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# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Local Planning Panel Meeting held at 3.00pm on Wednesday, 27 November 2024 .

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**Minutes of the Local Planning Panel Meeting held on 27 November 2024**

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**Present** Chair - Dr Mark Carleton  
Expert Member - Vincent Hardy  
Expert Member - Deborah Sutherland  
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 Alterations to Eschol Park House and use of the site as a child care facility and café, and associated works - 14 Eschol Park Drive, Eschol Park**

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**Executive Summary**

- A development application has been received for alterations to Eschol Park House, including the removal of non-original internal walls, windows and stairs, and non-original roofing, entrance steps and verandah, demolition of a concrete driveway, timber retaining walls, gazebo and sheds, use of the site as a 129 place child care facility and café, and associated civil and landscaping works.
- The application was publicly notified and exhibited between 15 August and 14 September 2023. Three objections were received during this time, with 2 further objections being received outside of the notification period. The issues raised in the submissions are discussed in greater detail in an attachment to this report.
- Based on an assessment of the application against Section 4.15 of *Environmental Planning*

## **Panel Consideration and Reasons for Decision**

The Panel has considered the proposal for alterations to Eschol Park House for use as a child care facility and cafe and associated works at 14 Eschol Park Drive, Eschol Park including the Council's Assessment Report and the Applicant's Plans, Reports and details which includes an Operational Plan of Management dated February 2024 prepared by Consultant Michael Brown Planning Strategies.

The Proposal is for removal and renovation of non-original internal walls, windows and stairs, roofing, entrance steps and verandah as well as demolition of a concrete driveway, timber retaining walls, gazebo and sheds for a proposed 129 place child care facility and cafe and associated works including 36 car parking spaces.

The Panel finds that whilst the proposal has merit there are a number of inconsistencies and non-compliance issues including:

1. Existing use rights for the café is not proven and other avenues of approval have not been not sufficiently explored or proven and
2. Educator to child ratios (22 required but 19 proposed) and
3. Proposed on-site car parking spaces are insufficient in number and
4. A loading/unloading bay is not provided and delivery vehicle swept path details have not been provided and
5. Insufficient disabled person car parking is proposed (1 instead of 3) and
6. No details are provided of a drop off/ pick up zone and
7. Car parking spaces are not allocated to specific uses and
8. Despite submission of a Traffic and Parking Impact Assessment impacts on street parking and the local traffic network have not been adequately justified and
9. A recognised Heritage Report did not accompany the DA, and conservation of the significance of this Local Heritage property has not been suitably demonstrated as to conservation of its significance, its heritage, setting and Aboriginal Place significance and that the proposal would not have adverse impacts on the surrounding area's amenity and
10. Fencing and landscaping are unacceptable or not detailed.

Council's Assessment Report details the above inconsistencies and non-compliance matters related to the relevant Regulations, Guidelines, Local Environmental Plan Provisions and related controls.

The Panel notes the Applicant's additional submissions made as recently as the past day or so, including addressing some of the inconsistencies and/or non-compliances as listed in Council's Assessment. However, the Panel notes that many of Council's inconsistencies remain unchanged or requiring additional or further assessment, not being able to address at short notice.

## **Decision of the Panel**

That Development Application 2360/2023/DA-C for alterations to Eschol Park House and use of the site as a child care facility and café, be refused subject to the reasons for refusal in attachment 1 to the Council report.

However, that the Applicant be encouraged to work with Council as it would appear that

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additional details could overcome most of the inconsistencies and non-compliance matters.

## Voting

4/4

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## 4.2 Boundary adjustment - No.2 Rose Street, Campbelltown

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### Executive Summary

- A development application has been received for the boundary adjustment to the site that contains Council's Animal Care Facility, adjoining Kanbyugal Reserve, in Rose Street, Campbelltown.
- A Planning Proposal was finalised on 17 May 2023 for the reclassification of part of Kanbyugal Reserve from community land to operational land, rezoning part of the site from RE1 Public Recreation to E4 General Industrial and applying height of building and minimum lot size controls. The submitted development application seeks to realign the land boundaries to match the new planning controls.
- The development application was lodged as Integrated Development requiring concurrence from the Rural Fire Service under the provisions of Clause 4.46 of the *Environmental Planning and Assessment Act, 1979*. The Rural Fire Service issued General Terms of Approval subject to conditions.
- The development application was publicly exhibited from 9 October 2024 until 7 November 2024 in accordance with Council's Community Consultation Plan. No submissions were received.
- An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken and it is recommended that the application be approved.

### Panel Consideration and Reasons for Decision

The Panel notes that the proposal complies with all the relevant State Environmental Planning Policies as well as Campbelltown Local Environmental Plan 2015 and Campbelltown Sustainable City Development Control Plan 2015.

The Panel notes that the boundary adjustment is consistent with the zoning boundaries approved as part of the rezoning planning proposal for the site and that no public submissions were received during the notification period.

### Decision of the Panel

That development application 3346/2024/DA-S for the boundary adjustment at 2 Rose Street, Campbelltown be approved subject to conditions.

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**Voting**4/4

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**5. CONFIDENTIAL REPORTS FROM OFFICERS****5.1 Planning Proposal - Review and Update of Campbelltown Local Environmental Plan 2015**

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**Executive Summary**

- This report presents a planning proposal (attachment 1) prepared following a review of Campbelltown Local Environmental Plan 2015 (CLEP 2015) undertaken in accordance with Section 3.21 of the Environmental Planning and Assessment Act 1979 (EP&A Act), which requires Council to periodically review its Local Environmental Plan to ensure that it remains relevant and aligns with changing planning policies, community needs, and environmental considerations.
  - The proposed amendments to the CLEP 2015 aim to improve its operation in accordance with its objectives, through the transfer and simplification of planning controls using CLEP 2015 mapping, alignment of standards with relevant state planning policies and planning legislation, and refinement of residential development standards to improve housing supply and diversity outcomes.
  - Key amendments proposed to the CLEP 2015 include:
    - introduction of a koala habitat clause in accordance with the approved actions of the Campbelltown Comprehensive Koala Plan of Management 2018
    - the introduction of Residential Flat Buildings (RFBs) into the R3 Medium Density Residential zone,
    - refinement of subdivision and qualifying site area clauses to remove the potential for misinterpretation and ambiguity and improve the operation of these clauses,
    - simplifying and transferring written floor space ratio standards for residential development in the R2 Low Density Residential Zone to the CLEP 2015 maps
    - simplifying controls for height of buildings through uniform use of building height maps for residential development in lieu of written limitations on number of stories
    - minor amendments to clauses to correct typographical errors and ambiguities.
  - The draft planning proposal seeks site specific revision of CLEP 2015 controls for four specific sites, comprising:
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- Campbelltown Golf Club, to regularise the use of the site for a 'club premises' associated with the existing recreational use of the site,
- Certain land within the Ingleburn Industrial Estate to:
  - remove an unused road reservation acquisition, as it is no longer required.
  - rezone the unused road reservation from SP2 Local Road to E4 General Industrial like the adjoining land.
  - assign a building height limit of 19 m and establish a minimum lot size of 4,000 m<sup>2</sup>, consistent with the development standards applied to E4 Zones across the LGA.
- land within the Gilead precinct, to correct a minor misalignment between the CLEP 2015 Floor Space Ratio Map and the corresponding zoning boundary.
- Minor adjustment of the zoning boundary for an electrical substation at Ingleburn (Lots 2 and 3 DP 1213454) to reflect a change in land ownership between government agencies.

This report seeks advice from the Campbelltown Local Planning Panel prior to being reported to Council for initial endorsement and referral to the Department of Planning Housing and Infrastructure for a Gateway Determination.

## **Panel Consideration and Advice**

That the Panel notes:

- The background to the compilation of the draft Planning Proposal and the overarching objectives of improving the performance of Campbelltown Local Environmental Plan 2015 (CLEP 2015).
- The Planning Proposal seeks to ensure currency, alignment with best practice, address potential ambiguity and minimises prospects of undesirable development and environmental outcomes.
- That the Planning Proposal is generally consistent with relevant Section 9.1 Local Planning Directions, relevant regional and district plan provisions, state environmental planning policies and local planning strategies.
- That the Planning Proposal does not seek to introduce significant local planning initiatives.
- That an amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 will be required to complement the proposed LEP amendment.
- The reference to the 'club premises' on page 154 of the LPP Agenda dated 27 of November 2024 should be more accurately referenced as 'registered club' as defined under the CLEP 2015.
- The active street frontage definition at page 150 of the subject LPP Agenda should be

amended to read: "Active street frontage, of a building, means that all floor space on the ground floor of the building facing the street is used for the purposes of business premises or retail premises and has a defined entry from the street".

### **Decision of the Panel**

That the Panel recommends to Council that the draft Planning Proposal be supported for a Gateway Determination and ultimately wide-ranging public consultation, including relevant authorities and agencies.

### **Voting**

4/4

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The next meeting of the Local Planning Panel will be held on 11 December 2024 via Teams.

### **Chairperson**

Meeting Concluded: 4.30 pm