Panel voted 3/0

4.4 Two storey dwelling, attached carport and associated works, Westmoreland Road, Leumeah

Executive Summary

- This development application proposes the construction of a two storey dwelling house, carport and associated works at Lot 1 DP 256977, Westmoreland Road, Leumeah.
- The subject site is zoned R2 Low Density Residential under the provisions of the Campbelltown Local Environmental Plan 2015.
- The site has an area of 306.6 square metres and pursuant to Clause 4.1C of the Campbelltown Local Environmental Plan 2015, development for the purpose of a residential dwelling in an R2 zone requires a minimum site area of 500 square metres. The development proposes a variation of 193.4sqm to the minimum qualifying site area required for dwelling houses within an R2 Zone, and equates to a contravention of to this clause by 38.68 percent.
- The application was placed on notification from 18 January 2019 for 14 days. One submission objecting to the proposal was received.
- The application generally complies with the relevant provisions of the Campbelltown Sustainable City Development Control Plan 2015 with the exception to a non-compliance to the minimum setback requirements for dwelling houses. Despite the proposed noncompliance, the proposal has been designed to ensure the development does not adversely impact on surrounding residential properties in terms of solar access.
- An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken and it is recommended to the panel that the application be approved, subject to the recommended conditions of consent attached to this report.

Public Address

The Local Planning Panel meeting was addressed by the applicant, as listed below:

- Trevor Dunbar

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

Panel Considerations and Reasons for Decision

The panel viewed the site and adjacent development and considered that the site is able to adequately accommodate the proposed development despite being more than 10 percent below the standard. The unusual circumstances that led to the creation of the smaller allotment were acknowledged.

The panel considered the submitted clause 4.6 variation request and was satisfied that it was well founded and demonstrated that there were sufficient environmental planning grounds to support the proposal, as it would not create a precedent.

The proposed development is consistent with the objectives of the R2 low density residential zone.

The opportunities to use this land for another purpose are limited.

Decision of the Panel

Development Application 165/2019/DA-DW for the construction of a two storey dwelling, carport and associate site works at Lot 1 DP 256977, Lot 1 Westmoreland Road, Leumeah is approved subject to the conditions of consent in attachment 1

Voting

The Local Planning Panel voted 4/0

4.5 Proposed Campbelltown City Local Planning Panel Operation Guidelines

Executive Summary

- Council at its Ordinary Meeting on 13 February 2018 resolved to establish the Campbelltown City Council Local Planning Panel to determine certain development applications (DAs) and to provide advice on planning proposals.
- The Panel currently operates in accordance with the relevant Ministerial Directions in respect of Operational Procedures and the published Code of Conduct.
- To be consistent with the current meeting practice of the Panel, it is recommended that an Operational Guideline be endorsed by the Panel and published on Council's website.

Panel Considerations and Reasons for Decision

The procedure will help efficiently manage how the Campbelltown City Local Planning Panel is to operate.

Decision of the Panel

That the Campbelltown City Local Planning Panel supports the adoption by Council of the Campbelltown Local Planning Panel Operational Guidelines for publication on Council's website with the following alteration:

Amend Section 3g by adding the words "or presentations" after the word "briefings" and add at the end "At the discretion of the Chair, an applicant may provide a presentation to the Panel to facilitate consideration of the proposal".

Voting

The Local Planning Panel voted 4/0

The next meeting of the Local Planning Panel will be held on 25 March 2020 at 3.00pm at the Campbelltown Civic Centre.

Chairperson

Meeting Concluded: 3.56pm