

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	19 November 2024
DATE OF PANEL DECISION	19 November 2024
DATE OF PANEL BRIEFING	18 November 2024
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, David Kitto
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 15 November 2024.

MATTER DETERMINED

PPSSWC-427 - Campbelltown - 2111/2024/DA-RA - 14 Palmer Street, Ingleburn

Demolition of the existing dwellings and construction of a ten-storey mixed use apartment building, basement car parking and associated site and landscaping works.

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(1)(a) 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. In particular, the Panel is satisfied that issues raised in the assessment of the application relating to the following matters have been satisfactorily addressed: the ground floor wall on the northern elevation; the relationship between the community space and the bin room; amendments to improve the amenity and usability of the ground floor plane; connectivity of the ground floor units to the streetscape; reconfiguration of level 9 and the rooftop garden to improve the transition from the R3 zone to the R4 zone; and improved incorporation of sustainability measures, such as solar panels.

The Panel has requested that an additional condition of consent be imposed to require the incorporation of electric vehicle charging infrastructure in the basement carpark.

Two minor DCP variations are proposed relating to setbacks on the ground floor and circulation. The Panel is satisfied that these non-compliances are justified in the circumstances of this application. In particular, the proposed development provides setbacks that are consistent with the setbacks prescribed in Part 5 of the SCDCP for residential flat buildings and the ADG, and are consistent with previous approvals on the site. The Applicant is also proposing access to 53 apartments off the southern lift where the applicable standard is for a maximum of 50 apartments. However, the two ground floor apartments have their own additional direct street access and all apartments on level 9 will have the advantage of access to both lifts.

Jurisdictional prerequisites to the grant of consent imposed by the following controls have all been satisfied including:

- Section 4.6 of the Resilience and Hazards SEPP for consideration of whether the land is contaminated;
- Section 145 of the Housing SEPP in relation to advice of any design review panel; and
- Section 2.48(2) of the Transport and Infrastructure SEPP in relation to electricity substation.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendment:

- New condition 28, which provides as follows:

Electric Vehicle Charging

The car parks shall be developed with the infrastructure required for electric vehicle charging. Any electric vehicle charging stations shall be located within the basement levels. Details of the proposed infrastructure are to be included in the construction certificate material.




Condition reason: To ensure the development provides for the provision of electric vehicle charging.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- consistency with community expectations
- traffic and parking
- obstruction of light
- dust
- health
- noise
- air pollution
- traffic congestion
- redevelopment in the locality
- re-submission of a previous submission relating to a separate development application.

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Louise Camenzuli
 David Kitto	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-427 - Campbelltown - 2111/2024/DA-RA
2	PROPOSED DEVELOPMENT	Demolition of the existing dwellings and construction of a ten-storey mixed use apartment building, basement car parking and associated site and landscaping works.
3	STREET ADDRESS	14 Palmer Street, Ingleburn
4	APPLICANT/OWNER	Applicant: Urban Link Architects Owner: Radwan Mearbany
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Campbelltown Local Environmental Plan 2015 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Campbelltown (Sustainable Cities) Development Control Plan 2015 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 The public interest
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 15 November 2024 Written submissions during public exhibition: three (3) Total number of unique submissions received by way of objection: three (3)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 18 November 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, David Kitto <u>Council assessment staff</u>: Melanie Smith, Karl Okorn <u>Applicant representatives</u>: Georges Jreige
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report and as amended by this Determination.