

DETERMINATION AND STATEMENT OF REASONS
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Friday, 30 June 2022
DATE OF PANEL DECISION	Thursday, 29 June 2022
DATE OF PANEL MEETING	Monday, 30 May 2022
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran, Brian Kirk, Karen Hunt and George Briticevic
APOLOGIES	None
DECLARATIONS OF INTEREST	Louise Camenzuli: Conflicted on LAHC development applications

Papers circulated electronically on 23 June 2022.

MATTER DETERMINED

PPSSWC-140 – Campbelltown – 11/2021/DA-SW at Lot 33 DP 258939, Lot 34 DP 258939, Lot 249 DP 775571, Lot 259 DP 775571, Lot 154 DP 774619, Lot 251 DP 775571, Lot 253 DP 775571, Lot 255 DP 775571, Lot 257 DP 775571 Various lots, Fullwood Reserve, Gould Road, Preston and Abrahams Ways and Beryl Close, Claymore – Stage 11 Claymore Renewal Project (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 listed at item 8 in Schedule 1.

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 and approve the application for the reasons outlined in the Council assessment report and supplementary report.

Redevelopment of the Claymore public housing estate is being undertaken by NSW Land and Housing Corporation in accordance with the Claymore Urban Renewal Concept Plan granted by the Minister for Planning and Infrastructure on 24 May 2013.

This development application proposes the redevelopment of land identified as Stage 11 of the Claymore Urban Renewal Concept Plan. Stage 11 is located between Gould Road and Fullwood Reserve to the northeast of the renewal area. The area of land affected by the proposed works is approximately 6 hectares.

The proposal is for subdivision works comprising 92 Torrens title residential allotments, 1 residue lot and associated site, civil and landscape works, including the removal of 190 trees.

On 3 June 2022, the Panel deferred its deliberation of the application to allow the Applicant to submit further information in relation to water cycle management to Council and to provide further information in response to the following matters raised by the Panel:

- Site contamination
- Delineation of the extent of the proposed works

- Ecology and zoning in relation to the proposed basin
- Street trees
- Acoustic assessment

On 10 June 2022, the Applicant submitted a response to each of the reasons for deferral to Council; and Council subsequently provided the Panel with a supplementary report. The Panel is satisfied that each of the reasons for deferral have been appropriately addressed by the additional or amended plans and information; or by conditions of consent that have been agreed between Council and the applicant. In coming to its decision, the Panel had the opportunity to review the Applicant's legal advice that had been provided to Council, which addresses interpretation of the Claymore Concept Plan approval and the relationship between the approved Claymore Development Control Guidelines (CDCG) and Campbelltown Local Environmental Plan 2015.

CONDITIONS

As a result of the Applicant's response to the Panel's reasons for deferral, the conditions recommended in the Council Assessment Report were amended, with the agreement of the Applicant, on 21 June 2022, and a complete amended set of conditions were provided to the Panel. In summary, Condition 1 (Approved Development) was amended and updated, Condition 55 (Contamination – New Evidence) new condition was added, new condition 7 (Batter and Drainage works) was added.

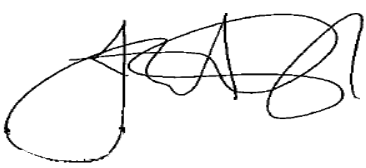

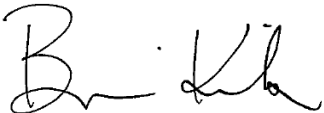


Additionally, Condition 55 was further amended on 30 June 2022, with the agreement of the Applicant, as provided below:

55. Contamination – New Evidence

Any new information revealed during demolition, remediation or construction works that have the potential to alter previous conclusions about site contamination must be immediately notified to Council and the appointed Principal Certifier including copies of all relevant expert assessment documentation as undertaken.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Brian Kirk	 Karen Hunt
 George Britevic	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-140 – Campbelltown – 11/2021/DA-SW
2	PROPOSED DEVELOPMENT	Subdivision comprising 92 torrens title residential allotments, 1 residue lot and associated site, civil and landscape works including the removal of 190 trees.
3	STREET ADDRESS	Lot 33 DP 258939, Lot 34 DP 258939, Lot 249 DP 775571, Lot 259 DP 775571, Lot 154 DP 774619, Lot 251 DP 775571, Lot 253 DP 775571, Lot 255 DP 775571, Lot 257 DP 775571 Various lots, Fullwood Reserve, Gould Road, Preston and Abrahams Ways and Beryl Close, Claymore
4	APPLICANT/OWNER	Applicant: NSW Land & Housing Corporation Owner: NSW Land & Housing Corporation & Campbelltown City Council
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 Chapter 11 Georges River Catchment State Environmental Planning Policy (Planning Systems) 2021 Claymore Urban Renewal Concept Plan approval Campbelltown 2025 – Looking Forward Campbelltown Local Environmental Plan 2015 Part 9 – Urban Renewal Areas Airs Claymore DCP Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Campbelltown Sustainable City DCP 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: 10 May 2022 Council's Response to Record of Deferral: 22 June 2022 Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: Monday, 12 April 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Darcy Lound and George Griess <u>Council assessment staff</u>: Alexandra Long, Belinda Borg, David Smith, Fletcher Rayner, Luke Joseph and Rana Haddad Applicant/Council Briefing: Monday, 28 February 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurrán, Louise Camenzuli, Karen Hunt and George Britcevic

		<ul style="list-style-type: none"> ○ <u>Applicant representatives</u>: Pat Coleman, Craig Smith, Paul Neville, Glyn Richards <u>Note</u>: Applicant briefing was requested to provide the Panel with clarification and to respond to issues • Final briefing to discuss council's recommendation: Monday, 30 May 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurran, Brian Kirk, Karen Hunt and George Britcevic ○ <u>Council assessment staff</u>: Alex Long and Fletcher Rayner ○ <u>DPE</u>: Mellissa Felipe and Jeremy Martin
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report