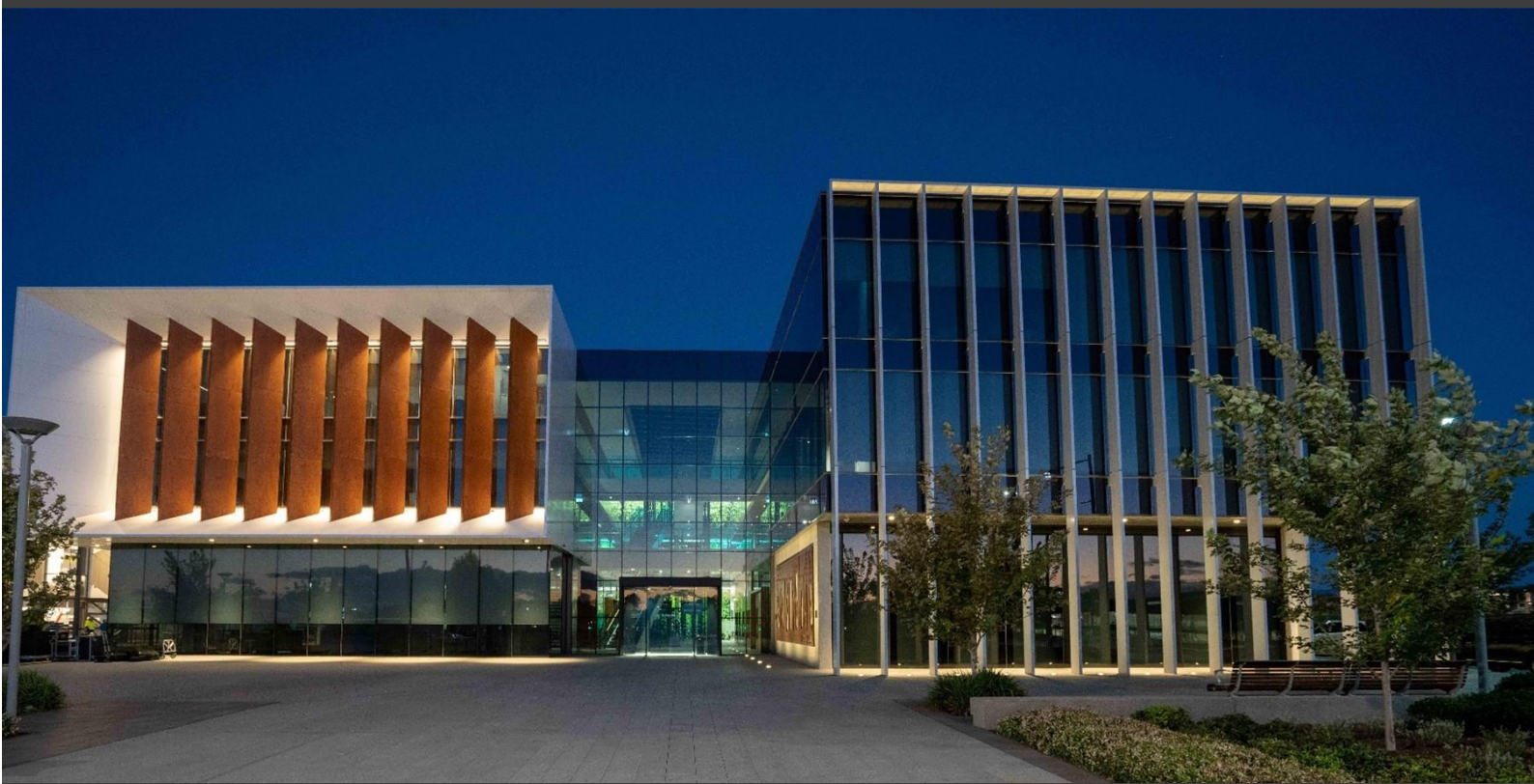


Minutes

Camden Local Planning Panel Electronic Determination

21 March 2023



Determination and Statement of Reasons

DATE OF DETERMINATION	21 March 2023 – CLPP01 30 March 2023 - CLPP02
PANEL MEMBERS	Michael Mantei (Chairperson), Sue Francis, Grant Christmas and Sean Jeppesen.
APOLOGIES	Nil.
DECLARATIONS OF INTEREST	Nil.

Electronic meeting held between 14/03/2023 and 30/03/2023

MATTERS TO BE DETERMINED

- CLPP01 - DA/2022/1000/1 - Alterations and Additions to Existing Licenced Premises (Camden Hotel) - 105 Argyle Street, Camden
- CLPP02 - DA/2022/867/1 - Demolition Of Existing Dwelling And Swimming Pool And Construction Of A Three Storey Dwelling, Swimming Pool, Outbuildings And Associated Landscaping - 15 Camelot Close, Kirkham

PANEL CONSIDERATION AND DECISION

CLPP01 DA/2022/1000/1 - Alterations And Additions To Existing Licenced Premises (Camden Hotel) - 105 Argyle Street, Camden

DETERMINATION

That the Panel:

- Support the applicant's written request lodged pursuant to Clause 4.6(3) of Camden Local Environmental Plan 2010 to the contravention of the height of buildings development standard in Clause 4.3 of Camden Local Environmental Plan 2010; and
- approve DA/2022/1000/1 for alterations and additions to the Camden Hotel at 105 Argyle Street, Camden subject to the conditions attached to this report.

REASONS FOR DETERMINATION

- The Panel has considered the written request to contravene Camden Local Environmental Plan 2010 in relation to the height of buildings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Clause 4.3 of Camden Local Environmental Plan 2010 is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objectives of the development standard in Clause 4.3 of Camden Local Environmental Plan 2010 and the objectives for development within the B2 Local Centre zone.

2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Biodiversity and Conservation) 2021; State Environmental Planning Policy (Resilience and Hazards) 2021; and Camden Local Environmental Plan 2010.
3. The development is consistent with the objectives and controls of the Camden Development Control Plan 2019.
4. The development is of an appropriate scale and form for the site and the character of the locality.
5. Subject to recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

CLPP02 DA/2022/867/1 - Demolition Of Existing Dwelling And Swimming Pool And Construction Of A Three Storey Dwelling, Swimming Pool, Outbuildings And Associated Landscaping - 15 Camelot Close, Kirkham

BACKGROUND

On 21 March 2022, the Panel deferred the determination of this item to provide the applicants with seven days to make representations to the Panel in response to the Council Officers' recommendation.

This seven day period concluded on 29 March 2023 and no representations were received.

DETERMINATION AND REASONS


The Panel refuses DA/2022/867/1 for the demolition of the existing dwelling and swimming pool and construction of a three storey dwelling, swimming pool, outbuildings and landscaping for the following reasons:


- (1) The proposed development contravenes clause 4.3 *Height of buildings* of the Camden Local Environmental Plan 2010 and the applicant's clause 4.6 written request fails to adequately demonstrate that compliance with the height of building development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the contravention.
- (2) The panel is not satisfied that the proposed development will be in the public interest having regard to the objectives of the standard and the objectives for development within the R5 Large Lot Residential Zone.
- (3) The proposed development is of an excessive height, bulk, scale and form and is inconsistent with the existing and/or desired future character of the area.
- (4) The proposed development fails to positively respond to the existing built

form character of Camelot Close.

- (5) The proposed development is inconsistent with the following sections of Camden DCP 2019:
 - (i) Section 4.2.2 Cut and Fill in that the proposed level of cut and fill exceeds 1 metre;
 - (ii) Section 4.2.3 Streetscape and Architectural Design in that the proposal fails to positively respond to the streetscape and the ground floor has not been provided with a habitable room with a window facing the street;
 - (iii) Section 4.2.5 Height, Site Coverage and Siting in that the proposal is greater than 2 storeys in height and exceeds the maximum height of 9.5m;
 - (iv) Section 4.2.5 Height, Site Coverage and Siting in that the proposed dwelling fails to meet the objectives in respect to height, bulk, scale, architectural form, expression / detailing and the proposal is not compatible with the established character of the area; and
 - (vi) Section 4.7 Large Lot Residential Areas in that the proposal does not provide for an attractive and cohesive streetscape and the proposed materials and finishes are inappropriate for the area.
- (6) Given the substantiated issues raised in the public submissions and the unacceptable impacts associated with the development, the proposal is not in the public interest.
- (7) Inadequate information was submitted to allow a full and proper assessment of the application in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979, as the application was not accompanied by the following information:
 - (i) cut and fill plan;
 - (ii) retaining wall plan;
 - (iii) subsoil drainage plan; and
 - (vii) driveway long section plan.

PANEL MEMBERS	
 <p>Michael Mantei (Chairperson)</p>	 <p>Sue Francis (Expert Panel Member)</p>
 <p>Grant Christmas (Expert Panel Member)</p>	 <p>Sean Jeppesen (Community Representative)</p>

 70 Central Ave,
Oran Park NSW 2570

 mail@camden.nsw.gov.au

 PO Box 183, Camden 2570

 camden.nsw.gov.au

 4654 7777

 ABN: 31 117 341 764

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