

**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY WESTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Wednesday, 16 December 2020
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Louise Camenzuli and Nicole Gurran
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	George Griess, Darcy Lound, and Ben Gilholme are each elected representatives of Campbelltown City Council which is the Applicant.

Papers circulated electronically on 7 December 2020.

**MATTER DETERMINED**

2018SSW028 – Campbelltown – 2255/2018/DA-C at Lots 3098 DP 1230014, Goldsmith Avenue, Campbelltown – Proposed Sports and Health Centre of Excellence Building (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.

**Application to vary a development standard**

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Campbelltown Local Environmental Plan 2015 (LEP), that has demonstrated that:

- compliance with the maximum height development standard applying under cl. 4.3 of the LEP is unreasonable or unnecessary in the circumstances; and
- there are sufficient environmental planning grounds to justify contravening the development standard

the panel is satisfied that:

- the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- the development is in the public interest because it is consistent with the objectives of cl. 4.3(1) (development standard) of the LEP and the objectives for development in the R3 Medium Density Residential zone; and
- the concurrence of the Secretary has been assumed.

**Development application**

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**

The panel determined to uphold the Clause 4.6 variation to building height; and approve the application for the reasons outlined in the council assessment report.

The Panel is satisfied that the proposed development is in the public interest, as it will facilitate the economically viable redevelopment of the subject land in a manner consistent with the strategic planning objectives for the development of the area.

In particular, the proposed development provides a revitalisation of a disused recreational space, which was envisaged as part of the master planning of the area and responds to the need for recreation and

sporting facilities. The co-location of the Centre of Excellence with proposed new sports fields contributes to the creation of a community precinct with a focus on encouraging physical activity and improving health.

The development site is also:

- (a) located close to existing and future residential development; and
- (b) within walking distance of public transport, and will operate in conjunction with WSU;

The design of the overall area will provide for connectivity for pedestrians throughout the various recreational uses in an accessible manner and provides activated areas and connection to the regional cycleway. Once developed, the facility will be dedicated to Council.

The proposal will:

- (a) provide for employment within the local community; and
- (b) contribute to the economic and employment growth in the City of Campbelltown.

The Panel also notes that the matters raised at the Briefing on 29 October 2018 have been resolved through the assessment process.

### CONDITIONS

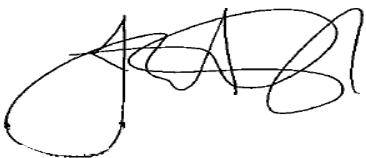


The development application was approved subject to the conditions in the council assessment report.

### CONSIDERATION OF COMMUNITY VIEWS

The application was publicly exhibited and notified to surrounding residents in 2018 and only one submission was received, which was generally supportive, but raised a query regarding a public pool. A public pool has not been identified as a priority for this location.

The application was also re-exhibited and re-notified to surrounding residents in 2020 and no submissions were received.

Appropriate conditions of consent have otherwise been imposed to deal with flood, traffic and engineering matters and the Panel considers that approval of the application is in the public interest.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Louise Camenzuli	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SSW028 – Campbelltown City Council – 2255/2018/DA-C
2	PROPOSED DEVELOPMENT	Proposed Sports and Health Centre of Excellence Building and associated drainage, car parking, landscaping and signage
3	STREET ADDRESS	Lots 3098 DP 1230014, Goldsmith Avenue, Campbelltown
4	APPLICANT/OWNER	Campbelltown City Council – Applicant Western Sydney University – Owner
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ Environmental Planning and Assessment Act 1979</li> <li>○ Water Management Act 2000</li> <li>○ Environmental Protection &amp; Biodiversity Conservation Act 1999</li> <li>○ NSW Biodiversity Conservation Act 2016</li> <li>○ Planning for Bush Fire Protection 2019</li> <li>○ State Environmental Planning Policy 33 – Hazardous and Offensive Development</li> <li>○ State Environmental Planning Policy 55- Remediation of Land</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>○ State Environmental Planning Policy 64 – Advertising and Signage</li> <li>○ State Environmental Planning Policy 19 – Bushland in Urban Areas</li> <li>○ State Environmental Planning Policy (Koala Habitat Protection) 2019</li> <li>○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment</li> <li>○ Campbelltown Local Environmental Plan 2015</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Campbelltown (Sustainable City) Development Control Plan 2015</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 economic impacts in the locality</li> <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	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 7 December 2020</li> <li>• Clause 4.6 Exceptions to development standards</li> <li>• Written submissions during public exhibition: 1</li> </ul>

8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Briefing: Monday, 29 October 2018 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald and Nicole Gurran</li> <li>○ <u>Council assessment staff</u>: David Smith and Belinda Borg</li> </ul> </li> <li>• Site inspection: Monday, 29 October 2018 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald and Nicole Gurran</li> <li>○ <u>Council assessment staff</u>: David Smith and Belinda Borg</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: Friday, 11 December 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair) and Nicole Gurran</li> <li>○ <u>Council assessment staff</u>: Belinda Borg, Fletcher Raynor, Donna Clarke</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report