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# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

**Local Planning Panel Meeting held at 3.00pm via Microsoft Teams  
Wednesday, 27 September 2023.**

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**Minutes of the Local Planning Panel Meeting held on 27 September 2023**

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**Present** Chair - The Hon. T Sheahan  
Member Glennys James  
Member Mary-Lynne Taylor  
Member Adam Novek

**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 existing structures and construction of a 3 storey boarding house at 109 Oxford Road, Ingleburn**

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**Officer's Recommendation****Executive Summary**

- This application proposes the demolition of existing structures and construction of a 3 storey boarding house with basement car parking at 109 Oxford Road, Ingleburn.
  - The proposed development seeks to vary the non-discretionary landscaping standards for boarding houses set out in Clause 24(2)(c) of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP).
  - Clause 24(2)(c) of the Housing SEPP requires boarding houses on land in Zone R3 Medium Density Residential to comply with the minimum landscaping requirements for multi dwelling housing under a relevant planning instrument. The proposed boarding house does not comply with one of these requirements (impervious area forward of the building line) by a margin exceeding 10 per cent. The Panel is therefore the consent authority.
  - The proposed building exceeds the site's maximum building height by 1.5 per cent. A Clause 4.6 objection has been submitted in support of this non-compliance. However, this
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variation is not grounds for referral to the planning panel as the magnitude of the proposed variation is less than 10 per cent.

- Apart from the proposed variations to impervious area and maximum building height, the proposed development is fully compliant with the provisions of the Housing SEPP, State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP), Campbelltown Local Environmental Plan 2015 (CLEP 2015), and is generally compliant with the Campbelltown Sustainable City DCP 2015 (SCDCP).
- The application was publicly exhibited and notified to nearby and adjoining residents for a period of 28 days. Four submissions were received, which are addressed later in this report. The submissions raise important matters however do not prevent the approval of the application.
- Based on an assessment of the application against section 4.15 of the EP&A Act, the application has been found to be satisfactory and is recommended for approval.

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

The Panel notes that the land is within an R3 medium density residential zone and will transition over time to a medium density environment. The site is suitable for the development as it is consistent with Campbelltown Local Environmental Plan 2015 (CLEP 2015) and the objectives of the R3 Medium Density Residential Zone.

The proposed development is consistent with State Environmental Planning Policy (Affordable Rental Housing) 2009, except for a minor variation relating to minimum landscape requirements, and complies with the CLEP 2015, except for a minor variation related to building height. The applicant has satisfactorily justified these variations, and the Panel finds the grounds provided to be acceptable.

The Panel noted the concerns raised in submissions objecting to the proposal, including privacy, noise, property values, social impacts, local character, car parking and traffic impacts, and considers they have been satisfactorily addressed by the recommended conditions of consent and the amended plans.

The proposed development, if constructed, will increase the diversity of housing available in Ingleburn especially affordable rental housing and this will have a positive social impact.

### **Decision of the Panel**

- a. The Panel supports the applicant's written request under clause 4.6 of Campbelltown Local Environmental Plan 2015 (CLEP 2015) to contravene the non-discretionary landscaping standards for boarding houses in Clause 24(2)(c) of the State Environmental Planning Policy (Housing) 2021 as the request has demonstrated that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify the contravention. The Panel accepts that the written request has demonstrated that the development will be in the public interest because it is consistent with the objectives of the standard and the objectives of the zone in which the development is located.

- b. The Panel supports the applicant's written request under clause 4.6 of Campbelltown Local Environmental Plan 2015 (CLEP 2015) to contravene the maximum height of buildings development standard in clause 4.3 of CLEP 2015, as the request has demonstrated that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify the contravention. The Panel accepts that the written request has demonstrated that the development will be in the public interest because it is consistent with the objectives of the standard and the objectives of the zone in which the development is located.
- c. Development Application 784/2022/DA-BH for the demolition of existing structures and construction of a 3 storey boarding house at Lot 15 DP 27456, 109 Oxford Road, Ingleburn is approved subject to the conditions listed in attachment 1 with the following amendments:
  - i. The Panel remains concerned about privacy considerations for the rear neighbours and will therefore not make any changes to condition 2(e) (as requested by the applicant).
  - ii. The Panel noted a disparity between conditions 2(h) and 21(a) and therefore considers that condition 21(a) be removed.
  - iii. The request of the applicant to remove the words "in Part F5" from the second paragraph of condition 42 is agreed.

## **Voting**

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The next meeting of the Local Planning Panel will be held on 25 October 2023.

## **Chairperson**

Meeting Concluded: 3.06 pm