

# Minutes

Camden Local Planning Panel

Camden Council

Administration Centre

70 Central Avenue, Oran Park

20 August 2024



camden  
council

**Site Inspections Commenced:**

11:00am

**Meeting Opened:**

2:00pm

**Attendees:**

Pamela Soon (Chairperson), Marjorie Ferguson (Expert Member), Fiona Gainsford (Expert Member) and Domenic Pezzano (Community Representative).

**Also in Attendance:**

Manager Statutory Planning, Coordinator Statutory Planning Services, Team Leader Development Assessment (West), Team Leader Development Assessment (Major), Senior Town Planner, Executive Planner and Governance Officer – Panel & Committees.

**Acknowledgement of Country:**

Pamela Soon (Chairperson) gave an Acknowledgement of Country.

**Apologies:**

There no apologies to be noted.

**Declarations of Interest:**

There were no declarations to be noted.

**Public Address:**

The following submissions were made in relation to CLPP01:

Name
Patrick McInerney
Benjamin Young

**CLPP01 DA/2023/683/1 - Change Of Use, Alterations And Fit-Out Of The Building For An Artisan Food And Drink Industry - 76-100 Argyle Street, Camden**

**PANEL DECISION**

The Panel approves DA/2023/683/1 for the change of use, alterations and fit-out of the building for an artisan food and drink industry at 76-100 Argyle Street, Camden subject to the conditions attached to the report for the following reasons:

1. The development is consistent with the objectives and controls of the applicable environmental planning instruments being State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021 and Camden Local Environmental Plan 2010.
2. The development is consistent with Clause 5.10(10) of Camden Local Environmental Plan 2010 as the conservation of the heritage item is facilitated by the proposal.
3. The development is consistent with the objectives of Camden Development Control Plan 2019.
4. The development is considered to be an appropriate use for the site and is consistent with the character of the locality.
5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
6. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

**VOTING NUMBERS**

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

**CLPP02 DA/2024/142/1 - Demolition Of Existing Dwelling, Construction Of A Shed And Office, Regularisation Of Completed Land Forming And Use Of Land As A Vehicle Sales And Hire Premises - 3 Exeter Street, Camden**

**PANEL DECISION**

The Panel refuses DA/2024/124/1 for the demolition of the existing dwelling, construction of a shed and office, regularisation of completed land forming and use of land as a vehicle sales and hire premises at 3 Exeter Street, Camden for the following reasons:

1. In the absence of further investigations as recommended by the provided contamination assessment, the consent authority cannot be satisfied the land is suitable for the proposed development having regard to Section 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.
2. Insufficient information was submitted with the application to determine that, should the development be impacted by a flood, it would not result in a release of pollutants that impact a natural waterbody. In the absence of this information, the

consent authority cannot be satisfied as to the matters raised in Section 6.8 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

3. Insufficient information has been provided to clearly demonstrate that the proposed use can be properly categorised as a '*vehicle sales or hire premises*' and that the site will not be used for a purpose that is otherwise prohibited in the zone.
4. 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 demonstrate that the standard is unreasonable or unnecessary in the circumstances of the case or that there are sufficient environmental planning grounds to justify the contravention.
5. The application has not demonstrated that the development is sympathetic to the historic context of the area or that the demolition of the existing dwelling house is necessary. The proposal will result in unacceptable visual impacts on the Camden Heritage Conservation Area and will be a detracting element should it be constructed.
6. The proposed development does not comply with clause 5.21 (flood planning) of the Camden Local Environmental Plan 2010 as the proposal is not compatible with the flood hazards of the subject site and the development will adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other properties.
7. 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.
8. The proposed development does not comply, or insufficient information was provided to assess compliance, with the following sections of the Camden Development Control Plan 2019:
  - a. Section 2.1:
    - i. The development fails to demonstrate that clean fill / virgin excavated natural material has been used in the completed land forming.
    - ii. No information about ground levels prior to the unauthorised filling were provided.
  - b. Section 2.3:
    - i. The development fails to demonstrate compliance with Council's Engineering Specifications in relation to water quality and quantity controls.
  - c. Section 2.7:
    - i. A bush fire assessment was not provided that details the development's compliance with Planning for Bush Fire Protection 2019.
  - d. Section 2.8:
    - i. The development does not comply with Council's Flood Risk Management Policy 2023.
  - e. Section 2.9:
    - i. The application did not provide sufficient information to determine the suitability of the site with respect to contamination.
  - f. Section 2.12:
    - i. The application did not provide sufficient information to assess the potential acoustic impacts on surrounding residential receivers.
  - g. Section 2.14:

- i. The application did not provide sufficient information to assess the waste management requirements of the operational phase of development.
  - h. Section 2.16:
    - i. The proposal is not sympathetic to the prevailing character and will be a detracting item should it be constructed.
    - ii. The impacts of the proposed built form have not been sufficiently negated.
    - iii. The HIS has failed to demonstrate how the proposed demolition has been considered as a last resort.
  - i. Section 2.18:
    - i. The application does not appear to be for the stated purpose of a '*vehicle sales or hire premises*'. Further clarification about the characterisation is required before an assessment of parking rates can be made.
  - j. Section 5.2:
    - i. The application did not provide sufficient information to assess the potential acoustic impacts on surrounding residential receivers.
    - ii. The development does not address the street.
    - iii. Existing views and vistas will be impacted.
    - iv. The proposed mass and scale is not consistent with the surrounding development.
    - v. The development is not of a high quality architectural design and no architectural design features have been incorporated into the front façade.
    - vi. No legible, safe and comfortable pedestrian access has been provided.
    - vii. Insufficient waste management information has been provided.
    - viii. The proposal has not been designed to accommodate an HRV.
  - k. Section 5.3:
    - i. The development does not contribute to the local distinctiveness of the Camden township.
- 9. The development application is unclear about the development consent sought as there are numerous inconsistencies between the plan sets, including:
  - a. The landscape plan includes a note requiring changes to ground levels and stormwater pipe alignment. This is not reflected in the civil plans.
  - b. The proposed car parking area is only shown in the architectural plans.
  - c. The architectural plans show the shed as an open structure whilst the structural plans show the shed as enclosed on three sides.
- 10. The development will have unreasonable adverse impacts on the natural and built environments.
- 11. 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.

### VOTING NUMBERS

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

**CLPP03 DA/2024/250/1 - Alterations And Additions To An Existing Medical Centre Including The Replacement Of A Window With A Door - 19 Queen Street, Narellan**

**PANEL DECISION**

The Panel approves DA/2024/250/1 for alterations and additions to an existing medical centre including the replacement of a window with a door, concrete landing and display of a wall sign subject to the conditions attached to this report for the following reasons:

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

**VOTING NUMBERS**

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

**CLPP04 DA/2024/187/1 - Installation And Use Of A Telecommunications Tower And Ancillary Structures - 45 Southwell Road, 45 Brabham Drive & 600J The Northern Road, Oran Park**

**PANEL DECISION**

The Panel:

- i) support the justification in the applicant's written request lodged pursuant to Clause 4.6(3) of Appendix 2 Oran Park and Turner Road Precinct Plan of the State Environmental Planning Policy (Precincts – Western Parklands City) 2021 to the contravention of the height of buildings development standard in Section 4.3 of State Environmental Planning Policy (Precincts – Western Parklands City) 2021, and
- ii) approve DA/2024/187/1 for the construction of a telecommunications facility with ancillary structures at 45 Southwell Road, 45 Brabham Drive, Oran Park & 600J The Northern Road, Oran Park, subject to the conditions attached to this report for the following reasons:
  1. The Panel has considered the written request to contravene Section 4.3 of the State Environmental Planning Policy (Precincts – Western Parklands City) 2021 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 Section 4.3 of the *State Environmental Planning Policy (Precincts – Western Parklands City) 2021* 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 Section 4.3 of the *State Environmental Planning Policy (Precincts – Western Parklands City) 2021* and the objectives for development within the IN1 General Industrial zone.

2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being *State Environmental Planning Policy (Resilience and Hazards) 2021*, *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, *State Environmental Planning Policy (Transport and Infrastructure) 2021* and *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*.
3. The development is consistent with the objectives of the *Oran Park Development Control Plan (as amended)* and the *Camden Development Control Plan 2019*.
4. The development is of an appropriate scale and form for the sites and the character of the locality.
5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environments.
6. For the above reasons, the development is a suitable use of the sites and its approval is in the public interest.


### VOTING NUMBERS

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


 70 Central Avenue  
Oran Park NSW 2570

 PO Box 183  
Camden NSW 2570

 13 22 63

 ABN: 31 117 341 764

 [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

 [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au)

 [www.facebook.com/camden council](https://www.facebook.com/camden council)