

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	6 December 2024
DATE OF PANEL DECISION	5 December 2024
DATE OF PANEL BRIEFING	18 November 2024
PANEL MEMBERS	Justin Doyle (Chair), Sue Francis, David Kitto
APOLOGIES	None
DECLARATIONS OF INTEREST	Louise Camenzuli declared a conflict of interest as she represents NSW Land and Housing Corporation for other matters.

Papers circulated electronically on 15 November 2024.

MATTER DETERMINED

PPSSWC-368 – Campbelltown – 3464/2023/DA-SW – 1 Rawdon Place, Airds

Subdivision of Stage 8 into 82 lots comprising 80 residential lots and 2 lots for parks and associated subdivision works including demolition, excavation works associated with road grading, site benching, removal of redundant services, the construction of roads and roadworks, stormwater drainage, utility services, selective tree removal, sedimentation control, and street landscaping.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters 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 DA is for carrying out of Stage 8 of the Airds/Bradbury Urban Renewal Concept Plan permitted by the Concept Plan Approval granted by the Minister for Planning and Infrastructure on 24 August 2012 under Part 3A of the EP&A Act.

Following repeal of Part 3A of the Act transitional provisions have been enacted (see particularly clause 3B of schedule 6A of the Act) which provides that the development permitted by a Part 3A Concept Plan is now to be taken to be development that may be carried out with development consent under Part 4, despite anything to the contrary in an environmental planning instrument. A consent under Part 4 in reliance upon that provision must be generally consistent with the terms of the concept plan approval, and environmental planning instruments and development control plans do not have effect to the extent they are inconsistent with the terms of the concept plan approval.

The panel was satisfied that the proposed development is consistent with the Concept Plan Approval and will contribute to Campbelltown growing as a vibrant and liveable city surrounded by a managed and protected natural environment. It should otherwise be approved for the reasons set out in the Council assessment report.

In coming to that conclusion, the matters taken into account by the Panel included:

- 1) By contributing 80 residential lots allowing for the modernization of the housing in the area affected, as well as 2 lots for public parks, the proposal will assist in facilitating the long term urban rejuvenation of the Airds Bradbury public housing estate, aimed at rectifying the poor social and urban outcomes that are a result of the Radburn Planning model.
- 2) The Urban Design Strategy implemented by the DA will deliver a sufficiently high quality residential subdivision development with a mix of housing typologies arranged within clearly defined public and private spaces.
- 3) The upgraded local streets and civil infrastructure will be constructed to follow the requirements of Council's contemporary standards.
- 4) This stage of the renewal project continues the strategy of facilitating good pedestrian links and opportunities for cycle connections.
- 5) Bushfire risk from the Sydney Hinterland Dry Sclerophyll Forest located within Riverside Reserve to the east, and from the restored Hagan Reserve is sufficiently mitigated, including through conditions regulating the fire rating of new dwellings (noting that the conditions will also implement the General Terms of Approval of the NSW Rural Fire Service).
- 6) Hagan Reserve is to be restored in accordance with the approved bushland management plan (BMP).
- 7) The addendum Aboriginal Cultural and Heritage Assessment prepared for the works, peer reviewed for the Council, addresses the required matters satisfactorily.
- 8) Council's Environment Specialist and Open Space team are reported to consider the proposal to be satisfactory.
- 9) Drainage, nutrient removal and gross pollutant removal are sufficiently provided for.
- 10) The requirements and objectives of each of the Greater Sydney Regional Plan, the Western City District Plan, the draft Greater Macarthur 2040, and the Campbelltown 2017-2027 Community Strategic Plan will be sufficiently realised through the proposal.
- 11) Traffic impacts of the proposed residential subdivision will be sufficiently managed noting the proposed additional roundabouts within Greengate Road at Burrundulla Crescent and Merino Crescent, and an additional local road connection to serve the lots east of Greengate Road in the form of a left in / left out intersection.
- 12) Applicable State Environmental Planning Instruments are addressed and complied with including State Environmental Planning Policy (Biodiversity and Conservation) 2021. A certificate issued under Clause 34A of the Biodiversity Conservation (Savings and Transitional) Regulation 2017 for the larger Renewal Project addresses biodiversity impacts, and it is reported that the proposed works for Stage 8 of the Airds Bradbury Urban Renewal Project is unlikely to result in a significant impact on any threatened species, populations of EECs or their habitats given the impacts have already been considered as part of the concept plan process.
- 13) The proposal is consistent with the objectives of the R2 Low Density Residential and RE1 Public recreation zones applying to the site, and the provisions of Campbelltown (Sustainable City) Development Control Plan 2015.
- 14) The conditions require compliance with the VPA associated with the Concept Plan to make provision for associated infrastructure costs.




The Panel is accordingly satisfied that approving the DA is in the public interest.

CONDITIONS

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

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)	 Sue Francis
 David Kitto	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-368 – Campbelltown – 3464/2023/DA-SW
2	PROPOSED DEVELOPMENT	Subdivision of Stage 8 into 82 lots comprising 80 residential lots and two (2) lots for parks and associated subdivision works including demolition, excavation works associated with road grading, site benching, removal of redundant services, the construction of roads and roadworks, stormwater drainage, utility services, selective tree removal, sedimentation control, and street landscaping.
3	STREET ADDRESS	1 Rawdon Place, Airs
4	APPLICANT/OWNER	Applicant: Landcom Owner: New South Wales Land and Housing Corporation
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"> SEPP (Transport and Infrastructure) 2021 SEPP (Resilience and Hazards) 2021 SEPP (Biodiversity and Conservation) 2021 SEPP (Planning Systems) 2021 Campbelltown Local Environmental Plan 2015 Local Strategic Planning Statement Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Campbelltown (Sustainable City) Development Control Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015 - Volume 2: Site Specific DCP's: Part 9 – Urban Renewal Areas Airds Claymore Campbelltown Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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

		<ul style="list-style-type: none"> • The public interest
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 14 November 2024 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 30 October 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Karen Hunt, George Brticevic ○ <u>Council assessment staff</u>: Alexandra Long, Karl Okorn, David Smith ○ <u>Applicant representatives</u>: Luis Valarezo, Margot Chappell, Dan Brindle • Final briefing to discuss council's recommendation: 18 November 2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Sue Francis ○ <u>Council assessment staff</u>: Alexandra Long, Karl Okorn ○ <u>Applicant representatives</u>: Luis Valarezo, Margot Chappell, Dan Brindle
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report