

DATE OF DETERMINATION	8 April 2019
PANEL MEMBERS	Bruce McDonald (Acting Chair), Nicole Gurran and Peter Brennan
APOLOGIES	Justin Doyle
DECLARATIONS OF INTEREST	Cr George Greiss, Cr Darcy Lound and Meg Oates declared of conflicts of interest as Council is the landowner.

Public meeting held at Campbelltown City Council on 8 April 2019, opened 2.30pm and closed at 3.05pm.

MATTER DETERMINED

Panel Ref – 2018WCI010 - LGA – Campbelltown – DA3511/2018 at Lots 241 & 242 DP 1222763, Corner Farrow and Blaxland Roads, Campbelltown (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 add to the extent of services available within the City of Campbelltown. The proposal will also provide additional employment within the City of Campbelltown and the Western City District.
2. The Panel has considered the Applicants request , made pursuant to SEPP 1 -Development Standards, to vary the standard contained in Cl. 37 of the Campbelltown (Urban Area) LEP relating to building setback distances from Blaxland Road The Panel considers compliance with the standard is unreasonable in the circumstances of this case as the proposed variation, considering the design and landscaping treatment of the building frontage and setback area from Blaxland Road, will not generate unacceptable impacts on the nearby premises or Blaxland Road, remains consistent with the objectives of the standard and the 4(b)Industry B zone under the LEP.
3. The proposed development adequately satisfies the relevant State Legislation and State Environmental Planning Policies including the Water Management Act 2000, the NSW Biodiversity Conservation Act 2016, the Protection of Environment Operations Act 1997, the Threatened Species Conservation Act 1995, SEPP 55 -Remediation of Land, SEPP

(Infrastructure) 2007 SEPP 64 -Advertising and Signage and Greater Metropolitan REP No2
– Georges River Catchment.

4. The proposal adequately satisfies the applicable objectives and provisions of Campbelltown (Urban Area) Local Environmental Plan 2002 and Campbelltown (Sustainable City) DCP 2015.
5. The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including air, water or noise pollution, the amenity of nearby residential premises, the utility of the local road system and views to and from the surrounding landscape setting and heritage items in the general locality.
6. The proposed development is considered to be of acceptable form and scale consistent with the industrial land use context in which it is placed and compatible with the residential land use context opposite on Blaxland Road.
7. In consideration of conclusions 1-6 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 contained in the council assessment report, as amended (consistent with the document provided to the Panel prior to the meeting dated 5 April 2019).

Condition 2 was amended as follows:

The development is to incorporate the following amendments and the amended plans are to be submitted to the Principal Certifying Authority, for approval, prior to the issuing of a Construction Certificate:


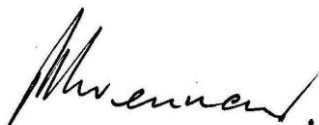
- Revised vehicular access and updated parking layout with required number of accessible spaces being 13 spaces.
- Updated Pylon Advertising Signage details to limit the height to 8m above natural ground level.


Reason – 13 spaces is consistent with the Councils DCP requirement consistent with the minimum number of general car parking spaces required for this development.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the one written submission made during public exhibition, which was addressed in the conditions of development consent.

No community member addressed the panel.

PANEL MEMBERS	
 Bruce McDonald (Acting Chair)	 Peter Brennan

 Nicole Gurran	
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SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2018WCI010 - LGA – Campbelltown – DA3511/2018
2	PROPOSED DEVELOPMENT	Proposed Warehouse and associated earthworks, drainage, car parking, landscaping and signage
3	STREET ADDRESS	Lots 241 & 242 DP 1222763, Corner Farrow and Blaxland Roads, Campbelltown
4	APPLICANT/OWNER	Applicant – Bunnings Group Ltd Owner – Campbelltown City Council
5	TYPE OF REGIONAL DEVELOPMENT	Development on Council land over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Protection & Biodiversity Conservation Act 1999 Threatened Species Conservation Act 1995 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 Greater Metropolitan Regional Environmental Plan No. 2 Georges River Catchment Campbelltown (Urban Area) Local Environmental Plan 2002 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Campbelltown (Sustainable City) Development Control Plan 2015 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically

		sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 18 March 2019 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Ellise Mangion and David Smith ○ On behalf of the applicant – Ross Nettle (Traffic Engineer), Anthony Mancone (Civil Design), Rob Orr (Architect) and Philip Drew (Applicant - Bunnings).
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection and briefing: 24 January 2019 • Site inspection: 8 April 2019 • Final briefing to discuss council's recommendation, 8 January 2019, time 1.30pm to 2.00pm. • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Bruce McDonald (Acting Chair), Nicole Gurran and Peter Brennan ○ <u>Council assessment staff</u>: Ellise Mangion, Donna Clarke (External Consultant), David Smith, Rana Haddad, Genevieve Chaston, Kathy Kinsey and Aaron Biffin
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report