Business Paper

Camden Local Planning Panel Electronic Determination

14 February 2023









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CLPP01

SUBJECT: DA/2023/29/1 - DEMOLITION OF A CHIMNEY AT WIVENHOE VILLA - 229 MACQUARIE GROVE ROAD, COBBITTY

FROM:Manager Statutory PlanningEDMS #:23/95534

DA Number:	2023/29/1
Development:	Demolition of a chimney at Wivenhoe Villa
Estimated Cost of Development:	\$11,990
Site Address(es):	229 Macquarie Grove Road, Cobbitty
Applicant:	Geoff Green
Owner(s):	Trustees of the Sisters of Good Samaritan
Number of Submissions:	N/A
Development Standard Contravention(s):	Nil
Classification:	Local development
Recommendation:	Approve with conditions.
Panel Referral Criteria:	Sensitive development (partial demolition of a heritage item)
Report Prepared By:	Giselle Pineda – Town Planner

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel's (the Panel's) determination of a development application (DA) for the demolition of a chimney at Wivenhoe Villa (229 Macquarie Grove Road, Cobbitty).

The Panel is to exercise Council's consent authority functions for this DA as, pursuant to the Minister for Planning's Section 9.1 Direction, the DA includes the partial demolition of a heritage item.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2023/29/1 for the demolition of the chimney at Wivenhoe Villa pursuant to Section 4.16 of the *Environmental Planning and Assessment Act* 1979 by granting consent subject to the conditions attached to this report.

EXECUTIVE SUMMARY

Council is in receipt of a DA for the demolition of a chimney at Wivenhoe Villa (229 Macquarie Grove Road, Cobbitty).



The DA has been assessed against the *Environmental Planning and Assessment Act* 1979, the *Environmental Planning and Assessment Regulation 2021*, relevant environmental planning instruments, development control plans and policies.

The site is partly zoned RU1 Primary Production, R5 Large Lot Residential, SP2 Infrastructure, C2 Environmental Conservation and C4 Environmental Living. The subject building (Wivenhoe Villa) is located on that part of the site zoned R5 Large Lot Residential.

The site is classified as a local heritage item (*"Wivenhoe"* (*including house and gardens, outbuildings, stables, servants' quarters and coach house*) under Schedule 5 of the Camden LEP 2010. The site is also identified as being a culturally significant place under Section 2.16.9 of the Camden DCP (Table 2-3: Culturally Significant Place – Cultural Landscape).

The proposal is to remove the existing chimney within Wivenhoe Villa due to a structural integrity issue. The chimney is contributing to cracking and lateral movement to the fireplace, chimney stack and south western façade of the building. The cracking is leading to structural instability, with the possibility that the chimney's self-weight may cause a collapse into the building.

The DA was not required to be notified pursuant to the Camden Community Participation Plan 2021.

The application has been reviewed by Council's Heritage Advisor, who is supportive of the proposal.

Based on the assessment, it is recommended that the DA be approved subject to the conditions attached to this report.

AERIAL PHOTO



Figure 1: Aerial image of site.

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THE SITE

Located within the Mater Dei site, the site is commonly known as 229 Macquarie Grove Road, Cobbitty and legally described as Parent Lot 100 in Deposited Plan 1230568 (Figure 1). The site is situated within the Wivenhoe heritage item.

The locality is characterised by a rural setting with a range of facilities and associated heritage items, including the Mater Dei school. The site is surrounded by bushland and vegetation, including the Cumberland Plain Woodland.

The site is bound by a range of properties, generally with a semi-rural nature. To the immediate west is farmland for the purposes of agriculture; immediately north a range of semi-rural properties and further bushland; and to the east/south detached single dwellings.

The site is occupied by multiple buildings including a house, servants' quarters, outbuildings, stables, a church, coach house and school (refer Figure 2).



Figure 2: View of subject building (Wivenhoe Villa).



HERITAGE MAP

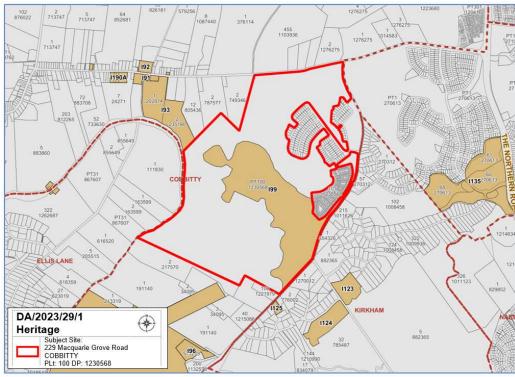
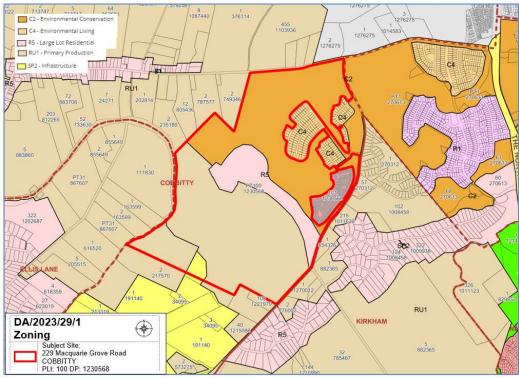


Figure 3: The heritage listing of the site



ZONING PLAN

Figure 4: The Site and its current zoning R5 Large Lot Residential.



HISTORY

No relevant development history.

THE PROPOSAL

DA/2023/29/1 seeks approval for the demolition of a chimney at Wivenhoe Villa.

The estimated cost of the development is \$11,900.

The Heritage Assessment and Structural Report submitted as part of the DA identifies further work to be carried out such as improved drainage; removal of trees / shrubs; installation of a tree root barrier; and installation of stainless steel "tied rods". The Applicant has confirmed that for expediency the subject DA only seeks consent for the deconstruction of the chimney above the roof line. An appropriate condition is recommended to confirm the works proposed/approved as part of the subject DA, with any other works to be subject to a future application to Council.

It is further noted that the stainless steel "tied rods" to provide lateral support to the south western façade of the building have already been installed. Council's Heritage Advisor and Building Certification Officer have inspected this work and raised no objection / concerns with the installation of the rods.



Figure 5: Specific aerial view of the site with the subject chimney for removal.



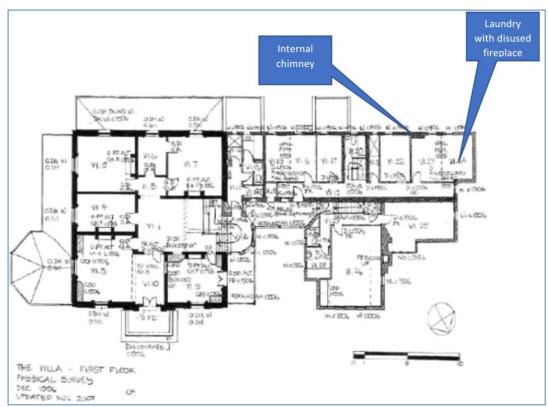


Figure 6: Existing first floor plan of the villa, including location of the chimney.



Figure 7: Cracking evident in the fireplace / chimney stack.





Figure 8: Subject chimney for demolition.



Figure 9: Current view of south western wall and subject chimney



ASSESSMENT

Environmental Planning and Assessment Act 1979 - Section 4.15(1)

In determining a DA, the consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the DA:

(a)(i) the provisions of any environmental planning instrument

The environmental planning instruments that apply to the development are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4.
- Camden Local Environmental Plan (2010).

State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Biodiversity and Conservation SEPP aims to protect the environment of the Hawkesbury-Nepean River system by ensuing impacts of future land uses are considered in a regional context. There will be no detrimental impact on the Hawkesbury-Nepean River system as a result of the development.

State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4.

The Resilience and Hazards SEPP aims to provide State-wide approach to the remediation of contaminated land. The application is for demolition of a chimney only and subject to recommended conditions no concern is raised with the proposed development in regards to contamination.

Camden Local Environmental Plan 2010 (Camden LEP)

The Camden LEP aims to make local environmental planning provisions for land in Camden in accordance with the relevant standard environmental planning instrument under Section 3.20 of the *Environmental Planning and Assessment Act 1979*.

Site Zoning

The site is zoned RU1 Primary Production, R5 Large Lot Residential, SP2 Infrastructure, C2 Environmental Conservation and C4 Environmental Living pursuant to Clause 2.2 of the Camden LEP. The subject building is located on that part of the site zoned R5 Large Lot Residential.

Land Use/Development Definitions

The development is characterised as 'demolition' by the Camden LEP 2010.

Permissibility

The development is permitted with consent under the Camden LEP.



Planning Controls

An assessment table in which the development is considered against the Camden LEP's planning controls is provided as an attachment to this report.

(a)(ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

Draft Environment State Environmental Planning Policy (Draft Environment SEPP)

The development is consistent with the Draft Environment SEPP in that there will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of it.

the provisions of any development control plan (a)(iii)

Camden Development Control Plan 2019 (Camden DCP)

An assessment table in which the development is considered against the Camden DCP is provided as an attachment to this report. The proposal is generally consistent with all relevant matters contained in the Camden DCP.

(a)(iiia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No relevant planning agreement or draft planning agreement exists or has been proposed as part of this DA.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The Environmental Planning and Assessment Regulation 2021 prescribes several matters that are addressed in the conditions attached to this report.

(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

As demonstrated by the assessment, the development is unlikely to have any unreasonable adverse impacts on the natural, built, social and economic environments in the locality. Additional consideration has been given below regarding the site being part of the Wivenhoe heritage item.

The deconstruction of the chimney is supported as its removal will ensure the ongoing preservation of the Wivenhoe heritage item.

The application was supported by a Heritage Assessment and Structural Engineers Report. Council's Heritage Advisor has reviewed the submitted documentation and supports the application subject to recommended conditions.



(c) the suitability of the site for the development

As demonstrated by the above assessment, the site is suitable for the development.

(d) any submissions made in accordance with this Act or the regulations

The DA was not publicly exhibited in accordance with Camden Community Participation Plan 2021.

(e) the public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, environmental planning instruments, development control plans and policies. Based on the above assessment, the development is consistent with the public interest.

EXTERNAL REFERRALS

No external referrals were requested for this application.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

RECOMMENDED

That the Panel approve DA/2023/29/1 for the demolition of a chimney at Wivenhoe Villa at 229 Macquarie Grove Road, Cobbitty subject to the conditions attached to this report.

REASONS FOR DETERMINATION

- 1. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being Camden Local Environmental Plan 2010; State Environmental Planning Policy (Biodiversity and Conservation) 2021; and State Environmental Planning Policy (Resilience and Hazards) 2021.
- 2. The development is consistent with the objectives of the Camden Development Control Plan 2019.
- 3. Subject to the recommended conditions, the deconstruction of the chimney will ensure the ongoing preservation of the heritage listed building.
- 4. In consideration of the aforementioned reasons, the approval of the application is in the public interest.



ATTACHMENTS

- 1. Recommended Conditions
- 2. LEP Assessment Table
- 3. DCP Assessment Table
- 4. Heritage Report
- Structural Engineers Report
 Architectural Plans

RECOMMENDED CONDITIONS

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

(1) Approved Plans and Documents - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
WIVENHOE VILLA – Demolition of a Chimney	Site Locality Plan	Applicant	January 2023.
WIVENHOE VILLA – Demolition of a Chimney	Subject Chimney	Applicant	January 2023.
WIVENHOE VILLA – Demolition of a Chimney	First Floor Plan	Applicant	January 2023.
WIVENHOE VILLA – Demolition of a Chimney	Ground Floor Plan	Applicant	January 2023.
WIVENHOE VILLA – Demolition of a Chimney	Overall Plan	Applicant	January 2023.

Document Title	Prepared by	Date
Heritage Report – Urgent Structural Repairs	Design 5 Architects	10/01/2023
Structural Opinion Report, Reference No. RPT22-27-A	TR Consulting Engineers	23/12/2022

- (2) Approved Works This consent only permits the deconstruction of the chimney (above roof level) and installation of salvaged terracotta roof tiles in the area of the deconstructed chimney. No other works are to be carried out without the prior approval of Council.
- (3) Heritage A heritage consultant experienced in heritage restoration and renovation works is to be commissioned to work with the consultant team throughout the design, development, documentation and deconstruction stages of the project.

The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition / deconstruction.

The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

Evidence and details of the above commission on the above terms are to be provided to Council prior to commencement of work on site. The heritage consultant must sign off the completed project and submit a final report to Council specifying how the heritage conditions are satisfied at the completion of the demolition work.

2.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

(1) Archival Recording - An archival record of the chimney (photographs and in plans) must be completed to the satisfaction of Council's Heritage Advisor prior to deconstruction works commencing. The recording shall be in accordance with the NSW Heritage Office guidelines "Photographic Recording of Heritage Items using Film or Digital Capture" (2006) (or as amended).

4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) Work Hours All work (including delivery of materials) shall be:
 - restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
 - not carried out on Sundays or public holidays,

unless approved in writing by Council.

(2) **Heritage materials** - All materials, including brickwork and chimney pots, are to be salvaged and stored securely on the site.

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Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

Attachment 2

Clause	Assessment	Compliance?
 2.3 Zone objectives and land use table The land use table for each zone sets out what development is permitted without consent, permitted with consent, and prohibited. The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone. The zone objectives for this site are: <u>R5 Large Lot Residential</u> To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. To minimise conflict between land uses within this zone and land uses within adjoining zones. 	The site is partly zoned RU1 Primary Production, R5 Large Lot Residential, SP2 Infrastructure, C2 Environmental Conservation and C4 Environmental Living. The subject building (Wivenhoe Villa) is located on that part of the site zoned R5 Large Lot Residential. The development is defined as 'demolition' which is permitted with consent. The development is consistent with the relevant objectives of the zone in that it will enable the continued use of the site for rural and heritage purposes and will not conflict with any surrounding land uses in the R5 or surrounding zones.	Yes
2.7 Demolition requires development consent Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).	Development consent is sought for the demolition of one chimney within the existing heritage building (Wivenhoe Villa).	Yes
5.10 Heritage conservation Before granting development consent in respect of a heritage items or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned. The consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage conservation area concerned. The submission of a heritage conservation management plan may also be required. Development consent may be granted for any purpose of a building that is a heritage item or the land on which such a building is erected, or for any purpose on an Aboriginal Place of Significance is the consent authority is satisfied as to a number of matters listed by this clause; including if the conservation of the item or place is facilitated by the granting of consent.	The application and Heritage Report has been considered by Council's Heritage Advisor who supports the application subject to recommended conditions. The proposal has been further considered against the objectives and controls in Section 2.16 of the Camden DCP 2019 relating to general heritage and heritage conservation area. The deconstruction of the chimney will ultimately lead to the ongoing preservation of the Wivenhoe heritage item.	Yes

Camden Development Control Plan 2019 (Camden DCP) Assessment Table

Section / Control	Assessment	Compliance
2.16.2 Heritage Concepts.		
The Burra Charter provides guidance for the conservation and management of places of heritage significance "Heritage items can include buildings, sites, places, archaeological items, mature trees and landscapes of both state and local significance. Items of state significance are identified on the State Heritage Register. Items of State and Local significance are identified in Schedule 5 of the CLEP 2010."	The proposal is located within Wivenhoe (including house and gardens, outbuildings, stables, servants' quarters and coach house) and is of local heritage significance. The item is also listed on the National Trust Register (NSW). The proposal has been considered against the general heritage provisions and Councils Heritage Advisor is supportive of the proposal, subject to recommended conditions within the consent. A Heritage Report has been provided. The deconstruction of the chimney will ultimately lead to the ongoing preservation of the Wivenhoe heritage item by removing the risk of any further potential / irreversible damage. As requested by Council's Heritage Advisor, the chimney is to be documented prior to its removal. The materials obtained from the dismantling of the chimney are to be stored on site.	Yes.
2.16.3 General Heritage Provisions.		
Roof and Roofscape.	The existing roof form of the item is to be retained, with exception of the removal of the chimney.	Yes.
Height.	No changes to the overall height are proposed.	Yes.
Materials and Finishes.	The materials to be removed as a result of this application are to be stored on site.	Yes.
Demolition.	Demolition of one chimney is required for the preservation and safety of the heritage item. The structural engineers report submitted with the DA demonstrates that the demolition of the chimney is required 'to reduce the potential catastrophic failure of the building' (Tony Russo, TR Consulting Engineers 2023).	Yes.



Geoff Green Manager, Wivenhoe Environment & Conservation The Sisters of the Good Samaritan 10 January 2023

Email: Geoff Green ggreen@goodsams.org.au

Dear Geoff,

WIVENHOE VILLA 229 MACQUARIE GROVE ROAD, CAMDEN HERITAGE - URGENT STRUCTURAL REPAIRS

Further to our recent correspondence, and site inspection 22 December 2022, we write to provide comment on the recommendations outlined in the '*Structural Opinion Report*' prepared by TR Consulting Engineers Pty Ltd., dated 23 December 2022,

1.0 Heritage Listing

A significant portion of the subject property, including the villa, is listed as a heritage item in Schedule 5 of the Camden Local Environmental Plan 2010:

 "Wivenhoe" (including house and gardens, outbuildings, stables, servants quarters and coach house), Item No. 199

The property is also listed on the National Trust Register (NSW).

2.0 Heritage Significance

Below is an extract from the summary statement of cultural significance included in the Wivenhoe Conservation Management Plan prepared by Design 5 – Architects and revised in 2008:

"The Wivenhoe estate is an excellent example of an early nineteenth century gentleman's rural estate. It comprises several significant elements and features, in particular the original villa, villa garden and stables, all set within their original 'park domain'.

The Wivenhoe villa is a fine Georgian Regency villa, the design of which is attributed to the prominent colonial architect John Verge. The quality of the design and finishes is extremely high. Edwardian refurbishments, with their fine Art Nouveau details, are also of high quality and are significant in demonstrating the changing tastes of society in the early twentieth century."

It is noted that the original villa was extended and modernised in c1906 with the inclusion of internal bathrooms, and built-in wardrobes and bookcases. Major additions included a large billiard room with additional bedrooms above, a conservatory, two-storey verandahs and an enlarged servant quarters – the location of the proposed works.

Design 5 - Architects Pty Ltd ABN 22 090 066 194 Level 3, 79 Myrtle Street, Chippendale NSW 2008 +61 2 9319 1855 www.design5.com.au Nominated Architect – Alan Croker, NSW Registration No 4693, Tas Registration No 883 Matthew Byrnes 8918 Robert Gasparini 7614 Lian Wong 8532 PP0,

3.0 Existing Condition

A site inspection of the servants' wing was carried out by Design 5 - Architects Thursday 22 December 2022.

The servants' wing, particularly the southern elevation, was found to be in poor condition. The southern façade had been subject to extensive movement and cracking, likely due to poor drainage around the perimeter of the building, increased rainfall, leaking stormwater goods and poorly constructed footings - all in combination with reactive clay foundations.

The area of greatest concern, and the subject of the structural engineer's report, was the western end of the wing, in the location of a former fireplace and chimney. These loads appear to have exacerbated the movement in the wall below and as a result "the existing chimney poses safety issues to the building occupants" which, should it collapse, would be "catastrophic and include the collapse of the roof, first floor and south wall" causing irreversible damage.

4.0 Proposed Works

The proposed works included in the structural report prepared by TR Consulting Engineers, in summary:

- Deconstruct the existing chimney above the roof line
- Improve drainage of surface water away from the building
- · Removal of large trees or shrubs near the structure
- Ensure downpipes are connected and functional to drain water from the building
- Installation of perimeter tree root barrier/s where required to help control moisture movements
- Installation of stainless steel "tied rods" to the wall at floor / roof levels to provide lateral
 restraint
- Installation of helical reinforcement at masonry crack locations
- · Carry out geotechnical investigations for underpinning requirements

5.0 Summary of Potential Heritage Impacts

The location of the proposed repair works are confined to the servants' wing, a building that was extensively modified c1906. The works are on the southern (rear) façade of this building, in the location of services, and an area considered of lesser significance than the principal (northern) façade, which would remain unaffected by the works proposed.

The heritage impact of the installation of stainless steel tie rods on significant fabric is negligible, and in fact, will have a greater overall positive heritage impact on the longevity of the building. These works are also consistent with other repair works previously carried out elsewhere on the property.

The deconstruction of the existing chimney above the roofline is a minor but acceptable heritage impact given that it is necessary to ensure the immediate safety of occupants and prevent greater structural failure. Difficulties to reconstruct the chimney are outlined in the structural report but opportunities could be further explored at a later date, once the building is no longer at risk.

The Jubaea palm adjacent to the servants' wing is considered a reasonable distance from the servants' wing and is also a significant landscaping element, and for this reason, should not be removed.

Noting the above, the proposed works are consistent with the policies and guidelines set out in the Wivenhoe Conservation Management Plan.

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6.0 Conclusion / Recommendation

Based on the structural assessment outlined in the report prepared by TR Consulting Engineers, and the above summary heritage assessment, it is recommended that the chimney be carefully deconstructed <u>immediately</u> on safety grounds, but likewise to avoid a greater irreversible heritage impact on the building. Written approval for this work should be sought from Council.

It is recommended that the chimney be documented (photographically and drawn to scale) prior to the chimney being taken down. Furthermore, the brickwork and chimney pots should be salvaged and stored on site. Interpretation of the location of the chimney in the roof plane could also be considered as well as opportunities to reconstruct the chimney without putting undue stress on the building.

Drainage around the entire building should be reviewed holistically to minimise the risk of similar issues reoccurring in the current location or elsewhere. Internal repairs to finishes ideally should not be carried out for at least 3 months, once the drainage measures have taken full affect and the level of movement has been reduced.

Please don't hesitate to contact the undersigned should you require any further information regarding this matter.

Yours sincerely,

Matthey Byrnes

for DESIGN 5 - Architects Pty Ltd

'WIVENHOE', CAMDEN Design 5 – Architects Pty Ltd STRUCTURAL REPAIRS page 3 of 3



Reference Number: RPT22-27-A Job Number: JN0146

Geoff Green Manager Wivehoe Environmental Conservation Email: ggreen@goodsams.org.au

Dear Geoff,

<u>Re: Structural Opinion Report of Existing Chimney at:</u> (Wivehoe Villa) 229 Macquarie Grove Road, Cobbitty, NSW, 2570.

1. Introduction

23rd December 2022

Per your instructions, I inspected the above-mentioned property on the 14th of November 2022 and the 21st of December 2022.

Being a chartered structural engineering consultant experienced in the assessment of Heritage Buildings, I was requested to provide structural opinion of the chimney that is causing concern. My inspection was of visual nature with no invasive investigation, apart from the localised test pit to reveal the nature of the existing footing and foundation strata.

My site inspection and report are limited to my visual observations.

2. Scope of Works

My report is based on the following:

- The building was built circa 1837 as a two-storey villa.
- Repairs were carried out in 2012 to 2013.
- The building is listed as a "heritage item" under schedule 5 of the Camden Local Environmental Plan 2010.
- I was requested to provide structural opinion on the existing chimney that is causing concern. Refer sketch SK1 and SK2.

Site observations and photos (refer photo location attached)

- Photo 1: Chimney south wall
- Photo 2: Vertical crack, lateral movement at chimney stack to south wall
- Photo 3: Vertical crack, lateral movement >50 mm at chimney stack to south wall
- Photo 3: Lateral movement >50mm between floor joist and chimney stack. Lateral movement of south wall.
- Photo 4: Lateral movement >50mm between floor joist and chimney stack. Lateral movement of south wall.
- Photo 5: Lateral movement of south wall, approx. 40 mm
- Photo 6: Lateral movement of south wall, approx. 40 mm

T R CONSULTING ENGINEERS PTY LTD

Tony Russo B.E. (Hons) MIEAust CPEng NER APEC Engineer IntPE(Aus) Tel: 0419 014 793 – Email: tony@trceng.com.au – Website: www.trceng.com.au Page 1 of 13

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3. Comments

Extensive cracking and lateral movement to the fireplace, chimney stack and south facade was evidenced. The cracks can be classed as damage categories 0 to 5, referring to Australian Standard AS2870-2011 (see attached extract).

In my opinion, the cracking was caused by the following:

- Settlement and/or heaving along with rotational movement of high-level brick footings accommodated on reactive clay resulting in cracks to walls.
- High load concentration at chimney stack location.
- Leaks to stormwater and sewage pipes which caused heaving of the footings.
- Ground moisture changes due to tree roots, dry/wet weather and pipe leaks causing foundation movements.
- There is no mechanism restraining the floor joist / roof rafters to the south wall.

3.1 Existing Footings

It is unlikely the existing brick footings comply to AS2870-2011 (Residential slabs and footings) code, as these footings were constructed circa 1837.

All footings, are subject to movement in the event of abnormal environmental and soil moisture changes, including those designed in accordance with AS2870-2011. The existing footings and walls of this building have demonstrated significant cracking and poor performance.

4. Discussion

The existing fireplace located between the laundry/therapy room on ground level shows signs of extensive cracking >50mm, refer photos 2 and 3. The isolated chimney above the roof line extending approximately 2m above the roof tiles is a vertical cantilevered structure with a hollowed core cross section. As this chimney has rotated and cracked, it has limited capacity to redistribute forces. Under wind/seismic loading, the masonry chimney becomes fragile with low resisting capacity, making it vulnerable to horizontal actions. Because of lateral movement, the existing chimney poses safety issues to the building occupants. In my opinion failure of the chimney into the building would be catastrophic and include the collapse of the roof, first floor and south wall. Refer to sketch SK1 and SK2 indicating rotation and movement of the chimney stack and south wall.

In addition, the chimney is subjected to high compression forces at footing level, which can lead to the development of vertical and lateral cracks as observed on site. Refer to photos 2 and 3.

The internal walls of the building abutting the south wall at ground/first floor constitute an important structural element that provides stability to the building. As noted on site, extensive cracking at the junction between the internal and external walls is evident, especially at the fireplace chimney stack. Refer to sketch Sk1 and Sk2 for approximate lateral movements to the south wall.

Structural Opinion Report | 23rd December 2022 229 Macquarie Grove Road, Cobbitty (Wivehoe Villa)

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Reference Number: RPT22-27-A T R Consulting Engineers Pty Ltd LPP01



4.1 Existing Chimney

Rebuilding the chimney in masonry at same location is not recommended as the self-weight of the chimney would continue to cause settlement/movement of the high-level brick footing which bears on reactive clays and will continue to cause lateral movement to the south wall and eventual collapse of the building.

Rebuilding the chimney in a lightweight facsimile is not structurally possible in the same position on the roof given the raked ceiling of the first floor, no fixing locations and lack of roof void at the wall junction.

4.2 Other Measures

- Drainage of surface water away from the building.
- "Apron" paths all around the perimeter walls to help control moisture movements.
- Removal of large trees or shrubs near the structure.
- Ensure downpipes are connected and functional to drain water from the dwelling.
- Installation of perimeter tree root barrier/s where required to help control moisture movements.
- Installation of air bricks to sub floor to allow for ventilation.
- Install stainless steel "Tie Rods" to the wall at floor/roof levels to provide lateral restraint.
- Install Thor Helical reinforcement at masonry crack locations.
- Geotechnical engineers investigation for underpinning requirements. NB: Areas of footing
 that are not underpinned may experience differential settlement compared to underpinned
 section of footings. This would cause brickwork to crack. Furthermore, underpinning the
 fireplace in my opinion would prove difficult as a result of the large width of masonry footing
 and would pose safety issues to building and builder during this process.

5. Conclusion

Based on my site observations at the time of inspection, I recommend the chimney between the laundry/ therapy room be removed in total above the roof because of safety issues. This work must be undertaken immediately to reduce the potential catastrophic failure of the building. In the short term the south wall/servant quarters wing must be barricaded until the chimney is removed and temporary stabilisation works are complete as detailed on T R Consulting Engineers sketch documentation dated 28/11/2022.

Reference Number: RPT22-27-A T R Consulting Engineers Pty Ltd

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I trust the above is of assistance. Should you require any further information, please do not hesitate to contact the undersigned.

Yours Faithfully, For and on behalf of T R Consulting Engineers PTY LTD

Tony Russo Director BE (Hons) MIEAust CPEng NER APEC Engineer IntPE(Aus) NSW Fair Trading Registered Professional Engineer NSW Fair Trading Registered Design Practitioner



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Attachment 5



AS 2870-2011

68

CLASSIFICATION OF DAMAGE DUE TO FOUNDATION MOVEMENTS

(Normative)

Classification of damage with reference to wall is given in Table C1. Classification of damage with reference to concrete floors is given in Table C2.

ТΔ	RI	I F	C1	
	-	-	~	

CLASSIFICATION OF DAMAGE WITH REFERENCE TO WALLS				
Description of typical damage and required repair	Approximate crack width limit (see Note 1)	Damage category		
Hairline cracks	<0.1 mm	0 Negligible		
Fine cracks that do not need repair	<1 mm	1 Very slight		
Cracks noticeable but easily filled. Doors and windows stick slightly	<5 mm	2 Slight		
Cracks can be repaired and possibly a small amount of wall will need to be replaced. Doors and windows stick. Service pipes can fracture. Weather tightness often impaired	5 mm to 15 mm (or a number of cracks 3 mm or more in one group)	3 Moderate		
Extensive repair work involving breaking out and replacing sections of walls, especially over doors and windows. Window frames and door frames distort. Walls lean or bulge noticeably, some loss of bearing in beams. Service pipes disrupted	15 mm to 25 mm but also depends on number of cracks	4 Severe		

NOTES:

1 Where the cracking occurs in easily repaired plasterboard or similar clad-framed partitions, the crack width limits may be increased by 50% for each damage category.

 Crack width is the main factor by which damage to walls is categorized. The width may be supplemented by other factors, including serviceability, in assessing category of damage.

3 In assessing the degree of damage, account shall be taken of the location in the building or structure where it occurs, and also of the function of the building or structure.

TABLE C2

CLASSIFICATION OF DAMAGE WITH REFERENCE TO CONCRETE FLOORS

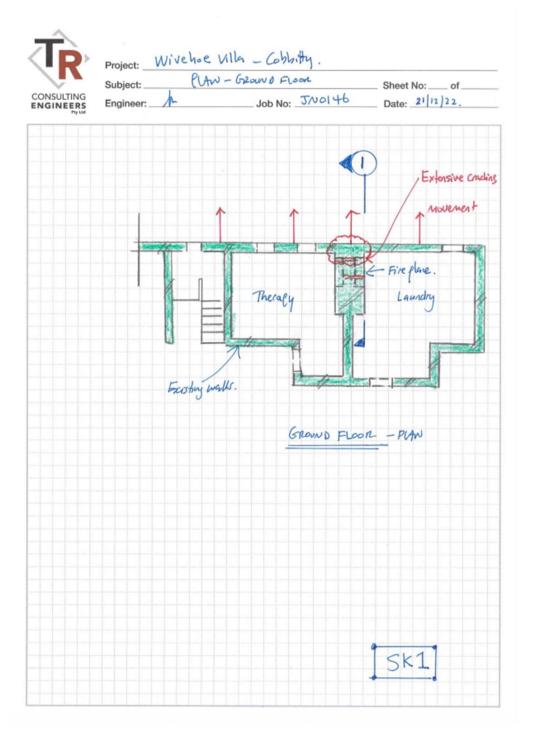
Description of typical damage	Approx. crack width limit in floor	Change in offset from a 3 m straightedge centred over defect (see Note 1)	Damage category
Hairline cracks, insignificant movement of slab from level	<0.3 mm	<8 mm	0 Negligible
Fine but noticeable cracks. Slab reasonably level	<1.0 mm	<10 mm	1 Very slight
Distinct cracks. Slab noticeably curved or changed in level	<2.0 mm	<15 mm	2 Slight
Wide cracks. Obvious curvature or change in level	2 mm to 4 mm	15 mm to 25 mm	3 Moderate

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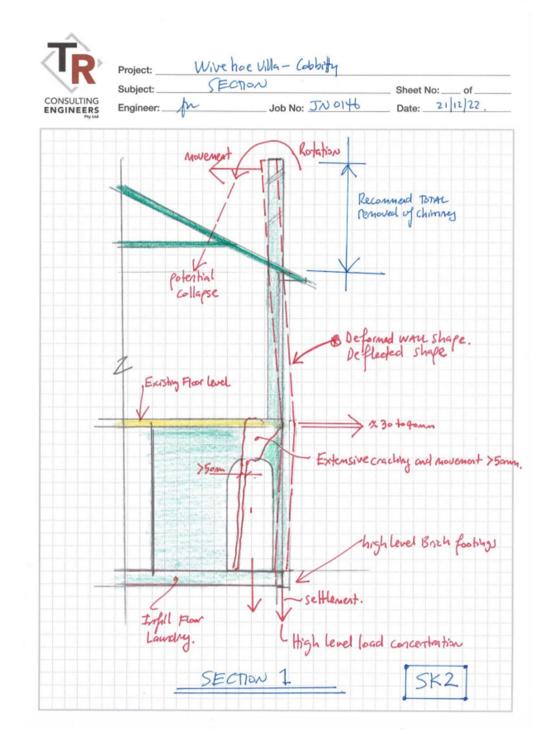


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PHOTO 1: Chimney – south wall



Photo 2: Vertical crack, lateral movement at chimney stack to south wall

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Photo 3: Vertical crack, lateral movement >50 mm at chimney stack - to south wall

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Photo 3: Lateral movement >50mm between floor joist and chimney stack. Lateral movement of south wall.

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Photo 4: Lateral movement >50mm between floor joist and chimney stack. Lateral movement of south wall.

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Photo 5: Lateral movement of south wall, approx. 40 mm

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Photo 6: Lateral movement of south wall, approx. 40 mm

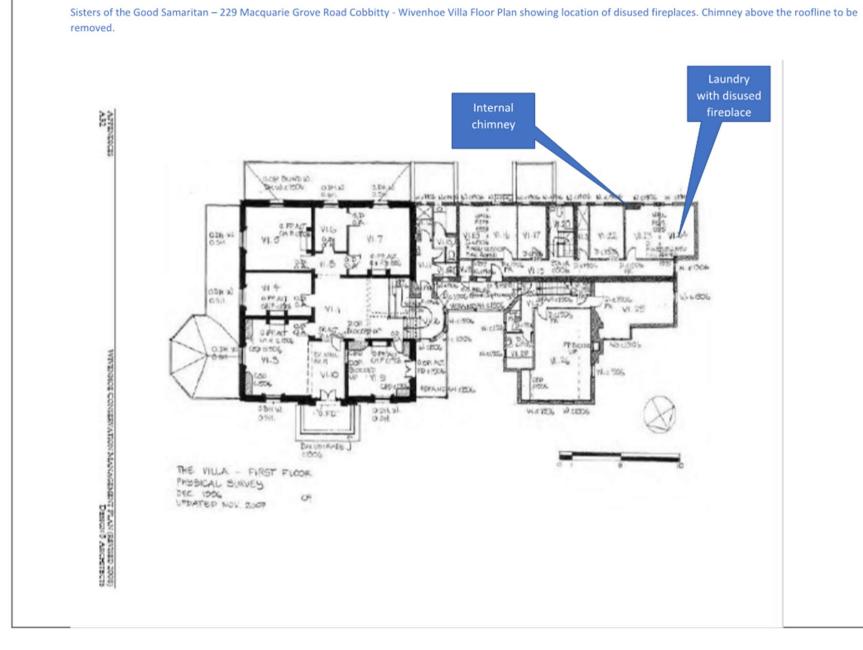
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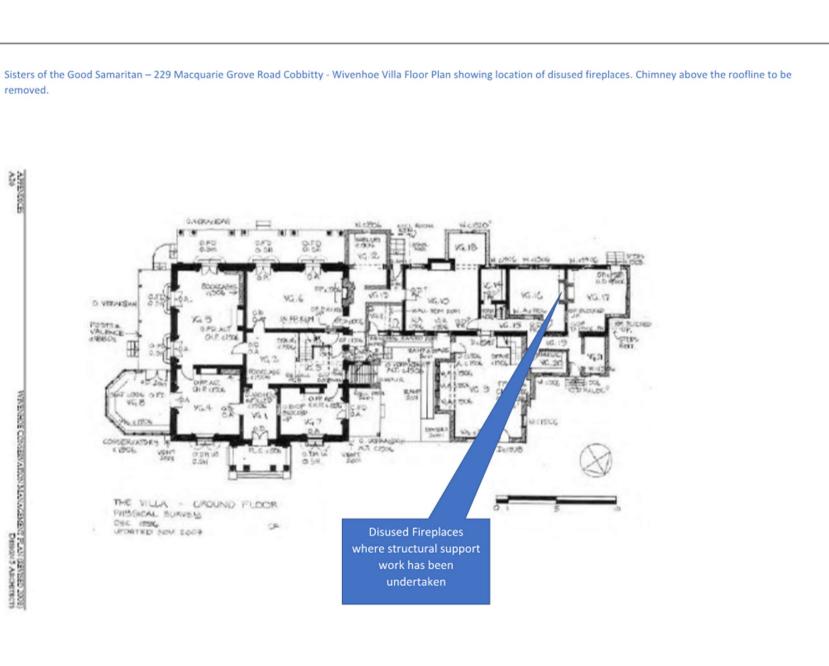




Attachment 6



CLPP01



Attachments for the Camden Local Planning Panel Meeting held on 14 February 2023 - Page 40

removed.

APPENDS

WWENHOE CONSERVATION MANAGEMENT PLAN (BEVISED 2008) DEBOORD AGCHETECTI







CLPP02

SUBJECT: DA/2022/850/1 - ALTERATIONS AND ADDITIONS TO EXISTING PUB AND INSTALLATION OF BUSINESS SIGNAGE - 75 ARGYLE STREET, CAMDEN FROM: Manager Statutory Planning

EDMS #: 22/424754

DA Number:	2022/850/1	
Development:	Alterations and additions to an existing pub and installation of business signage	
Estimated Cost of Development:	\$2,309,272	
Site Address(es):	75 Argyle Street, Camden	
Applicant:	Chapman Planning	
Owner(s):	G&D Dixon Investments Pty Ltd and Seadanmitch Investments Pty Ltd	
Number of Submissions:	None	
Development Standard Contravention(s):	None	
Classification:	Local development	
Recommendation:	Approve with conditions.	
Panel Referral Criteria:	Sensitive development (partial demolition of a heritage item)	
Report Prepared By:	Annabelle Jones - Executive Planner	

PURPOSE OF REPORT

The purpose of this report is to seek the Camden Local Planning Panel's (the Panel's) determination of a development application (DA) for alterations and additions to an existing pub and installation of business signage at 75 Argyle Street, Camden.

The Panel is to exercise Council's consent authority functions for this DA as, pursuant to the Minister for Planning's Section 9.1 Direction, the development involves the partial demolition of a heritage item.

SUMMARY OF RECOMMENDATION

That the Panel determine DA/2022/850/1 for alterations and additions to an existing pub and installation of new rear signage pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.



EXECUTIVE SUMMARY

Council is in receipt of a DA for alterations and additions to an existing pub and installation of business signage at 75 Argyle St, Camden.

The DA has been assessed against the *Environmental Planning and Assessment Act* 1979, the *Environmental Planning and Assessment Regulation 2021*, relevant environmental planning instruments, development control plans and policies.

The DA was publicly exhibited for a period of 14 days in accordance with the Camden Community Participation Plan 2021. The exhibition period was from 27 September to 10 October 2022 and no submissions were received.

The proposal fully complies with all applicable development standards and controls contained within the Camden Local Environmental Plan 2010 (Camden LEP) and the Camden Development Control Plan 2019 (Camden DCP).

The site is identified as local heritage item I8 pursuant to Schedule 5 of the Camden LEP and is known as the "Plough and Harrow Inn". The proposed works only involve the removal of non-original fabric such as lightweight walls, toilet amenities, 1970s joinery and more recent surface treatments and additions. The works do not include the removal of any original masonry walls, plasterwork, ceilings, cornices, skirtings, or architraves.

Council's planning and heritage staff have reviewed the submitted plans, heritage impact assessment and materials and finishes schedule and are satisfied that the proposed changes are sympathetic to the heritage item and the surrounding heritage conservation area. Various conditions are recommended to ensure that a detailed photographic archival recording is undertaken prior to any works commencing and that the works are carried out under the supervision of a qualified heritage consultant.

Based on the assessment, it is recommended that the DA be approved subject to the conditions attached to this report.



AERIAL PHOTO



The site is commonly known as 75 Argyle Street, Camden and is legally described as Lot 18 in DP 228845. The site is rectangular in shape and has frontages of 20m to both Argyle Street and the Larkin Place public car park, a depth of 56m and an area of 1,138m².

The site is zoned B2 Local Centre and is located within the Camden Heritage Conservation Area. It is also identified as local heritage item I8, pursuant to Schedule 5 of the Camden LEP. There are several other local heritage items within proximity of the site, including the Whiteman's Arcade on the opposite side of Argyle Street and two former bank buildings adjacent to the roundabout intersection of Argyle and John Streets, to the west.

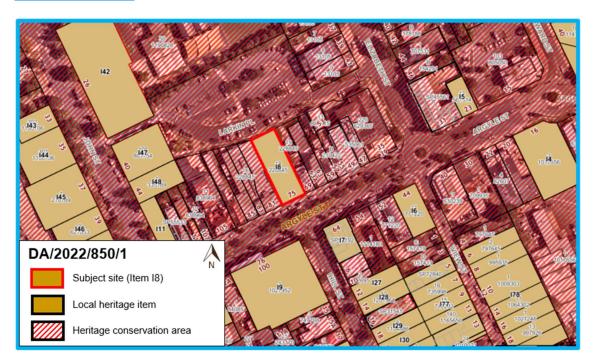
The existing built form consists of the original two storey Plough and Harrow Inn fronting Argyle Street which was first constructed in 1841 and has retained its original use as a pub with accommodation above. The ground floor of the building has undergone significant internal renovations and rear extensions over the years. A DA was recently approved for the use of the public footpath along Argyle Street as a new outdoor dining and seating area, although the use of this area has been delayed until the currently proposed alterations take place, to enable the internal and external dining areas to operate efficiently together.

ZONING PLAN





HERITAGE PLAN

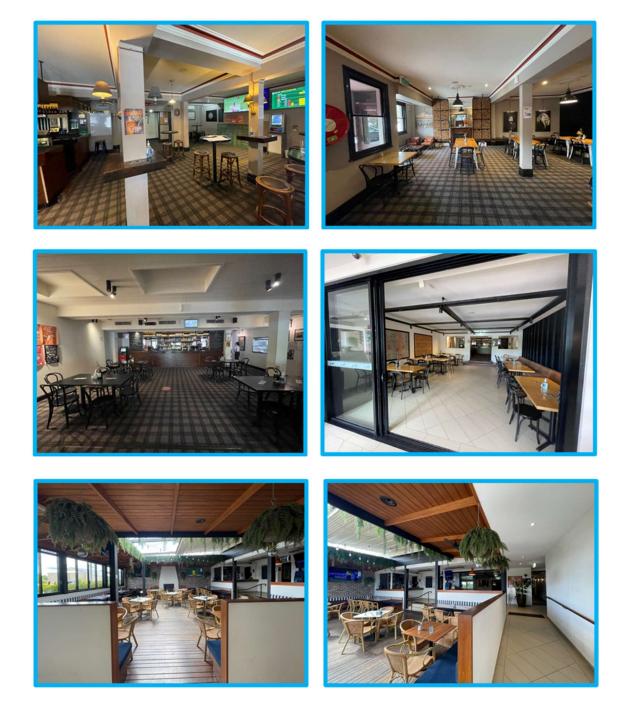


SITE PHOTOGRAPHS













HISTORY

The relevant development history of the site is summarised in the following table:

Date	Development
10/10/2020	DA/2020/647/1
10/10/2020	Approved outdoor seating area fronting Argyle Street.
1/12/2011	DA/2011/824/1
1/12/2011	Approved refurbishment and additions.
29/1/2004	DA/2003/1576/1
29/1/2004	Approved replacement of existing hood and ducting in kitchen.
19/7/2002	DA/2002/814/1
19/1/2002	Approved additions to beer garden.
8/2/1994	DA/1993/44/1
0/2/1994	Approved alterations to existing hotel.
9/6/1993 DA/1993/110/1	
3,0,1000	Approved demolition of freestanding building at rear of existing development.

THE PROPOSAL

DA/2022/850/1 seeks approval for alterations and additions to an existing pub and installation of new business signage.

Specifically, the development involves:

- Demolition of walls, fixtures and fittings for two internal bars, smoking area, bistro, games room, lower terrace, bathrooms, rear façade and central/rear roof coverings.
- Removal of two existing fascia signs on the rear elevation.
- Internal reconfiguration of the pub layout (excluding kitchen, cool room and keg room) to create new bar and smoking areas, bistro, lounge, gaming room, water feature, bathrooms, new hipped and skillion roofs to the central/rear portions of the



• Installation of two new wall signs to the rear facade.

The estimated cost of the development is \$2,309,272.

ASSESSMENT

Environmental Planning and Assessment Act 1979 - Section 4.15(1)

In determining a DA, the consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the DA:

(a)(i) the provisions of any environmental planning instrument

The environmental planning instruments that apply to the development are:

- Camden Local Environmental Plan 2010.
- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Industry and Employment) 2021.

Camden Local Environmental Plan 2010 (Camden LEP)

The Camden LEP aims to make local environmental planning provisions for land in Camden in accordance with the relevant standard environmental planning instrument under Section 3.20 of the *Environmental Planning and Assessment Act 1979*.

Site Zoning

The site is zoned B2 Local Centre pursuant to Clause 2.2 of the Camden LEP.

Land Use/Development Definitions

The development is characterised as a 'pub' and 'business identification signs' by the Camden LEP.

Permissibility

The development is permitted with consent in the B2 zone pursuant to the land use table of the Camden LEP.

Planning Controls

An assessment table in which the development is considered against the Camden LEP's planning controls is provided as an attachment to this report.

<u>State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)</u>

The development is considered satisfactory in terms of the matters for consideration in Chapter 6 of the Biodiversity and Conservation SEPP. There will be no unreasonable



adverse impacts upon the Hawkesbury-Nepean Catchment as a result of the development.

State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)

The Industry and Employment SEPP aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

Section 3.6 of the Industry and Employment SEPP requires the consent authority to be satisfied that signage is consistent with the objectives as set out in Section 3.1(1)(a) of the SEPP and the assessment criteria specified in Schedule 5 of the SEPP. An assessment table in which the development is considered against these matters is provided as an attachment to this report.

(a)(ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

Draft Environment State Environmental Planning Policy (Draft Environment SEPP)

The development is consistent with the Draft Environment SEPP in that there will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of it.

(a)(iii) the provisions of any development control plan

Camden Development Control Plan 2019 (Camden DCP)

An assessment table in which the development is considered against the Camden DCP is provided as an attachment to this report. There are no DCP variations proposed.

(a)(iiia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

No relevant planning agreement or draft planning agreement exists or has been proposed as part of this DA.

(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The *Environmental Planning and Assessment Regulation 2021* prescribes several matters that are addressed in the conditions attached to this report.

(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

As demonstrated by the assessment, the development is unlikely to have any unreasonable adverse impacts on either the natural or built environments, or the social and economic conditions in the locality.



(c) the suitability of the site for the development

As demonstrated by the above assessment, the site is considered to be suitable for the development.

(d) any submissions made in accordance with this Act or the regulations

The DA was publicly exhibited for a period of 14 days in accordance with Camden Community Participation Plan 2021. The exhibition period was from 27 September to 10 October 2022 and no submissions were received.

(e) the public interest

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, environmental planning instruments, development control plans and policies. Based on the above assessment, the development is consistent with the public interest.

EXTERNAL REFERRALS

No external referrals were required for this DA.

FINANCIAL IMPLICATIONS

This matter has no direct financial implications for Council.

CONCLUSION

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

RECOMMENDED

That the Panel approve DA/2022/850/1 for alterations and additions to an existing pub and installation of business signage at 75 Argyle Street subject to the conditions attached to this report.

REASONS FOR DETERMINATION

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



approval is in the public interest.

ATTACHMENTS

- 1. Recommended Conditions
- 2. Industry and Employment SEPP Assessment Table
- 3. Camden LEP Assessment Table
- 4. Camden DCP Assessment Table
- 5. Architectural Plans

Recommended Conditions

1.0 - General Conditions of Consent

The following conditions of consent are general conditions applying to the development.

(1) Approved Plans and Documents - Development shall be carried out in accordance with the following plans and documents, and all recommendations made therein, except where amended by the conditions of this development consent:

Plan Reference/ Drawing No.	Name of Plan	Prepared by	Date
Project 21003, Drawing DA0000, Rev. 1	Locality Plan	Anthony Vavayis + Associates	25/02/2022
Project 21003, Drawing DA0001, Rev. 1	Existing/Demolition Ground Floor Plan	Anthony Vavayis + Associates	25/02/2022
Project 21003, Drawing D1001, Rev. 1	DA – Proposed Ground Floor Plan	Anthony Vavayis + Associates	25/02/2022
Project 21003, Drawing DA2001, Rev. 2	North and South Elevations and Existing Façade	Anthony Vavayis + Associates	14/11/2022
Project 21003, Drawing DA3001, Rev. 1	Section 01	Anthony Vavayis + Associates	25/02/2022
Project 21003, Drawing DA3002, Rev. 0	Waterwall	Anthony Vavayis + Associates	August 2018
Project 21003, Drawing DA0002, Rev. 1	Existing Roof Plan	Anthony Vavayis + Associates	25/02/2022
Project 21003, Drawing DA1100, Rev. 1	Proposed Roof Plan	Anthony Vavayis + Associates	25/02/2022
Job No. 220124, Drawing D2, Rev. A	Site/Ground Floor Plan	Quantum Engineers	06/06/2022
Job No. 220124, Drawing D3, Rev. A	Roof Plan and Stormwater Details	Quantum Engineers	06/06/2022
Job No. 220124, Drawing D4, Rev. A	Sediment Control Plan	Quantum Engineers	06/06/2022

Document Title	Prepared by	Date
Finishes and Joinery Schedules, Job No. 21003	Anthony Vavayis + Associates	29/03/2022
Waste Management Plan	Chapman Planning Pty Ltd	30/08/2022

Heritage Impact Statement Job No. J5573, Rev. 1	Weir Phillips Heritage and Planning	01/06/2022
Heritage Impact Statement –	Weir Phillips	29/11/2022
Addendum Letter	Heritage and	
Job No. J5573_01	Planning	
Plan of Management	Plough and	Undated
	Harrow Hotel	
BCA Report	360 Certification	19/08/2022
Job No. C2022040, Rev. 1		

- (2) Separate Approval for Additional Signs A separate development application for any additional proposed signs approved by this development consent shall be provided to and approved by Council prior to the erection or display of those signs (unless the erection or display of those signs is exempt or complying development pursuant to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- (3) **Engineering Specifications** The development shall be designed and constructed in accordance with Council's Engineering Specifications.
- (4) National Construction Code Building Code of Australia (BCA) All building work shall be carried out in accordance with the BCA. In this condition, a reference to the BCA is a reference to that Code as in force on the date the application for the relevant Construction Certificate is made.
- (5) Smoking All modified areas of the premises shall comply with the Smoke-free Environment Act 2000 and Smoke-free Environment Regulation 2016, maintaining all required minimum distances between food service and smoking areas.

2.0 - Prior to Issue of a Construction Certificate

The following conditions of consent shall be complied with prior to the issue of a Construction Certificate.

- (1) Modified Documents and Plans The development shall be modified as follows:
 - a) The plans must be amended to provide sufficient handwashing provisions to the bistro bar area ensuring that a handwash basin is located within 5m of all food preparation areas.
 - b) Final external lighting, paint colours/textures and tile finishes are to be selected in accordance with the document titled "Camden Materials and Colours Guide" available by contacting Council's heritage team. The final selections are to be submitted to Council's heritage team for approval, prior to any Construction Certificate being obtained.

Details demonstrating compliance with the above shall be provided to the certifier prior to the issue of a Construction Certificate.

(2) Construction Waste Management Plan - All waste generated from the development must be managed in accordance with plan titled "Waste Management Plan: Plough and Harrow, Prepared by Green Core, dated 4 March 2022" (or similar plan) and be kept on site until the completion of all construction works.

- (3) Archival Recording An archival record of the existing building(s) and site shall be completed and provided to the accredited certifier and Council. The recording shall be in accordance with the NSW Heritage Office guidelines "Photographic Recording of Heritage Items using Film or Digital Capture" (2006) (or as amended).
- (4) Food Premises The design, construction, fit-out, use and ongoing operation of the food premises and/or food storage area shall comply with all applicable Acts, Regulation, codes and standards including:
 - a) the Food Act 2003;
 - b) the Food Regulation 2015;
 - c) Food Standards Australia and New Zealand Food Standards Code 2003;
 - d) AS 1668.1-2015 and 1668.2-2012;
 - e) the BCA; and
 - f) AS 4674-2004 Design, construction and fit-out of food premises.

Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.

- (5) Mechanical Ventilation Any room or area not provided with natural ventilation in accordance with the relevant requirements of the Building Code of Australia must be provided with a system of mechanical ventilation that complies with the requirements of Australian Standard 1668, Parts 1 & 2. Details demonstrating compliance shall be provided to the accredited certifier with the Construction Certificate application.
- (6) Civil Engineering Plans Civil engineering plans shall be prepared in accordance with the approved plans and Council's Engineering Design and Construction Specifications. Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.

A stormwater plan is to be submitted to the certifier prior to the augmentation of the existing drainage system to accommodate drainage from the approved development and to protect other properties to the satisfaction of the certifier.

Note. Under the *Roads Act 1993*, only the Roads Authority can approve commencement of works within an existing road reserve.

- (7) Soil, Erosion, Sediment and Water Management An erosion and sediment control plan shall be prepared in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book'). Details demonstrating compliance shall be provided to the certifier with the Construction Certificate application.
- (8) Works in Road Reserves Where any works are proposed in a public road reservation, a Road Opening Permit shall be obtained from Council in accordance with Section 138 of the *Roads Act 1993*.
- (9) Damages Bond The applicant is to lodge a bond with Council to ensure any damage to existing public infrastructure is rectified in accordance with Council's Development Infrastructure Bonds Policy.

Note. A fee is payable for the lodgement of the bond.

(10) Structural Engineer's Details - The piers/slabs/footings/structural elements shall be designed and certified by a suitably qualified structural engineer and shall take into consideration the recommendations of any geotechnical report applicable to the site. A statement to that effect shall be provided to the accredited certifier.

- (11) External Walls and Cladding Flammability The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of a Construction Certificate the accredited certifier must:
 - a) be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
 - b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as proposed.

3.0 - Prior to Commencement of Works

The following conditions of consent shall be complied with prior to any works commencing on the development site.

- (1) Public Liability Insurance The owner or contractor shall take out a Public Liability Insurance Policy with a minimum cover of \$20 million in relation to the occupation of, and works within, public property (i.e. kerbs, gutters, footpaths, walkways, reserves, etc) for the full duration of the proposed works. Evidence of this Policy shall be provided to Council and the certifier.
- (2) Notice of Principal Certifier Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The notice shall include:
 - a description of the work to be carried out;
 - b) the address of the land on which the work is to be carried out;
 - c) the registered number and date of issue of the relevant development consent;
 - the name and address of the principal certifier, and of the person by whom the principal certifier was appointed;
 - e) the certifier's registration number, and a statement signed by the certifier consenting to being appointed as principal certifier; and
 - f) a telephone number on which the principal certifier may be contacted for business purposes.
- (3) Notice of Commencement of Work Notice shall be given to Council at least two (2) days prior to subdivision and/or building works commencing in accordance with the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. The notice shall include:
 - a) the name and address of the person by whom the notice is being given;
 - b) a description of the work to be carried out;

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- c) the address of the land on which the work is to be carried out;
- d) the registered number and date of issue of the relevant development consent and construction certificate;
- e) a statement signed by or on behalf of the principal certifier (only where no principal certifier is required) to the effect that all conditions of the consent that are required to be satisfied prior to the work commencing have been satisfied; and
- f) the date on which the work is intended to commence.
- (4) **Sign of Principal Certifier and Contact Details** A sign shall be erected in a prominent position on the site stating the following:
 - a) that unauthorised entry to the work site is prohibited,
 - b) the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c) the name, address and telephone number of the principal certifier for the work.

The sign must be maintained while the work is being carried out and removed when the work has been completed.

- (5) Site is to be Secured The site shall be secured and fenced.
- (6) Soil Erosion and Sediment Control Soil erosion and sediment controls must be implemented prior to works commencing on the site in accordance with 'Managing Urban Stormwater – Soils and Construction ('the blue book') and any Sediment and Erosion plans approved with this development consent.
- (7) Dilapidation Report Council Property A dilapidation report prepared by a suitably qualified person, including a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the site shall be prepared. The report must be submitted to the principal certifier and Council at least 2 days prior to the commencement of works.

Should any public property or the environment sustain damage during the course of and as a result of construction, or if the construction works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage or remove the risk. The costs incurred will be deducted from the applicant's damages bond.

- (8) Traffic Management Plan A traffic management plan shall be prepared in accordance with Council's Engineering Specifications and AS 1742.3. The plan must be submitted to the principal certifier.
- (9) Construction Management Plan A construction management plan that includes dust, soil and sediment and traffic management, prepared in accordance with Council's Engineering Design Specification, shall be provided to the principal certifier.

(10) Environmental Management Plan - An environmental management plan (EMP) prepared in accordance with Council's Engineering Design Specification shall be provided to the principal certifier.

The EMP shall address the manner in which site operations are to be conducted and monitored to ensure that adjoining land uses and the natural environment are not unacceptably impacted upon by the proposal. The EMP shall include but not be necessarily limited to the following measures:

- a) measures to control noise emissions from the site;
- b) measures to suppress odours and dust emissions;
- soil and sediment control measures;
- d) measures to control air emissions that includes odour;
- measures and procedures for the removal of hazardous materials that includes waste and their disposal;
- f) any other recognised environmental impact;
- g) work, health and safety; and
- h) community consultation.
- (11) Construction Noise Management Plan A construction noise management plan shall be provided to the principal certifier and include the following:
 - noise mitigation measures;
 - b) noise and/or vibration monitoring;
 - c) use of respite periods;
 - d) complaints handling; and
 - e) community liaison and consultation.

4.0 - During Works

The following conditions of consent shall be complied with during the construction phase of the development.

- (1) Noise During Work Noise levels emitted during works must comply with:
 - (a) Construction period of 4 weeks and under:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 20 dB(A).

(b) Construction period greater than 4 weeks and not exceeding 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10 dB(A).

(c) Construction period greater than 26 weeks:

The LAeq level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 5 dB(A).

Alternatively, noise levels emitted during works shall be restricted to comply with the NSW Environment Protection Authority Interim Construction Noise Guidelines.

- (2) Relics Discovery During Works If any relic surviving from the past is uncovered during the work that could have historical significance (but is not an aboriginal object):
 - all work must stop immediately in that area;
 - Heritage NSW must be advised of the discovery in writing in accordance with Section 146 of the *Heritage Act 1977*, and
 - any requirements of Heritage NSW must be implemented.
- (3) **Aboriginal Objects Discovered During Works** If any Aboriginal object (including evidence of habitation or remains) is discovered during the work:
 - all excavation or disturbance of the area must stop immediately in that area,
 - Heritage NSW must be advised of the discovery in writing in accordance with Section 89A of the National Parks and Wildlife Act 1974, and
 - any requirements of Heritage NSW must be implemented.
- (4) Site Management The following practices are to be implemented during construction:
 - a) stockpiles of topsoil, sand, aggregate, spoil or other material shall be kept clear of any drainage path, easement, natural watercourse, kerb or road surface and shall have measures in place to prevent the movement of such material off site;
 - b) builder's operations such as brick cutting, washing tools, concreting and bricklaying shall be confined to the building allotment. All pollutants from these activities shall be contained on site and disposed of in an appropriate manner;
 - waste shall not be burnt or buried on site or any other properties, nor shall windblown rubbish be allowed to leave the site. All waste shall be disposed of at a licenced waste disposal facility;
 - d) a waste storage area shall be located on the site;
 - e) all building materials, plant, equipment and waste control containers shall be placed on the building site. Building materials, plant and equipment (including water closets), shall not to be placed on public property (footpaths, roadways, public reserves, etc);
 - f) toilet facilities shall be provided at, or in the vicinity of, the work site at the rate of 1 toilet for every 20 persons or part thereof employed at the site. Each toilet shall:
 - i) be a standard flushing toilet connected to a public sewer; or
 - ii) have an on-site effluent disposal system approved under the *Local Government Act 1993*; or
 - iii) be a temporary chemical closet approved under the *Local Government Act 1993*.
- (5) **Traffic Management Plan Implementation** All traffic management procedures and systems identified in the approved traffic management plan shall be introduced and

Recommended Conditions

maintained during construction of the development to ensure safety and to minimise the effect on adjoining pedestrian and traffic systems.

(6) Site Signage - A sign shall be erected at all entrances to the site and be maintained until the development has been completed. The sign shall be constructed of durable materials, be a minimum of 1200mm x 900mm, and read as follows:

"WARNING UP TO \$8,000 FINE. It is illegal to allow soil, cement slurry or other building materials to enter, drain or be pumped into the stormwater system. Camden Council (02 4654 7777) – Solution to Pollution."

The wording shall be a minimum of 120mm high and the remainder a minimum of 60mm high. The warning and fine details shall be in red bold capitals and the remaining words in dark coloured lower case letters on a white background, surrounded by a red border.

- (7) Vehicles Leaving the Site The construction supervisor must ensure that:
 - all vehicles transporting material from the site cover such material so as to minimise sediment transfer;
 - the wheels of vehicles leaving the site:
 - do not track soil and other waste material onto any public road adjoining the site; and
 - fully traverse the site's stabilised access point.
- (8) Work Hours All work (including delivery of materials) shall be:
 - restricted to between the hours of 7am to 5pm Monday to Saturday (inclusive), and
 - not carried out on Sundays or public holidays,

unless approved in writing by Council.

- (9) **Compliance with BCA** All building work shall be carried out in accordance with the requirements of the BCA.
- (10) **Demolition Work** Consent is granted for the demolition of internal fabric of the pub, subject to compliance with the following conditions:
 - a) The developer shall notify adjoining residents of demolition works seven (7) working days prior to demolition. Such notification is to be clearly written on A4 size paper giving the date demolition will commence and be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite, the demolition site.
 - b) Prior to demolition, the applicant shall erect a sign at the front of the property with the demolisher's name, licence number, contact phone number and site address.
 - c) Prior to demolition, the applicant shall erect a 1.8m high temporary fence and hoarding between the work site and any public property (footpaths, roads, reserves

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etc). Access to the site shall be restricted to authorised persons only and the site shall be secured against unauthorised entry when work is not in progress or when the site is otherwise unoccupied.

- d) Prior to demolition, all services (such as sewer, telephone, gas, water and electricity) must be disconnected. The developer must consult with the relevant service authorities regarding their requirements for the disconnection of services.
- e) Suitable erosion and sediment control measures in accordance with an approved erosion and sediment control plan shall be installed prior to the commencement of demolition works and shall be maintained at all times.
- f) A Work Plan prepared by a suitably qualified person in accordance with AS 2601 'Demolition of Structures' shall be provided to the principal certifier for approval prior to demolition works commencing. The Work Plan shall identify hazardous materials including surfaces coated with lead paint, method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- g) If the property was built prior to 1987, an asbestos survey shall be carried out by a suitably qualified person prior to demolition. If asbestos is found, a WorkCover Authority licensed contractor shall remove all asbestos in accordance with the requirements of the WorkCover Authority, including notification of adjoining neighbours of asbestos removal. All asbestos material must be disposed of at a facility licenced to accept asbestos. Tipping receipts for the disposal of the asbestos must be retained.
- h) The burning of any demolished material on site is not permitted and offenders will be prosecuted.
- Care shall be taken during demolition to ensure that existing services on the site (i.e. sewer, electricity, gas, phone, etc.) are not damaged. Any damage caused to existing services is to be repaired by the relevant authority at the expense of the applicant.

5.0 - Prior to Issue of an Occupation Certificate

An Occupation Certificate shall be obtained prior to any use or occupation of the development. The following conditions of consent shall be complied with prior to the issue of an Occupation Certificate.

- (1) Food Premises Notification Council shall be notified that the premises is being used for the preparation, manufacture or storage of food for sale, or food intended for sale. A 'Notification of Food Premises' form can be found on Council's website.
- (2) **Fire Safety Certificates** A Fire Safety Certificate shall be provided to the principal certifier in accordance with the requirements of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.*
- (3) External Walls and Cladding Flammability The external walls of the building, including attachments, must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of an Occupation Certificate principal certifier must:

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- a) be satisfied that suitable evidence is provided to demonstrate that the products and systems used in the construction of external walls, including finishes and claddings such as synthetic or aluminium composite panels, comply with the relevant requirements of the NCC; and
- b) ensure that the documentation relied upon in the approval processes includes an appropriate level of detail to demonstrate compliance with the NCC as built.

6.0 - Ongoing Use

The following conditions of consent are operational conditions applying to the development.

- (1) Existing Operational Conditions The general operation and use of the areas of the pub approved to be modified under this consent shall continue in accordance with all operational development consents applying to the site.
- (2) Offensive Noise and Noise Compliance The use and occupation of the modified areas of the premises including all plant and equipment shall not give rise to any offensive noise within the meaning of the *Protection of the Environment Operations Act* 1997. Noise must also comply with the NSW Noise Policy for Industry 2017.
- (3) Food Premises All equipment (including pie warmers, hot food display units, etc) used for the display or storage of hot food shall maintain the food at a temperature of not less than 60°C.

All equipment used for the display or storage of cold food shall maintain the food at a temperature of not more than 5°C.

A food business must, at food premises where potentially hazardous food is handled, have a temperature measuring device (eg probe thermometer) that:

- a) Is readily accessible; and
- b) Can accurately measure the temperature of potentially hazardous food to +/-1°C

A suitable waste contractor(s) must be engaged for the removal of wastes generated at the premises. All bins and waste storage facilities at the premises are to be sealed and emptied on a regular basis to prevent odour, vermin and fire hazards from occurring.

- (4) Approved Signage Maintenance The newly approved signs shall be maintained in a presentable and satisfactory state of repair. Where illumination has been approved, the level of illumination and/or lighting intensity used to illuminate the sign/s shall comply with AS 1158 and AS 4282.
- (5) Amenity The approved development shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, the footpath, adjoining occupations or residential/business premises.

State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP) Assessment Table

Section	Assessment	Compliance?
 Part 3.1, Aims, objectives, etc. A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage: is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, and is of high quality design and finish. 	The two proposed rear wall signs are similar in scale and design to signs for surrounding developments facing Larkin Place. The signs clearly communicate the business name on parts of the building typically used to display signage. The design of the signs consists of durable, contemporary materials which are compatible with the character of the building (as modified) and the surrounding area.	Yes.
 Schedule 5 Assessment criteria - Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	The proposed signs are compatible with the desired future character of Larkin Place and are consistent with the existing forms of signage viewed from this elevation.	Yes.
 Schedule 5 Assessment criteria - Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? Schedule 5 Assessment criteria - Views 	The signs will not detract from the amenity or visual quality of any sensitive natural areas, nor the Camden Heritage Conservation Area.	Yes.
 Schedule 5 Assessment criteria - Views and vistas Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	The signs are wholly contained within the dimensions of the existing and proposed rear wall facades and will not obscure any views, protrude above the roofline or obscure any other signs.	Yes.
Schedule 5 Assessment criteria - Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signs are in scale to the building and are appropriate for the interface with the public car park. The signs will contribute to the visual interest and provide a wayfinding benefit for patrons entering the premises from the rear.	Yes.

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State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP) Assessment Table

Section	Assessment	Compliance?
 Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by 	The signs will not display excessive content and are more simplified than the existing signs.	
 Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? 	unattractive built form. The purpose of them is to identify the business, as opposed to advertising.	
Does the proposal protrude above	The signs will not protrude above any buildings or tree canopies.	
buildings, structures or tree canopies in the area or locality?	There is no landscaping proposed which would obscure the signs over time.	
Does the proposal require ongoing vegetation management? Schedule 5 Assessment criteria - Site		
 and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? Schedule 5 Assessment criteria - 	The signs are compatible with the built form proposed and are in proportion to the relevant portions of the façade.	Yes.
Associated devices and logos with advertisements and advertising structures • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The nature of the proposed wall signs does not warrant any supporting devices.	Not applicable.
Schedule 5 Assessment criteria - Illumination	The proposed illumination of the circular 'VIP Lounge' sign will not have any unreasonable impacts on pedestrians or	
 Would illumination result in unacceptable glare? 	vehicles. A condition is recommended for illumination to comply with the relevant Australian Standards.	
 Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the 	Given that the remainder of the car park is only overlooked by a library, primary	Yes.
 Would indimination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be 	school and other business premises, as well as the extended evening hours approved for the pub to operate, a curfew for the sign's illumination is not considered	
adjusted, if necessary?	necessary.	

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State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP) Assessment Table

Section	Assessment	Compliance?
 Is the illumination subject to a curfew? 		
Schedule 5 Assessment criteria - Safety		
Would the proposal reduce the safety for any public road?		
Would the proposal reduce the safety for pedestrians or bicyclists?	The signs will not cause any safety hazards for pedestrians of road users.	Yes.
 Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 		

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Clause	Assessment	Compliance
2.3 Zone Objectives and Land Use Table		
The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.	The development involves alterations and additions to an existing pub with new business identification signage and is permitted with consent in the B2 Local Centre zone.	Yes
The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone. The zone objectives for this site are: <u>B2 Local Centre Zone</u>	The proposed works are consistent with the relevant objectives of the B2 zone in that they will improve the efficiency and functions of an existing business use, facilitate employment opportunities, and support the continued activation of the Argyle Street frontage.	
 To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. To encourage employment 	Subject to compliance with the recommended conditions, the proposed demolition works, construction works and ongoing use of the renovated areas within the pub will not cause any conflict with any surrounding land uses.	
 To maximise public transport patronage and encourage walking and cycling. 		
 To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level. 		
 To minimise conflict between land uses within the zone and land uses within adjoining zones. 		
 To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone. 		
5.10 Heritage Conservation		
Before granting development consent in respect of a heritage items or a heritage conservation area, the consent authority must consider the effect of the proposed development on the heritage significance of the item or area concerned.	The site is listed as a local heritage item (Item I8) pursuant to Schedule 5 of the Camden LEP and is with the Camden Town Centre Heritage Conservation Area. The site is also in the proximity of other heritage items of local significance.	Yes
The consent authority may require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage	A detailed heritage impact statement and supporting addendum letter addressing additional concerns raised by Council staff have been prepared for the site which demonstrate that there will be minimal	

Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

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Camden Local Environmental Plan 2010 (Camden LEP) Assessment Table

significance of the item or heritage conservation area concerned. The submission of a heritage conservation management plan may also be required.	impact to the surviving original fabric of the building, due to the numerous commercial extensions and modifications which have occurred since the pub was first erected in 1841. Council's heritage staff support the findings of the submitted reports and raise no objection to the proposal subject to recommended conditions.	
5.21 Flood Planning		
 This clause applies to land at or below the flood planning level. Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development: (a) is compatible with the flood hazard of the land, and (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and (c) incorporates appropriate measures to manage risk to life from flood, and (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses, and (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding. 	The site is located within the mapped probable maximum flood area, however the lowest finished ground floor level of RL73m (keg room to rear) is located 2m above the 1 in 100 year flood level of RL71m. Given the existing nature and use of the premises, the risk to life and equipment from the proposed modifications is low. Various conditions have been included in existing operational consents to ensure the safety of patrons, staff and the surrounding area, should an extreme flood event occur. These include monitoring local weather and government warnings and storage of all outdoor furniture, including tables, chairs, umbrellas and barriers inside the premises (building) when not in use.	Yes

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Control	Assessment	Compliance
1.2 – Notification and Advertising Requirements DAs are to be publicly exhibited in accordance with the Camden Community Participation Plan 2021 (CCPP).	The DA was publicly exhibited in accordance with the CCPP and no submissions were received.	Yes
2.1 – Earthworks Building work is to be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill	No significant changes are proposed to the existing finished floor or ground levels of the building, car park or footpaths. Minimal surface works are proposed (cutting up to 500mm into existing concrete slabs and natural ground level) to install new drainage pits, downpipes, rear entrance walkway, water feature and additional carport cover. However, these works will not alter the overall topography of the site.	N/A
2.3 – Water Management All development must demonstrate compliance with Council's Engineering Specifications including requirements for detention, drainage and water sensitive urban design.	The proposed development includes approximately 215m ² of new roof area towards the rear of the site. Council's development engineer has reviewed the submitted stormwater plans which indicate that all new roofing will be connected to the existing stormwater system (100mm diameter pvc pipes directed to two outlets in Larkin Place) and has deemed the existing infrastructure to be capable of servicing the proposed modifications. Conditions are recommended to ensure compliance with Council's Engineering Specifications.	Yes
2.12 – Acoustic Amenity Acoustic report may be required where noise sensitive receivers may be affected.	The submitted acoustic report has been reviewed by Council's environmental health officer who has confirmed that the that the proposed works and enclosure of the rear terrace roof will improve noise attenuation for the premises. The proposal is not expected to generate any adverse acoustic impacts to any surrounding business or residential premises.	Yes
2.13 – Air Quality Development likely to result in atmospheric pollutants, including odours, are to include operating practices and technology to control emissions. Details to be provided at DA stage.	No changes are proposed to the existing kitchen or food preparation areas, which are equipped with exhaust and mechanical ventilation to control cooking odours. The proposed new bar areas can comply with all relevant food premises legislation and Australian Standards. Conditions in previous development consents will continue to apply for amenity and waste management to control odours. A new condition is recommended to ensure all modified parts of the premises remain compliant with the Smoke-free Environment Act 2000 and Regulations. Subject to compliance with these conditions, the development is not likely to emit or experience any adverse air quality impacts. The relocation of the existing smoking area from the Argyle Street frontage to the new central location will	Yes

Camden Development Control Plan 2019 (DCP) Assessment Table

	improve amenity for the outdoor dining area and public footpath.	
2.14 – Waste Minimisation and Management DAs must be accompanied by a waste management plan (WMP) that addresses the applicable waste management controls of the Camden DCP. Waste management criteria for particular development types must be complied with.	Conditions for waste management exist in prior development consents for the site. Additional conditions are recommended which require all demolition and construction waste to be managed in accordance with the submitted WMP and relevant WorkCover requirements, including for the disposal of any asbestos, if identified.	Yes
2.16.3 – General Heritage Provisions New work must be easily identified as such and is required to be sympathetic to the heritage place.	The proposed works will be easily identified from the original fabric of the building. The works are sympathetic in that they comprise contemporary materials and building techniques, whilst being of a style that will reflect the heritage values of the site.	Yes
When alterations or additions are proposed, the removal of any existing unsympathetic elements is encouraged.	The submitted heritage assessments summarise how the ground floor of the pub has been heavily modified since the 1970s. The proposed works do not involve the removal of any original fabric such as masonry walls, plasterwork, ceilings, cornices, skirtings or architraves. The existing lightweight walls, joinery and finishes proposed to be demolished are all later additions. Council's heritage staff support the removal and replacement of the elements, as proposed.	
Where significance permits modification, alterations to the original room layout of a heritage item is permissible provided the original details such as joinery, plasterwork and wall nibs and can still be interpreted.	The areas for patron use within the pub will be rearranged to improve functionality, including the grouping of internal and approved (but not yet commenced) outdoor dining areas together. However, no changes are proposed to any surviving original structural or surface components.	
New development must be designed to interpret and complement the general form, bulk, scale, height, architectural detail and other significant elements of the surrounding heritage place.	The proposal includes the addition of a new hipped roof over the lower terrace, a new skillion roof over the central sports bar, and extension of the existing rear carport. The roof designs are modest in height, below the existing first floor roofline and are complementary to the bulk, scale and architectural style of the building.	
Where an addition is not visible from a street or public place, greater flexibility in design may be considered. Alterations and additions to a heritage item or within a conservation area will be sited and designed to retain the intactness and consistency of the streetscape and the significance of the conservation area.	The external modifications will only be visible from the rear public car park and are consistent with the diverse range of commercial extensions visible from this elevation.	
Additions to buildings in the conservation area are to be predominantly to the rear of the	The additions are limited to the rear and will not dominate the existing building.	

existing building. Additions should not visually dominate the existing building.		
Where there is a uniform building front setback, new development must recognise this.		
The existing informal and irregular pattern of rear property building alignments is to be retained.		
The existing pattern, pitch, materials and details of original roof forms within the Heritage Conservation Area must be retained.	appropriate for the contemporary additions	
Secondary roof forms should be subservient in form, scale and location to the main roof.		
Original verandas and balconies are not to be removed, altered or enclosed.	, , , , , , , , , , , , , , , , , , , ,	
The significant original internal elements of a building, such as distinctive joinery, fireplaces, decorative plasterwork are generally to be retained and conserved in heritage places.	fireplace in the front lounge area, which based on photographic evidence of the chimneys viewed from Argyle Street	
Colour schemes on heritage items must be appropriate and sympathetic to the building type period and architectural style.	comprehensive, however is missing	
Original significant masonry that is unpainted or unfinished must not be rendered, bagged, painted or otherwise refinished in a manner inappropriate to the architectural style of the building.	occur to previously painted surfaces and will be of a similarly neutral beige colour, subject to further review, as noted above.	
Garages, carports and outbuildings must be simple, ancillary structures, that are designed and sited so that they do not dominate the principal building and not detract from the Heritage Conservation Area.	over four staff parking spaces to the rear. The carport will have a maximum height of 3.19m from natural ground level and will	

Vehicle access must not impact adversely upon the architectural character and significance of buildings or the streetscape.	No changes are proposed to the existing vehicle access or parking arrangements.	
Driveways should be constructed of gravel, crushed sandstone, bricks or plain concrete or be designed as separated wheel strips. Stencilled concrete is generally not appropriate.	No changes are proposed to the existing concrete driveway or car park surface.	
Appropriate external lighting may be used to highlight the architectural features of significant buildings.	Ten new wall lights are proposed along the front façade. A condition is recommended for compliant illumination levels.	
Skylights, air conditioning units, antennas, solar panels, satellite dishes etc. must not be visible from the street.	The proposal does not require any new mechanical plant. There are no changes proposed to the current exhaust or plant units, which are located above the kitchen and on the first floor terrace.	
Where consent is issued for demolition, or part demolition, of a heritage place a comprehensive diagrammatic and photographic archival record is to be made of the structure to be demolished. This must be submitted to Council's satisfaction prior to commencement of any demolition works. A heritage consultant experienced in the preparation of an archival recording is required to undertake the recording.	The proposal involves the partial demolition of non-original building components. A condition is recommended for an archival recording to be prepared and submitted for approval by Council's heritage staff prior to works commencing.	
2.16.4 – Camden Heritage Conservation Area Original uses of significant buildings should be encouraged and facilitated. Where this is no longer possible, appropriate adaptive re- use opportunities can be used to facilitate the conservation of these buildings.	The proposed modifications will enable the existing use as a pub to remain viable which will in turn support the maintenance and conservation of the heritage item.	Yes
A two storey height limit must prevail except for significant architectural features incorporated into the design of buildings in significant locations.	No changes are proposed to the existing maximum building height. The extent of works is limited to the ground floor.	
In commercial areas where historical evidence exists, awnings and/or veranda's must be provided on thew front elevation and must complement existing awnings and verandahs on adjacent buildings.	The existing front verandah and balcony will remain, with only minor surface treatments proposed.	
2.17.1 – General Requirements for Signs The location, quantity, type, colour, design and size of all signage must not detract from the amenity and	No changes are proposed to the existing fascia, under awning or projecting wall signs on the front façade. Two fascia signs on the rear elevation will be removed and replaced with:	Yes

character of the land or building to which it relates.	 one circular 1200mm diameter (1.13m²) illuminated "VIP Lounge" sign; 	
	 one 3.521m wide x 2.190m high (7.7m²) painted wall sign displaying the "Plough and Harrow Inn" business logo. 	
	These signs are similar in design to other signs in the vicinity and will not distract from the visual amenity of the site.	
All signage must be consistent with the scale of the building or the property on which it is located.	The sign sizes are in proportion to the scale of the building.	
All signage must align with an approved or exempt land use being conducted on the land to which the sign is displayed.	The signs will relate to the approved pub use.	
All signage must remain within the property boundary except in the case of a sign attached to an awning over the footpath.	The signs will be wholly contained within the site's boundaries.	
Signage must not interfere with road or pedestrian safety and must not obscure sightlines, case confusion, or consist of flashing.	One of the signs will be illuminated, however will not flash. Neither of the signs will distract from road or pedestrian safety.	
2.17.2 – Signs in Commercial and Mixed Use Zones The total combined signage area on a building elevation must not exceed 20% of that building elevation that is visible from a public place.	The combined new signage area of 8.83m ² / total rear façade elevation area of 99.5m ² = is 9% of the rear building elevation.	Yes
All signs must be located wholly within the property boundaries.	All signs will be located within the property boundaries.	
All illumination signage must comply with AS1158 – Lighting for Roads and Public Spaces and AS4282 – Control of the Obtrusive Effects of Outdoor Lighting.	A condition is recommended to ensure illumination levels comply with the Australian Standards.	
2.17.4 – Signage on Heritage Items or in Heritage Conservation Areas A Heritage Impact Statement (HIS) may be required to address the impacts of signs on heritage items.	The submitted HIS and Statement of Environmental Effects adequately describe and assess the proposed signs. The signs have been reviewed by Council staff and are considered to be complementary to the commercial character of the rear facade.	Yes
All signage must complement the historic character of the building or conservation area in terms of colour, material, proportion, positioning and font.	The design of the main wall sign painted black and white text/graphics between two new glass brick walls, which is complementary to the heritage building and area.	
The number of signs must not exceed two per elevation that is visible for a public place.	A maximum of two final signs are proposed for the rear elevation.	

Signs to be appropriately designed and located to allow the character of the building or conservation area to remain prominent.	The sign sizes and designs are appropriate for the character of the conservation area.	
Signs are not to dominate or obscure the architectural details of a heritage item, or break the parapet or roofline of a building.	The signs will not dominate the facades or rooflines of the building.	
Signs to be located on areas of the building traditionally used for signage.	The proposed wall locations are appropriate.	
Sign designs should incorporate traditional materials, fonts, colours and size with a high standard of materials, construction and graphics.	The signs include traditional fonts, colours and graphics in high quality materials.	
External surface illumination and fittings should have minimal impact on the external fabric and be consistent with the character of the building.	The circular VIP Lounge sign will be attached to a previous modern extension of the building, having minimal impact.	
Internally illuminated signage is restricted to under awning signs only.	The illuminated VIP sign is not beneath an awning however the proposed wall location is appropriate given the contemporary nature of the building when viewed from the rear (as opposed to the more traditional frontage along Argyle Street) and the interface of the public car park with the rear entry to the premises. The illumination will assist in wayfinding for guests entering the premises at night. There are no nearby residents who will be affected by the illumination in this location.	
2.18.2 – Off-street Car Parking Rates/Requirements Pubs require 1 car parking space per 2m ² of public bar area and 1 car parking space per 5m ² of lounge, beer garden, auditorium, billiard room and restaurant areas.	The proposed works involve demolition of the existing lower terrace and replacement with a new garden bed, water feature, glass brick wall and pedestrian entry ramp in the same location. Whilst the layout of the internal sports bar, bistro and lounge areas is also proposed to be rearranged, there will be no net increase to the existing gross floor area of the building.	N/A
	The submitted 'Existing/Demolition Ground Floor Plan' shows 10 existing car parking spaces, however a site inspection revealed that one space has already been enclosed with a timber slat wall to create a more functional entrance to the rear keg room and screen the external waste storage area. Therefore, there are nine operational car parking spaces and none of these will be impacted by the proposed alterations.	
	Given the site's interface with Larkin Place (which contains approximately 187 parking spaces with varying time limits of $1 - 3$ hours), as well as the available on-street	

	parking in the vicinity, it is considered that the revised pub layout will cater for the same number of staff and patrons and will not generate any increased demand for parking.	
5.2 – General Controls Applying to all Business Zone Areas Development within business zones must incorporate a range of local retail, commercial, entertainment, childcare, residential and community uses to serve the needs of the local community.	The proposal will assist in improving the operational functions of the existing pub, which will continue to provide employment and social/dining opportunities for the local community.	Yes
Where development fronts the street or any other public place (including car parking areas and pedestrian thoroughfares) the development must be designed so that it addresses the street or public place.	Both the front and rear facades will continue to address the public domain and their active use will provide passive surveillance of the adjoining streetscapes and car park.	
Buildings should have a similar mass and scale and feature high quality architectural design and built form.	The modifications are limited to the ground floor and are of a similar mass and scale to that of the current and surrounding built form.	
Building wall planes must contain variation and design features to provide visual interest.	The rear façade will include varied roof pitches and projecting building elements, as well as a mix of materials such as textured paint, business signage and transparent brown glass blocks as features.	
Service infrastructure such as air conditioning and other plant must be screened from public view and incorporated into the design of the building.	No changes are proposed to the existing kitchen exhaust or mechanical plant infrastructure of locations.	
Site facilities such as loading, waste storage, servicing and other infrastructure are to be designed to minimise the visual impact on the public domain and impacts on neighbours.	As noted above, the existing external waste storage area and rear service/keg entry has already been suitably screened by a recently constructed timber slat wall.	
Business development is to facilitate high levels of pedestrian amenity and permeability, include sheltered access from the weather and minimise overshadowing of public places, where possible.	The design retains options for patron entry from both the front and rear of the premises, including direct access from the Larkin Place car park. The ground floor alterations will not cause any overshadowing impacts to any adjoining public or private areas.	
5.3.1 – Camden – B2 Local Centre New development should complement or reinforce the retail functions of the centre, particularly along Argyle Street frontages and associated pedestrian accessways.	The proposed alterations will help to strengthen the commercial viability of the premises and the town centre. Both facades will receive façade treatments to improve their visual presentation to the Argyle Street and Larkin Place frontages.	Yes
Buildings should maintain and enhance the historic character of	The alterations proposed are appropriate for each facade, as relevant, with a traditional character being retained along	

Argyle, Hill and John Streets in the town centre.	Argyle Street and more contemporary improvements to the rear, consistent with the surrounding built form.	
Development within the B2 Local Centre zone must be consistent with the Camden Town Centre Urban Design Framework (CTCUDF).	The development is consistent with the relevant sections of the CTCUDF in that the proposed built form will contribute to the vitality of the town centre, whilst preserving the heritage values of the site. The proposal will not have any adverse impacts on the defined Larkin Place Precinct which has recently been adapted to enable more civic 'town square' uses. The CTCUDF requires sensitive contemporary architecture to face it, to promote a sense of place and the subject proposal is consistent with these objectives.	

Attachments for the Camden Local Planning Panel Meeting held on 14 February 2023 - Page 74

THE PLOUGH AND HARROW HOTEL

75 ARGYLE STREET, CAMDEN 2570

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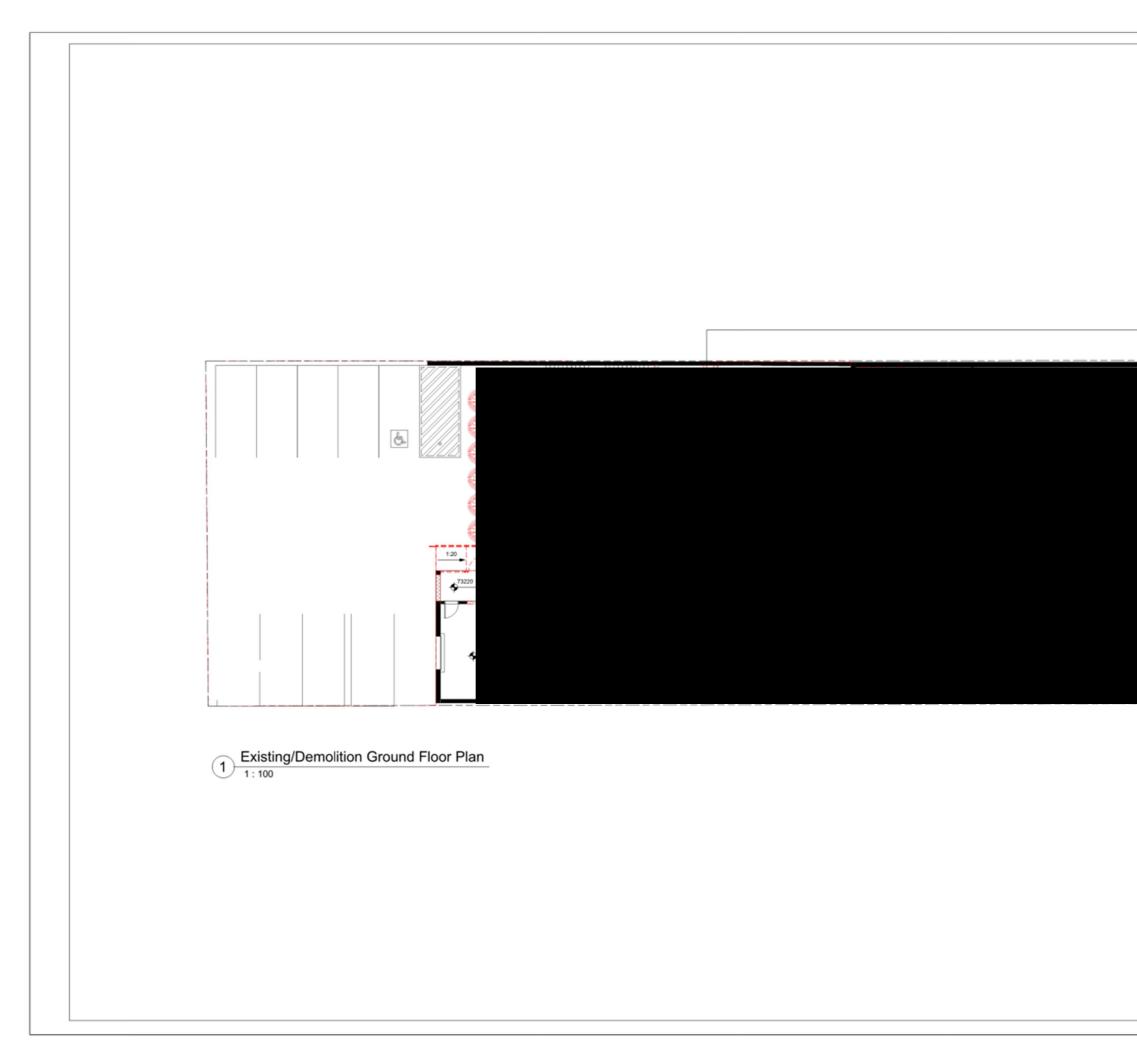
1 Location Plan

Drawing List		
Sheet Number	Sheet Name	Current Revision
DA0000	TITLE	1
DA0001	EXISTING GROUND FLOOR PLAN	1
DA0002	EXISTING ROOF PLAN	1
DA1001	GROUND FLOOR PLAN	1
DA1100	PROPOSED ROOF PLAN	1
DA2001	ELEVATIONS	1
DA3001	SECTION 01	1

CLPP02



Architectural Plans



CLPP02

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Architectural Plans

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CLIENT Owner

PROJECT TITLE Project Name Enter address here

DRAWING TITLE EXISTING GROUND FLOOR PLAN

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DA0001

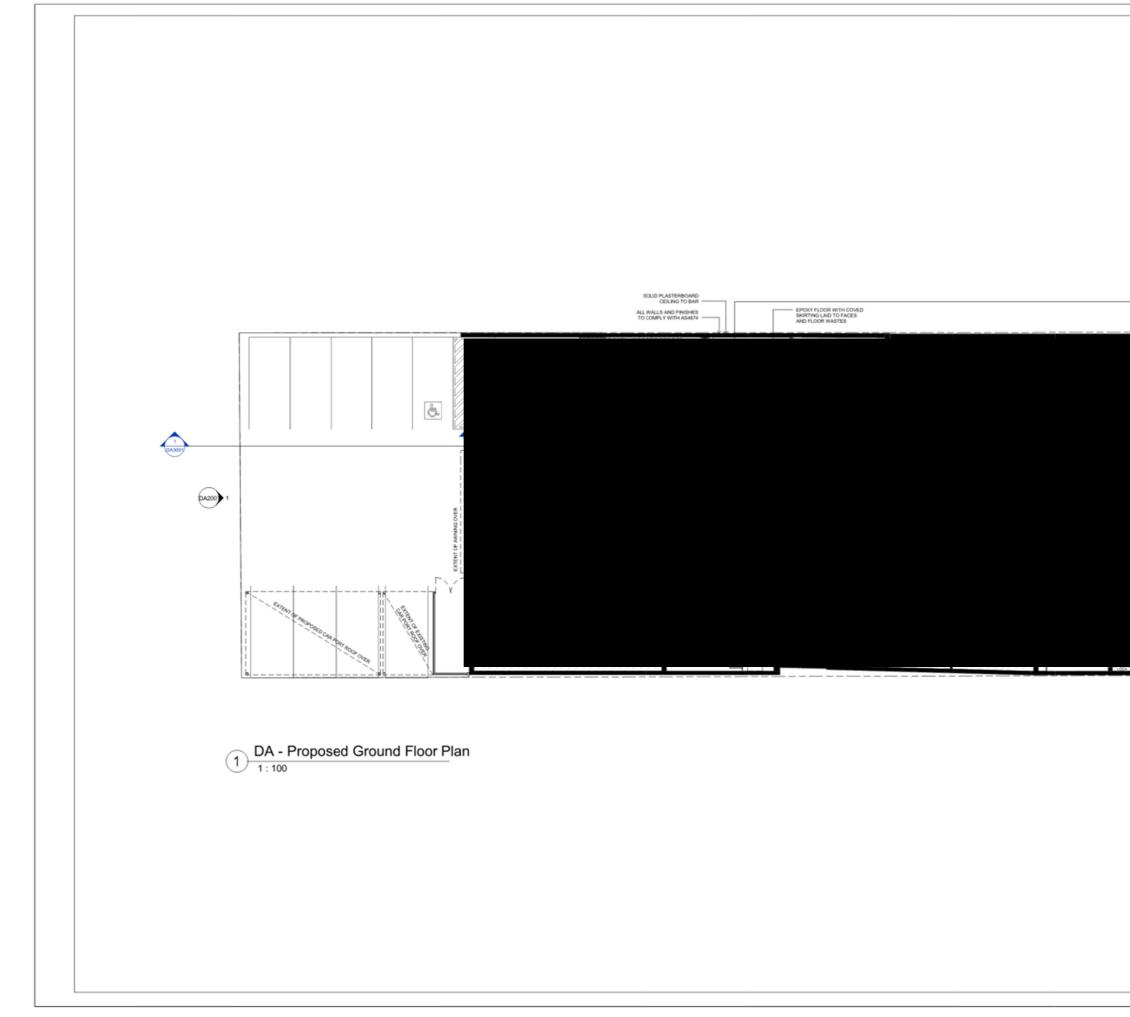
NSW NOMINATED ARCHITECT - ANTHONY VAVAYIS NO.5243

P: 2026A LINE STREET KING STREET WHARF SYDNEY NSW 2000 ANTHONY VAVAYIS & ASSOCIATES PTY, LTD. ACN 069 737 935

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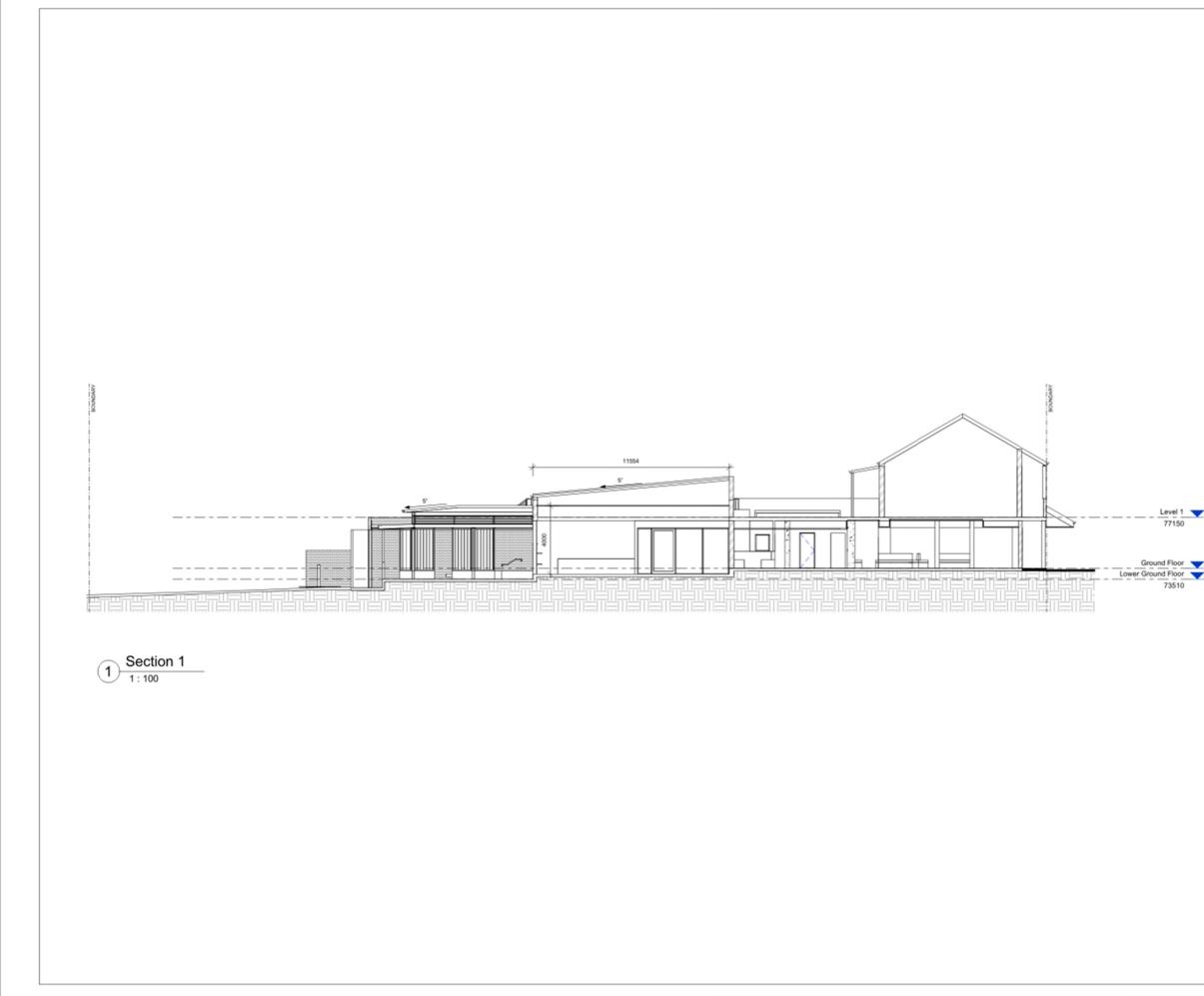
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Attachment 5

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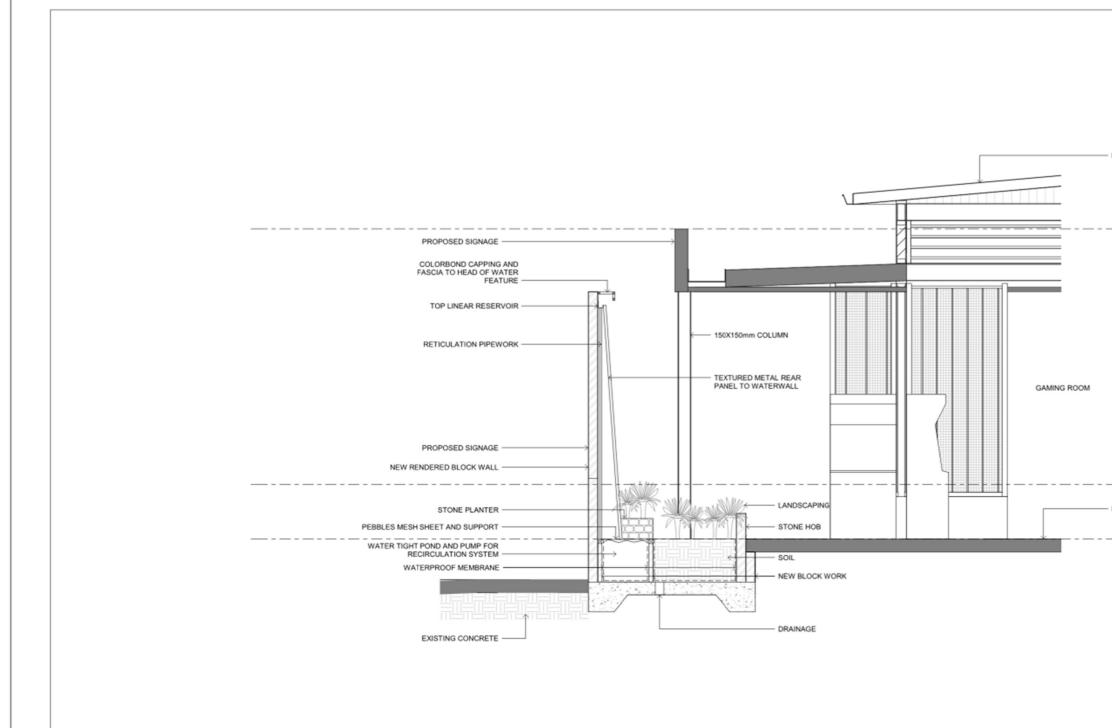
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ANTHONY VAVAYIS +ASSOCIA	
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Attachment 5





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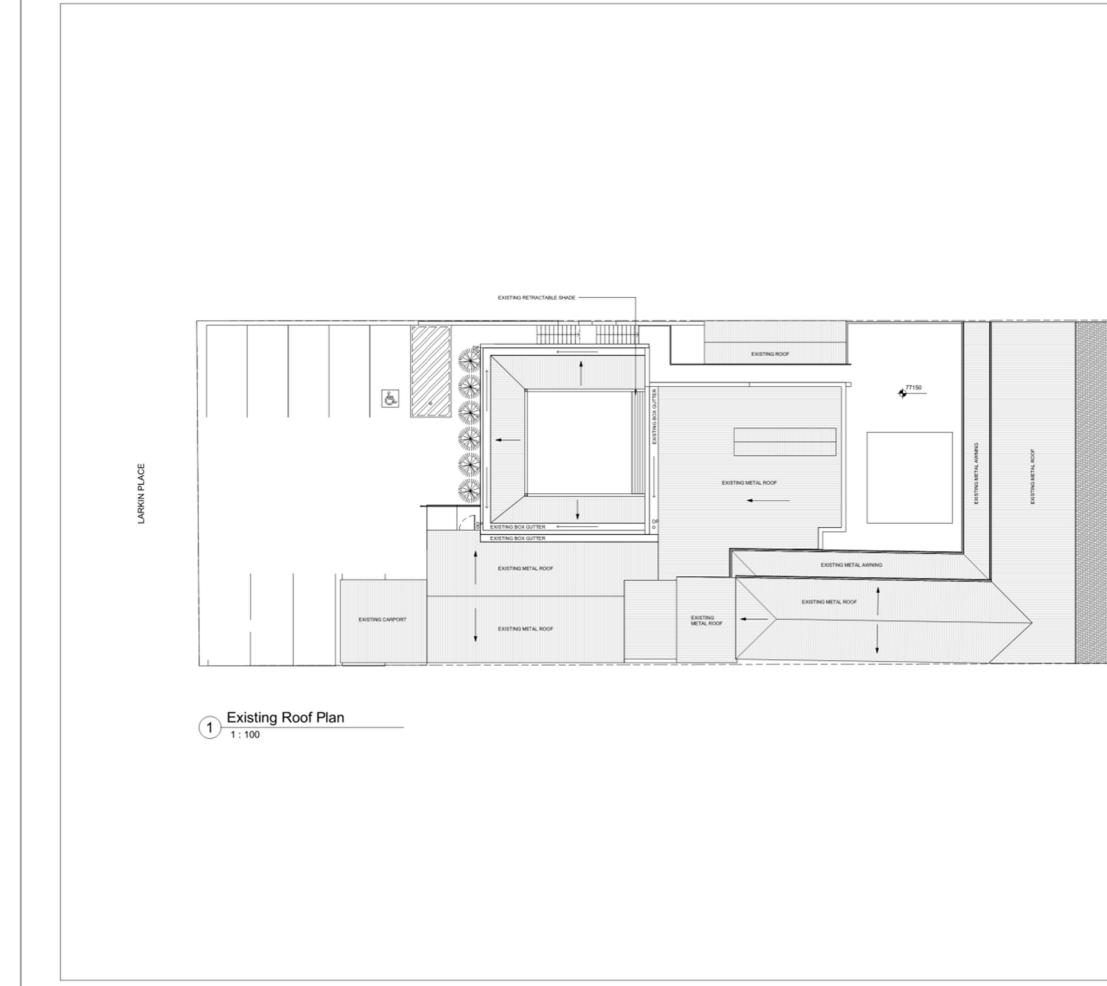
- NEW ROOF

EXISTING FLOOR AND STRUCTURE

Lower Ground Floor 73510

REVISION	retec
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ARCHITECTS	VAVAYIS +ASSOCIATES DESIGNERS PLANNERS
E: adm	24 LINE STREET KING STREET WHARF SYDNEY NSW 2000 in@avaarchitects.com.au T: 02 9290 1810 W: www.avaarchitects.com.au
	26A LIME STREET KING STREET WHARF SYDNEY NSW 2000 HONY VAVAYIS & ASSOCIATES PTY, LTD. ACN 069 737 935
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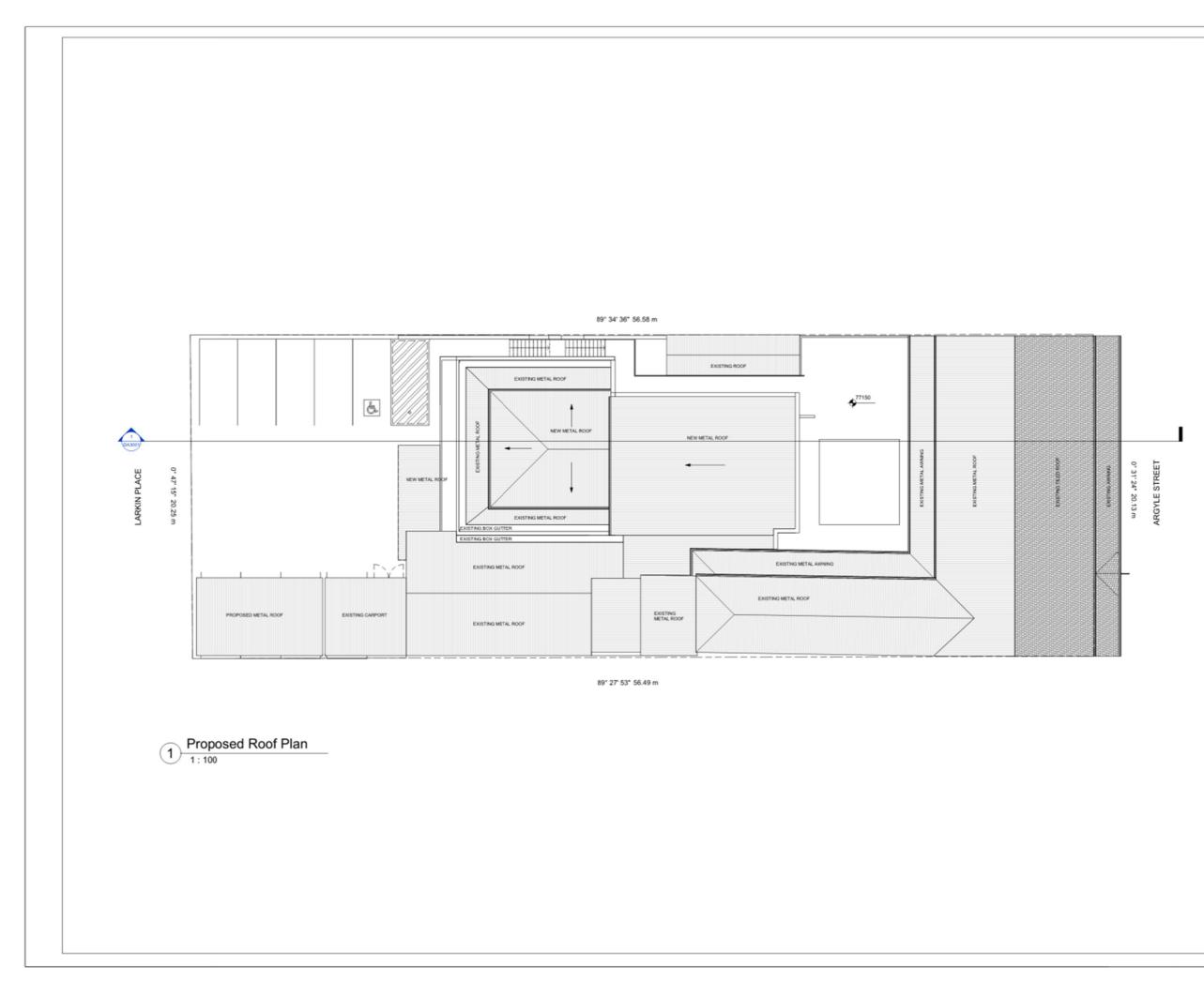
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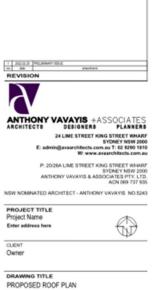


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Owner

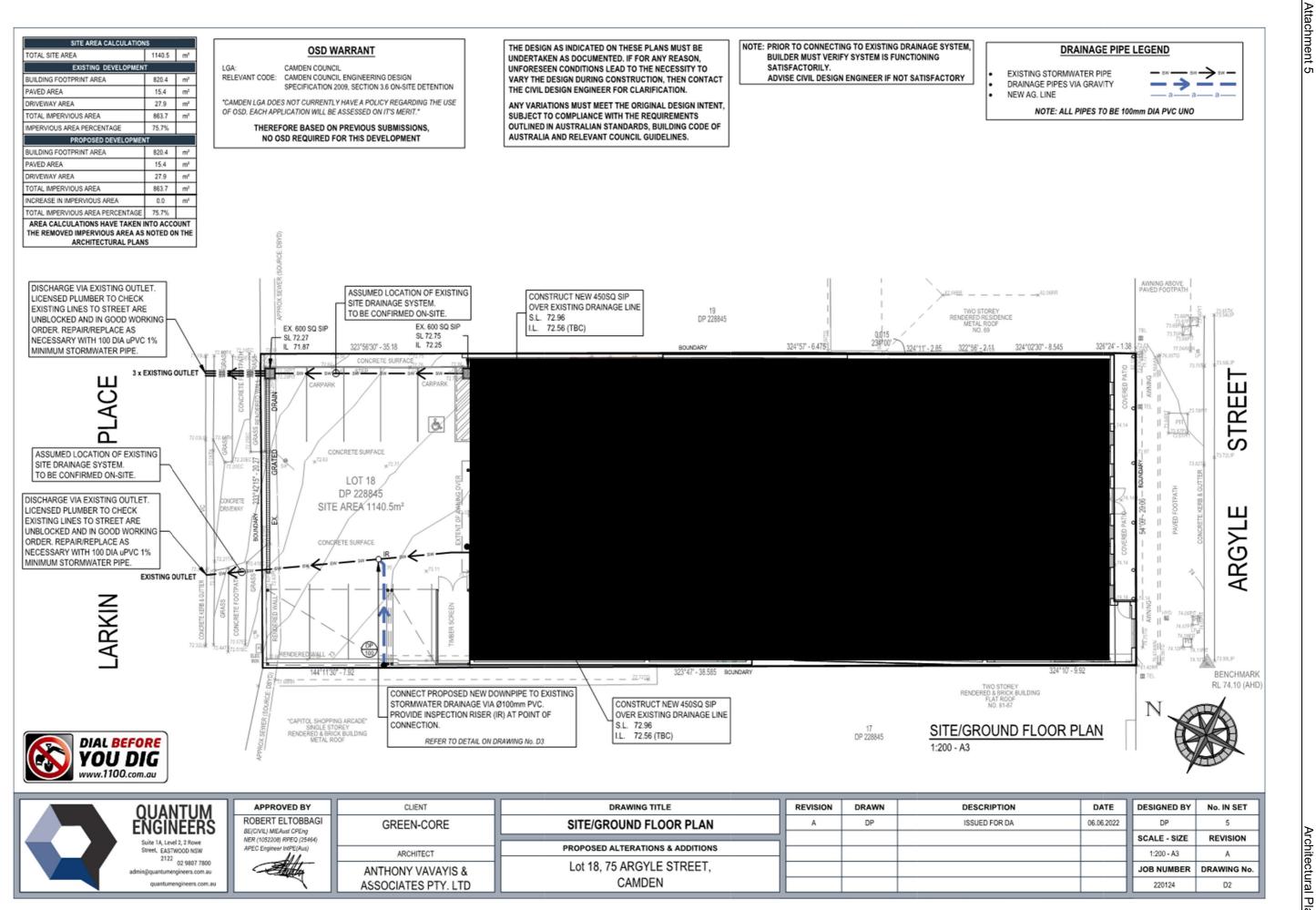
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 PROJECT 21003

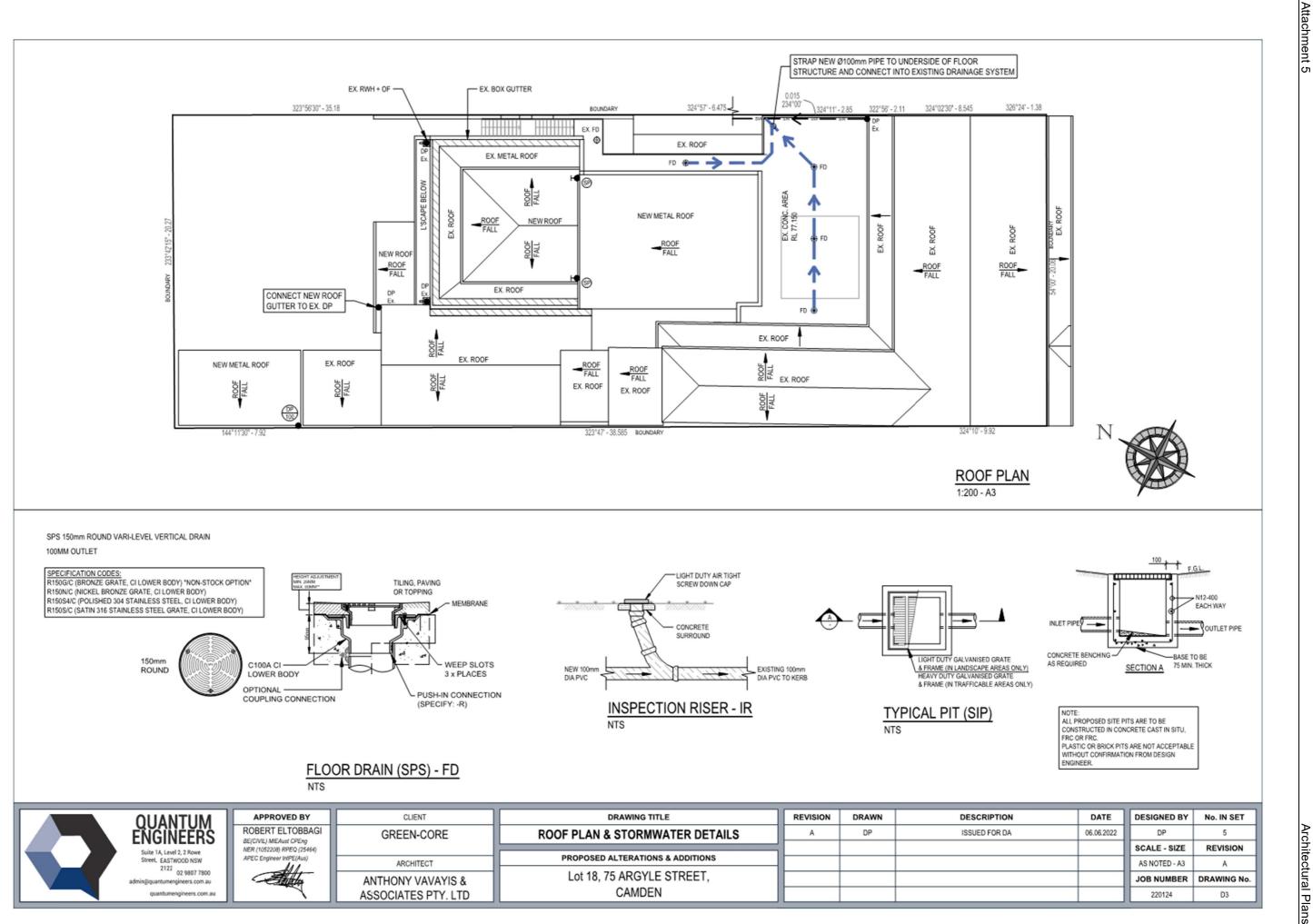
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Architectural Plans

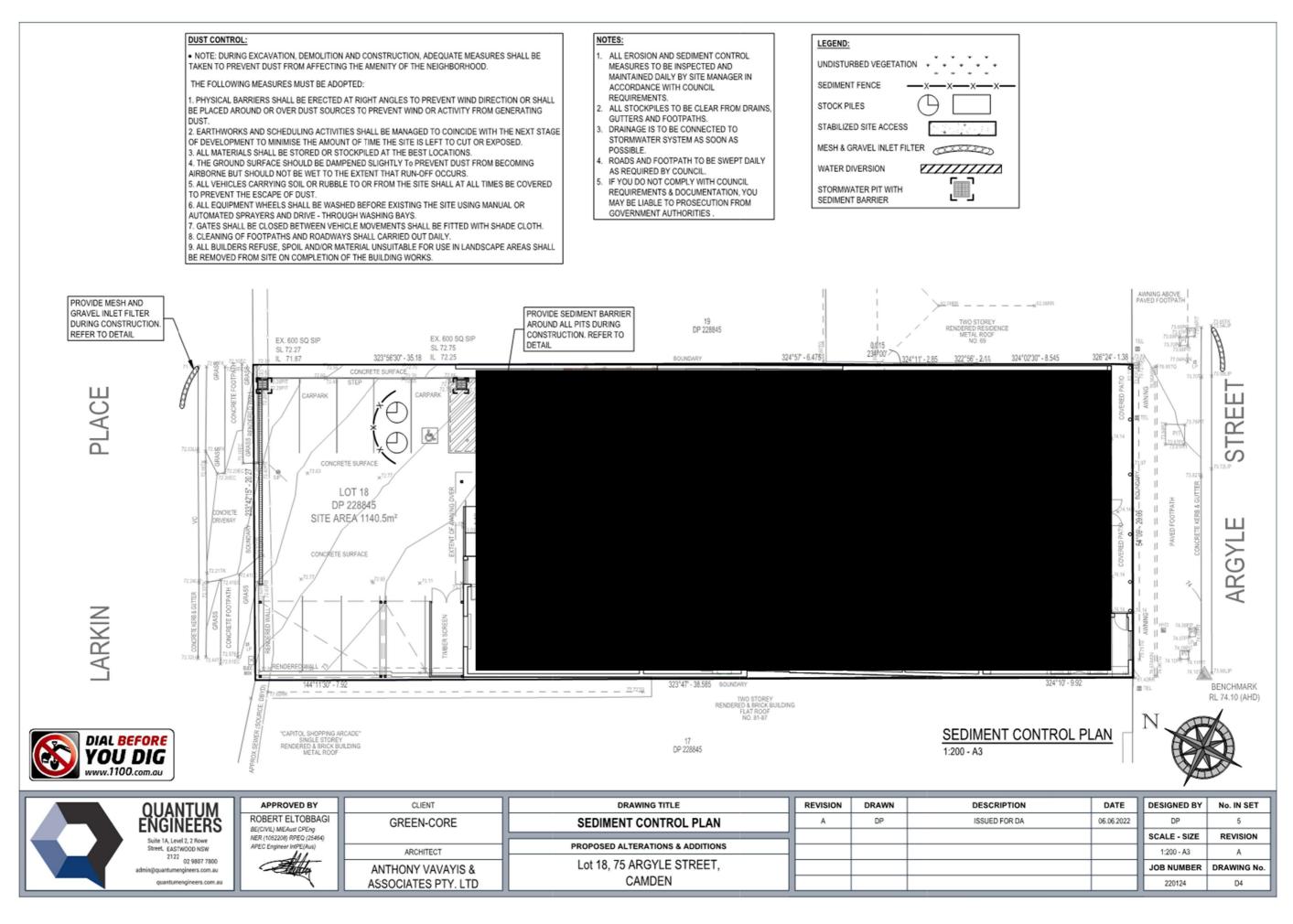
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CLPP02



CLPP02

Architectural Plans



70 Central Ave, Oran Park NSW 2570

@ mail@camden.nsw.gov.au



PO Box 183, Camden 2570





