

# Minutes

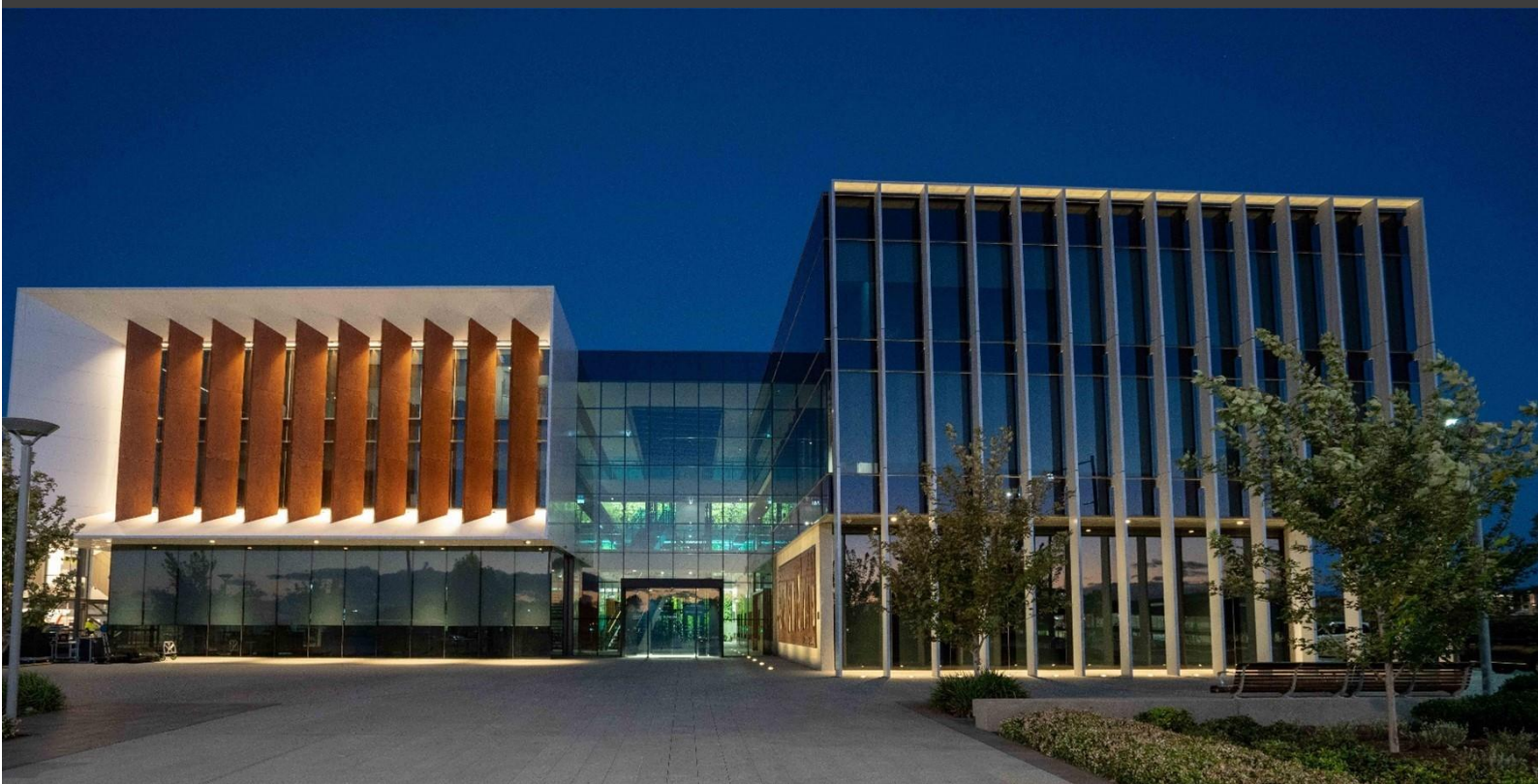
Camden Local Planning Panel

Camden Council

Administration Centre

70 Central Avenue, Oran Park

18 October 2022



camden  
council

**Site Inspections Commenced:**

11:00am

**Meeting Opened:**

2:01pm

**Attendees:**

Pamela Soon (Chairperson), Grant Christmas, Michael File and Christopher Shinn.

**Also in Attendance:**

Manager Statutory Planning, Team Leader DA Assessment – West, Team Leader DA Assessment – East, Coordinator Statutory Planning Services, Executive Planner and Governance Officer – Panel & Committees.

**Acknowledgment Of Country**

The Chairperson gave the Acknowledgement of Country.

**Apologies**

There were no leaves of absence to be granted.

**Declarations of Interest**

There were no declarations to be noted.

**Public Address**

The following submissions were made in relation to Item CLPP02:

Name
Joanne O'Brien
Peter Chaseling
Camden Residents' Action Group Inc (David Nethercote)
Gino Marra - Chairman, Macarthur Football Club Ltd
Gilbert de Chalain - HDC Planning

**CLPP01 DA/2022/455/1 - CONSTRUCTION OF A MULT-UNIT HOUSING DEVELOPMENT COMPRISING FOUR (4) BUILDINGS (FOUR STOREY APARTMENT BUILDINGS AND TWO STOREY TOWN HOUSES) CONTAINING A TOTAL OF 100 UNITS WITH BASEMENT CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS - 11 INGLEBURN ROAD, LEPPINGTON**

**DETERMINATION**

That the Panel refuse DA/2022/455/1 for the construction of a multi-unit housing development comprising four (4) buildings (four storey apartment buildings and two storey town houses) containing a total of 100 units with basement car parking, landscaping and associated works at 11 Ingleburn Road, Leppington for the following reasons:

1. The applicant's written request to contravene Appendix 5, Clause 4.3 of State Environmental Planning Policy (Precincts – Western Parkland City) 2021 does not adequately demonstrate that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case or that there are sufficient environmental planning grounds to justify contravening the development standard. The development will not be in the public interest because it is inconsistent with the objectives of the development standard and the objectives for development within the zone in which the development is proposed to be carried out.
2. The proposed development is inconsistent with the design quality principles contained within State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.
3. The development is inconsistent with clause 6.1, Appendix 5 of State Environmental Planning Policy (Precincts – Western Parkland City) 2021 in that insufficient information has been provided with the DA to demonstrate that public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
4. The submitted BASIX Certificate is inconsistent with the architectural plans in respect to the number of overall carparking spaces.
5. The development is inconsistent with the following sections of Camden Growth Centre Precincts Development Control Plan:
  - Clause 4.3.5 (Table 4-10) in that front boundary setbacks of Buildings A, B, C and D to Ingleburn Road do not meet minimum setback requirements which establish the desired future character and built form of the Leppington Precinct.
  - Clause 4.3.5 (Table 4-10) in that secondary street setbacks of Building D to Camden Valley Way do not meet minimum setback requirements which establish the desired future character and built form of the Leppington Precinct.
6. The development will have the following unreasonable adverse impacts:
  - The proposed development presents an unsatisfactory built form for the subject site and the desired character and does not provide for an effective height transition to the R2 Low Density Residential zone to the south of the future local residential street that has a maximum height standard of 9m.
  - The proposed buildings orientation and height will result in poor future amenity to ground floor communal open space areas whereby each space fails to receive the minimum requirement of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9am and 3pm on 21 June.
  - The loading dock area impacts on the design quality of the development, creating a visually poor streetscape, given the substantial impervious areas adjoining the public domain, large building openings to allow entry, which allows clear views inside and adjoining blank wall treatment to the north and to the east.
7. The application has not adequately demonstrated that the site can adequately support the development.
8. In consideration of the unreasonable adverse impacts that will result from the

proposal, the development is not considered to be in the public interest.

9. The application has not been accompanied by the following information which is required to fully assess it:
  - The submitted acoustic report does not include predicted noise levels based on the ten-year forecast traffic for Ingleburn Road and Camden Valley Way to determine likely attenuation measures for internal rooms and external private open space.
  - The submitted salinity plan has taken samples at a depth of 1m, which is not reflective of the depth of the development, noting that a basement is proposed. The salinity plan needs to assess samples based on the depth of the development to determine if the development is impacted by salinity and thus requiring a Salinity Management Plan to manage those impacts.
  - No cut and fill plan has been submitted demonstrating proposed earthworks across the site, noting that batters and excavation is proposed adjacent to the future 16m local road to the south.
  - No dimensions have been stated on the architectural plans, including the adjoining southern residential road to accurately determine secondary setbacks from Buildings A, B, C and D from this frontage.
  - No sun eye diagrams have been provided to demonstrate that the proposed layout is the optimum arrangement for solar access.

#### **Voting Numbers:**

The Panel voted 4-0 in favour of the determination.

#### **CLPP02 DA/2021/1941/1 – CONSTRUCTION OF A FOOTBALL TRAINING FACILITY - 186 CAWDOR ROAD, CAWDOR**

#### **DETERMINATION**

The Panel approved DA/2021/1941/1 for a football training facility at 186 Cawdor Road, Cawdor by way of a deferred commencement consent subject to the terms and conditions attached to the assessment report but with condition (1)(a) in Schedule A being amended to read:

- (1) **Deferred Commencement** - The following matters must be complied with to Council's satisfaction:
  - a) Civil engineering plans of the Cawdor Road intersection upgrade and shared path are to be provided that demonstrate compliance with Council's Engineering Design and Construction Specifications and demonstrate that no tree removal from the eastern side of Cawdor Road is required. The plans are to include a long-section of Cawdor Road; cross-section details of the critical chainages including drainage swales and include any required work to realign/upgrade the existing swale drains along Cawdor Road. The intersection upgrade plans must also demonstrate that the right turn access into and out of the properties on the eastern side of Cawdor Road is maintained following the development.

#### **REASONS FOR DETERMINATION**

1. The development is consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy (Transport and

Infrastructure) 2021; State Environmental Planning Policy (Resilience and Hazards) 2021; State Environmental Planning Policy (Industry and Employment) 2021; State Environmental Planning Policy (Biodiversity and Conservation) 2021; and Camden Local Environmental Plan 2010.

2. The proposed development is properly characterised as a recreation facility (outdoor) and that the pool/gym and other indoor facilities are ancillary to the predominant use of the site.
3. The right turn access into and out of the properties on the eastern side of Cawdor Road will be maintained following the development and the recommended deferred commencement condition has been amended to ensure this is demonstrated before the consent is made operative.
4. The development is consistent with the objectives of the Camden Development Control Plan 2019.
5. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
6. The development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
7. In consideration of the aforementioned reasons, the development is a suitable and planned use of the site and its approval is in the public interest.

**Voting Numbers:**

The Panel voted 4-0 in favour of the determination.

**CC01 PLANNING PROPOSAL FOR ADDITIONAL PERMITTED USE AT 55 TOPHAM ROAD, SMEATON GRANGE**

**PANEL'S ADVICE**

The Panel is of the opinion the Planning Proposal demonstrates strategic and site specific merit. The Panel recommends that Council proceed to gateway determination.

**Voting Numbers:**

The Panel voted 4-0 in favour of the advice.



 70 Central Ave,  
Oran Park NSW 2570

 [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

 PO Box 183, Camden 2570

 [camden.nsw.gov.au](http://camden.nsw.gov.au)

 4654 7777

 [www.facebook.com/camdencouncil](http://www.facebook.com/camdencouncil)

 ABN: 31 117 341 764



camden  
council