

**MINUTES OF THE DEVELOPMENT COMMITTEE MEETING
HELD 8 APRIL, 2002, CIVIC CENTRE, OXLEY STREET
CAMDEN – 5.30PM**

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Present: Cr S Winn (Deputy Mayor/Chairperson), Cr G Corrigan, Cr B Batros, Cr S Fekete, Cr N McFadden, Cr F Anderson. Cr S Senise arrived at 5.40pm during discussion Item 2. Cr E Campbell arrived at 5.45pm during discussion Item 3.

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

Apology: An apology was received from Cr C Patterson from this meeting.

Resolved on the Motion of Cr McFadden, seconded Cr Anderson that leave of absence be granted to Cr Patterson for this meeting.

DC033/02 THE MOTION WAS **CARRIED**.

DEVELOPMENT COMMITTEE PUBLIC ADDRESSES

There were no public addresses.

1. Amendment to Development Control Plan No 69 – Harrington Park

File No: DA6215.15 (Director, Development & Environment Division)

Purpose of Report

The purpose of this report is to recommend that Council resolve to amend Development Control Plan No 69 – Harrington Park, which involves the deletion of the school site in Pearson Crescent, adjoining the Struggle Town Precinct, and to reclassify the sites to Residential “1”.

Background

Council at the meeting of 28 May, 2001 resolved that:

- (i) *The amendment to Development Control Plan No 69 - Harrington Park to delete the classification of Lot 6080 DP 1000023 Pearson Crescent and Lot 2 DP 1010885 Fairwater Drive, Harrington Park for a school site and re-classify the sites Residential “1”, be exhibited in accordance with the regulations.*
- (ii) *At the conclusion of the exhibition period, the matter be referred to Council for consideration in conjunction with any comments received.*

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Main Report

The school site is surplus to the Department of Education and Training needs and is zoned for residential purposes under the provisions of LEP No 74 – Harrington Park. However, DCP 69 classifies the land for a school site. A locality plan forms **Tabled Document “DC 1”**.

The amendments to the DCP were advertised in the local newspaper from the 19th June 2001 to 12th July 2001. At the conclusion of the exhibition period one objection was received from The Urban Partnership on behalf of Nepean Quarries and forms **Tabled Document “DC 2”**. After discussions with Council the objection was withdrawn, as matters of concern relating to the development of the Struggletown Precinct were resolved by redesigning the subdivision pattern. Council may also recall that a tri-party agreement was signed in relation to future contributions in the area.

Further lot layouts were revised and on the 5 September 2001, four additional objections were submitted to Council which form **Tabled Document “DC 3”**. The objections were in relation to the width of Wheatley Place. The application was approved subject to Wheatley Place being widened to 6m. The developer (Harpak) has submitted a number of proposals to the residents to resolve the widening of Wheatley Place. At this stage Council is awaiting advice from residents as to the appropriate widening requirements, bearing in mind that Wheatley Place is fully constructed.

The Developer (Harpak) will also apply the Parkhaven Village guidelines recently adopted by Council to this subdivision. This involves reduction in setbacks, installation of rain water tanks and design guidelines for dwellings.

Notwithstanding this aspect, the amendment to the DCP must be resolved. In this regard the issue of the widening of Wheatley Place should not delay the amendment of the DCP, as Council has already issued consent to the application and the residents have not objected to the site being developed for residential development.

Summary/Conclusion

The school site is surplus to the Department of Education and Training needs and is zoned for residential purposes under the provisions of LEP No 74 – Harrington Park. DCP No 69 should now be amended to facilitate the residential development of the school site.

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Recommended: That the amendment to Development Control Plan No 69 Harrington Park to delete the classification of Lot 6080 DP 100023 Pearson Crescent and Lot 2 DP 1010885 Fairwater Drive, Harrington Park for a school site and reclassify the sites to Residential "1", proceed in accordance with the Regulations.

Resolved on the Motion of Cr Anderson, seconded Cr Corrigan that the amendment to Development Control Plan No 69 Harrington Park to delete the classification of Lot 6080 DP 100023 Pearson Crescent and Lot 2 DP 1010885 Fairwater Drive, Harrington Park for a school site and reclassify the sites to Residential "1", proceed in accordance with the Regulations.

DC034/02 THE MOTION WAS **CARRIED**.

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

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

Purpose of this Report

This report seeks Council endorsement to place on public exhibition a draft Development Control Plan for the classification of a recent subdivision located in Welling Drive, Mount Annan.

Background

Currently, no DCP exists that identifies land within the subdivision as “Residential 1”, as outlined in DCP 58. It is intended that draft DCP 122 will assist Council in controlling the development of the built environment in the release area, by identifying the subject land as “Residential 1” to prevent the development of “dual occupancies”.

Draft DCP 122

Following subdivision approval, Landcom recently released the subject land. The subject land is currently zoned Residential 2(d), but has not been classed as either “Residential 1” or “Residential 2”. The objective of draft DCP 122 is to identify the subject land as “Residential 1” in accordance with surrounding land. This will ensure the land is developed in an appropriate manner, providing land with potential for detached single dwellings only. A copy of the plan forms **Tabled Document “DC 4”**. This matter has been discussed with Landcom and they support Council not allowing dual occupancy development to occur on these lands.

Conclusion

The adoption of draft DCP 122 will ensure that this precinct is developed in a similar manner to the existing “Residential 1” areas within the Narellan Release area, and that all development occurs in accordance with DCP 58.

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Recommended: That:

- (i) Council resolve to place draft Development Control Plan 122 on public exhibition for a period of 28 days commencing 18 March 2002.
- (ii) The development control plan be reported back to Council for adoption at the conclusion of the public exhibition period.

Resolved on the Motion of Cr Fekete, seconded Cr McFadden that:

- (i) Council resolve to place draft Development Control Plan 122 on public exhibition for a period of 28 days commencing 18 March 2002.
- (ii) The development control plan be reported back to Council for adoption at the conclusion of the public exhibition period.

DC035/02 THE MOTION WAS **CARRIED**.

3. The Establishment of a Site Manager's Residence, No 51 St Andrews Road, Leppington

File No: DA7350.10-5 (Director, Development & Environment Division)
DA No: 1019/2000
Applicant: Mullane Planning Consultants Pty Ltd
Owner: S & CM Foti
Zone: 7(d) Environmental Protection

Purpose of Report

This matter is reported to Council to advise that PlanningNSW has refused to grant concurrence to a SEPP 1 objection, seeking to enable the construction of a second dwelling on the subject property for the purpose of a site manager's residence.

Background

Council at the meeting of 28 August 2000 resolved to support a development application and SEPP No 1 objection seeking to enable the construction of a second dwelling on the subject property for the purpose of a manager's residence.

Main Report

The development application sought approval for the construction of a second dwelling to house a site manager for the fireworks factory currently established on the site.

The SEPP No 1 objected to the requirement of Clause 16 of CLEP 48, which requires a property within Zone No 7(d) to contain 20ha before a second dwelling may be erected on the property.

The property has an area of 13ha.

Council was of the opinion that a second dwelling for a site manager was an acceptable development for the site and supported the objection and application accordingly and referred the matter to PlanningNSW for the concurrence of the Director.

Since the matter was referred to PlanningNSW, considerable correspondence has been generated between the applicant and PlanningNSW, including conflicting legal opinions, which culminated in PlanningNSW advising Council that it cannot support the objection. An alternate option is available to the applicant requiring the submission of a fresh application and supporting SEPP 1 objection in accordance with PlanningNSW's advice (refer **Tabled Document "DC 5"**).

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Conclusion

PlanningNSW have advised that they are not prepared to support the SEPP No 1 objection, and accordingly Council cannot approve the development application.

Recommended: That Council:

- (i) Refuse Development Application No 1019/2000, seeking to establish a manager's residence on No 51 (Lot 72 in DP 706546) St Andrews Road, Leppington.
- (ii) Advise the applicant that it would consider a new development application in accordance with the advice from PlanningNSW.

Resolved on the Motion of Cr Fekete, seconded Cr Batros that Council:

- (i) *Refuse Development Application No 1019/2000, seeking to establish a manager's residence on No 51 (Lot 72 in DP 706546) St Andrews Road, Leppington.*
- (ii) *Advise the applicant that it would consider a new development application in accordance with the advice from PlanningNSW.*

DC036/02 THE MOTION WAS **CARRIED**.

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**4. Development Parameters – Balance of Woolworths
Holding: Mount Annan District Centre**

(File 4080) (Director Governance & Outcomes)

Introduction

The Mount Annan District Centre is zoned District Centre 3(f) under Camden Local Environmental Plan No. 47. Such zoning has a commercial focus, but also permits mixed use development. The centre is also subject to the provisions of a Structure Plan; namely, Mount Annan District Centre Structure Plan No. 2 (refer **Tabled Document “DC 6”**).

Such plan was developed to provide a more flexible, market responsive approach to development of the site, whilst at the same time reinforcing certain basic “structural” outcomes.

The Centre To-date

The Centre has evolved in response to market forces and provides a low density, largely vehicle dominated, sprawling centre with a degree of pedestrian alienation.

Market Interest

The key residue holding in the Centre is in the ownership of Woolworths. Such site is surplus to Woolworths' needs given the evolution of the Narellan Town Centre. Further, any development of a non-commercial nature does not represent core business of Woolworths. In seeking to dispose of such asset Council has been in receipt of a number of development enquiries which have focussed upon the residential development of the site.

Residential development of itself may not be an inappropriate use. However, the density at which it takes place and the manner in which it is “packaged” and integrated with surrounding land uses and natural and man-made infrastructure and acoustically treated is a fundamental concern. The density in particular is of concern given the low density of surrounding residential development and the need to maximise same if meaningful public transport is ever to be delivered on Narellan Road. More low density and “tokenistic” medium density development would clearly fly in the face of ever getting public transport anywhere near reasonable levels of patronage.

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Residential Development Parameters

If residential development is to take place on the site it must be at least of a medium density nature and include accommodation ranging from two storey (incorporating roof attic accommodation) to townhouse/villa styled housing. Measures such as the “big house” concept may also be included. Opportunities for home businesses as a transition with the commercial area proper should also be actively promoted. Low-density residential development should be avoided.

“Packaging” of Residential Development

Clearly, the challenge in pursuing higher density residential development on one site is to achieve a high quality urban design outcome. The scope for “getting it wrong” and adverse impact is invariably more pronounced as density increases. It is essential in such context that urban design skills of the highest order are engaged.

The mix of residential types and siting and relationship one to another and to the surrounding sites cannot be understated. Further, acoustic treatment should be pursued with the utmost sensitivity.

Clarification of Structure Plan

The Structure Plan should be amended to clearly identify that residential development is acceptable on the subject site, (with or without other land uses-mixed use) and that should such option be pursued it must be at least of medium density nature and carefully integrate with surrounding land uses, natural systems and infrastructure generally. Further, its design must be of the highest order, including acoustic treatment. A masterplan must be prepared as part of the development process.

Conclusion

The principal residue site is uniquely positioned to deliver a range of urban outcomes. If it is to be developed for residential purposes it is imperative that such occur at least at medium density. Further, it is fundamental that the highest order urban design skills be utilised in any residential scheme for the site.

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Recommended: That

- (i) Council endorse the clarification of its previously adopted Structure Plan as set out in the report.
- (ii) The District Centre Structure Plan namely, Mount Annan District Centre Structure Plan No. 2, be amended in the manner identified in the report, to reflect this clarification.
 - (a) Residential development, provided it is at least medium density in nature be noted as an acceptable use (with or without other land uses-mixed uses).
 - (b) Any residential use must carefully integrate with surrounding land uses, natural systems and infrastructure.
 - (c) Design must be of the highest order including acoustic treatment.
 - (d) A masterplan (first stage development application) must accompany any proposed residential development of the site.
- (iii) All owners in the District Centre be advised of this decision.
- (iv) All development enquiries be advised of this report and the proposal to amend the Structure Plan.

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

- (i) Council endorse the clarification of its previously adopted Structure Plan as set out in the report.
- (ii) The District Centre Structure Plan namely, Mount Annan District Centre Structure Plan No. 2, be amended in the manner identified in the report, to reflect this clarification.
 - (a) Residential development, provided it is at least medium density in nature be noted as an acceptable use (with or without other land uses-mixed uses).
 - (b) Any residential use must carefully integrate with surrounding land uses, natural systems and infrastructure.
 - (c) Design must be of the highest order including acoustic treatment.
 - (d) A masterplan (first stage development application) must accompany any proposed residential development of the site.

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(iii) *All owners in the District Centre be advised of this decision.*

All development enquiries be advised of this report and the proposal to amend the Structure Plan.

DC037/02 THE MOTION WAS **CARRIED**.

The Meeting closed at 5.55pm.