



Camden Local Planning Panel

Minutes

18 June 2019

**Camden Council
Administration Centre
70 Central Avenue, Oran Park**



CAMDEN LOCAL PLANNING PANEL

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PRESENT

Stuart McDonald (Chairperson), Grant Christmas (Expert Panel Member), Rachel Harrison (Expert Panel Member), Debby Dewbery (Community Representative – South Ward).

ALSO IN ATTENDANCE

Manager Statutory Planning, Executive Planner, Governance Officer – Panel and Committees.

ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged the traditional Custodians of the Land:

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

APOLOGIES

There were no leave of absence to be granted.

DECLARATION OF INTEREST

There were no declarations to be noted.

PUBLIC ADDRESS

Mr Adam Crampton addressed the Panel in relation to DA/2018/927/1 - Remediation of Contaminated Land, Demolition of Existing Structures, Staged Subdivision Creating 65 Torrens Title Residential Lots and 1 Residue Lot, Tree Removal, and Associated Site Works at 160 & 168 Heath Road, Leppington.

Mr Michael Chan addressed the Panel in relation to DA/2018/927/1 - Remediation of Contaminated Land, Demolition of Existing Structures, Staged Subdivision Creating 65 Torrens Title Residential Lots and 1 Residue Lot, Tree Removal, and Associated Site Works at 160 & 168 Heath Road, Leppington.

CLOSURE OF THE MEETING

After hearing all of the public submissions the Chair then declared the public meeting closed at 2.28pm. The Panel then went into private deliberation to consider the items and their determinations are listed below:

CLPP01 DA/2018/927/1 - REMEDIATION OF CONTAMINATED LAND, DEMOLITION OF EXISTING STRUCTURES, STAGED SUBDIVISION CREATING 65 TORRENS TITLE RESIDENTIAL LOTS AND 1 RESIDUE LOT, TREE REMOVAL, AND ASSOCIATED SITE WORKS AT 160 & 168 HEATH ROAD, LEPPINGTON

SUMMARY

The Panel has considered the officer's report and inspected the site of the proposed development.

DETERMINATION OF PANEL

That the Panel approve DA/2018/927/1 for the remediation of contaminated land, demolition of existing structures, staged subdivision creating 65 Torrens title residential lots and one residue lot, tree removal and associated site works at 160 and 168 Heath

Road, Leppington and endorse the conditions attached to the officer's report subject to the following amended conditions:

1.0 - General Conditions of Consent

- (3) **Staged Lot Release** - The lots approved as part of this determination are only to be released in accordance with the staging plan identified in the plans and documentation approved as part of this determination as amended by any conditions of this consent.

Stages 1 and 2 can be released immediately in accordance with the relevant conditions of this consent.

Other than the approved demolition there is no approval for any new works on residue lot 66 including perimeter fencing or landscaping. Future works and use of residue lot 66 is to be subject to a separate development application.

Stages 3 to 8 can only be released when the following triggers / milestones are achieved / demonstrated to Council's satisfaction:

- (i) Stage 3 – A public road is required to be constructed and dedicated to Council for the full frontage of all lots. Any road which terminates without connecting to an existing public road (dead end), must be provided with a turning facility in accordance with Council's Engineering Specifications. A temporary right of carriageway shall also be created over any lot on which a temporary turning facility is required. The temporary basin must be decommissioned and the bush fire hazard to the east and north-east of the site must be removed.
- (ii) Stage 4 – A public road is required to be constructed and dedicated to Council for the full frontage of all lots. Any road which terminates without connecting to an existing public road (dead end), must be provided with a turning facility in accordance with Council's Engineering Specifications. A temporary right of carriageway shall also be created over any lot on which a temporary turning facility is required. The temporary basin must be decommissioned.
- (iii) Stage 5 – A public road is required to be constructed and dedicated to Council for the full frontage of all lots. Any road which terminates without connecting to an existing public road (dead end), must be provided with a turning facility in accordance with Council's Engineering Specifications. A temporary right of carriageway shall also be created over any lot on which a temporary turning facility is required.
- (iv) Stage 6 – A public road is required to be constructed and dedicated to Council for the full frontage of all lots. Any road which terminates without connecting to an existing public road (dead end), must be provided with a turning facility in accordance with Council's Engineering Specifications. A temporary right of carriageway shall also be created over any lot on which a temporary turning facility is required.
- (v) Stage 7 – A public road is required to be constructed and dedicated to Council for the full frontage of all lots. Any road which terminates without connecting to an existing public road (dead end), must be provided with a turning facility in accordance with Council's Engineering Specifications. A temporary right of carriageway shall also be created

over any lot on which a temporary turning facility is required. The temporary basin must be decommissioned.

- (vi) Stage 8 - A public road is required to be constructed and dedicated to Council for the full frontage of all lots. Any road which terminates without connecting to an existing public road (dead end), must be provided with a turning facility in accordance with Council's Engineering Specifications. A temporary right of carriageway shall also be created over any lot on which a temporary turning facility is required. The temporary basin must be decommissioned and the bush fire hazard to the east and north-east of the site must be removed.

- (11) **Protect Existing Vegetation and Natural Landscape Features** – Only those trees nominated in red for removal on the Demolition Plan, Ref 300052-DA-004, dated 14 May 2019, are to be removed. All trees marked in green identified on the Demolition Plan, Ref 300052-DA-004, dated 14 May 2019 are to be retained and protected.

Approval must be sought from Council prior to the removal, pruning, impact upon or any disturbance of any other vegetation and natural landscape features not approved as part of this determination.

The following procedures shall be strictly observed:

- a) no additional works or access/parking routes, transecting the protected vegetation shall be undertaken without Council approval; and
- b) pedestrian and vehicular access within and through the protected vegetation shall be restricted to Council approved access routes.

The protection of existing trees and other landscape features, other than any existing trees and natural landscape features authorised for removal, pruning, impact upon or disturbance by this Consent, must be carried out as specified in the Australian Standard AS 4970-2009 Protection of Trees on Development Sites.

All initial procedures for the protection of existing trees and landscape features, as detailed in AS 4970-2009, must be installed prior to the commencement of any earthworks, demolition, excavation or construction works on the Development site.

The works and procedures involved with the protection of existing trees and other landscape features, are to be carried out by suitable qualified and experienced persons or organisations. This work should only be carried out by a fully insured and qualified Arborist.

Suitable qualifications for an Arborist are to be a minimum standard of Australian Qualification Framework (AQF) Level 3 in Arboriculture for the actual carrying out of tree works and AQF Level 5 in Arboriculture for Hazard, Tree Health and Risk Assessments and Reports.

2.0 – Prior to Issue of a Construction Certificate

- (23) **Contamination Testing of Footprints** - Prior to the issue of a construction certificate contamination testing of soils in the footprints of all demolished structures must be undertaken. Where contamination testing results trigger the

requirement for remediation, the contaminated area should be barricaded to restrict access with suitable signage provided and an updated remediation action plan (RAP) must be completed to address any additional remediation works resulting from the demolished structures. The updated RAP must be submitted to and approved by Camden Council prior to the issue of any construction certificate.

5.0 – Prior to the Issue of a Subdivision Certificate

(32) **Bond for the Decommissioning of the Modified "Construction" Onsite Detention/ Sediment Control Basin and Water Quality Facility** - Prior to the issue of any Subdivision Certificate a bond for: -

- a) the removal of the modified "construction" on-site detention/ sediment control basin and water quality facility and reinstatement of the area must be lodged with Camden Council. The bond value must be in accordance with Council's Development Infrastructure Bonds Policy.
- b) applies where such a facility is located in existing and/or proposed public land, and / or a residue lot.
- c) has been determined by Camden Council and the applicant and;
- d) will be retained by Council until: -
 - i. such works have been completed in accordance with the approved plans and to the requirements of Council;
 - ii. a permanent water quality facility has been provided in a public infrastructure location approved by Council; and,
 - iii. the completion of such work has been confirmed, in writing, by Council.

REASONS FOR DETERMINATION

1. The development is, subject to the recommended conditions, consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy (Sydney Region Growth Centres) 2006, State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy No 55 - Remediation of Land, and Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River.
2. The development is, subject to the recommended conditions, consistent with the objectives of the Camden Growth Centre Precincts Development Control Plan and Camden Development Control Plan 2011.
3. The development is, subject to the recommended conditions, unlikely to have any unreasonable adverse impacts upon the natural or built environments.
4. In consideration of the aforementioned reasons, the development is a suitable and planned use of the site and its approval is within the public interest.

VOTING NUMBERS

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

CLPP02 DA/2019/284/1 - TO DEMOLISH PART OF A HERITAGE BUILDING, CARRY OUT ALTERATIONS AND ADDITIONS AND USE THE PREMISES AS A DENTURE CLINIC

SUMMARY

The Panel has considered the officer's report and inspected the site of the proposed development.

DETERMINATION OF PANEL

That the Panel approve DA/2019/284/1 to demolish part of a heritage building, carry out alterations and additions and use the premises as a denture clinic subject to the conditions attached to the Council officer's report.

REASONS FOR DETERMINATION

1. The development is, subject to the recommended conditions, consistent with the objectives of the applicable environmental planning instruments, being Camden Local Environmental Plan 2010 and Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River.
2. The development is, subject to the recommended conditions, consistent with the objectives of the Camden Development Control Plan 2011.
3. The development is considered to be of an appropriate scale and form for the site and the character of the locality.
4. The development is, subject to the recommended conditions, unlikely to have any unreasonable adverse impacts upon the natural or built environments.
5. In consideration of the aforementioned reasons, the development is a suitable and planned use of the site and its approval is within the public interest.

VOTING NUMBERS

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