
CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Local Planning Panel Meeting held on Wednesday, 27 April 2022 .

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Minutes of the Local Planning Panel Meeting held on 27 April 2022.

Present Chair - Stuart McDonald
 Member Glennys James
 Member Lindsay Fletcher
 Member Philip Hayward

Also Present**1. ACKNOWLEDGEMENT OF COUNTRY**

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 Construction of a 2 storey dwelling - 39 Halwes Avenue, Menangle Park**

Executive Summary

- The site is situated within the Menangle Park Urban Release Area, and is a vacant residential allotment.
 - The application proposes the construction of a 2 storey dwelling house.
 - The site is zoned R2 Low Density Residential under the Campbelltown Local Environmental Plan 2015.
 - Conditions of approval have been issued by Subsidence Advisory NSW in relation to development within a mine subsidence district.
 - The application requires variations to the Menangle Park Precinct Development control Plan 2021 in relation to eaves, garage setback and retaining walls.
 - Development contributions are not required to be levied for the proposed development.
 - The application was publicly notified and no submissions were received.
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Public Address

There were no presentations to the Panel.

Panel Consideration and Reasons for Decision

The Panel notes the character of the surrounding area, being within the Menangle Park Urban Release Area. The subject site forms part of the Stage 1 subdivision and was recently registered, with complying development certificates for a single storey dwelling and 2 storey dwelling at 37 Halwes Avenue and 10 Lantern Street, respectively.

The Panel noted that no submission were received and the proposed variations to the Menangle Park Precinct Development Control Plan 2021 in relation to eaves, garage setback and retaining wall would have a negligible environmental or amenity impact and are capable of being supported in this instance.

Subject to the recommended conditions, the proposed development adequately satisfies the relevant State Legislation and State Environmental Planning Policies, including *Coal Mine Subsidence Compensation Act 2017*, SEPP (Building Sustainability Index: BASIX) 2004, SEPP (Resilience and Hazards) 2021 and Campbelltown Local Environmental Plan 2015.

Overall, the site is considered to be suitable for the proposed dwelling and is recommended for approval subject to conditions.

Decision of the Panel

That development application 189/2022/DA-DW for the construction of a 2 storey dwelling at Lot 1176 DP 1269274, 39 Halwes Avenue, Menangle Park be approved subject to the conditions in attachment 1 of the assessment report.

Voting

4/0

5. REPORTS FROM OFFICERS CONSIDERED IN CLOSED SESSION

5.1 Planning Proposal - Campbelltown

Executive Summary

- On 10 February 2022, an amendment to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) was finalised by the Department of Planning and Environment (DPE) which increased the permissible building height for No. 158 Queen Street, Campbelltown from 32 m to 45 m and also included an Additional Local Provisions clause (now Clause 7.27 of CLEP 2015).
- Clause 7.27 of CLEP 2015 limits the permissible land uses on the land subject to the clause to being for a registered club, commercial premises or hotel or motel accommodation on the ground floor and for the purposes of a registered club or hotel or motel accommodation for the rest of the building.
- Property No. 158 Queen Street, Campbelltown currently comprises 2 parcels of land being Lot 1 DP 558320 and Lot 5 DP 1167855.
- A development application was recently approved by the Sydney Western City Planning Panel for the erection of the RSL and Hotel which are proposed to be constructed on Lot 1 DP 558320. Only minor works are proposed on Lot 5 DP 1167855. It is therefore considered that Clause 7.27 unnecessarily restricts the future use of Lot 5 DP 1167855.
- This PP therefore seeks to amend the CLEP 2015 by removing Lot 5 DP 1167855 from the permissible use restrictions applied through Clause 7.27 of CLEP 2015. This will enable the site to be developed in line with the permitted uses listed under the B3 – Commercial Core zone in the CLEP 2015.

Panel Consideration and Advice

The Panel considered the potential impact on the adjacent heritage item of Glenalvon House. The Panel were advised of the Heritage NSW advice on a recently approved development application and separate planning proposal for the site which raised concerns over the proposed height of 85m on the rear of the land (Lot 4 DP 1167853 and Lot 2 DP 568986) due to its overshadowing of the heritage listed gardens for Glenalvon House but had no concerns with the height of 45 m adopted for Lot 5 DP 1167855.

The Panel recommends that the Council support the Planning Proposal proceeding for a Gateway Determination.

Voting

4/0

The next meeting of the Local Planning Panel is scheduled for 25 May 2022.

Chairperson

Meeting Concluded: 3.34 pm