
CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Local Planning Panel Meeting held at 3.00pm on Wednesday, 22 June 2022 .

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Minutes of the Local Planning Panel Meeting held on 22 June 2022

Present Chair - The Hon. T Sheahan
Member Mary-Lynn Taylor
Member Florencio Cuaresma
Member Lindsay Fletcher

Also Present**1. ACKNOWLEDGEMENT OF COUNTRY**

An Acknowledgement of Country 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 Development Application for demolition of structures and construction of 5 storey residential apartment building including space for a childcare centre on ground floor - 14-20 Palmer Street, Ingleburn**

Executive Summary

- A development application has been received for demolition of existing structures and construction of a 5 storey residential apartment building containing 53 apartments and 2 levels of basement car parking, and provision of space for a childcare centre on the ground floor of the building at 14-20 Palmer Street, Ingleburn.
 - The subject site is zoned R4 High Density Residential under the Campbelltown Local Environmental Plan 2015 (CLEP 2015). The proposed residential flat building is permitted on the site and is consistent with the objectives of the R4 High Density Residential zone.
 - The application was publicly notified and exhibited between 4 May 2021 and 3 June 2021. Four submissions were received, one of which was from a Local State Member of Parliament.
 - The proposal seeks approval for a variation to the maximum height of building set by Clause 4.3 of the CLEP 2015. The proposed height of 17.9 m, exceeds the maximum height of 15 m by 19.33 per cent.
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- A previous development application was approved on part of the site (16-20 Palmer Street) for demolition of existing structures and construction of a 5 storey residential apartment building containing 51 apartments and 2 levels of basement car parking, and provision of space for a childcare centre on the ground floor under development consent 1985/2017/DA-RA on 26 September 2018 by the Panel. This application also included a Clause 4.6 variation to the maximum height of building development standard of 22 per cent.
- 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 conditions of consent listed in attachment 1.

Public Address

The Panel was addressed by Georges Jreije and Ziad Boumelhem who spoke in support of the application.

Panel Consideration and Reasons for Decision

The Panel considers that the clause 4.6 request submitted by the applicant adequately justifies the proposed variation to the Height Standard in Clause 4.3 of the CLEP 2015 given the nature of the departure, the precedent approvals in the locality including on the subject land and on the adjoining land which exceeded the current height limit and the Council proposal to increase the height limit in the locality to 8 storeys (28 m) which are circumstances of the site that justify the variation proposed. The Panel agrees that strict application of the standard is unnecessary and unreasonable in the particular circumstances of the case and that sufficient environmental planning grounds exist to warrant variation of the standard.

The proposed development is consistent with the R4 High Density Residential zoning and the relevant controls and objectives of State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, the Apartment Design Guide, Campbelltown Local Environmental Plan 2015 and the Campbelltown (Sustainable City) Development Control Plan 2015.

The application complies with the State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 and the Childcare Planning Guideline, to the extent of their applicability, noting that a subsequent application will be submitted for a child care centre.

The matters raised in the submissions, being noise, traffic, parking and overshadowing have been satisfactorily addressed in the Council planning report. The impacts of the proposal are consistent with the desired future character of the Ingleburn Town Centre.

Decision of the Panel

- A. The Panel has considered the applicant's request to vary the maximum height of buildings development standard in Clause 4.3 of the CLEP 2015 and is satisfied that the requested variation satisfies the requirements of Clause 4.6 of the CLEP 2015 and therefore the variation is upheld.
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- B. Development Application 1091/2021/DA-RA for the demolition of existing structures and construction of a 5 storey residential apartment building containing 53 apartments and 2 levels of basement car parking, and provision of space for a childcare centre on the ground floor of the building at 14-20 Palmer Street, Ingleburn is approved subject to the conditions listed in attachment 1 with the following amendment:
- Part f is added to condition 2 as follows:
- f) Stackable privacy screens shall be provided to the balconies to apartments L2.11 and L2.12 on levels 1, 2 and 3 facing number 12 Palmer Street.

Voting

4/0

5. REPORTS FROM OFFICERS CONSIDERED IN CLOSED SESSION

5.1 Planning Proposal - Campbelltown

Executive Summary

- This report seeks the advice of the Campbelltown Local Planning Panel in regards to a PP. The aim of the PP is to remove land in Campbelltown from the land acquisition reservation map under CLEP 2015.
 - In 2017 to 2018 Council (as land owner) advertised an expression of interest tender for the use of 3 of the subject lots in Hurley Street, Camden Road and Kellicar Road, Campbelltown. The campaign was unsuccessful.
 - In April 2020, Council adopted the Reimagining Campbelltown City Centre Masterplan.
 - In July 2020 Council re-conducted the expression of interest for use of the site and Genesis Care were successful and signed a partnership with Council for the use of three of the subject lots in Hurley Street, Camden Road and Kellicar Road, Campbelltown.
 - On 2 July 2021, a Development Application (DA) (2036/2021/DA-C) was submitted for the construction of a 4 storey health care facility building and associated works on 2 of the lots (Lot 1 Camden Road and Lot 1 Kellicar Road). The proposed Genesis Care building would provide health and cancer care for future patients.
 - The site currently includes a land reservation acquisition for the purposes of a bus corridor.
 - On 11 October 2021, Council wrote to Transport for NSW (TfNSW) requesting removal and
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realignment of the land reservation as the existing location would impact on the proposed development.

- TfNSW wrote to Council on 19 October 2021 agreeing to abandon the corridor.
- This PP therefore seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) by removing the Land Reservation from Property Nos. 1-5 Hurley Street, Lot 1 Kellicar Road, Lot 1 Camden Road and No. 4 Tindall Street, Campbelltown.

Panel Consideration and Advice

The Panel notes the report and proposed removal of the land reservation shown on the Land Reservation Acquisition Map for 4 separate properties at Campbelltown.

The Panel is aware of an existing DA approval across 2 of the 4 sites. The Panel notes that TfNSW have provided support insofar as the planning proposal relates to the DA site.

The Panel recommends that TfNSW is contacted during any public exhibition of the proposal to seek further comments in relation to the remaining 2 lots that have been identified as part of the proposal.

The Panel considers the draft planning proposal has strategic and site specific merit and is appropriate. The Panel supports Council seeking a Gateway Determination.

Voting

4/0

The next meeting of the Local Planning Panel is scheduled for 27 July 2022.

Chairperson

Meeting Concluded: 3.11 pm