

**MINUTES OF THE DEVELOPMENT COMMITTEE MEETING
HELD 11 JUNE, 2002, CIVIC CENTRE, OXLEY STREET
CAMDEN – 5.30PM**

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Present: Cr S Winn (Deputy Mayor/Chairperson), Cr G Corrigan, Cr C Patterson, Cr N McFadden, Cr F Anderson. Cr S Senise arrived during Item 2 – the time being 5.36pm. Cr B Batros arrived during Item 3 of the Resources & Services Committee Meeting – the time being 5.52pm.

Staff: General Manager, Director Governance & Outcomes, Director Works & Services, Director Development & Environment, Manager Outcomes, Manager Development, Administration Officer.

Apologies: An apology was received from Cr S Fekete, Cr E Campbell from this meeting.

Resolved on the Motion of Cr Corrigan, seconded Cr McFadden that leave of absence be granted to Cr Fekete and Cr Campbell for this meeting.

DC059/02 THE MOTION WAS **CARRIED**.

DEVELOPMENT COMMITTEE PUBLIC ADDRESSES

Mr David Brown addressed the Committee in relation to Item 5.

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1. Planfirst Regions
(General Manager)

Background

At the MACROC Meeting on 10 April 2002 a presentation was made on Plan First by a representative of PlanningNSW.

The presentation detailed the proposed planning regions for NSW and in particular the metropolitan area of Sydney. The metropolitan area is proposed to be divided into three regions with Camden and Campbelltown being included in a Western Sydney region loosely based around the WSROC group of Councils. Wollondilly has been included in the Capital Hume Region which covers the Southern Highlands through to the ACT.

On 16 April the following Notice of Motion was carried at the meeting of Campbelltown City Council.

“That Campbelltown City Council urgently convenes a meeting with the elected representatives and senior staff of Camden and Liverpool Councils to discuss the appropriateness of the three metropolitan regions proposed to be contained within Plan First by Planning NSW”.

On 22 April 2002, Camden Council carried the following motion put forward by way of Mayoral Minute:

That elected representatives and senior staff of Camden Council meet with Campbelltown and Liverpool Councils to discuss the appropriateness of the three metropolitan regions proposed to be contained within Plan First by Planning NSW.

Action to date

The Mayors and General Managers of Camden, Campbelltown and Liverpool Councils met on 21 May 2002. They agreed in principle that the proposed GWS Region is too diverse for sound regional planning and that SW Sydney, comprising Camden, Campbelltown and Liverpool Councils forms a natural planning unit. It was also considered that Fairfield and Bankstown Councils may be interested in participating in a SW Sydney Regional Planning area and that discussions should be held with them.

It was agreed that this issue should be put to next appropriate meeting of each Council (Campbelltown on 4 June 2002 and Camden and Liverpool on 11 June 2002) and that, if the above position is endorsed, a letter signed jointly by the three Mayors should be sent to the Minister for Planning.

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Recommended: That Council

- (i) Resolve that the Greater Western Sydney Planning region as proposed by Planning NSW for inclusion in the Planfirst legislation comprising the WSROC Councils plus Camden and Campbelltown is too large and diverse for sound regional planning.
- (ii) Endorse the view that a SW Sydney region, comprising Camden Council, Campbelltown City Council and Liverpool City Council should be established in the Planfirst legislation and that Fairfield and Bankstown Councils should be invited to participate.
- (iii) Convey this view to the Minister for Planning, Dr Andrew Refshauge, in a letter signed jointly by the Mayors of Camden, Campbelltown and Liverpool Councils.

Resolved on the Motion of Cr Corrigan, seconded Cr Patterson that Council

- (i) *Resolve that the Greater Western Sydney Planning region as proposed by Planning NSW for inclusion in the Planfirst legislation comprising the WSROC Councils plus Camden and Campbelltown is too large and diverse for sound regional planning.*
- (ii) *Endorse the view that a SW Sydney region, comprising Camden Council, Campbelltown City Council and Liverpool City Council should be established in the Planfirst legislation and that Fairfield and Bankstown Councils should be invited to participate.*
- (iii) *Convey this view to the Minister for Planning, Dr Andrew Refshauge, in a letter signed jointly by the Mayors of Camden, Campbelltown and Liverpool Councils.*

DC060/02 THE MOTION WAS **CARRIED**.

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2. Demolition of the Existing Dwelling, Removal of Trees and Construction Of A Semi-Detached Town House, No 27 (Lot 12 DP24039) Murrandah Avenue, Camden South

File No: **DA5735.260** (Director, Development & Environment Division)

DA No: **399/2002**

Applicant: **Mr J Williams**

Purpose of Report

The purpose of this report is to recommend that Council approve the subject application following a site inspection held on 11 June 2002.

Background

The Council at the meeting of 27 May 2002 considered a report in respect of an application to demolish the existing dwelling and outbuildings, remove 5 trees, construct a semi-detached town house and the Torrens Title subdivision of this building. The report recommended that the application be approved subject to conditions. The Council resolved that the matter be deferred to enable a site inspection to be carried out. The site inspection was carried out on 11 June 2002.

Assessment

The previous report to Council fully addressed all the matters relating to this application. A further assessment is therefore not necessary.

Conclusion

The proposed development complies with the critical aspects of DCP 58 for development of this type, with the exception of setbacks. The development is consistent with the objectives of LEP 46 and the zonal objectives. Having regard to the matters addressed in the report to Council of 27 May 2002, it is recommended that the application be approved.

Recommended: That Development Application No 399/2002 at No 27 (Lot 12 in DP 24039) Murrandah Avenue, Camden South for the construction of a semi-detached town house be approved subject to conditions which form **Tabled Document "DC 1"**.

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*Resolved on the Motion of Cr Patterson, seconded Cr McFadden that Development Application No 399/2002 at No 27 (Lot 12 in DP 24039) Murrandah Avenue, Camden South for the construction of a semi-detached town house be approved subject to conditions which form **Tabled Document "DC 1"**.*

DC061/02 THE MOTION WAS **CARRIED**.

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3. Draft Development Control Plan 122 – Classification of Land: Welling Drive Mount Annan to Residential “1”

File No: TC4593 (Director, Development & Environment Division)

At the meeting of the 8th April 2002, Council considered a report seeking endorsement to place on public exhibition a Draft Development Control Plan for the classification of a recent subdivision at Welling Drive, Mount Annan.

At the time of considering the matter, Councillors asked a number of questions in relation to the sale of the land and the information provided. A further question was asked about Council classifying the land after the auction had taken place. **Tabled Document “DC 2”** is a letter forwarded by Landcom to all purchasers of land at the auction which took place prior to Council releasing the linen plan of subdivision.

The Draft Plan was placed on public exhibition for the period 24th April 2002 to 24th May 2002 and written submissions were invited. Landcom was also advised of the Draft Plan and requested to inform potential purchasers of the Plan. At the close of the exhibition period, Council had not received any submissions.

Consequently, the context of the plan therefore remains the same and it is recommended that Council adopt Draft Development Control Plan 122 as per **Tabled Document “DC 3”**.

Recommended: That Council adopt Draft Development Control Plan No 122 – Classification of Land – Welling Drive, Mount Annan to Residential “1” as detailed in **Tabled Document “DC 3”** in accordance with Clause 21 of the Environmental Planning & Assessment Regulations.

*Resolved on the Motion of Cr Corrigan, seconded Cr McFadden that Council adopt Draft Development Control Plan No 122 – Classification of Land – Welling Drive, Mount Annan to Residential “1” as detailed in **Tabled Document “DC 3”** in accordance with Clause 21 of the Environmental Planning & Assessment Regulations.*

DC062/02 THE MOTION WAS **CARRIED**.

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4. Result of Legal Proceedings in Land and Environment Court against Tilocca, No 162 (Lot 33 DP27602) Deepfields Road, Catherine Fields

File No: DA2275.420 (Director, Development & Environment Division)

Purpose of Report

This report is presented to Council to advise of the decision of the Land and Environment Court in an appeal by Gavino and Rosa Tilocca against Council's refusal of a Development Application to use 162 Deepfields Road, Catherine Fields for the purpose of storing formwork.

Main Report

Council resolved on 12 March 2001 to refuse a development application seeking to use the subject property for the purpose of storing formwork used in the construction industry.

The use had commenced without Council approval.

The applicant lodged an appeal against Council's refusal in the Land and Environment Court.

The matter was listed for hearing before Commissioner Hoffman on 13 May 2002. Mr Adam Seton of Marsdens represented Council at the hearing.

Commissioner Hoffman was of the view that the proposed development was a "Bulk Store" and was therefore a prohibited development in the Rural "B" (2 hectares) zone, and that the appeal be dismissed.

Council's legal cost in this matter was \$8672.42

Council should be made aware of the fact that there are a number of similar activities operating in the Leppington, Rossmore, Catherine Field areas, and that staff will begin action to have these operations cease in light of this judgement.

Recommended: That the successful proceedings in the Land and Environment Court against Mr Tilocca of 162 Deepfields Road, Catherine Fields be noted.

Resolved on the Motion of Cr McFadden, seconded Cr Corrigan that the successful proceedings in the Land and Environment Court against Mr Tilocca of 162 Deepfields Road, Catherine Fields be noted.

DC063/02 THE MOTION WAS **CARRIED**.

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- 5. Rezoning Application (Land generally to the North of “Spring Hill” Village) Currans Hill – Lot 466 DP1017742 (previously Lot 576 DP1007061) owned by Wolin/Landco Joint Venture; Lots 34, 36, 37 & 38 DP28024; Lots 352 & 351 DP809159, owned by Byrne, Zammit, Bonello/Jelenkovic, Radovac & Driver (4412/4)(Director Governance & Outcomes)**

Purpose of Report

To obtain Council endorsement to the exhibition of planning documents seeking to rezone the subject land for residential and bushland conservation purposes.

Background

At its meeting of 13 May 2002, Council considered a report proposing the exhibition of planning documents prepared to rezone the subject land for residential and bushland conservation purposes. That report is included as **Tabled Document “DC 4”**.

At such meeting Council heard submissions on behalf of owners Byrne, Driver, Jelenkovic, Radovac and Zammit – referred to as the Driver Group (owners of the land to the west of land owned by the Wolin/Landco Joint Venture). Council also heard representations from Wolin/Landco at the subject meeting.

Council resolved to defer consideration of the item until 11 June, 2002. The deferment sought to facilitate a final opportunity for the Driver and Wolin/Lanco Groups to arrive at principles of integration for separate Masterplans and appropriate zonings.

Concerns had been raised by the Driver Group about the level of consultation and the suitability of the proposed zones for their land. In the previous report to Council it was considered that the planning for the Driver Group land was not suitable advanced in terms of a Masterplan.

Further Consultation

Further consultation involving relevant Council officers and representatives of both the Wolin/Landco Joint Venture and the Driver Group took place on 24 May 2002 and 28 May 2002.

The latter meeting was attended by each of the Driver Group landowners. The principles of a Masterplan for the Driver Group have been agreed to and “mesh” with the Masterplan for the Wolin/Landco land. Such principles are reflected in the Draft LEP reproduced as **Tabled Document “DC 5”**.

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Land above RL 112 in the Driver Group holding is potentially subject to water supply, geotechnical and visual constraints. Such land is proposed to be zoned 7(d2) Environmental Protection (Bushland) Zone. Such zoning has a bushland conservation and embellishment objective as a central tenet and makes provision for limited dwelling development.

Such approach would acknowledge existing ridgetop housing above RL 112 within the Driver Group holding and would permit limited development of land constrained by Cumberland Plain Woodland (CPW) and would provide a mechanism and opportunity for fostering the linkage of vegetation remnants.

Draft LEP amendments have been included that provide for a Masterplan to be approved by Council prior to the granting of development consent in respect of the Driver Group land. The Draft LEP includes Masterplan detail for both holdings including map detail for the Wolin/Landco land. The framework for extending the Masterplan into the Driver Group land is in place, and outline principles agreed to.

Draft LEP Amendments

Draft LEP provisions for the 7(d2) zone have been adjusted accordingly, by adding single dwelling houses as a permissible use and by strengthening zone objectives with regard to bushland conservation and revegetation (for example on land above RL 112 in the north-western corner of the subject site. The former measure ensures that existing use rights do not accrue to existing ridgetop dwellings and provide limited opportunities for site responsive housing.

Potential impacts on CPW will be considered in further detail at the development application stage and will, if appropriate be subject to an 8-part test pursuant to the Threatened Species Conservation Act and the Environmental Planning & Assessment Act and if warranted a Species Impact Statement prepared.

Conclusion

The planning documents prepared to support the rezoning of the subject land for residential and bushland conservation purposes have been revised to provide for the clear integration of development of the Driver Group land and Wolin/Landco land. The principles of a Masterplan have been prepared for the Driver Group land, whilst a provision requiring the preparation of such a plan is detailed in the Draft LEP. The Draft LEP includes Masterplan detail for the Wolin/Landco land and common principles for both holdings. It is

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appropriate that the Council endorse the revised planning documents for public exhibition.

Recommended: That

- (i) The Local Environmental Study and Draft Local Environmental Plan be endorsed by Council for exhibition purposes;
- (ii) The exhibition of the Draft Local Environmental Study and Local Environmental Plan shall be for a period of no less than 4 weeks and shall be concurrent with exhibition of a Masterplan indicating a potential development scenario for Lot 466, DP1017742 (previously Lot 576, DP1007061);
- (iii) Council advise all affected owners of the above resolution and of the process involved with the public exhibition.

Resolved on the Motion of Cr Corrigan, seconded Cr McFadden that

- (i) *The Local Environmental Study and Draft Local Environmental Plan be endorsed by Council for exhibition purposes;*
- (ii) *The exhibition of the Draft Local Environmental Study and Local Environmental Plan shall be for a period of no less than 4 weeks and shall be concurrent with exhibition of a Masterplan indicating a potential development scenario for Lot 466, DP1017742 (previously Lot 576, DP1007061);*
- (iii) *Council advise all affected owners of the above resolution and of the process involved with the public exhibition.*

DC064/02 THE MOTION WAS **CARRIED**.

The Meeting closed at 5.49pm.