

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	30 July 2024
DATE OF PANEL DECISION	30 July 2024
DATE OF PANEL MEETING	22 July 2024
PANEL MEMBERS	Justin Doyle (Chair), David Kitto, Louise Camenzuli, George Brticevi
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Karen Hunt declared a conflict of interest as the proposed development is in close proximity to her residence.

Papers circulated electronically on 19 July 2024.

MATTER DETERMINED

PPSSWC-381 – Campbelltown – 3908/2023/DA-C at 221 Eagleview Road, Minto.

Retention of an existing dwelling and swimming pool, removal of 18 trees, demolition of an outbuilding and existing driveway, construction of a two storey community facility and outdoor recreation facility, and associated drainage and landscaping works (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 approve the application for the reasons outlined in the Council Assessment Report.

The Panel notes that the building height of the proposal as lodged was non-compliant with the development standard found in clause 4.3 of the Campbelltown LEP. The Council assessment report advises that the changes made to the plans during the assessment process have resulted in a compliant development.

The proposed community facility and outdoor recreation facility will add to the amenity of the Minto area.

The upgraded community facility to be operated by the Rahima Aziz Foundation Limited will add to the community infrastructure in Minto, and in that way will serve the social and physical needs of the broader Campbelltown local government area. The architectural design has responded to the Architectural Design Review process at the Council. Proposed rooftop solar panels and 'green wall' installations embrace ecological design.

Proposed tree removal will be acceptably offset by the landscape plan that includes the planting of 138 trees.

The issue of contamination was properly considered by Council, noting the overall use of the property will not change. Section 4.6 of the Resilience and Hazards SEPP has been sufficiently addressed. The statutory considerations under applicable local and State instruments are reported to have been well addressed.

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 considered written submissions made during public exhibition, including seven individual written submissions.

Issues raised included:

- Capacity
- Traffic & parking;
- Privacy impacts;
- Inclusivity;
- Operating hours;
- Acoustic amenity;
- Site compatibility;
- Land use;
- Notification plans; and
- Waste management.

The Council assessment report has reviewed each of the submissions on those matters and reports they are well addressed. The Panel agrees, and accepts in particular that the projected maximum number of persons to be accommodated at the new facility of 3-4 staff members, and up to 150 visitors, is not seen as likely to give rise to any significant impact on the surrounding area as discussed in the public submissions.

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Justin Doyle (Chair)	 David Kitto
 Louise Camenzuli	 George Brticevi

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-381 – Campbelltown – 3908/2023/DA-C
2	PROPOSED DEVELOPMENT	Retention of an existing dwelling and swimming pool, removal of 18 trees, demolition of an outbuilding and existing driveway, construction of a two storey community facility and outdoor recreation facility, and associated drainage and landscaping works.
3	STREET ADDRESS	Lot 4 DP 539244, 221 Eagleview Road, MINTO NSW 2566
4	APPLICANT/OWNER	Rahima Aziz Charitable Organisation Limited
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities 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 (Industry and Employment) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) Campbelltown Local Environmental Plan 2015 Draft environmental planning instruments: Nil Development control plans: Campbelltown (Sustainable Cities) Development Control Plan 2015 Planning agreements: No Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 17 July 2024 Written submissions during public exhibition: 7, including 1 petition. Total number of unique submissions received by way of objection: 7
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 4 March 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Louise Camenzuli, Karen Hunt, George Brticevic <u>Council assessment staff</u>: Aaron Essenhig, Karl Okorn Applicant: Alexandra Marks, Ertaz Chowdhury, Hasan Rahman, Olasimbo Alabi Final briefing to discuss council's recommendation: 22 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), David Kitto, Louise Camenzuli, George Brticevic <u>Council assessment staff</u>: Aaron Essenhig, Karl Okorn <u>Applicant representatives</u>: Alexandra Marks, Ertaz Chowdhury, Hasan Rahman, Olasimbo Alabi
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report