

<b>DATE OF DETERMINATION</b>	24 January 2019
<b>PANEL MEMBERS</b>	Bruce McDonald (Acting Chair), Abigail Goldberg, Mark Grayson, George Greiss and Darcy Lound
<b>APOLOGIES</b>	Justin Doyle and Nicole Gurran
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Campbelltown City Council on 24 January 2019, opened 3.37pm and closed at 4.33pm.

#### **MATTER DETERMINED**

Panel Ref – 2017SSW067 – LGA – Campbelltown – DA3652/2017 at Lot 8165 DP 1201937, Lot 8166 DP 1201937, Lot 8167 DP 1201938, Passiflora Avenue, Denham Court (as described in Schedule 1)

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

1. The proposed development will provide housing supply and choice within the Campbelltown local government area and the Sydney Western City District in a location planned for new residential development.
2. The proposal subject to the conditions imposed satisfies the Rural Fires Act.
3. The conditions of consent require a Controlled Activity Approval under Section 91(2) of the Water Management Act to be obtained.
4. The proposal adequately satisfies the relevant State Environmental Planning Policies including SEPP 55, (Remediation of Land), (Infrastructure) 2007.
5. The proposal adequately satisfies the provisions of SEPP (Sydney Region Growth Centres) 2006. In particular it is noted the proposal satisfies the provisions of Clause 6.8 in Appendix 10 of the SEPP relating to 'Attached Dwellings'.

6. The proposed development is considered to be appropriately located and of a form, scale and arrangement that is consistent with and will contribute to the development of the East Leppington Precinct.
7. The proposal adequately satisfies the provisions of Campbelltown City Council Growth Centres Precincts DCP.
8. The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the operation of the local road system or the amenity of established residential premises.
9. In consideration of those conclusions 1-8 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

### CONDITIONS

The development application was approved subject to the conditions presented at the meeting on 24 January 2019 with slight modification to Condition 35 to read as follows –

#### **Condition 35 – Sydney Water**

Prior to Council or an accredited certifier issuing a **Building Construction Certificate**, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met.

An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to issue of a construction certificate.


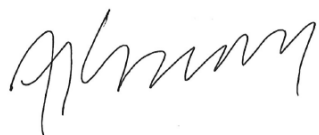
The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).




### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The Panel notes that issues of concern included:

- Traffic and parking
- Development of attached dwelling was not advised at the time of purchase

The Panel acknowledges a number of community objections were submitted in response to the DA. Issues in this regard are summarised in the assessment report, and it is noted that these have been addressed in the report and conditions without further changes being required.

PANEL MEMBERS	
 <p>Bruce McDonald (Acting Chair)</p>	 <p>Abigail Goldberg</p>

 Mark Grayson	 George Greiss
 Darcy Lound	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2017SSW067 – LGA – Campbelltown – DA3652/2017
2	PROPOSED DEVELOPMENT	Construction of 39 attached dwellings and subdivision into 39 Torrens title allotments, associated civil and landscaping works.
3	STREET ADDRESS	Lot 8165 DP 1201937, Lot 8166 DP 1201937, Lot 8167 DP 1201938, Passiflora Avenue, Denham Court
4	APPLICANT/OWNER	Stockland Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value of more than \$20 million (lodged prior to 1 March 2018)
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Water Management Act 2000</li> <li>Rural Fires Act 1997</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Campbelltown City Council Growth Centre Precincts Development Control Plan</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and</li> </ul>

		<p>economic impacts in the locality</p> <ul style="list-style-type: none"> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 7 January 2019</li> <li>• Written submissions during public exhibition: 25</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Adrian Pears, Prasada Raju Indukuri</li> <li>○ Council assessment officer – Emma Page, Fletcher Rayner</li> <li>○ On behalf of the applicant – Peter McManus on behalf of the applicant</li> <li>○ Ken Franklin and Hayden Calvey in presence to answer questions from Panel.</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Site inspection and briefing: 29 October 2018</li> <li>• Site Inspection: 24 January 2019</li> <li>• Final briefing to discuss council's recommendation, 24 January 2019, time 2.47pm to 3.30pm.</li> <li>• Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Bruce McDonald (Acting Chair), Abigail Goldberg, Mark Grayson, George Greiss and Darcy Lound</li> <li>○ <u>Council assessment staff</u>: Emma Page, Fletcher Rayner</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report