
CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Local Planning Panel Meeting held at 3.00pm on Wednesday, 25 June 2025.

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Minutes of the Local Planning Panel Meeting held on 25 June 2025

Present Chair - Mark Carleton
Expert Member - Brian Kirk
Expert Member - David Taylor
Community Member - Alison Dunshea

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 Construction and operation of a community facility with associated car parking, landscaping and civil works at 121A Eagleview Road, Minto

Executive Summary

A development application has been received for the construction and operation of a community facility with associated car parking, landscaping and civil works at 121A Eagleview Road, Minto.

The subject site is zoned C4 Environmental Living under the Campbelltown Local Environmental Plan 2015. The proposed community facility is permissible with consent in the C4 Environmental Living zone.

The application was publicly notified and exhibited between 30 April and 22 May 2025. Three submissions were received in total, 2 of which are considered unique submissions.

Panel Considerations and Reasons for Decision

- a. The Panel considered the clause 4.6 request submitted by the applicant adequately justifies the proposed variation to the development standard in clause 4.3 of the Campbelltown Local Environmental Plan 2015.
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- b. The Panel generally agrees with the conclusions of the Council officer's assessment report. The Panel noted objections from nearby residents including, permissibility and classification of the development, access from a busy road, traffic and potential parking overflow, potential noise, lighting and on site infiltration impacts. The Panel has considered these matters and added conditions to address a number of these concerns. In so doing the Panel notes the permissibility of the application and that the CI 4.3 variation to building height is relatively minor and has minimal impact on views, overshadowing or other impacts on the residents nearby. Subject to these changes, the Panel considers that the proposal is consistent with Campbelltown Local Environmental Plan 2015 and Campbelltown Sustainable City Development Control Plan 2015.

Decision of the Panel

- a. The Panel supports the applicant's written request under clause 4.6 of the Campbelltown Local Environmental Plan 2015 to contravene the Height of Building development standard 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 zone in which the development is located.
- b. That Development Application 1731/2025/DA-C for construction and operation of a community facility with associated car parking, landscaping and civil works, be approved subject to the conditions of consent in attachment 1 to the Council report, with the following conditions amendments:

1. Edit Condition 11:

Lighting

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of Australian Standard 4282 (as amended) so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

Bollard lighting is to be installed adjacent to the entry path from Eagleview Rd to the internal pedestrian crossing to allow for suitable access to the site.

Condition reason: To ensure lighting is operated in a manner that protects the amenity of the local area.

2. Add new Condition 18, renumbering other conditions accordingly

Parking

All vehicles associated with the use of the site are to be contained within the site.

Condition reason: To ensure amenity is maintained.

3. Add new Condition 31, renumbering other conditions accordingly

Comply with the fire safety requirements of the *Environmental Planning & Assessment Act 1979*

The requirements and provisions of Part 6 of the *Environmental Planning & Assessment Act 1979* and Part 3 of the *Environmental Planning & Assessment (Development Certification and fire Safety) Regulation 2021* must be fully complied with at all times.

Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of 'on-the-spot' penalty infringements or service of a notice and order by Council.

4. Add new Condition 32, renumbering other conditions accordingly**Performance Requirements**

In accordance with Section 19 of the *Environmental Planning & Assessment (Development Certification and Fire Safety) Regulation 2021*, building works must be carried out in accordance with the applicable Performance Requirements of the National Construction Code. Compliance with the Performance Requirements can only be achieved by:

- a. Complying with the Deemed to Satisfy Provisions; or
- b. Performance Solution or a combination of both

Condition reason: To comply with legislation.

5. Add new Condition 33, renumbering other conditions accordingly**Long Service Levy (General)**

Long Service Levy payment is applicable on building work having a value of \$250,000 or more, at the rate of 0.25 per cent of the cost of the works. The required Long Service Levy payment, under the *Building and Construction Industry Long Service Payments Act 1986*, is to be forwarded to the Long Service Levy Corporation or the Council, prior to the issuing of a Construction Certificate, in accordance with Section 6.8 of the *Environmental Planning & Assessment Act 1979*.

Condition reason: To comply with legislation.

6. Add new Condition 34, renumbering other conditions accordingly**Products banned under the *Building Products (Safety) Act 2017***

No building products that are banned, or products that are subject to a ban if used in a particular way under the *Building Products (Safety) Act 2017* are to be used in the construction of the development.

Condition reason: To comply with legislation.

7. Add new Condition 36, renumbering other conditions accordingly**Revised Plan of Management**

Prior to the issue of a construction certificate, the Plan of Management is to be amended, such that it incorporates a shuttle bus service for the 6 special events permitted under this development consent.

The amended Plan of Management is to be submitted to Council's Manager of Development Assessment for approval.

Condition reason: To ensure the Plan of Management is updated in accordance with this development consent.

8. Edit and renumber Condition 38:**Entry Gate Plans**

Before the issue of a construction certificate, detailed plans of the entry gate are to be prepared to the satisfaction of the principal certifier. The entry gate is to be designed in such a way as to accommodate waste and service requirements, and also include a sign, no smaller than A3, identifying the premises and contact person(s)/numbers in case of emergencies.

The operator of the site is responsible to maintain the sign and ensure emergency contact details are current at all times.

Condition reason: To ensure the entry gate is suitable.

9. Edit and renumber Condition 50:**Civil Works under S138 Roads Act 1993**

Prior to issue of a construction certificate, a s138 application shall be lodged with Campbelltown City Council for construction of one vehicle crossover, and should it be required, a concrete median with pedestrian refuge island in Eagleview Road.

Detailed engineering plans for the proposed works in Eagleview Rd road reserve shall be submitted to Council for approval.

Any associated signage and linemarking must be approved by the Local Traffic Committee prior to the issue of a s138 approval.

All works shall be carried out in accordance with *Roads Act 1993* approval including the stamped approved plans and Council specifications.

Condition reason: To comply with the requirements of the *Roads Act 1993*.

10. Add new Condition 85**Final Fire Safety Certificate**

Prior to the occupation of any part of the development a Final Fire Safety Certificate must be submitted to Council, to the effect that each essential fire safety measure specified in the current Fire Safety Schedule for the building to which the certificate relates;

- a. has been assessed by a properly qualified person, and
- b. was found, when it was assessed, to be capable of performing to at least the standard required by the current Fire Safety Schedule for the building for which the certificate is issued;

Voting4/4

4.2 Demolition of existing structures, tree removal, civil and bulk earthworks, Torrens Title subdivision into 12 lots and construction of 2 local roads – 540 Campbelltown Road, Glenfield

Executive Summary

- Council is in receipt of a development application for the demolition of existing structures, tree removal, civil and bulk earthworks, Torrens Title subdivision into 12 lots and construction of 2 local roads at 540 Campbelltown Road, Glenfield.
 - The subject site is zoned R2 Low Density Residential under the Campbelltown Local Environmental Plan 2015.
 - The development application was notified from 1 April 2025 to 1 May 2025, as required by the Campbelltown Community Participation Plan 2015. Two public submissions were received objecting to the proposal.
 - On 30 April 2025, the applicant commenced proceedings in the NSW Land and Environment Court appealing against the deemed refusal of the development application.
 - The proposal fails to adequately avoid and minimise impacts to biodiversity and is not consistent with Council's Comprehensive Koala Plan of Management.
 - The submitted clause 4.6 request seeking to vary the minimum subdivision lot size fails to adequately address how Council has abandoned the development standard.
 - The application has been assessed against Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is recommended for refusal for the reasons provided in attachment 1.
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Panel Considerations and Reasons for Decision

- a. The Panel considered the clause 4.6 request submitted by the applicant has not adequately justified the proposed variation to the development standard in clause 4.4 of the Campbelltown Local Environmental Plan 2015.
- b. The Panel agrees with the conclusions of the Council officer's assessment report that the proposal is inconsistent with the Campbelltown Local Environmental Plan 2015 and Campbelltown Sustainable City Development Control Plan 2015.
- c. The application is likely to have unacceptable, and potentially serious and irreversible impact on biodiversity values and fails to avoid or minimise biodiversity impacts.
- d. The development would have unacceptable environmental impacts on the built and natural environment.
- e. The application fails to demonstrate that the site is suitable for the proposed development and is not in the public interest.

Decision of the Panel

- a. The Panel does not support the applicants written request under clause 4.6 of the Campbelltown Local Environmental Plan 2015 to contravene *clause 4.4 Floor Space Ratio* as the request has not 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 does not accept that the written request has adequately demonstrated that the development will be in the public interest because it is inconsistent with the objectives of the zone in which the development is located
- b. That Development Application 1051/2025/DA-SW for the demolition of existing structures, tree removal, civil and bulk earthworks, Torrens Title subdivision into 12 lots and construction of 2 local roads at 540 Campbelltown Road, Glenfield be refused for the reasons set out in attachment 1 of the Council's Assessment Report.

Voting

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The next meeting of the Local Planning Panel will be held on 23 July 2025 via teams.

Chairperson

Meeting Concluded: 3.26pm