



Camden Local Planning Panel

Minutes

15 March 2022

Meeting held by teleconference



CAMDEN LOCAL PLANNING PANEL

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MEETING COMMENCED: 2.01pm

PRESENT

Michael Mantei (Chairperson), Mary-Lynne Taylor (Expert Panel Member), Michael File (Expert Panel Member) and Steve Lyons (Community Representative – North Ward).

ALSO IN ATTENDANCE

Manager Statutory Planning, Team Leader – DA Assessment West, Senior Town Planner, Town Planner, Governance Officer and Governance Administration Officer.

ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged the traditional custodians of the land.

APOLOGIES

There were no leave of absence to be granted.

DECLARATIONS OF INTEREST

There were no declarations to be noted.

PUBLIC ADDRESS

Mr Fletcher Joss addressed the Panel in relation to CLPP01 - DA/2020/741/2 - Demolition of Existing Structures and Construction of a Two Storey Mixed Use Development - 19 Edward Street, Camden.

Ms Sue Cross addressed the Panel in relation to CLPP01 - DA/2020/741/2 - Demolition of Existing Structures and Construction of a Two Storey Mixed Use Development - 19 Edward Street, Camden.

Ms Jo O'Brien, on behalf of Camden Historical Society, addressed the Panel in relation to CLPP01 - DA/2020/741/2 - Demolition of Existing Structures and Construction of a Two Storey Mixed Use Development - 19 Edward Street, Camden.

Mr Jim Davis addressed the Panel in relation to CLPP01 - DA/2020/741/2 - Demolition of Existing Structures and Construction of a Two Storey Mixed Use Development - 19 Edward Street, Camden.

Ms Glenda Davis, on behalf of Camden Residents' Action Group, addressed the Panel in relation to CLPP01 - DA/2020/741/2 - Demolition of Existing Structures and Construction of a Two Storey Mixed Use Development - 19 Edward Street, Camden.

Mr David Nethercote addressed the Panel in relation to CLPP01 - DA/2020/741/2 - Demolition of Existing Structures and Construction of a Two Storey Mixed Use Development - 19 Edward Street, Camden.

Mr Jeremy Swan addressed the Panel in relation to CLPP01 - DA/2020/741/2 - Demolition of Existing Structures and Construction of a Two Storey Mixed Use Development - 19 Edward Street, Camden.

CLOSURE OF THE MEETING

After hearing all of the public submissions the Chair then declared the public meeting closed at 3.06pm. The Panel then went into private deliberation to consider the items and their determinations are listed below.

CLPP01 DA/2020/741/2 - DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A TWO STOREY MIXED USE DEVELOPMENT - 19 EDWARD STREET, CAMDEN

PANEL DETERMINATION

The Panel:

- i. supports 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 the Camden Local Environmental Plan 2010; and
- ii. approves DA/2020/741/2 by way of a deferred commencement consent for the demolition of existing structures and construction of a two storey mixed use development with at-grade car parking, one business identification sign and associated site works at 19 Edward Street, Camden, subject to the terms and conditions attached to the Council officers' report.

REASONS FOR DETERMINATION

1. The Panel gave careful consideration to the suitability of the proposed development for the site having regard particularly to the B4 mixed use zoning of the land, its location in the Camden heritage conservation area, the flood affection of the land and height controls in Camden Local Environmental Plan 2010. Two panel members voted against the recommendation to approve the application and two voted for the recommendation. The Chairperson exercised a casting vote in favour of the recommendation to grant consent to the development application.
2. The principal reasons for the majority of the Panel granting development consent are as follows:
 - a. 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 the *Camden Local Environmental Plan 2010* is unreasonable in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.
 - b. 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 and the objectives for development within the zone in which the development is to be carried out. The Panel does not view the approval of the development at 20 Elizabeth Street as setting a precedent.
 - c. The development is consistent with the objectives of the Camden Development Control Plan 2019. In this regard the majority agree with Council officers that the existing cottage on the development site is not a contributory item to the Camden Heritage Conservation Area when assessed against the "Character Elements" in section 2.16.4 of DCP 2019. Further, the form and scale of the proposed building at the Street frontage retains the form and scale of the existing cottage scale streetscape of this section of Edward Street.
 - d. The development is considered to be of an appropriate scale and form for the site having regard to the form and character of development contemplated by the B4 mixed use zoning of this section of the town centre.

- e. The development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
 - f. In consideration of the above, the majority considers that the proposed demolition and new building is a form of development that is contemplated by the B4 mixed use zone and reasonable design response to flood affectation, heritage controls and surrounding residential uses.
3. The principal reasons for the minority of the Panel voting to refuse development consent are as follows:
- a. The two storey height of the proposed building in the rear portion of the site will have an unacceptable impact on the amenity of surrounding residential uses.
 - b. The height of the building exceeds the maximum height allowed under Camden LEP 2010 and the applicant's request to breach the height limit is not justified.
 - c. The design of the new building does not fit with the existing cottage dominated streetscape of this section of Edward Street and is not complementary of the character of the Camden Heritage Conservation Area.
 - d. Approval of the proposed demolition and new building will set an undesirable precedent.
4. All Panel members are concerned that the planning controls for this part of the Camden Town Centre do not provide land owners or the community with a clear vision for the form of development in this locality. The B4 zone encourages a commercial form of building, which may be appropriate given proximity of the area to the Camden Town Centre, but may not be domestic in scale and form. There is a tension between the 7 metre maximum height limit, flood affectation, heritage conservation objectives and DCP requirement for a two storey pitched roof form. It is difficult to design a new development that complies with these controls. The DCP does not clearly identify buildings that contribute to the heritage significance of the heritage conservation area. Nor do the current controls clearly articulate how these competing objectives should be resolved in a way that has community acceptance. The Panel recommends that Council consider formulating precinct specific design controls for the Camden Heritage Conservation Area with these issues in mind.

VOTING NUMBERS

The Panel voted 2-2 and the Chairperson cast a second vote in favour of the recommendation.

MEETING CONCLUDED: 4.06pm